

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

**VOLUME II**

**1983 First Special Session**

**Convened April 25, 1983**

**Adjourned Sine Die May 24, 1983**

**1983 Second Special Session**

**Convened May 25, 1983**

**Adjourned Sine Die May 25, 1983**

**1983 Third Special Session**

**Convened September 10, 1983**

**Adjourned Sine Die September 10, 1983**



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

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Dean R. Foster, *Chief Clerk*  
Eljo Sutherland, *Minute/Journal Clerk*

**FIRST DAY  
1983 FIRST SPECIAL SESSION**

NOON SESSION

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House Chamber, Olympia, Wash., Monday, April 25, 1983

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 and Isaacson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Kim Strathdee and Scott Blackburn. Prayer was offered by Father Theodore Marmo, St. Michael's Catholic Church of Olympia.

PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has all but concluded the 1983 Regular Session without finishing its essential tasks. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

- The state budget and budget-related items;
- Revenues to support the budget;
- The Washington Public Power Supply System;
- Bills in dispute;
- Gubernatorial appointments.

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed thirty days in the Capitol at Olympia at 12:00 noon on April 25, 1983.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th Day of April, A.D. nineteen hundred and eighty-three.

(Seal)

JOHN SPELLMAN, Governor.

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, in his proclamation the Governor lists those subject areas to be considered by the legislature. My point of inquiry is: May the Governor limit this House to subject?"

The Speaker: "Representative Nelson, Article II, Section 12 of our State Constitution as amended by the 68th Amendment, provides that special legislative sessions may be convened for a period of time not more than thirty consecutive days by a proclamation of the Governor. It also provides that the resolution concerning the legislature shall specify purpose or purposes for the convening of the special session, and notes that specification of purpose shall be considered by the legislature, but shall not be mandatory. In answer to your point of parliamentary inquiry, the Speaker would rule that in accordance with the State Constitution, the Governor may not limit the subject matter this body may consider."

COMMITTEE FROM THE SENATE

A Special Committee from the Senate, consisting of Senators Barr, Rinehart and Bender, 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 returned to the Senate.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-72, 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, the resolution was adopted.

## APPOINTMENT OF SPECIAL COMMITTEE

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

## INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 21, by Representatives Heck and G. Nelson

Notifying the Governor that the legislature is organized.

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 21 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 adopted.

HOUSE CONCURRENT RESOLUTION NO. 22, by Representatives Heck and G. Nelson

Providing for the reintroduction of bills, memorials and resolutions.

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 22 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 adopted.

HOUSE CONCURRENT RESOLUTION NO. 23, by Representatives Heck and G. Nelson

Limiting subjects considered during this 1983 first special session.

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 23 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 adopted.

## REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready for business. The report was received and the committee was discharged.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Concurrent Resolution No. 21, the Speaker appointed Representatives Stratton, McClure and Padden to notify the Governor that the Legislature was organized and ready for business.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## THIRD READING

SUBSTITUTE HOUSE BILL NO. 234, by Committee on Transportation (originally sponsored by Representatives Martinis and Isaacson - by Governor Spellman request)

Adopting the transportation budget.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 234, and the bill passed the House by the following vote: Yeas, 64; nays., 31; absent, 1; excused 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Charnley, Clayton, Crane, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Hankins, Hine, Holland, Jacobsen, Johnson, King J, King R, Lewis, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Struthers, Tanner, Tilly, Van Dyken, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 64.

Voting nay: Representatives Barnes, Burns, Cantu, Chandler, Dellwo, Dickie, Ebersole, Fuhrman, Garrett, Halsan, Hastings, Haugen, Heck, Kaiser, King P, Kreidler, Locke, Long, Moon, Nelson G, Padden, Patrick, Rust, Schoon, Sommers, Stratton, Sutherland, Taylor, Vander Stoep, West, and Mr. Speaker - 31.

Absent: Representative Todd - 1.

Excused: Representatives Bond, Isaacson - 2.

Substitute House Bill No. 234, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 235, by Committee on Transportation (originally sponsored by Representative Martinis; by Governor Spellman request)

Modifying gas tax provisions ('83-'85 Biennium).

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 235, and the bill passed the House by the following vote: Yeas, 60; nays., 35; absent, 1; excused 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Chandler, Charnley, Clayton, Crane, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Grimm, Hankins, Hine, Holland, Johnson, King J, King R, Lewis, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Struthers, Tanner, Tilly, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 60.

Voting nay: Representatives Addison, Barnes, Burns, Cantu, Dellwo, Dickie, Ebersole, Fuhrman, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Jacobsen, Kaiser, King P, Kreidler, Locke, Long, Moon, Nelson G, Padden, Patrick, Pruitt, Rust, Schoon, Sommers, Stratton, Sutherland, Taylor, Van Dyken, Vander Stoep, West, and Mr. Speaker - 35.

Absent: Representative Todd - 1.

Excused: Representatives Bond, Isaacson - 2.

Substitute House Bill No. 235, having received the 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. Charnley, the House reverted to the sixth order of business.

## SECOND READING

HOUSE BILL NO. 496, by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betzoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong

Modifying provisions on senior citizen tax relief.

The bill was read the second time. Mr. Grimm moved that Substitute House Bill No. 496 be substituted for House Bill No. 496, and the substitute bill be placed on the calendar for second reading.

## POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker: "I have before me, House Concurrent Resolution No. 23, dealing with the measures and the subject matters we will be facing in this Special Session of the Legislature. I would like the Speaker to rule on House Bill 496 being before us as an active issue for the legislature to consider."

## SPEAKER'S RULING

The Speaker: "The Speaker has examined Substitute House Bill 496 and feels, after examination, that it is a necessary revenue bill."

Mr. G. Nelson: "Mr. Speaker, as I read Substitute House Bill 496, the measure ends up becoming a tax shift from one select group of people to the remaining taxpayers in the state of Washington. It provides no revenue to support the operating budget or the capital budget and, as I read House Concurrent Resolution 23, the situation is one where these bills were to have primary impact on either the operating budget or the revenue necessary to support the operating budget."

The House was at ease.

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

April 25, 1983

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3272,  
ENGROSSED SENATE BILL NO. 3507,  
ENGROSSED SENATE BILL NO. 3519,  
SUBSTITUTE SENATE BILL NO. 3520,  
SECOND SUBSTITUTE SENATE BILL NO. 3722,  
SUBSTITUTE SENATE BILL NO. 4245,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Heck, the rules were suspended, and Engrossed Senate Bill No. 3519 was placed on the calendar for immediate consideration.

ENGROSSED SENATE BILL NO. 3519, by Senators Thompson, Zimmerman and Bauer (by Governor Spellman request)

Increasing state power to repair damage from the eruption of Mount St. Helens.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, Regular Session, 89th Day, April 8, 1983.)

Mr. Walk moved adoption of the committee amendment.

Representatives Walk and Hankins spoke against adoption of the committee amendment, and it 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 B. Williams and Ristuben spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3519, 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, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Isaacson - 2.

Engrossed Senate bill No. 3519, having received the 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 SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor 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 adjourned until 9:30 a.m., Tuesday, April 26, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 26, 1983

The House was called to order at 9:30 a.m. by the Speaker (Mr. Charnley presiding). The Clerk called the roll and all members were present except Representatives Bond, Burns and Vekich, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heidi Yelle and David Reed. Prayer was offered by Father Theodore Marmo, Pastor of St. Michael's Catholic 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

April 25, 1983

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 21.  
HOUSE CONCURRENT RESOLUTION NO. 22.  
HOUSE CONCURRENT RESOLUTION NO. 23.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

2SSB 3722 by Committee on Ways & Means (originally sponsored by Senator Hughes)

Providing for the funding of a hazardous waste program.

Referred to Committee on Ways & Means.

## REPORT OF STANDING COMMITTEE

April 23, 1983

HB 52 Prime Sponsor, Representative Grimm: Modifying taxes ('83-'85 Biennium). 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, Ranking Minority Chair; Addison, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

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

On motion of Mr. Heck, the following bills were referred from the third reading calendar to the Rules Committee:

Substitute House Bill No. 6, Substitute House Bill No. 9, Substitute House Bill No. 22, House Bill No. 31, Engrossed House Bill No. 66, House Bill No. 73, Engrossed Substitute House Bill No. 79, Engrossed Substitute House Bill No. 84, Engrossed House Bill No. 96, Engrossed House Bill No. 101, House Bill No. 138, Engrossed House Bill No.

140, Substitute House Bill No. 149, Engrossed House Bill No. 152, House Bill No. 217, Engrossed Substitute House Bill No. 254, Substitute House Bill No. 306, Engrossed Substitute House Bill No. 307, Engrossed Substitute House Bill No. 311, House Bill No. 344, House Bill No. 374, Engrossed House Bill No. 392, Engrossed House Bill No. 432, Substitute House Bill No. 435, Substitute House Bill No. 439, Substitute House Bill No. 448, Engrossed House Bill No. 449, Engrossed Substitute House Bill No. 475, Substitute House Bill No. 478, Engrossed House Bill No. 517, Substitute House Bill No. 538, Substitute House Bill No. 551, Substitute House Bill No. 552, Substitute House Bill No. 571, Engrossed House Bill No. 596, Substitute House Bill No. 603, Engrossed House Bill No. 606, Engrossed Substitute House Bill No. 608, House Bill No. 611, Engrossed House Bill No. 618, Engrossed Substitute House Bill No. 685, Substitute House Bill No. 700, Substitute House Bill No. 708, House Bill No. 710, Engrossed Substitute House Bill No. 726, House Bill No. 739, Substitute House Bill No. 749, Engrossed House Bill No. 756, Engrossed House Bill No. 769, Substitute House Bill No. 806, Engrossed Substitute House Bill No. 816, Engrossed House Bill No. 839, Engrossed House Bill No. 860, Substitute House Bill No. 861, Engrossed Substitute House Bill No. 863, Substitute House Bill No. 868, House Bill No. 911, House Bill No. 939, Substitute House Bill No. 954, Substitute House Bill No. 1016, Substitute House Bill No. 1017, Engrossed House Joint Memorial No. 11, Engrossed House Joint Memorial No. 16, House Joint Memorial No. 30, House Joint Resolution No. 11, Substitute House Joint Resolution No. 19, House Joint Resolution No. 27, Substitute House Joint Resolution No. 29, House Joint Resolution No. 35.

ENGROSSED HOUSE BILL NO. 2, by Representatives Todd, Barnes, D. Nelson, Armstrong, Hine, Wang, Vekich, Charnley, Rust, Jacobsen, Crane and Lux

Requiring energy-efficient standards for buildings.

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 House Bill No. 2, and the bill passed the House by the following vote: Yeas, 78; nays, 16; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Martinis, Nelson G, Padden, Sanders, Schmidt, Smith, West, Williams J, Wilson - 16.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed House Bill No. 2, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 39, by Committee on State Government (originally sponsored by Representatives Walk, Lewis, Dickie, Brough, Miller, Sayan, Nealey, Hankins, Isaacson, Silver, Hastings, Addison, Tilly, Struthers, Mitchell, Allen, J. Williams, Barrett and Clayton)

Modifying sunset review procedures.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 39, and the bill passed the House by the following vote: Yeas, 92; nays, 2; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, 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, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Hastings, Struthers - 2.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Substitute House Bill No. 39, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 72, by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying miscellaneous tax provisions.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 72, 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, Betrozoff, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 94.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

House Bill No. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 74, by Representatives Moon, Van Dyken and Egger

Raising limits on local government contracts that may benefit local officers.

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 House Bill No. 74, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, 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: Representative Sanders - 1.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed House Bill No. 74, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 139, by Committee on Financial Institutions & Insurance (originally sponsored by Representatives Lux, Zellinsky, Sanders, Broback, Garrett and Johnson; by Insurance Commissioner request)

Modifying provisions on insurance.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 139, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, 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: Representative Sanders - 1.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Substitute House Bill No. 139, having received the 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 "Aye" on final passage of Substitute House Bill No. 139.

PAUL SANDERS, 48th District.

ENGROSSED HOUSE BILL NO. 239, by Representatives Pruitt, Barnes, Fisch, Miller, Long, Schoon, Patrick, Fisher, Jacobsen, Zellinsky, Silver, Belcher, Isaacson, Vekich, Dellwo, Tanner, Todd, Schmidt and Crane (by Secretary of State request)

Regulating exit polling.

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 House Bill No. 239, and the bill passed the House by the following vote: Yeas, 91; nays, 3; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 91.

Voting nay: Representatives Appelwick, Fuhrman, Sanders - 3.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed House Bill No. 239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, by Committee on Constitution, Elections & Ethics (originally sponsored by Representatives Heck, Vander Stoep, J. King, Lewis, Brække, Patrick, Fisch, Fisher, Zellinsky, Pruitt, Barnes, Miller, Long, Jacobsen, Tanner, Johnson, Ristuben and Garrett; by Secretary of State request)

Revising procedures for mail voting.

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

Representatives Taylor, Addison and Barnes spoke against passage of the bill, and Representatives Pruitt and Miller spoke in favor of it.

Representatives Taylor and Barnes again opposed the bill, and Mr. Tilly spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 240, and the bill passed the House by the following vote: Yeas, 70; nays, 24; absent, 1; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Betrozoff, Braddock, Brekke, Brough, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Addison, Barnes, Barrett, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Taylor, West, Williams B, Williams J, Wilson - 24.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed Substitute House Bill No. 240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 278, by Committee on Natural Resources (originally sponsored by Representatives Stratton, Martinis, B. Williams and Haugen)

Reorganizing the fisheries code.

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. 278, 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, Betrozoff, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 94.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed Substitute House Bill No. 278, having received the 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. 399, by Representatives Sayan, Belcher and McClure

Modifying provisions relating to sales of timber from state-owned land.

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 House Bill No. 399, and the bill passed the House by the following vote: Yeas, 91; nays, 3; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, 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, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 91.

Voting nay: Representatives Fuhrman, Isaacson, Mitchell - 3.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed House Bill No. 399, having received the 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. 420, by Representatives Niemi, J. Williams and Belcher (by Cemetery Board request)

Changing the calculation of fees for the issuance of certification of authority by the cemetery board.

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

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 420, 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, Betrozoff, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 94.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

House Bill No. 420, having received the 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. 428, by Representatives Armstrong, West, Dellwo, Wang and Niemi

Modifying certain court procedures.

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 House Bill No. 428, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Wilson - 1.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed House Bill No. 428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 570, by Representatives Kaiser, Smith, Egger, Nealey, Todd, Fiske, McMullen, Tilly, Belcher, Tanner, Braddock, Ellis, Smitherman, Halsan, Ballard, Miller and Isaacson

Maintaining a vocational agricultural education program.

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 House Bill No. 570, and the bill passed the House by the following vote: Yeas, 79; nays, 15; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Appelwick, Barnes, Broback, Charnley, Ebersole, Galloway, Garrett, Heck, Jacobsen, Lux, McClure, Sanders, Taylor, Wang, West - 15.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed House Bill No. 570, having received the 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. 3520 AS AMENDED BY THE HOUSE, by Committee on Local Government (originally sponsored by Senators Woody, Zimmerman and Thompson)

Revising procedures regarding contested elections and challenged voters.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate bill No. 3520 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, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 94.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Substitute Senate Bill No. 3520 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 assumed the Chair.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 21,  
HOUSE CONCURRENT RESOLUTION NO. 22,  
HOUSE CONCURRENT RESOLUTION NO. 23.

SUBSTITUTE HOUSE BILL NO. 43, by Committee on Social & Health Services (originally sponsored by Representatives Ellis, Lewis, Kreidler, Hastings, Chandler, Miller, Sayan, Crane, Stratton, Nealey, Appelwick, Locke, Holland, Burns, Isaacson, Rust, Silver, Haugen, Wang, Niemi, Ballard, Sutherland, Walk, Tilly, Dellwo, Struthers, Charnley, Mitchell, Garrett, Belcher, McClure, Galloway, Long, Smith, Dickie, Todd and Clayton)

Modifying provisions concerning medical care services.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 43, 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, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 94.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Substitute House Bill No. 43, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 226, by Committee on Ways & Means (originally sponsored by Representatives Ristuben, Ellis, Martinis, Tanner, Armstrong, B. Williams, Fisher, Locke, Halsan, McMullen, Fisch, R. King, Zellinsky, Smitherman, Gallagher, Todd, Haugen, Appelwick, P. King, Braddock, D. Nelson, Brekke, Vekich, Wang, Powers, Rust, Charnley, Ebersole, Hine, Galloway, Isaacson, Tilly, Garrett, Holland, Lewis, Johnson, Schoon, Stratton and Brough)

Providing for the establishment of export assistance centers.

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

Representatives McDonald and B. Williams spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 226, and the bill passed the House by the following vote: Yeas, 63; nays, 31; absent, 1; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Brough, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Walk, Wang, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Addison, Ballard, Barnes, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 31.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Second Substitute House Bill No. 226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231, by Committee on Ways & Means (originally sponsored by Representatives Hine, McDonald, Prince, J. King, Allen, Wang, Pruitt, Sayan, O'Brien, Appelwick, Sutherland, Todd, Burns, Ellis, Silver, Isaacson, Dellwo, Tanner, Brekke, Holland, Powers and Garrett)

Establishing a job skill program.

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

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Will the Speaker please make an interpretation for us and tell us how this is connected with the cut-off resolution?"

The Speaker: "The Speaker has examined Engrossed Second Substitute House Bill No. 231, and has found that a significant appropriation has been considered. It was considered when we considered the budget and revenue levels; therefore, I feel it is a bill that implements the budget and revenue."

Representatives Taylor and B. Williams spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 231, and the bill passed the House by the following vote: Yeas, 84; nays, 10; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Chandler, Charnley, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Ballard, Betrozoff, Cantu, Fuhrman, Hastings, Nelson G, Padden, Patrick, Schmidt, Williams J - 10.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Burns, Vekich - 3.

Engrossed Second Substitute House Bill No. 231, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF INFORMATION

Mr. Isaacson: This bill we just passed does appropriate \$3,500,000 for this purpose. Must this amount also be in the budget on the final passage of the budget bill itself?"

The Speaker: "No, but it was part of the budget level."

#### MOTION

On motion of Mr. Heck, the House recessed until 2:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond and Vekich, who were excused.

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-73, by Representatives Martinis, R. King, Wilson, Haugen, Moon, Mitchell, G. Nelson, Allen, P. King and Long

WHEREAS, On April 27, 1893, the citizens of Everett voted to form the City of Everett and to approve the charter of the state's newest city; and

WHEREAS, The citizens of Everett elected Thomas Dwyer the city's first mayor on the same day; and

WHEREAS, Over the next ninety years the City of Everett grew and developed into one of Washington's largest and most significant cities; and

WHEREAS, Everett has contributed to Washington's economic growth in the forest products processing, transportation, shipping, fishing, aerospace and port development areas; and

WHEREAS, Everett is a nationally recognized birthplace of trade union activities in the United States and has a strong organized labor heritage; and

WHEREAS, The working men and women of Everett have contributed significantly to Washington State; and

WHEREAS, Everett has produced numerous state and nationally significant leaders, including Governor Rolland Hartley, Governor Mon Walgren, Congressman Jack Westland, Congressman Lloyd Meeds and United States Senator Henry M. Jackson; and

WHEREAS, April 27, 1983 is the ninetieth anniversary of the founding of the City of Everett;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extend its congratulations to the City of Everett on its ninetieth birthday; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives urge the citizens of Washington to join with it and the citizens of Everett to celebrate this significant event; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the City of Everett.

On motion of Mr. Martinis, the resolution was adopted.

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

## THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 245, by Committee on Ways & Means (originally sponsored by Representatives J. King, Sanders, Tanner, Powers, Vekich and Heck)

Modifying provisions relating to economic development.

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

Mr. B. Williams spoke against passage of the bill.

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, I wonder if you can give us the rationale or the reasoning behind this bill being before us? Is it a budget? Is it a bill implementing the budget? Is it a revenue bill necessary to implement the budget? Is it a bill related to Washington Water Power Supply System?"

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "It's too late to raise a point of order, since discussion has already taken place. If this is a parliamentary inquiry, it's a bill that contains an appropriation."

Mr. McDonald: "Under what rule is the ruling that I cannot bring up a question as to the relevance under House Concurrent Resolution No. 23?"

The Speaker resumed the Chair.

The Speaker: "The point is that you raised a point of order which is different than a point of parliamentary inquiry. If it's a point of parliamentary inquiry, fine, but you raised a point of order, which the Speaker ruled as not being timely. If you



are now asking for a point of parliamentary inquiry, I would be pleased to respond.

"The Speaker has looked at the bill and it has a significant appropriation and was considered when we determined our budget and revenue levels, thus, I feel that this is a bill that implements the budget and revenue."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Then are you saying that under subsection (2) of the resolution?"

The Speaker: "It would appear that it is related to both. It appears that it could, in fact, be involved in (1), (2) and (3) in one way or another."

#### MOTION

Mr. G. Nelson moved that further consideration of Engrossed Second Substitute House Bill No. 245 be deferred until the bill and the bill report had been inserted in the floor books.

#### SPEAKER'S RULING

The Speaker: "The bill and the bill report are in our books. The Speaker would also point out that there is nothing in our rules that requires that the bill report must be included in our billbooks although it is customarily the case. The rule speaks to having the bills in the billbooks."

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "I want to be clear as to the ruling of the Chair relative to this particular measure, Engrossed Second Substitute House Bill No. 245. As I understood your remarks, this is a bill that implements the budget?"

The Speaker: "The Speaker has read the bill. It has a significant appropriation and was considered when we determined the budget and revenue levels. I feel that it is a bill that implements the budget and revenue."

Mr. Van Dyken 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 Second Substitute House Bill No. 245, and the bill passed the House by the following vote: Yeas, 60; nays, 35; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Walk, Wang, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 35.

Absent: Representative Silver - 1.

Excused: Representatives Bond, Vekich - 2.

Engrossed Second Substitute House Bill No. 245, having received the 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. 251, by Committee on Commerce & Economic Development (originally sponsored by Representatives Sayan, Vekich, J. King, Fisch, Allen, McClure, Wang, Tanner, Haugen, Appelwick, Ellis, Fisher, Hine, Lux, Charnley, Gallagher, B. Williams, Powers, Stratton, Ristuben and Garrett)

Establishing the state employment and conservation corps.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 251, 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, 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, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Clayton, Fuhrman, Padden, Sanders, West - 5.

Excused: Representatives Bond, Vekich - 2.

Substitute House Bill No. 251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 296, by Committee on Education (originally sponsored by Representatives Galloway and Miller; by Superintendent of Public Instruction request)

Modifying provisions regulating school transportation.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 296, and the bill passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Addison, Brough, Cantu, West, Williams J - 5.

Excused: Representatives Bond, Vekich - 2.

Substitute House Bill No. 296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 495, by Committee on Ways & Means (originally sponsored by Representatives Grimm, Monohon, Miller, R. King, Brough, Egger, Fiske, Charnley, Holland, Garrett, Van Dyken, Ebersole, Patrick, Jacobsen, Struthers, Zellinsky, Tilly, Dellwo, Vander Stoep, Heck, Ristuben, Powers, Halsan, Todd, Pruitt, Appelwick, Fisch, Fisher, Crane, D. Nelson, Tanner, Wang, Walk, McClure, Hine, Gallagher, Martinis, Kreidler, Burns, Niemi, Locke, Isaacson, Vekich, Kaiser, McMullen, Lux, Braddock, Rust, Brekke, B. Williams, Belcher, Moon, Sutherland, O'Brien, Lewis, Armstrong and Johnson)

Providing post-retirement adjustments for public retirement systems.

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. 495, 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,

Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 96.

Excused: Representatives Bond, Vekich - 2.

Engrossed Substitute House Bill No. 495, having received the 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. 524, by Representative Brekke

Revising eligibility for medical care services.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 524, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 96.

Excused: Representatives Bond, Vekich - 2.

House Bill No. 524, having received the 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. 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 third time and placed on final passage.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, consistent with our previous questions, I wonder if you could explain to me, under House Concurrent Resolution No. 23, how this bill falls within that category? Under which category does it fall?"

The Speaker: "The Speaker has examined this fine bill of Representative Silver's, and has determined that this bill is necessary because it involves reorganization of state government and will have an impact on the budget that is going to be before us."

#### POINT OF PERSONAL PRIVILEGE

Mr. McDonald: "Mr. Speaker, I want to talk about the integrity of these proceedings. I think when we saw House Concurrent Resolution No. 23 before us, we felt confident that the legislature was going to be able to focus on the main concern of the legislative process for the next, hopefully, ten to fourteen days. It's clear under those guidelines that we were going to deal with budgets, bills required to implement those budgets and items of prime and telling interest for the legislature. It's obvious to me that creative interpretations of that concurrent resolution are going to leave us with a situation that will burn up a lot of time, will have us here spending approximately \$65,000 a day of the taxpayers' money for bills that should have been passed in the previous one hundred five days. I think dealing with bills such as Engrossed Second Substitute House Bill 245 has a certain amount of futility when you take a look at the Governor's remarks saying that if economic development measures are not a part of the budget, should not be considered, that they

will be vetoed if they do pass. I think those remarks should be taken into consideration and these bills that are of telling interest as far as economic development should be folded into the budget, so that we are not simply burning up time doing business that will get us nowhere. I hope that we can have a much narrower focus and I hope rulings from the Chair will keep us on the spirit and intent of the Governor's proclamation, as well as the House Concurrent Resolution No. 23."

#### POINT OF PERSONAL PRIVILEGE

Mr. Heck: "I rise to defend the integrity of the proceedings in the House today, and hold them up as examples that ought to have been followed in past sessions as well as future ones. It has been asserted that somehow the integrity of these proceedings has been undermined. I would suggest to you that instead, what we have is a very, very legitimate difference of opinion about the interpretation of either the cut-off resolution or the proclamation, which, I will remind you, said 'budget-related items' were allowable, and including the personal conversations that went on between the chief executive of this state and the leaders of all four caucuses, during which time economic development measures were alluded to and directly referred to repeatedly. It has been suggested to you that we ought to, in the interest of expediting the business of this session, more narrowly focus our attention in the next ten days to two weeks. I would suggest to you that there is no more main concern, outside of budget and revenue, that this body can take up than the 250,000 unemployed men and women—over thirteen percent unemployment rate—one of the highest in the nation—that the series of bills that have been objected to today will help alleviate the condition of. We are not going to forsake those 250,000 men and women in the interest of lopping off twenty-four to forty-eight to seventy-two hours. We are going to do something about the economic health of this state—new creative approaches—and they will fall within this cut-off resolution. This body will vote on them, and if you choose to reject them on their merit or substance, do so, but don't hide behind a leafless bush, that they are not a legitimate topic of consideration for this body, because they most certainly are."

#### POINT OF PERSONAL PRIVILEGE

Mr. Hastings: "Mr. Speaker, I too am concerned about how this body carries on its business, and I guess I would remind the body that in addition to trying to pass the proper legislation for our citizens, we also have an obligation, as a matter of fact a constitutional obligation, to get our jobs done in as quick of time as possible. It was not long ago that we were to meet only sixty days every two years and the people saw fit, in their wisdom, to extend that time to one hundred sixty-five days in a two-year period and to break it down into time periods—one hundred five days in the odd-numbered years and sixty days in the even-numbered years—and we are now in the odd numbered year and we have concluded the time to do our business in one hundred five days. It seems to me that if the previous speaker mentioned jobs and economic development and so forth was very important, certainly everybody on this side of the aisle agrees with that, that we should have concluded it in the time and limits that the people gave us. Let's not do legislation by the numbers; let's do it in the time the people gave us. I guess our objection stems from that because we have a concurrent resolution here that doesn't say 'budget-related,' it says 'items that implement the budget' and there's a great deal of difference, in my mind, in that interpretation."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 689, and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent, 2; 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van

Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Tilly - 1.

Absent: Representatives Sanders, Schoon - 2.

Excused: Representatives Bond, Vekich - 2.

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. 725, by Representative Grimm (by Code Reviser request)

Appropriating funds for the publication of the session laws.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 725, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 96.

Excused: Representatives Bond, Vekich - 2.

House Bill No. 725, having received the 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. 740, by Committee on State Government (originally sponsored by Representatives Braddock, J. King, Zellinsky, Tanner, Smitherman, Ebersole, D. Nelson, Haugen and Jacobsen)

Establishing a cost control task force.

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

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, in looking at Engrossed Substitute House Bill No. 740, I notice that it establishes the cost control task force, and I would ask the Speaker to inform the body if this applies under House Concurrent Resolution 23, and if so, under which of the allowable criteria?"

The Speaker: "The Speaker has examined Engrossed Substitute House Bill No. 740. This is a bill which establishes a cost control task force. I've also examined House Concurrent Resolution No. 23, and the Speaker noted that it will have a significant impact as to how the budget will be implemented and will affect the spending and the cost control. I would rule that it would be eligible."

Mr. Barrett: "Do I misunderstand? Is our criteria how the budget would be implemented or affected, or how the bill would be implemented or affected?"

The Speaker: "In this case, how the budget would be implemented."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 740, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D,

Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 96.

Excused: Representatives Bond, Vekich - 2.

Engrossed Substitute House Bill No. 740, having received the 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. 796, by Committee on State Government (originally sponsored by Representatives Walk, J. King, Hankins, B. Williams and Hine)

Creating a department of community development.

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. 796, and the bill passed the House by the following vote: Yeas, 70; nays, 26; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Charnley, 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, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Ballard, Barrett, Betrozoff, Broback, Cantu, Chandler, Fuhrman, Hastings, Long, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Struthers, Taylor, Tilly, West, Williams J, Wilson - 26.

Excused: Representatives Bond, Vekich - 2.

Engrossed Substitute House Bill No. 796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Today I voted "No" on the following measures: 2SHB 226, E2SHB 245, SHB 689.

These issues are beyond the criteria established in HCR 23 that limits the items that this legislature may consider in this Special Legislative Session.

Without adhering to specific limits, the legislature will drift into other areas that will prolong the length of the session.

EARL F. TILLY, 12th District.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 595, by Representatives Ellis, Lewis, Dickie, Clayton, Smith, Chandler, Kaiser and Grimm

Establishing the East Selah reregulating reservoir project.

The bill was read the second time.

Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, what's the suspension of the rules required to advance a bill from second to third reading on this second day of the extraordinary session?"

The Speaker: "As provided in Rule 28, it would take two-thirds of those present and voting."

The motion was carried.

Representatives Ellis, Lewis and Isaacson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 595, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 96.

Excused: Representatives Bond, Vekich - 2.

House Bill No. 595, having received the 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. 605, by Representatives O'Brien, Sommers, Betzoff and Miller

Revising provisions relating to the state convention and trade center.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 605 was substituted for House Bill No. 605, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 605 was read the second time.

On motion of Mr. Smitherman, the following amendments by Representatives Smitherman and O'Brien were adopted:

On page 1, after line 7, insert the following:

\*Sec. 1. Section 1, chapter 34, Laws of 1982 and RCW 67.40.010 are each amended to read as follows:

The legislature finds and declares as the express purpose of this chapter:

(1) The convention and trade show business will provide both direct and indirect civic and economic benefits to the people of the state of Washington.

(2) The location of a state convention and trade center in the city of Seattle will particularly benefit and increase the occupancy of larger hotels and other lodging facilities in the city of Seattle and to a lesser extent in King county.

(3) Imposing a special excise tax on the price of lodging in Seattle, and at a lower rate elsewhere in King county, is an appropriate method of paying for a substantial part of the cost of constructing, maintaining, and operating a state convention and trade center.

Sec. 2. Section 2, chapter 34, Laws of 1982 and RCW 67.40.020 are each amended to read as follows:

The governor is authorized to form a public nonprofit corporation in the same manner as a private nonprofit corporation is formed under chapter 24.03 RCW. The public corporation shall be an instrumentality of the state and have all the powers and be subject to the same restrictions as are permitted or prescribed to private nonprofit corporations, but shall exercise those powers only for carrying out the purposes of this chapter and those purposes necessarily implied therefrom. The governor shall appoint a board of nine directors for the corporation who shall serve terms of six years, except that two of the original directors shall serve for two years and two of the original directors shall serve for four years. The directors may provide for the payment of their expenses. The corporation may cause a state convention and trade center with an overall size of approximately three hundred thousand square feet to be designed and constructed on a site in the city of Seattle. In acquiring, designing, and constructing the state convention and trade center, the corporation shall consider the recommendations and proposals issued on December 11, 1981, by the joint select committee on the state convention and trade center.

The corporation may acquire and transfer real and personal property by lease, purchase, or sale, and further acquire property by condemnation of privately owned (and) property or rights to and interests in such property pursuant to the procedure in chapter 8.04 RCW, or gift, accept grants, request the financing provided for in RCW 67.40.030, cause the state convention and trade center facilities to be constructed, and do whatever is necessary or appropriate to carry out those purposes. in order to allow the corporation flexibility to secure appropriate insurance by negotiation, the corporation is exempt from RCW 48.30.270. The corporation shall maintain, operate, promote, and manage the state convention and trade center."

Renumber the following sections consecutively, and correct any internal references accordingly.

On page 3, after line 20, insert the following:

"Sec. 4. Section 3, chapter 12, Laws of 1967 ex. sess. and RCW 48.30.270 are each amended to read as follows:

(1) No officer or employee of this state, or of any public agency, public authority or public corporation except a public corporation or public authority created pursuant to agreement or compact with another state, and no person acting or purporting to act on behalf of such officer or employee, or public agency or public authority or public corporation, shall, with respect to any public building or construction contract which is about to be, or which has been competitively bid, require the bidder to make application to, or to furnish financial data to, or to obtain or procure, any of the surety bonds or contracts of insurance specified in connection with such contract, or specified by any law, general, special or local, from a particular insurer or agent or broker.

(2) No such officer or employee or any person, acting or purporting to act on behalf of such officer or employee shall negotiate, make application for, obtain or procure any of such surety bonds or contracts of insurance, except contracts of insurance for builder's risk or owner's protective liability, which can be obtained or procured by the bidder, contractor or subcontractor.

(3) This section shall not be construed to prevent the exercise by such officer or employee on behalf of the state or such public agency, public authority, or public corporation of its right to approve the form, sufficiency or manner or execution of the surety bonds or contracts of insurance furnished by the insurer selected by the bidder to underwrite such bonds, or contracts of insurance.

(4) Any provisions in any invitation for bids, or in any of the contract documents, in conflict with this section are declared to be contrary to the public policy of this state.

(5) A violation of this section shall be subject to the penalties provided by RCW 48.01.080.

(6) This section shall not apply to the public nonprofit corporation authorized under RCW 67.40.020."

Renumber the following sections consecutively, and correct any internal references accordingly.

In line 1 of the title, after "center;" insert "amending section 1, chapter 34, Laws of 1982 and RCW 67.40.010; amending section 2, chapter 34, Laws of 1982 and RCW 67.40.020;"

In line 4 of the title, after "67.40.060;" insert "amending section 3, chapter 12, Laws of 1967 ex. sess. and RCW 48.30.270;"

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. O'Brien spoke in favor of passage of the bill, and Mr. Taylor spoke against it.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Sommers, I notice that this bill, on page 2, line 6, before the adoption of the Smitherman amendment, sets out a list of priorities from the convention and trade center account. Can you tell me what the word 'priority' means in this context and how it differs from the original language 'in the following order'?"

Ms. Sommers: "Thank you, Representative Hastings, for giving me an opportunity to clarify this. The words 'in the following order' were questioned by some accountants to possibly mean in strict sequence. That would mean that we would have to pay back all the bonds before spending money for design or construction and that obviously wouldn't make sense and is not the intent of the legislature. It is clear that the first priority for the account is to pay back the general fund for debt service. The operational costs of the center would be appropriated each biennium and would also be a high priority. It should be noted that there is not enough money in the account to cover these costs and if any borrowing from the general fund occurs, the fifth purpose, which is also listed on the same page, requires repayment to the general fund with interest. That's from the tax moneys on the hotels and motels.

"It is the intent of the legislature that the board of directors of the corporation will be allowed flexibility in the management of that account, but at the same time, satisfy the legislature's intent to have the general fund kept secure from any



unnecessary draws. The corporation will use the money in the account for the first five purposes listed on page 2, before the board spends any money for purposes 6 through 8."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 605, and the bill passed the House by the following vote: Yeas, 73; nays, 23; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chamley, Crane, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Wang, Williams B, Williams J, Williams, Zellinsky - 73.

Voting nay: Representatives Ballard, Chandler, Clayton, Dellwo, Dickie, Fisher, Fuhrman, Kaiser, Lewis, McMullen, Moon, Nealey, Padden, Patrick, Schmidt, Smith, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, West, and Mr. Speaker - 23.

Excused: Representatives Bond, Vekich - 2.

Engrossed Substitute House Bill No. 605, having received the 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. 406, by Representative Grimm

Modifying provisions relating to expenditures by state agencies.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 406 was substituted for House Bill No. 406, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 406 was read the second time.

Mr. Fiske moved adoption of the following amendments by Representatives Fiske, Grimm, J. King and Cantu:

On page 2, after line 31, insert the following:

"Sec. 5. Section 5, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 172, Laws of 1980 and RCW 43.19.1905 are each amended to read as follows:

The director of general administration, after consultation with the supply management advisory board shall establish overall state policy for compliance by all state agencies, including educational institutions, regarding the following purchasing and material control functions:

(a) Development of a state commodity coding system, including common stock numbers for items maintained in stores for reissue;

(b) Determination where consolidations, closures, or additions of stores operated by state agencies and educational institutions should be initiated;

(c) Institution of standard criteria for determination of when and where an item in the state supply system should be stocked;

(d) Establishment of stock levels to be maintained in state stores, and formulation of standards for replenishment of stock;

(e) Formulation of an overall distribution and redistribution system for stock items which establishes sources of supply support for all agencies, including interagency supply support;

(f) Determination of what function data processing equipment, including remote terminals, shall perform in state-wide purchasing and material control for improvement of service and promotion of economy, and the coordination of needs with the Washington state data processing authority;

(g) Standardization of records and forms used state-wide for supply system activities involving purchasing, receiving, inspecting, storing, requisitioning, and issuing functions under the provisions of RCW 43.19.510;

(h) Screening of supplies, material, and equipment excess to the requirements of one agency for overall state need before sale as surplus;

(i) Establishment of warehouse operation and storage standards to achieve uniform, effective, and economical stores operations;

(j) Establishment of time limit standards for the issuing of material in store and for processing requisitions requiring purchase;

(k) Formulation of criteria for determining when centralized rather than decentralized purchasing shall be used to obtain maximum benefit of volume buying of identical or similar items, including procurement from federal supply sources;

(l) Development of criteria for use of leased, rather than state owned, warehouse space based on relative cost and accessibility;

(m) Institution of standard criteria for purchase and placement of state furnished materials, carpeting, furniture, fixtures, and nonfixed equipment, in newly constructed or renovated state buildings;

(n) Determination of how transportation costs incurred by the state for materials, supplies, services, and equipment can be reduced by improved freight and traffic coordination and control;

(o) Establishment of a formal certification program for state employees who are authorized to perform purchasing functions as agents for the state under the provisions of chapter 43.19 RCW;

(p) Development of performance measures for the reduction of total overall expense for material, supplies, equipment, and services used each biennium by the state;

(q) Establishment of a standard system for all state organizations to record and report dollar savings and cost avoidance which are attributable to the establishment and implementation of improved purchasing and material control procedures;

(r) Development of procedures for mutual and voluntary cooperation between state agencies, including educational institutions, and political subdivisions for exchange of purchasing and material control services;

(s) Resolution of all other purchasing and material matters referred to him by a member of the advisory board which require the establishment of overall state-wide policy for effective and economical supply management;

(t) Development of guidelines and criteria for the purchase of vehicles, alternate vehicle fuels and systems, equipment, and materials that reduce overall energy-related costs and energy use by the state, including the requirement that new passenger vehicles purchased by the state meet the minimum standards for passenger automobile fuel economy established by the United States secretary of transportation pursuant to the energy policy and conservation act (15 U.S.C. Sec. 2002);

(u) Development of a uniform procurement system which includes uniform policies and procedures, where appropriate, to be used by state agencies in the procurement of goods, services, or property under color of any existing statutory authority, including procedures for identifying and preventing abuses in the contracting process;

(v) Establishment of a computer-based economic analysis system for use by state agencies in conducting cost-benefit analyses to determine whether procurement is most cost-efficiently provided by state government directly or by contract; and

(w) Formulation of procedures for considering factors such as 'return on investment,' 'lease versus purchase,' and 'present value theories,' to be used when purchasing depreciable materials and equipment.

Sec. 6. Section 6, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 98, chapter 151, Laws of 1979 and RCW 43.19.19052 are each amended to read as follows:

Initial policy determinations for the functions described in RCW 43.19.1905 shall be developed and published ~~((within the 1975-77 biennium))~~ by January 1, 1985, by the director, after consultation with the supply management advisory board for guidance and compliance by all state agencies, including educational institutions, involved in purchasing and material control. Modifications to these initial supply management policies ~~((established during the 1975-77 biennium))~~ shall be instituted by the director, after consultation with the advisory board, in future biennia as required to maintain an efficient and up-to-date state supply management system. In June 1984, the director shall transmit to the governor and the legislature ~~((in June 1976 and June 1977))~~ a progress report which indicates the degree of accomplishment of each of these assigned duties, and which summarizes specific achievements obtained in increased effectiveness and dollar savings or cost avoidance within the overall state purchasing and material control system. The ~~((second))~~ progress report ~~((in June 1977))~~ shall also include a comprehensive supply management plan which includes the recommended organization of a state-wide purchasing and material control system and development of an orderly schedule for implementing such recommendation. ~~((in the interim between these annual progress reports, the director shall furnish periodic reports to the office of financial management and the legislative budget committee for review of progress being accomplished in achieving increased efficiencies and dollar savings or cost avoidance:))~~

It is the intention of the legislature that measurable improvements in the effectiveness and economy of supply management in state government ~~((shall))~~ be achieved ~~((during the 1975-77 biennium, and each biennium thereafter))~~. All agencies, departments, offices, divisions, boards, and commissions and educational, correctional, and other types of institutions are required to cooperate with and support the development and implementation of improved efficiency and economy in purchasing and material control. To effectuate this legislative intention, the director, in consultation with the supply management advisory board, and through the

state purchasing and material control director, shall have the authority to direct and require the submittal of data from all state organizations concerning purchasing and material control matters.

NEW SECTION, Sec. 7. The department shall prepare and present to the legislature by December 1, 1983, the completed supply management plan, the planned development and costs associated with implementing a supply management plan, a uniform procurement system, an economic analysis system, and a mechanism to capture the estimated savings of implementing the above systems."

On page 1, line 3 of the title, after "43.01.090;" insert "amending section 5, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 172, Laws of 1980 and RCW 43.19-.1905; amending section 6, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 98, chapter 151, Laws of 1979 and RCW 43.19.19052;"

On page 1, beginning with line 4 of the title, after "creating" strike "a new section" and insert "new sections"

Representatives Fiske and J. King spoke in favor of the amendments, and they 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 Sommers 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. 406, 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, Martin, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, 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 - 96.

Excused: Representatives Bond, Vekich - 2.

Engrossed Substitute House Bill No. 406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 271, by Representatives Vekich, Fiske, Charnley and Zellinsky (by 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, Substitute House Bill No. 271 was substituted for House Bill No. 271, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 271 was read the second time.

Ms. Miller moved adoption of the following amendment:

On page 1, line 20 following "That" strike everything through "subsection" on line 26 and insert "for employees hired after the effective date of this act, if a surviving spouse who is receiving benefits under this subsection remarries then such spouse will no longer be eligible to receive benefits"

Ms. Miller spoke in favor of the amendment, and Representatives Monohon, Moon, Zellinsky and Patrick spoke against it.

Ms. Miller spoke again in favor of the amendment.

The amendment was not adopted.

Ms. Miller moved adoption of the following amendment:

On page 1, line 20, following "That" strike everything through "subsection" on line 26, and insert "for employees hired after the effective date of this act, the spouse receiving benefits is

not employed and receiving an annual income equal to or greater than the annual income earned by the deceased spouse from which benefits being received were calculated"

Ms. Miller spoke in favor of the amendment, and Representatives Monohon and Moon spoke against it.

The amendment was not adopted.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan and Hine:

On page 3, following line 18 insert a new section as follows:

"NEW SECTION. Sec. 3. There is added to chapter 43.43 RCW a new section to read as follows:

(1) The chief of the Washington state patrol may not prohibit a Washington state patrol officer from wearing a uniform during off-duty hours if the officer is participating in public service educational programs in the schools or the community relating to the duties of the Washington state patrol, traffic safety, or crime prevention.

Washington state patrol officers who participate in public service educational programs while off-duty may accept reimbursement for the time and materials expended from the organization for whom the service is rendered."

#### POINT OF ORDER

Mr. Hastings: "Mr. Speaker, I would like you to rule on scope and object of this amendment."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined the bill and this is, unfortunately, outside the scope and object. Your point is well taken, Representative Hastings."

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, and Ms. Miller spoke against it.

#### 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, 89; nays, 7; excused, 2.

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, Fisch, Fisher, Fiske, Fuhrman, 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, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Betrozoff, Cantu, Hastings, Miller, Nealey, Stratton, Williams J - 7.

Excused: Representatives Bond, Vekich - 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. 295, by Representatives Belcher, Hankins, Kreidler, Walk, Niemi, Ellis, Powers, Lewis, Allen, Johnson, Lux, Jacobsen, Todd, Halsan, Betrozoff, Vander Stoep, Patrick, D. Nelson and Vekich

Requiring state employees to be paid twice a month.

The bill was read the second time. On motion of Mr. Wang, Second Substitute House Bill No. 295 was substituted for House Bill No. 295, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 295 was read the second time.

Mr. Fiske moved adoption of the following amendment:

On page 4, line 36 following "affected" insert "for employee benefit programs"

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

## POINT OF INQUIRY

Mr. Sayan yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Sayan, I remember this particular deletion in the Ways & Means Committee, and there was a great deal of confusion about this proviso that states that payroll deductions provided under a collective bargaining agreement may be deducted without regard to the number of employees affected. Is it your interpretation that this would preclude payroll deductions for such things as a political action committee or something that would be outside the scope of benefits provided by the state agency?"

Mr. Sayan: "I'm not legally trained to answer this question, Representative Nelson, but I can respond that those things that are legally bargained under the law are under the province of bargaining, and I would presume that if it is legal to bargain under the law, then it would be in the collective bargaining agreement."

Mr. G. Nelson: "Would a political action committee be an item that could be bargained by state employees?"

Mr. Sayan: "If that is legal under the law, the answer would be 'Yes.'"

Mr. G. Nelson: "I'm asking you, is it legal?"

Mr. Sayan: "I'm not a trained lawyer, Representative Nelson; I don't know."

Mr. G. Nelson spoke in favor of the amendment, and Mr. Fiske spoke again in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fiske to page 4, line 36 of Second Substitute House Bill No. 295, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzloff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

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

Excused: Representatives Bond, Vekich - 2.

Mr. Fiske moved adoption of the following amendment:

On page 1, following line 11 strike everything after the enacting clause and insert:  
NEW SECTION, Sec. 1. There is hereby appropriated to the Governor for salary increases for the biennium ending June 30, 1985:

General Fund--State	\$ 5,400,000
Special Fund Salary Increase	
Revolving Fund	\$ 4,000,000
Total Appropriation	\$ 9,400,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The State Personnel Board (SPB) and the Higher Education Personnel Board (HEPB) shall develop a plan for effecting a salary increase of one range (2.52%) for all classes and employees indexed to salary survey benchmark classes or occupational groups averaging eight or more salary ranges below the comparable worth salary practice line as measured in the 1982 Comparable Worth Study. Such plan shall be submitted to the Speaker of the House and the President of the Senate no later than January 15, 1984 and if approved by the legislature or amended and approved shall be implemented on July 1, 1984.

(2) To facilitate payment of state employee salary increases from special funds, the state treasurer is directed to transfer sufficient amounts from each special fund to the special fund salary increase revolving fund hereby created in accordance with schedules provided by the office of financial management."

## POINT OF ORDER

Mr. Sayan: "Mr. Speaker, I would ask that you rule on the scope and object of this amendment."

## SPEAKER'S RULING

The Speaker: "The Speaker has examined the bill and the amendment. While the title is sufficiently broad, the bill deals with twice-monthly payroll. This scalping amendment is related to comparable worth. While the subject matter is quite laudable, the Speaker has found by precedent and the very tight ruling of the body, that, regrettably, he must rule that the amendment is out of order. Your point is well taken, Representative Sayan."

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 Kreidler spoke in favor of passage of the bill, and Representatives Cantu, Prince and Padden spoke against it.

## POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Kreidler, a few moments ago you stated that we shouldn't worry about the extra employees because we don't have the money for this in the budget. We have been laboring in the true spirit of cooperation all day long because we thought this was a budget-related item and we didn't challenge this bill and then you, as a member of the Ways & Means Committee, say that it's not budget-related. Could you enlighten us as to that?"

Mr. Kreidler: "The simple answer to that is that I think all of us have experienced, time and time again, that when there is a particular request for the fiscal impact of particular proposal, that if it is not desired by a department or an agency, it comes back with the kind of wording that they would like to have in it. It would be zero impact if they want it; it will have a huge impact if they don't want it. I think what we're looking at here is another example of that. This impact would be considerably less than what is projected by OFM."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "I wish the Speaker would rule on this. We did understand that it was a budget-related item and we made no objection, but hearing the member of the Ways & Means Committee right from the heart of Olympia, we had better ask you for a ruling."

The Speaker: "It is consistent with the rulings the Speaker has made before. In the budget document which we put together, we indicated that this is part of our budget as it was predicated. This particular item is within the resolution and is eligible for consideration."

Representatives Miller and Brough spoke against passage of the bill.

Ms. Belcher spoke again in favor of the bill, and Mr. Cantu again opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 295, and the bill passed the House by the following vote: Yeas, 64; nays, 31; absent, 1; excused, 2.

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, Isaacson, Jacobsen, Johnson, Kaiser, King P., King R., Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D., Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Walk, Wang, West, Williams B., Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Ballard, Barnes, Betzoff, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hastings, Holland, King J., Long, McDonald, Miller, Mitchell, Nealey, Nelson G., Padden, Prince, Sanders, Schmidt, Schoon, Smith, Stratton, Tilly, Van Dyken, Williams J., Wilson - 31.

Absent: Representative Hankins - 1.

Excused: Representatives Bond, Vekich - 2.

Second Substitute House Bill No. 295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 496, by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betzoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martin, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong

Modifying provisions on senior citizen tax relief.

The bill was read the second time. Mr. Wang moved that Substitute House Bill No. 496 be substituted for House Bill No. 496, and the substitute bill be placed on the calendar for second reading.

#### POINT OF ORDER

Mr. G. Nelson: "Mr. Speaker, I would like the Chair to rule in reflection on House Concurrent Resolution No. 23, how this measure now follows the intent and spirit of the proclamation, as well as the resolution, that it is a budget, bill to implement the budget, a revenue bill necessary to implement the budget."

The Speaker: "I would remind you, Representative Nelson, I did make that ruling yesterday when you challenged this."

The motion to substitute the bill was carried.

Substitute House Bill No. 496 was read the second time.

Ms. Powers moved adoption of the following amendments by Representatives Powers, Hine, Dickie, Tilly and Ristuben:

On page 6, after line 6, insert the following:

"Sec. 5. Section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 2 of this 1983 act and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed, and thereafter, in accordance with the following:

(1) The property ~~taxes must have been~~ imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the ~~((claim is filed))~~ exemption is claimed; PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year; PROVIDED FURTHER, That confinement of the person to a hospital or nursing home shall not disqualify the claim of exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant, and any lease for life shall be deemed a life estate;

(3) The person claiming the exemption must have been sixty-one years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability; PROVIDED, That any surviving spouse of a person who was receiving an exemption at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this section;

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated on the basis of combined disposable income, as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the preceding year, the combined disposable income of such person shall be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by twelve.

(5) A person who otherwise qualifies under this section and has a combined disposable income of fifteen thousand dollars or less shall be exempt from all excess property taxes; and in addition

(a) For taxes first due in 1984, a person who otherwise qualifies under this section and has a combined disposable income of twelve thousand dollars or less shall be exempt from all regular property taxes on up to twenty thousand dollars of the valuation of his or her residence; and

(b) For taxes first due in 1985 and thereafter:

(i) A person who otherwise qualifies under this section and has a combined disposable income of twelve thousand dollars or less but greater than nine thousand dollars shall be exempt from all regular property taxes on the greater of twenty thousand dollars or thirty percent of the valuation of his or her residence, but not to exceed forty thousand dollars of the valuation of his or her residence; or

(ii) A person who otherwise qualifies under this section and has a combined disposable income of nine thousand dollars or less shall be exempt from all regular property taxes on the greater of twenty-five thousand dollars or fifty percent of the valuation of his or her residence.

Sec. 6. Section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3 of this 1983 act and RCW 84.36.385 are each amended to read as follows:

A claim(s) for exemption ((or a renewal affidavit)) under RCW 84.36.381 as now or hereafter amended, shall be made ((annually)) and filed between January 2 and July 1 ((of the year in which the property tax levies are imposed)) for exemption from taxes payable the following year and thereafter and solely upon forms as prescribed and furnished by the department of revenue.

~~((Claims under RCW 84.36.381 through 84.36.389, as now or hereafter amended, in 1983 shall be filed between January 2 and October 1, 1983, but persons who filed claims after January 2, 1983, and before the effective date of this 1983 act who would have been eligible for an exemption in 1984 are eligible for an exemption under RCW 84.36.381 through 84.36.389 without necessity of reapplication.~~

In January of each year the county assessor shall mail renewal affidavits for exemption to each person approved for exemption during the previous year.) A person granted an exemption under RCW 84.36.381 shall inform the county assessor of any change in status affecting the person's entitlement to the exemption on forms prescribed and furnished by the department of revenue.

If the assessor finds that the applicant does not meet the qualifications as set forth in RCW 84.36.381, as now or hereafter amended, the claim or exemption shall be denied but such denial shall be subject to appeal under the provisions of RCW 84.48.010(5). If the applicant had received exemption in prior years based on erroneous information, the taxes shall be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed three years.

The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims under RCW 84.36.381 through 84.36.389, through communications media, including such paid advertisements or notices as it deems appropriate. Notice of the qualifications, method of making applications, the penalties for not reporting a change in status, and availability of further information shall be included on or with property tax statements and revaluation notices for all residential property including mobile homes, except rental properties. ~~((For assessment year 1980 and thereafter, the notice shall also indicate that claim forms and renewal affidavits are available in January of the year in which the property tax levies are imposed:))~~

Renumber the sections consecutively.

On page 6, line 13, after "immediately" insert ", except sections 5 and 6 of this act shall take effect January 1, 1984"

Representatives Powers and Dickie spoke in favor of the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Braddock:

On page 6, line 8 after "thereafter" strike all the material down to and including "thereafter" on line 9.

Representatives Tilly and Rust spoke in favor of the amendment, and it was adopted.

On motion of Ms. Powers, the following amendment to the title was adopted:

On page 1, line 7 of the title after "84.36.385;" insert "amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 2 of this 1983 act and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3 of this 1983 act and RCW 84.36.385;" and on line 8 after "sections;" insert "providing an effective date;"



## MOTION

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

## POINT OF PERSONAL PRIVILEGE

Mr. G. Nelson: "We've now, I think, fairly well addressed some of the things that are of concern to many members of this body as far as the limited agenda for the crucial items to be considered in this special session, and especially for a special session that I personally think can be limited to ten days. We've already had one hundred five days--now one hundred six--behind us to address a good number of legislative ideas and bills. We've now seen a ruling that seemingly, I think, as we witness it, is really stretching the intent, and what we, as a bipartisan effort, wanted to see before the body. They were expressed purposely in the Governor's proclamation and again in House Concurrent Resolution No. 23. What we've seen now is subject matters being brought to the body's attention with the intent, I think, of advancing to third reading, with, I think, a loose rationalization as to why it should be considered. I really feel that it is a violation of the integrity of this special session. Even though many of those issues--"

## SPEAKER'S ADMONITION

The Speaker: "The Speaker does not make rash generalizations or rationalizations. I would suggest you not continue along that line, Representative Nelson."

Mr. G. Nelson: "Many of these bills that I think you and I and the rest of the members of the body feel are laudable and popular--and we've got to realize the electorate of this state did want us to conclude in one hundred five days--and if we would put aside those particular measures and have them addressed in the next session, but this special session has been one where are to do the budget first. We were to follow that with the bills to implement the budget and that really means the revenue, and yet we're seeing on this floor just the reverse. We're deciding that we need to pass the bills that can be conjured into a position of implementing the budget before we even have anything addressed in the budget. The measures you see on the flash calendar before us and the remainder of what we were to address today and potentially tomorrow, we would like the body and the presiding officers to reconsider the advancement of these bills to third reading. We would like you to look at the time schedule and place before this body a program that shows the management and the planning that needs to conclude this session in the earliest possible time frame. To begin all of the very meritorious pieces of legislation that might be perceived by any member of this body or by the public at large, is simply gong to draw this session to a full thirty-day constitutional limitation, but I don't think that thirty days is necessary. We would prefer not to advance these to third reading at this point in time; we would like to see this body pursue a conclusion of the budget and to get that major piece of legislation passed and then conclude with the capital budget and the revenue. To do otherwise, I feel, really violates all of the agreements that we have made between the Republicans and the Democrats and the Governor. I would plead for your reconsideration before we have ninety-eight members deciding that their bill is so meritorious that we need to address that. During the course of the day the rulings would appear to permit almost any bill that has been filed in the House to now be adopted and go through the legislative process, and I think that will make everything out of control."

## POINT OF PERSONAL PRIVILEGE

Mr. Heck: "I have to say that in very, very many regards, I wholeheartedly agree with my colleague from the 21st Legislative District, that it is, in fact, the charge of this special session of the legislature to focus narrowly and to proceed with all diligence and haste where appropriate toward a speedy closure of the business of the people of this state. We, however, think that's exactly what the cut-off resolution which we adopted does, setting forth the very important high-priority agenda items and allowing for some very legitimate differences of opinion about what may or may not fall under that umbrella. We would suggest, however, that we would move along much more quickly were we not to spend all afternoon in making points of parliamentary inquiry and in responding to those, especially

when the understanding had been arrived at explicitly and in private as to what matters were appropriate for consideration. We do want to finish the business of the people of this state and we will proceed with that objective in mind."

POINT OF INQUIRY

Mr. Heck: "Mr. Speaker, do you think the people of this state wanted us to be in session six different times for an aggregate number of two hundred twenty-seven days in the past biennium?"

The Speaker: "No."

MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Wednesday, April 27, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 27, 1983

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 Representatives Bond, Dickie, Martinis and McMullen, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mitzi Sutherland and Brian Eng. Prayer was offered by Father John E. Koehler, Associate Pastor of St. Michael's Catholic 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

April 26, 1983

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 21,  
HOUSE CONCURRENT RESOLUTION NO. 22,  
HOUSE CONCURRENT RESOLUTION NO. 23,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 26, 1983

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 118,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

SCR 118 by Senators Craswell, Conner, Owen and Granlund

Establishing the Andrew W. Anderson recreational fishing area.

## MOTIONS

On motion of Mr. Heck, the rules were suspended, and Senate Concurrent Resolution No. 118 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.

Representatives Zellinsky and Schmidt spoke in favor of the resolution, and it was adopted.

## REPORTS OF STANDING COMMITTEES

April 25, 1983

HB 352 Prime Sponsor, Representative Kreidler: Modifying provisions relating to public assistance. 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.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Addison, Fiske, Hastings, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and McDonald.

Passed to Committee on Rules for second reading.

April 25, 1983

HB 635 Prime Sponsor, Representative Monohon: Revising provisions relating to state funds. 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, Hastings, Heck, J. King, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman and Struthers.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; G. Nelson, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Hine, G. Nelson, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Heck.

Passed to Committee on Rules for second reading.

April 25, 1983

HB 762 Prime Sponsor, Representative Brekke: Revising implementation dates for the nursing home auditing and cost reimbursement act. 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, Fiske, Heck, Hine, J. King, Kreidler, McClure, Rust, Sayan and Smitherman.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Hastings, McDonald, Monohon, G. Nelson, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 25, 1983

2SSB 3272 Prime Sponsor, Committee on Ways & Means: Establishing the Coroners' System Improvement Act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments by Committee on Local Government:

On page 8, line 5 beginning with "(1)" strike all language down to and including "coroner." on line 11 and insert the following:

"(1) up to 40% of the cost of contracting for the services of a pathologist to perform an autopsy; and

(2) up to 25% of the salary of pathologists who are primarily engaged in performing autopsies who are county coroners, county medical examiners, or employees on the staff of a county coroner's or county medical examiner's office."

On page 10, line 26 after "county" strike "commissioners (" and insert "(commissioners"

On page 10, beginning on line 29 strike "of all counties may at their" and insert "legislative authority of each county may at ((their)) its"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representative J. King.

Absent: Representative Bond.

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

On motion of Mr. Heck, the following bills were referred to Committee on Rules: Substitute House Bill No. 105, House Bill No. 122, Engrossed House Bill No. 141, House Bill No. 145, Engrossed House Bill No. 257, Engrossed House Bill No. 378, House Bill No. 417, Engrossed Substitute House Bill No. 480, Engrossed Substitute House Bill No. 509, House Bill No. 531, Engrossed House Bill No. 574, Substitute House Bill No. 701, Engrossed House Bill No. 724, Engrossed House Bill No. 803, Substitute House Bill No. 856, Engrossed Substitute House Bill No. 864 and Engrossed House Bill No. 872.

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.

## 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, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, 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, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

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.

SUBSTITUTE HOUSE BILL NO. 410, by Committee on Environmental Affairs (originally sponsored by Representatives Monohon, Sommers and Fiske)

Authorizing fees to be charged by the department of ecology.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 410, and the bill passed the House by the following vote: Yeas, 86; nays, 7; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Barnes, Clayton, Fuhrman, Isaacson, Padden, Sanders, West - 7.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

Substitute House Bill No. 410, having received the 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.

#### 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, 93; nays, 0; absent, 1; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, 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, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 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.

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 House Bill No. 412, 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, 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, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 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.

SUBSTITUTE HOUSE BILL NO. 470, by Committee on Ways & Means (originally sponsored by Representative Grimm)

Altering provisions relating to state funds.

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

Mr. B. Williams spoke against passage of the bill, and Mr. Grimm spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 470, and the bill passed the House by the following vote: Yeas, 52; nays, 41; absent, 1; excused, 4.

Voting yea: Representatives Allen, 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, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Baillard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

Substitute House Bill No. 470, having received the 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. 471, by Representative Grimm

Modifying provisions relating to the judiciary education account.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 471, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent, 1; 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, 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, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

House Bill No. 471, having received the 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. 583, by Committee on Agriculture (originally sponsored by Representatives Kaiser and Smith)

Modifying the duties of the department of ecology under the state reclamation act.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 583, and the bill passed the House by the following vote: Yeas, 78; nays, 15; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Chandler, 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, King R, Kreidler, Lewis, Long, Lux, McClure, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Barnes, Betzoff, Cantu, Clayton, Fuhrman, Hankins, Hastings, Isaacson, McDonald, Nelson G, Padden, Sanders, Struthers, Taylor, Williams J - 15.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

Substitute House Bill No. 583, having received the 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. 127, by Committee on Ways & Means (originally sponsored by Representatives Kreidler, Grimm, Walk, Belcher, Zellinsky and Garrett)

Modifying the manner by which travel reimbursement rates for state employees are set.

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. 127, and the bill passed the House by the following vote: Yeas, 91; nays, 2; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King P. King R. Kreidler, Lewis, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Belcher, Galloway - 2.

Absent: Representative Locke - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

Engrossed Substitute House Bill No. 127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Heck moved that the House revert to the sixth order of business.

#### POINT OF INFORMATION

Mr. Hastings: "Mr. Speaker, the reason for this special session, among other things, is to adopt the budget and now this is the third day that we have not dealt with House Bill 49, which is the budget. When are going to address that?"

The Speaker (Mr. O'Brien presiding): "Representative Hastings, I would suggest that you review Reed's Rules on questions of parliamentary inquiry. This question isn't apropos at this time. We are on second reading of bills, so we are going to do the second reading of bills. I think if you are asking something about procedure or if something is troubling you, particularly on procedure, then your point would be well taken, but right now to ask this question is not appropriate. There is something before us."

Mr. Hastings: "Mr. Speaker, that's precisely why I didn't ask for a point of parliamentary inquiry. I asked for a point of information, which, I think, should probably be at any time. I thought it was particularly timely since we were going down the calendar, and House Bill 49 was on that calendar. That's why I did not bring it up at a different time, and that's why I asked for a point of information."

The Speaker (Mr. O'Brien presiding): "I just can't see that question at this time."

#### POINT OF INFORMATION

Mr. Taylor: "I've been looking, since last Monday, on the calendar of the week for details of what this body will be doing. Traditionally, we have always had a calendar for the week, but we come to the first week of the special session, when things should be urgent, and there is no calendar. I'm asking you for the plans for this week to accommodate the members in making their schedules so we will know what is occurring."



The Speaker (Mr. O'Brien presiding): "The Chief Clerk has just informed me, Representative Taylor, that it is pretty hard during a special session to specifically point out the calendar for each day of the week because there are so many contingencies and so much depends upon cooperation from both sides of the aisle."

## POINT OF PERSONAL PRIVILEGE

Mr. Taylor: "We are looking for that opportunity to cooperate. I must say if we are going into this special session--and I understand the majority party wanted to be called back immediately--then I would have thought a plan and a management by objectives would have been laid out so this ship wouldn't be rudderless. Right now I think we are rudderless; we're wavering; we don't know where we are going and we would ask that maybe something would come forth."

Mr. Barrett spoke against the motion to revert to the sixth order of business.

## POINT OF INQUIRY

Mr. Barrett yielded to question by Mr. Heck.

Mr. Heck: "Representative Barrett, I'm curious as to where you received your information about us going on a rolling recess, since neither the Speaker nor the presiding officer nor the Chief Clerk nor the caucus Chair nor anybody on this side of the aisle has any such intention?"

Mr. Barrett: "I received it from reliable sources and have not seen it contradicted in any official publication."

Representatives Isaacson, McDonald, G. Nelson and Taylor spoke against the motion, and Mr. Heck spoke in favor of it.

## POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Ballard.

Mr. Ballard: "Representative Patrick, I've been listening to all the statements that have been made, and I've become quite confused about comparing this session with last session and talking about this motion and getting on with it. I know that you are an upholder of law and justice, a policeman, and you would only tell things the way they are and we can trust you. Comparing this session to last session, are we ahead of schedule this session or are we behind schedule?"

Mr. Patrick: "Not only is this a record-setting legislature in reference to taxes, but I should point out that we are also ahead of the pace during the last two years in reference to the number of days spent in the session--substantially ahead of pace."

## ROLL CALL

The Clerk called the roll on the motion to revert to the sixth order of business, and the motion was carried by the following vote: Yeas, 51; nays, 42; absent, 1; excused, 4.

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, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Absent: Representative Stratton - 1.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 496, by Committee on Ways & Means (originally sponsored by Representatives Ristuben, Grimm, Miller, Egger, Struthers, Powers, Fiske, Halsan, Brough, Charnley, Nealey, Long, Vander Stoep, Ebersole, Schmidt, Garrett, Betrozoff, R. King, Allen, Dellwo, Ballard, Heck, Jacobsen, Schoon, Martinis, Fuhrman, Taylor, Van Dyken, Walk, Pruitt, Barrett, Zellinsky, Johnson, Kaiser, J. Williams, Todd, Mitchell, Fisch, Patrick, Fisher, Tilly, Crane, Addison, D. Nelson, Tanner, Wang, McClure, Gallagher, Hine, Kreidler, Burns, Stratton, Appelwick, Niemi, Locke, Isaacson, Silver, Vekich, McMullen, Braddock, Rust, Brekke, B. Williams, Belcher, Holland, Moon, Wilson, Sutherland, O'Brien, Lewis and Armstrong)

Modifying provisions on senior citizen tax relief.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal)

Mr. Van Dyken moved adoption of the following amendments:

On page 1, line 26 following "all" strike everything through "amount of" on line 27 and insert "(~~or a portion of the amount of~~)"

On page 2, line 31 following "section;" strike everything through "residence" on page 3, line 24 and insert "and"

(4) ~~(The amount that the person shall be exempt from an obligation to pay shall be calculated on the basis of combined disposable income, as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the preceding year, the combined disposable income of such person shall be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by twelve.~~

(5) ~~(a) A person who otherwise qualifies under this section and has a combined disposable income of fourteen thousand dollars or less shall be exempt from all excess property taxes, and in addition~~

~~(b) A person who otherwise qualifies under this section and has a combined disposable income of ten thousand dollars or less shall be exempt from all regular property taxes on up to fifteen thousand dollars of valuation of his or her residence))~~ The person claiming the exemption must have a combined disposable income of fifteen thousand dollars or less

Representatives Van Dyken and Addison spoke in favor of the amendments, and Representatives Rust and Miller spoke against them.

Mr. Van Dyken spoke again in favor of the amendments, and Mr. Sanders spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Van Dyken to Substitute House Bill No. 496, and the amendments were not adopted by the following vote: Yeas, 38; nays, 56; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Betrozoff, Brough, Chandler, Clayton, Dellwo, Ebersole, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King P, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Zellinsky - 38.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Broback, Burns, Cantu, Charnley, Crane, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Lewis, Locke, Long, Lux, McClure, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams J, Wilson, and Mr. Speaker - 56.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

On motion of Ms. Powers, the following amendment to the title was adopted:

On page 1, line 7 of the title after "84.36.385;" insert "amending section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 2 of this 1983 act and RCW 84.36.381; amending section 3, chapter 182, Laws of 1974 ex. sess. as last amended by section 3 of this 1983 act and RCW 84.36.385;" and on line 8 after "sections;" insert "providing an effective date."

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 Ristuben, Addison, Tilly and Vander Stoep spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Ristuben yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Ristuben, I have received a couple of phone calls from the Yakima area from senior citizens in mobile homes. Do you know if this bill would benefit people living in mobile homes that are on a fixed foundation or in a mobile home park?"

Mr. Ristuben: "This does not change that portion of the bill that is amended. I believe it does exclude mobile homes from the property tax."

Mr. Lewis: "Another concern I have is the potential impact on the general fund."

Mr. Ristuben: "This is strictly a tax shift. What it would do is it would amount to about twenty-one cents per thousand of assessed valuation, which means on a \$75,000 home, it would be about \$21.00 per year additional for other people; and it would be approximately, in 1984, a shift of about \$20.9 million and in 1985, a shift of \$22.1 million."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 496, 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, Charney, 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, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Bond, Dickie, Martinis, McMullen - 4.

Engrossed Substitute House Bill No. 496, having received the 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 (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bond, Clayton, Dickie, Johnson, Lewis and Martinis. Representatives Bond, Dickie, Johnson, Lewis and Martinis were excused.

HOUSE BILL NO. 752, by Representative Moon

Granting authority to cities, towns, counties, and special purpose districts.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 105th Day, Regular Session, April 24, 1983.)

Mr. D. Nelson moved adoption of the committee amendments.

Representatives D. Nelson and Barnes spoke in favor of the amendments, and they 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. D. Nelson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 752, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 3; excused, 5.

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, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Clayton, Holland, Isaacson - 3.

Excused: Representatives Bond, Dickie, Johnson, Lewis, Martinis - 5.

Engrossed House Bill No. 752, having received the 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. 1094, by Representative Moon

Relating to local government.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 105th Day, Regular Session, April 24, 1983.)

Mr. D. Nelson moved adoption of the committee amendment.

Mr. D. Nelson moved adoption of the following amendment to the committee amendment:

On page 4, line 8 after "RCW" insert "as to personal liability of any member of a legislative body of a participant"

Mr. D. Nelson spoke in favor of the amendment to the amendment, and Representatives Isaacson and Barnes spoke against it.

With the consent of the House, Mr. D. Nelson, withdrew the amendment to the committee amendment.

The committee amendment was adopted.

On motion of Mr. D. Nelson, 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 D. Nelson and 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. 1094, and the bill passed the House by the following vote: Yeas, 89; nays, 2; absent, 2; excused, 5.

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

Voting nay: Representatives Ebersole, Wang - 2.

Absent: Representatives Clayton, Kreidler - 2.

Excused: Representatives Bond, Dickie, Johnson, Lewis, Martinis - 5.

Engrossed House Bill No. 1094, having received the 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. 1050, by Representative J. King

Relating to economic development.

The bill was read the second time. On motion of Mr. J. King, Substitute House Bill No. 1050 was substituted for House Bill No. 1050, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1050 was read the second time.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, I would ask the Chair to rule under what basis House Bill 1050 is before us. It does not apply to the resolution passed by the House, and it is our feeling that it is not properly before us."

The Speaker (Mr. O'Brien presiding): "Precedent has been established, Representative Taylor, that all bills of this nature have an economic impact on the state and the budget and revenue. Anything we can do to encourage revenue and growth to enhance our revenue projections comes within the scope of the cut-off resolution."

Mr. Taylor: "When was this precedent established?"

The Speaker (Mr. O'Brien presiding): "As you well know, Representative Taylor, the Speaker had made a number of rulings on the same question. I will refer to some of the Speaker's comments: 'The Speaker examined the bill and has found it was considered when we considered the budget and revenue levels. Therefore, I feel it is a bill that is necessary to implement the budget and revenue.'"

Mr. Taylor: "What section of the budget, which we don't have of course, are you referring to as far as this being necessary to implement the budget?"

The Speaker (Mr. O'Brien presiding): "You understand as well as I do, of course, that all of these measures are very involved, some directly, some indirectly. The resolution didn't say specifically that it had to be directly involved."

Mr. Wang 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 Substitute House Bill No. 1050 to final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 53; nays, 39; absent, 1; excused, 5.

Voting yeas: 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, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Voting nays: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 39.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Dickie, Johnson, Lewis, Martinis - 5.

Substitute House Bill No. 1050 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 213, by Representatives Halsan, B. Williams, Tanner, Todd, Holland, Kreidler, Ebersole, Haugen, Fisher, Ristuben, Ellis, Belcher, Sayan, Vekich, Powers, Fisch, Hine, Dellwo, Garrett, Lewis, Johnson, Crane and Stratton

Establishing the community development finance corporation.

The bill was read the second time. On motion of Mr. Halsan, Substitute House Bill No. 213 was substituted for House Bill No. 213, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 213 was read the second time.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, having examined House Bill 213, and having examined House Concurrent Resolution 23, I find it difficult to see how this falls within that purview. I wonder if you could explain to us why we should be dealing with this at this time, since we are trying to limit the scope of the legislation before us and get the business of the legislature completed as expeditiously as possible?"

The Speaker (Mr. O'Brien presiding): "Representative McDonald, it is the consensus that even though these bills would be significantly set forth in the budget, there is going to be a level of revenue to take care of matters of this nature so we can develop some economic growth and develop more revenue for the state. It is part of the overall revenue package. I think the Governor has also confirmed this, that if the revenue is there, he's in favor of bills of this nature."

Mr. McDonald: "Mr. Speaker, not to take issue with you, but I would point out that OFM is not using this in any event but to present the revenue projections. It is not in the budget and in the proclamation by the Governor it says, 'revenue to support the budget.' These don't qualify on any of those counts and I cannot understand why this can be before us."

The Speaker (Mr. O'Brien presiding): "The whole question before us is the interpretation of the resolution and also analyzing the bills and purpose back of each of these bills. As to saying now that this doesn't have anything to do with revenue, how do you know what's going to affect July 1st of this year and June 30, 1985? It's all part of the revenue package."

Ms. Brough moved adoption of the following amendments by Representatives Brough, Appelwick, Silver and Halsan:

On page 4, line 8 strike "seven million five hundred thousand" and insert "one million"

On page 4, line 10 strike "two hundred fifty" and insert "one hundred"

On page 4, line 13 strike "fifteen" and insert "three"

On motion of Mr. Halsan, the question was divided and the amendments to page 4, line 8 and page 4, line 13 were considered as one amendment, and the amendment to page 4, line 10 as a separate amendment.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments to page 4, line 8 and page 4, line 13.

Representatives Brough and Silver spoke in favor of the amendments, and Representatives J. King and Halsan spoke against them.

Ms. Brough spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Brough and others to page 4, lines 8 and 13 of Substitute House Bill No. 213, and the amendments were not adopted by the following vote: Yeas, 40; nays, 53; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brekke, Broback, Brough, Cantu, Chandler, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, 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, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Dickie, Lewis, Martinis - 4.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment to page 4, line 10.

Representatives Brough and Halsan spoke in favor of the amendment, and it was adopted.

Mr. Barrett moved adoption of the following amendments:

On page 3, line 19 strike "a long-standing" and insert "an"

On page 3, line 21 following "program" insert "in the opinion of the board"

Representatives Barrett and Halsan spoke in favor of the amendments, and they were adopted.

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

On page 3, line 25 strike subsection 8 and renumber the remaining subsections consecutively.

Ms. Silver moved adoption of the following amendments:

On page 3, line 4 following "investor" strike the remainder of the subsection and insert "and the owners."

On page 10, line 9 following "investments" insert "in a joint venture"

On page 11, line 15 strike all of subsection 7.

Representatives Silver and B. Williams spoke in favor of the amendments, and Mr. Halsan spoke against them.

Ms. Silver spoke again in favor of the amendments, and Mr. Halsan again opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Silver to Substitute House Bill No. 213, and the amendments were not adopted by the following vote: Yeas, 42; nays, 51; absent, 1; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Delliwo, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, 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, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Dickie, Lewis, Martinis - 4.

Mr. Halsan moved adoption of the following amendment:

On page 4, line 14 after "area" insert "which has a population greater than 2,000 residents and serves an area less than a county and"

Mr. Halsan spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Cantu.

Mr. Cantu: "Representative Halsan, a question was raised during the Ways & Means Committee meeting, and this amendment does not address it and I couldn't find it in any future amendment. The way the language is structured it requires that a board of directors be appointed, three of whom will be residents of the target area, so the board must be from target areas. I don't know who defines the target areas because it appears it has to be the board of directors. I don't know which one comes first; it appears to me that there's no way this can be implemented. I think this needs a little more work."

Mr. Halsan: "It's my intent and understanding that the Governor can appoint someone or some three people to the board who represent areas which fit in his discretion, areas over 2,000, less than a county, which were economically depressed. That would be my understanding and intent."

Mr. Cantu: "So, in other words, we would not have to wait until the board of directors was appointed so that the board would then define the target areas? Your feeling is that the Governor would, based on his knowledge, appoint members from those areas?"

Mr. Halsan: "Yes, that would be my understanding. As long as it fits within the definition we have described, he would be able to do that."

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Halsan, why do have that language in there—'area less than a county?'"

Mr. Halsan: "I didn't feel that we should define the whole state as an economically depressed area, although it could, in fact, be described as such."

Mr. Hastings: "I guess what I'm asking then is would this prohibit two counties together to be defined as an economic area? It seems to me it would be under this language."

Mr. Halsan: "Basically, we're not talking here about it being only one target area; we're saying these people will represent target areas. In my situation, Lewis County could, perhaps, be an entire target area itself. Its economic level is such. It borders another county which would be Grays Harbor County; it could be an economically depressed areas and a target area of its own. I don't think the fact that the county is the upper level would in any way constrain the Governor in making his appointments. They could each be target areas in their own right."

Mr. Hastings: "Is it the intent to limit the target area only within a county as a given area? When you say 'less than a county,' I'm not certain if you are talking about a geographic area or not. Let me give you an example. Let's say you have two counties side-by-side of equal size and those counties do exist in southeastern Washington. Maybe there is a cross between those counties. In any case, that geographic area shall not be greater than a county size? Am I making myself clear on this?"

Mr. Halsan: "I don't think that would create a great problem in appointment of the board. You have to remember that the purpose of the bill, and as the bill goes forward, the actual course of these investments is instigated upon the local level, by local development organizations, basically equivalent to EDC, certifying the potentially good projects to the board. For instance, if you were talking about somebody who lived in Montesano and somebody who lived in PeEll, both could be said to live in economic depressed areas, both could be appointed members of the board. I think the language is clear enough for the Governor to understand what we intend."

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Ms. Brough.

Ms. Brough: "Representative Halsan, in reading the words in section 13, it crosses my mind that this is a rather diverse state economically, socially, politically, what have you. Are there areas in this state that are just on a normal course of events fifteen percent lower than Seattle, Everett and the metropolitan areas?"

Mr. Halsan: "I'm certain there there are."

The amendment was adopted.

On motion of Ms. Silver, the following amendments were adopted:

On page 5, line 19 following "appoint" strike "one member to serve for a term of one year."

On page 6, line 9 following "shall" insert "report to and shall"

On page 6, strike lines 17 through 19 and insert:



"The directors of the corporation and its president shall be subject to chapter 42.17 RCW but not its other officers, agents, employees, consultants or advisors."

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

On page 7, line 14 strike "or convenient"

On page 7, line 17 following "therein" insert "necessary to accomplish the purposes of this chapter"

On page 7, line 15, following "business" insert "in its own name and not in the name of the state of Washington, which shall be the contracts and obligations only of the corporation and not in any way obligations of the state of Washington"

On motion of Ms. Silver, the following amendment was adopted:

On page 8, line 25 strike subsection 15 and insert:

"(15) Issue, buy and sell its shares of stock as authorized in section 5(1).

(16) Create, buy and sell capital participation instruments as authorized in section 5."

Renumber the remaining subsections consecutively.

Mr. Schoon moved adoption of the following amendments:

On page 1, line 4 strike section 1 and renumber the remaining sections consecutively.

On page 5, following line 2 insert:

"The purpose of the corporation is to provide capital and technical assistance to promote economic development and job creation in areas of economic stagnation, unemployment and poverty and shall distribute its funds on a geographical basis as widely as possible, including both rural and urban areas."

Representatives Schoon and Hastings spoke in favor of the amendments, and Mr. Halsan spoke against them.

Mr. Schoon spoke again in favor of the amendments, and Mr. Halsan again opposed them.

The amendments were not adopted.

Ms. Silver moved adoption of the following amendment:

On page 9, line 11 strike subsections 18 and 19.

Representatives Silver, Barrett, B. Williams and Schoon spoke in favor of the amendment, and Representatives Halsan and J. King spoke against it.

The amendment was not adopted.

Mr. Barrett moved adoption of the following amendments:

On page 9, line 26 strike "ten" and insert "five"

On page 12, line 13 strike "ten" and insert "five"

Representatives Barrett, Padden, Taylor and B. Williams spoke in favor of the amendments, and Representatives Halsan and Smitherman spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Barrett to Substitute House Bill No. 213, and the amendments were not adopted by the following vote: Yeas, 43; nays, 50; absent, 1; excused, 4.

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

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, 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, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Saryan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Dickie, Lewis, Martinis - 4.

Ms. Silver moved adoption of the following amendment:

On page 10, line 8 following "corporation" insert "but may not be used for providing technical assistance"

Ms. Silver spoke in favor of the amendment, and Mr. Halsan spoke against it.

The amendment was not adopted.

On motion of Ms. Silver, the following amendment was adopted:  
On page 10, line 10 following "projects" insert "undertaken by a small business"

Mr. Schoon moved adoption of the following amendment:

On page 10, strikes lines 17 and 18 and insert "employment and an improved standard of living which shall primarily accrue to the residents of the"

Representatives Schoon and Silver spoke in favor of the amendment, and Mr. Halsan spoke against it.

Mr. Schoon spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 11, line 6 strike subsection (4) and insert:

"(4) The corporation may include in loan agreements or contracts such provisions relating to major transactions, included but not limited to any sale, merger, dissolution, the sale or issue of substantial amounts of stock, or corporate reorganization to the extent necessary, and only to that extent, to adequately secure the investment of the corporation."

Mr. Schoon spoke in favor of the amendment, and Mr. Halsan spoke against it.

The amendment was not adopted.

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

On page 12, after line 13 insert a new section as follows:

"NEW SECTION. Sec. 12. This act shall take effect on December 15, 1983, if the proposed amendment embodied in HJR 41 is approved and ratified by the voters at a general election held in November 1983. If the proposed amendment is not so approved and ratified, this act shall be null and void in its entirety."

On page 1, line 2 of the title after "RCW;" strike "and" and after "appropriation" insert "; and declaring an effective date contingent on the approval and ratification of a constitutional amendment"

Substitute House Bill No. 213 was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

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

#### MESSAGE FROM THE SENATE

April 26, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3056,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3079,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3266,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3490,  
REENGROSSED SUBSTITUTE SENATE BILL NO. 3856,  
ENGROSSED SENATE BILL NO. 3858,  
SUBSTITUTE SENATE BILL NO. 4137,  
SENATE CONCURRENT RESOLUTION NO. 122,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Wang, ENGROSSED SUBSTITUTE SENATE BILL NO. 3079 and ENGROSSED SUBSTITUTE SENATE BILL NO. 3490 were referred to Committee on Local Government.

#### MOTION

On motion of Mr. Wang, the House adjourned until 10:15 a.m., Thursday, April 28, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 28, 1983

The House was called to order at 10:15 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Betrozoff, Bond and Dickie, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Joan Crowley and Anke Klingelhofer. Prayer was offered by Father John E. Koehler, Associate Pastor of St. Michael's Catholic 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

April 27, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113,

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTIONS

On motion of Mr. Heck, Engrossed Substitute Senate Concurrent Resolution No. 113 was placed on the second reading calendar.

On motion of Mr. Heck, Engrossed Senate Concurrent Resolution No. 127 was referred to Committee on Rules for second reading.

April 27, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3519,

SENATE CONCURRENT RESOLUTION NO. 118,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

HCR 24 by Representatives Monohon, Addison, Smitherman and Kreidler

Establishing a joint interim committee on public retirement.

Referred to Committee on Rules.

HCR 25 by Representatives Belcher, Galloway, Hine, Dellwo, Brough, McDonald, Hastings, Heck, R. King, J. King, Vander Stoep, Miller, G. Nelson, Fisher, Zellinsky, Smitherman, Grimm, Allen, Fiske and Patrick

Establishing a joint committee on comparable worth.

Referred to Committee on Rules.

## MOTION

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

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-62, by Representatives Todd, Crane, Vekich, Halsan, Vander Stoep, McMullen, Sayan, Fiske and B. Williams

WHEREAS, The small entrepreneur is the backbone of the private enterprise system which is integral to the foundations of our state and nation; and

WHEREAS, In the State of Washington, where the logging industry is of vital importance, the welfare of independent loggers such as Clyde Sprague, a logger who has toiled for over thirty years in the forests of this state, is of paramount concern; and

WHEREAS, A foreign firm recently refused to honor its contractual obligation to purchase logs from Clyde Sprague, thereby doing great financial damage to Mr. Sprague and great psychological damage to other independent loggers; and

WHEREAS, The stability, viability, and reliability of foreign and domestic purchasers of timber in this state and their compliance with contractual obligations is important to the well-being of the citizens of this state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the House of Representatives express their support for the logging and timber industry and the individual loggers of the State of Washington and express interest in developing methods to better facilitate resolution of disputes involving contracts and compliance with contractual obligations; and

BE IT FURTHER RESOLVED, That foreign governments are hereby requested to exert pressure on their national firms to adhere faithfully to all contractual obligations; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Washington State Department of Commerce and Economic Development, the members of the congressional delegation from Washington State, the United States Department of State, and the governments of those foreign countries normally doing business with Pacific Northwest loggers.

Mr. Todd moved adoption of the resolution. Representatives Todd, Crane and Patrick spoke in favor of the resolution.

## POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Todd, I haven't heard of this issue before and several questions come to mind. What's the name of the foreign corporation that reneged on their contract?"

Mr. Todd: "It's the Sumitomo Forestry Co., Ltd."

Mr. Sanders: "Was the judgment rendered and has it been paid?"

Mr. Todd: "The judgment has been rendered, and it has not been paid yet."

Mr. Sanders: "Could you tell me the reason for the reneging on the contract?"

Mr Todd: "I don't have the specifics of it with me right now, but my understanding is that they were trying to find ways to cut back some of their operational losses."

On motion of Mr. Heck, further consideration of the resolution was deferred.

HOUSE FLOOR RESOLUTION NO. 83-65, by Representatives Fuhrman, Fisch, Schmidt, Long, Grimm, Kreidler and Egger

WHEREAS, On October 6, 1683, thirteen Mennonite families from Krefeld, Germany arrived in Philadelphia after a seventy-five-day voyage on the vessel "Concord"; and

WHEREAS, Led by Franz Daniel Pastorius these first Germans to emigrate to the New World as a group founded the settlement of Germantown in Pennsylvania; and

WHEREAS, The community of Germantown, which was founded on the principles of self-government and civic responsibility, served as a model for numerous new settlements in America and operated the first public school system; and

WHEREAS, Since the War of Independence and whenever liberty, justice and equality have been at issue, German-Americans have rallied with fervor to the service of freedom and were amongst the first to oppose slavery and fight for the abolition thereof; and

WHEREAS, Amongst the most distinguished heroes and heroines of the American Revolution were German-Americans such as Maria Ludwig Hays, better known as Molly Pitcher; Friedrich Wilhelm von Steuben, inspector General of the Continental Army; Major General Nicholas Herkimer, whose victories first reversed the course of the war; and

WHEREAS, The services of German-American civilians were also invaluable in the fight for freedom in that many who refused to take up arms for religious reasons provided goods and labor, established hospitals or voluntarily paid double the amount of taxes due during the war. Best remembered of these is Christopher Ludwig, the Chief Baker of the Continental Army who provided the troops with 6,000 pounds of bread in one day, following the final Battle of Yorktown; and

WHEREAS, In modern times too, Germans have enriched American culture, science, technology, politics and arts. Over 200,000 Germans emigrated to the United States as refugees from Hitler's Nazi-Germany, the intellectual and scientific elite from Thomas Mann to Albert Einstein amongst them. Many of those became Nobel Prize winners, and their contributions to the natural sciences were paralleled in the social sciences and the creative arts; and

WHEREAS, The United States and the Federal Republic of Germany have been friends and allies since the end of World War II. Their cultures and values are shared, life styles are similar as are their economic systems which emphasize individual initiative and freedom of choice. They are countries where individual liberty is more evolved than ever, and they share a basic commitment to the objectives of a free world; and

WHEREAS, The more than fifty million Americans of German descent constitute a strong bond of friendship between Germany and the United States;

NOW, THEREFORE, BE IT RESOLVED, That on the occasion of the Tricentennial of German immigration in America, the members of the House of Representatives and the people of the State of Washington recognize and reaffirm the common bonds of the German and American people and their shared commitment to common ideals; and

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to President Karl Carstens of the Federal Republic of Germany on the occasion of his visit to the State of Washington on October 11, 1983 commemorating the Tricentennial of German Immigration in America.

Mr. Fuhrman moved adoption of the resolution. Representatives Fuhrman and Brough spoke in favor of the resolution, and it was adopted.

#### HOUSE FLOOR RESOLUTION NO. 83-66, by Representative Egger

WHEREAS, The Municipal Clerk, oldest of public servants dating back to Biblical times, is the hub around which revolves efficient and responsive local government; and

WHEREAS, As local government has grown in responsibility and importance through the centuries, so has the commission of the Municipal Clerk; and

WHEREAS, The Municipal Clerk provides a direct link between past, present and future by preserving records for posterity and implementing decisions of the legislative body, all the time seeking better and more efficient ways to do these jobs; and

WHEREAS, The accurate recording, careful safeguarding and prompt retrieval of public records are vital functions of this office, without which efficient and responsive local government could not exist; and

WHEREAS, Municipal Clerks follow a mandate to seek better and more effective ways to perform those critical responsibilities in light of the rapid technological advances of today's world; and

WHEREAS, In keeping with this mandate, Municipal Clerks also are dedicated to continuous professional education and training, in order to stay abreast of those advances; and

WHEREAS, The week of May 9 - 13, 1983 is Municipal Clerks' Week, in recognition of the outstanding and vital services performed by Municipal Clerks, reflecting their dedication to public service for the community;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That the Municipal Clerks of Washington be honored and commended for their contributions by the citizens of the state; and

BE IT FURTHER RESOLVED, That the citizens of Washington State be encouraged to celebrate and participate in Municipal Clerks' Week.

On motion of Mr. Egger, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 83-67, by Representatives Wang, Fisher, Powers, Smitherman, Walk, Kaiser, Ebersole, Gallagher, Grimm, Broback, Johnson, Brough and Schoon

WHEREAS, In 1980 the citizens of Tacoma desired a domed arena and convention center; and

WHEREAS, Since 1980, the citizens of Tacoma and the Tacoma City Council have successfully designed, constructed, and recently dedicated such a domed arena and convention center; and

WHEREAS, This new domed facility, the Tacoma Dome, stands fifteen stories high and five hundred thirty feet in diameter, making it the largest public building of its kind between San Francisco and Seattle; and

WHEREAS, The impressive and beautiful Tacoma Dome will easily and flexibly accommodate large stadium events, such as football or soccer, arena events, including concerts and ice shows, as well as meetings, banquets and displays; and

WHEREAS, This multipurpose facility adds significantly to the skyline and city of Tacoma and creates great pride in Tacoma by the citizens of Tacoma and Washington State;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That sincere congratulations be extended to the citizens of Tacoma and the Tacoma City Council on the completion of the Tacoma Dome; and

BE IT FURTHER RESOLVED, That the House of Representatives encourage the citizens of Washington to visit the Tacoma Dome and use its fine facilities.

Mr. Wang moved adoption of the resolution. Representatives Wang, Schoon, Miller, Kaiser, Fisher and Powers spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-69, by Representatives Prince, Nealey, Struthers and G. Nelson

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The men's basketball team from Washington State University has recently represented the State of Washington in the NCAA men's basketball tournament; and

WHEREAS, The Washington State Cougars played through the second round of the tournament before being defeated by Virginia; and

WHEREAS, The Cougars won the right to play in the NCAA tournament by compiling a season record of 22-6 and a second place finish in the Pacific-10 conference; and

WHEREAS, The players and coaches showed their team spirit after their leading scorer and rebounder, Guy Williams, was injured early in the season. They showed people that they were a competitive team and that they were truly winners; and

WHEREAS, Through the leadership of coaches George Raveling, Ron Righter, and Len Stevens, the team was able to demonstrate exemplary team work; and

WHEREAS, The entire student body of Washington State University became the "sixth man on the court" and helped the team win every home game during the 1982-83 season;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Washington State University Cougars and their coaching staff be commended on their superior accomplishments; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to George Raveling, Head Coach of the Cougars; Ron Righter, Assistant Coach; Len Stevens, Assistant Coach; Larry Hearst, Part-Time Assistant Coach; David Neihl, Graduate Assistant Coach and team members Aaron Haskins, Steve Harriel, Craig Ehlo, Guy Williams, Chris Monson, Mike Wurm, Bryan Pollard, Chris Winkler, Billy Jo Rhines, Keith Morrison, Jerry Basic, Ottis Jennings, and Ricky Brown.

Mr. Prince moved adoption of the resolution. Representatives Prince, Patrick, Nealey, Moon and Gallagher spoke in favor of the resolution, and it was adopted.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, I have appreciated the resolutions that are being presented this morning; they are very worthwhile, but I'm wondering, since we don't have a calendar of bill activities for the week, if you might be producing a schedule of resolutions so I can study them tonight and know how I will be voting tomorrow?"

The Speaker (Mr. O'Brien presiding): "Representative Taylor, the Chief Clerk has informed that he is going to try to oblige you."

#### MOTION

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

#### THIRD READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 3856, by Committee on Judiciary (originally sponsored by Senator Talmadge)

Changing provisions relating to criminal law.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3856, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, Clayton, Crane, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Dellwo, Garrett, Stratton - 3.

Excused: Representatives Betrozoff, Bond, Dickie - 3.

Reengrossed Substitute Senate Bill No. 3856, having received the 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. 3858 AS AMENDED BY THE HOUSE, by Senators Barr, Thompson, Zimmerman, Bauer and Deccio

Authorizing the annexation of areas outside cities and towns upon consent of the property owners.

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

Mr. Barrett 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 Senate Bill No. 3858 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 23; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Crane, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams B, Williams J, Wilson, and Mr. Speaker - 72.

Voting nay: Representatives Addison, Barnes, Broback, Cantu, Clayton, Dellwo, Ellis, King P, Lewis, Long, McDonald, Miller, Nelson G, Padden, Ristuben, Sanders, Stratton, Taylor, Tilly, Van Dyken, Vander Stoep, West, Zellinsky - 23.

Excused: Representatives Betzoff, Bond, Dickie - 3.

Engrossed Senate Bill No. 3858 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. 4137 AS AMENDED BY THE HOUSE, by Committee on Institutions (originally sponsored by Senator Granlund)

Modifying provisions relating to adult corrections.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4137 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, 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, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Locke, McClure - 2.

Excused: Representatives Betzoff, Bond, Dickie - 3.

Substitute Senate Bill No. 4137 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 SSB 4137 from "No" to "Yes." I voted "No" by mistake, erroneously thinking I had voted previously on final passage.

GARY F. LOCKE, 37th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3056, by Committee on Commerce & Labor (originally sponsored by Senators Vognild and Newhouse - by Department of Labor and Industries request)

Revising laws on enforcement of contractor registration.

The bill was read the third time and 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 Substitute Senate Bill No. 3056, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Betrozoff, Bond, Dickie - 3.

Engrossed Substitute Senate Bill No. 3056, having received the 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. 3266, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, Talmadge, Bender, Thompson, Moore, Bauer, Woody and Hurley)

Modifying provisions of the WPPSS board.

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 Engrossed Substitute Senate Bill No. 3266, 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, Braddock, Brekke, Broback, Brough, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Fuhrman - 1.

Excused: Representatives Betrozoff, Bond, Dickie - 3.

Engrossed Substitute Senate Bill No. 3266, having received the 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. McDonald moved that the House immediately consider Engrossed Substitute House Bill No. 49.

Representatives McDonald and Padden spoke in favor of the motion.

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

Mr. Heck spoke against the motion.

#### POINT OF INQUIRY

Mr. Cantu yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Cantu, as the minority ranking member of the Ways & Means Committee, have you been involved in this bipartisan effort to arrive at a conclusion for the biennial budget, House Bill No. 49, that is to be addressed by both the House and the Senate?"

Mr. Cantu: "Representative Nelson, not only have I not been a part of the process, I have not been invited to be a part of the process. I'm not aware of what is happening. I have not been given any notice, nor update or asked for any opinions whatsoever. I am totally excluded from the process."

## ROLL CALL

The Clerk called the roll on the motion that the House immediately consider Engrossed Substitute House Bill No. 49, and the motion was lost by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Betzoff, Bond, Dickie - 3.

## MOTIONS

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

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 (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Ballard, Betzoff, Bond, Dickie, Egger, Prince and J. Williams, who were excused.

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

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-70, by Representatives Belcher, 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, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson, Zellinsky

WHEREAS, The administrative aides and secretaries employed by the Washington State Legislature play an integral part in the efficient and smooth operation of the legislature; and

WHEREAS, Legislators rely to a great extent on the administrative and secretarial abilities of the administrative aides to communicate effectively legislators' positions to constituents; and

WHEREAS, The secretaries employed by the Washington State Legislature must assume the responsibility for countless details in their efforts to assist legislators; and

WHEREAS, Administrative aides and secretaries must often work long hours in order to perform the great and often difficult responsibilities assigned to them;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the important assistance of administrative aides and secretaries employed by the legislature; and

BE IT FURTHER RESOLVED, By the House of Representatives, That it express its gratitude and appreciation for the contributions made by the administrative aides and secretaries employed by the legislature; and

BE IT FURTHER RESOLVED, That the House of Representatives urge the citizens of Washington to join with them in honoring these vital and valuable legislative

employees during the week of April 24 - 30, 1983, which is National Secretaries Week; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to every administrative aide and secretary employed by the House of Representatives.

Ms. Belcher moved adoption of the resolution. Representatives Belcher, Taylor and Sayan spoke in favor of the resolution, and it was adopted.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3519.  
SENATE CONCURRENT RESOLUTION NO. 118.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 1051, by Representative J. King

Relating to economic development.

The bill was read the second time. Mr. J. King moved that Substitute House Bill No. 1051 be substituted for House Bill No. 1051, and the substitute bill be placed on the calendar for second reading.

Mr. B. Williams spoke in favor of the motion.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, I would a ruling from the Chair on whether or not this measure is properly before the body. Please explain the rationale for this bill being before the body in view of the cut-off resolution."

The Speaker (Mr. O'Brien presiding): "Representative Taylor, the proposed act contains an appropriation of approximately \$40,000 to the Department of Employment Security to qualify for matching federal funds. It appears to be a budget item."

The motion was carried.

Substitute House Bill No. 1051 was read the second time.

Mr. B. Williams moved adoption of the following amendments:

On page 4, line 6 strike "At least ten percent of the" and insert "The"

On page 4, line 7 following "include" insert "at least four"

On page 4, line 10 following "representatives" insert "and representing each caucus of the house and senate respectively"

Representatives B. Williams and J. King spoke in favor of the amendments, and they were adopted.

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

On page 4, beginning on line 11 strike all of subsection (2) and renumber the remaining subsections consecutively.

Mr. B. Williams moved adoption of the following amendments:

On page 4, beginning on line 15 strike subsection (4)

On page 4, beginning on line 28 strike all of section 4 and renumber the remaining sections consecutively.

Mr. B. Williams spoke in favor of the amendments, and Mr. J. King spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative B. Williams to page 4 of Substitute House Bill No. 1051, and the amendments were not adopted by the following vote: Yeas, 38; nays, 51; absent, 2; excused, 7.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long,

McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B. Wilson - 38.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D. Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Vekich, Wang, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Tanner, Todd - 2.

Excused: Representatives Ballard, Betzoff, Bond, Dickie, Egger, Prince, Williams J - 7.

Mr. Appelwick moved adoption of the following amendment by Representatives Appelwick and McDonald:

On page 7, line 13 after "schools," insert "educational clinics."

Representatives Appelwick, McDonald, Lewis, Lux and Long spoke in favor of the amendment, and Representatives Taylor, Galloway and P. King spoke against it.

Mr. Appelwick spoke again in favor of the amendment, and Mr. Taylor again opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Appelwick and McDonald to Substitute House Bill No. 1051, and the amendment was adopted by the following vote: Yeas, 74; nays, 16; absent, 1; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J. King R. Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Stratton, Struthers, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B. Wilson, and Mr. Speaker - 74.

Voting nay: Representatives Galloway, Grimm, Haugen, Heck, Hine, King P. Kreidler, Moon, Nealey, Powers, Schoon, Sommers, Sutherland, Taylor, Walk, Zellinsky - 16.

Absent: Representative Smitherman - 1.

Excused: Representatives Ballard, Betzoff, Bond, Dickie, Egger, Prince, Williams J - 7.

Mr. Lux moved adoption of the following amendments by Representatives Lux, R. King, Sayan and Gallagher:

On page 8, after line 4, insert the following:

**NEW SECTION, Sec. 8.** For purposes of carrying out Title III of the federal act and for the purposes of this chapter, any business operation intending to reduce or close operations at a workplace which will create layoffs for more than twenty-five employees shall provide written notice of its intent to reduce operations at least three months before the reduction is to take effect. This notice shall be transmitted to:

- (1) All employees of the business operation located at the affected workplace;
- (2) The organization which represents these employees for purposes of collective bargaining, if one exists;
- (3) The department of employment security; and
- (4) The private industry council in the local service delivery area as established by the governor pursuant to the federal act.

**NEW SECTION, Sec. 9.** This chapter applies to all reductions in operations except reductions in operations:

- (1) Resulting solely from labor disputes as defined by the National Labor Relations Act;
- (2) Occurring at construction sites;
- (3) Resulting from seasonal factors, which are customary in the industry of which the business operation is a part;
- (4) Resulting from fire, flood, or other acts of God; or
- (5) Caused by bankruptcy."

Renumber the remaining sections consecutively.

On page 8, line 21, after "through" strike "7" and insert "9"

#### POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would ask you to rule on scope and object of this amendment, please."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Barrett, your point of order is well taken. The title of the bill is sufficiently broad, but the object of the bill is to establish a Joint Coordinating Council for Employment. This amendment deals with notice requirements for private businesses' layoffs and is, therefore, beyond the scope of the bill."

Mr. B. Williams moved adoption of the following amendment by Representatives Dickie and B. Williams:

On page 8, following line 22 insert:

**NEW SECTION.** Sec. 11. The legislature recognizes the need to emphasize training in mathematics, science and computers in our schools as an integral part of our state's efforts to create and attract new jobs within the state. The legislature further recognizes the increasing demands the modern world places upon our state's school children in the subject areas of computers, science and mathematics. The legislature intends to provide for the training of our future workforce to prepare them for the more technical careers which may exist and to prevent the youth in our schools from becoming displaced workers or economically disadvantaged individuals.

**NEW SECTION.** Sec. 12. There is added to chapter 28A.03 RCW a new section to read as follows:

The superintendent of public instruction shall develop a recommended state course of study in mathematics prior to June 30, 1985 and a recommended state course of study in science prior to June 30, 1986 for the first through twelfth grades. Each course of study shall indicate the scope and sequence of skills and concepts to be taught for each grade level, and be limited to initial introduction of skills and concepts in a simple and concise manner.

Any district electing to adopt these courses of study shall be exempt from the reporting requirements of the student learning objectives requirements under RCW 28A.58.090.

**NEW SECTION.** Sec. 13. There is appropriated from the general fund to the superintendent of public instruction for the biennium ending June 30, 1985 the amount of \$2,663,809 to be used for the following purposes:

- |                                                                                                                                                          |              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (1) Establish five computer demonstration centers .....                                                                                                  | \$1,125,572  |
| (2) Staff in school districts for computer education .....                                                                                               | \$ 295,438   |
| (3) Expand computer education services and reinstate state funding for science and mathematics education purchased from the pacific science center ..... | \$1,242,799* |

## POINT OF ORDER

Mr. J. King: "Mr. Speaker, I would like you to rule on scope and object of this amendment."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "The Speaker has examined the bill and the amendment. Again, while the title is sufficiently broad, the amendment attempts to deal with the need for enhanced math and computer training in our schools. The bill deals with the establishment of a Joint Coordinating Council for Employment. The amendment is beyond the scope and object of the bill and is also not germane as required by House Rule 12(D) and (E)."

Substitute House Bill No. 1051 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 181, 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, Substitute House Bill No. 181 was substituted for House Bill No. 181, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 181 was read the second time. Committee on Ways & Means recommendation: Majority, the substitute bill by Committee on Natural Resources do pass as amended. (For amendments, see Journal, 103rd Day, Regular Session, April 23, 1983.)

On motion of Ms. Sommers, the committee amendments were adopted.

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

HOUSE BILL NO. 352, by Representatives Kreidler, Lewis and Dellwo (by Department of Social and Health Services request)

Modifying provisions relating to public assistance.

The bill was read the second time. On motion of Mr. Kreidler, Second Substitute House Bill No. 352 was substituted for House Bill No. 352, and the substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 352 was read the second time.

On motion of Mr. Fiske, the following amendments by Representatives Fiske and Brekke were adopted:

On page 10, line 9 following "act," insert "Effort shall be made to obtain chore services from volunteer chore service providers for those individuals at risk of being placed in a residential care facility but eligible for five hours of chore services per month or less, rather than have those services provided by paid providers."

On page 10, line 9 following "act," insert "Any individual at risk of being placed in a residential care facility but not eligible for chore services or eligible for a reduced level of service shall be referred to the volunteer chore service program where such program exists for needed hours or services not provided by the department."

Mr. Hastings moved adoption of the following amendment by Representative Ballard:

On page 12, after line 11 insert the following new language:

"Any program of aid for dependent children who are deprived due to the unemployment of a parent of stepparent shall terminate on June 30, 1984."

Representatives Hastings, McDonald, Barnes and Fiske spoke in favor of the amendment, and Representatives R. King, Van Dyken, Brekke, Halsan, Sryan and Pruitt spoke against it.

Representatives Van Dyken, R. King and Pruitt again opposed the amendment.

The amendment was not adopted.

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

On page 4, line 27 strike "(D)" and insert "(C)"

Mr. Addison moved adoption of the following amendment:

On page 12, after line 13 add a new section as follows:

"NEW SECTION. Sec. 9. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department of social and health services shall apply for a waiver from the federal government to implement a community work and training program for recipients of food stamps in accordance with RCW 74.04.390-470. The program shall be established in two counties, one east and one west of the Cascade mountains, and shall serve a minimum of one hundred recipients in each fiscal year.

(2) Any member of a household declared by the department of social and health services to be a member of the program in subsection (1) participating in the food stamp program who is not exempt under subsection (3) of this section may be required to participate in the community work and training program in order to continue to be eligible for food stamps.

(3) No household member shall be required to participate in the community work and training program who is:

(a) determined to have good cause to refuse employment under chapter 74.23 RCW;

(b) under eighteen years or over sixty years of age;

(c) a parent or other member of the household responsible for the care of a child under six or of an incapacitated person;

(d) employed at least twenty hours a week or participating in another work and training program under this title; or

(e) a regular participant in a drug addiction or alcohol training program.

(4) The department shall adopt any rules necessary to administer the community work and training program for food stamp recipients consistent with this title and with federal statutes and regulations."

Representatives Addison, J. King and Fuhrman spoke in favor of the amendment, and Representatives Brekke and Pruitt spoke against it.

Mr. Addison spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to Second Substitute House Bill No. 352, and the amendment was not adopted by the following vote: Yeas, 43; nays, 48; excused, 7.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, King J, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Ristuben, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Wilson, Zellinsky - 43.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Silver, Smitherman, Sommers, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

Excused: Representatives Ballard, Betzoff, Bond, Dickie, Egger, Prince, Williams J - 7.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Brekke and Smitherman:

On page 12, after line 13 add a new section as follows:

**\*NEW SECTION.** Sec. 9. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department shall provide a community work and training program for recipients of aid for dependent children in accordance with RCW 74.04.390-470 beginning no later than January 1, 1984. The program shall be designed to:

(a) provide community work and training services to a minimum of 200 recipients in each biennium;

(b) provide community work and training experience which will enhance the recipients' ability to obtain employment;

(c) provide useful assistance to public and private nonprofit agencies which would otherwise not be provided by paid employees;

(d) coordinate with other public or private employment programs to assure maximum employment opportunities for program participants;

(e) utilize the effective components of the community work experience pilot program."

Representatives Tilly and Brekke spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. D. Nelson.

Mr D. Nelson: "Representative Tilly, you may have answered this, but I'm trying to understand how this program would be funded. Could you tell me?"

Mr. Tilly: "We expect that there will be some savings from those people who will become productive and get a job and no longer need the grants, that's been the experience in the past. Otherwise, the money may have to come out of DSHS' total budget for the income assistance program."

The amendment was adopted.

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

SECOND SUBSTITUTE SENATE BILL NO. 3272, by Committee on Ways & Means (originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroners' System Improvement Act.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended by Committee on Local Government. (For amendments, see Journal, 102nd Day, Regular Session, April 21, 1983.)

Mr. Moon moved adoption of the committee amendments.

On motion of Mr. Moon, the following amendment to the committee amendments was adopted:

Strike the committee amendment to page 8 and insert the following:

On page 8, strike lines 5 through 11 and insert the following:

"(1) up to 40% of the cost of contracting for the services of a pathologist to perform an autopsy; and

(2) up to 25% of the salary of pathologist who are primarily engaged in performing autopsies and are (a) county coroners or county medical examiners, or (b) employees of a county coroner or county medical examiner."

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

Ms. Sommers moved adoption of the following amendments by Representatives Sommers and Cantu:

On page 5, line 36 after "October," insert "The state treasurer shall place these moneys into the general fund. Such moneys may only be used to fund the death investigations council, the dental identification system, studies concerning a medical examiner system, the board of prosecutor training standards and education for a coroner training program, the state toxicology laboratory, and for reimbursement to counties for medical examiner and coroner activities as provided in RCW 68.08.104."

On page 6, line 1 beginning with "Two" strike all the matter down to and including "act," on line 4.

On page 8, beginning on line 3 strike "death investigations' account, established by section 18 of this 1983 act," and insert "general fund"

On page 8, beginning on line 12 strike "account shall be made pursuant to biennial appropriation: PROVIDED, That no" and insert "general fund for such purposes shall be made by the state treasurer to counties on an annual basis on or before December 31st of each year upon presentation to the treasurer of records authenticating expenditures for such purposes. No"

On page 10, beginning on line 11 strike all of section 18 and renumber the following sections consecutively.

On page 11, beginning on line 3 strike "death investigations account of the"

Ms. Sommers spoke in favor of the amendments, and Mr. Moon spoke against them.

#### MOTION

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

#### POINT OF PERSONAL PRIVILEGE

Mr. Cantu: "Mr. Speaker and ladies and gentlemen of the House: I just want the record to show that about fifteen minutes ago I was given an ultimatum for a capital budget. The minority members of our party do not have copies because they have not had time to get copies. Also, I do not know at this time which of the two proposed capital budgets we are going to run. It is extremely difficult, if not practically impossible, to prepare ourselves to deal with two capital budgets. I would urge that the Chairman of the committee notify the minority party which of the two proposed capital budgets we intend to deal with at six o'clock, so that we may productively use the time between now and then to propose changes, if there are any, or at least be better prepared to deal with the subject. I think it's not just a courtesy, I think it's essential and I think it's a responsibility of the majority party to notify the minority party which budget we are going to be dealing with when we go into Ways & Means, and I would prefer we do it at this time."

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Friday, April 29, 1983.

DEAN R. FOSTER, Chief Clerk

WAYNE EHLERS, Speaker



## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 29, 1983

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Ballard, Betzoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken and West, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Allyson Tripp and Jacob Stewart. Prayer was offered by Father Theodore Marmo, Pastor of St. Michael's Catholic 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

April 27, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3090,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3434,  
SENATE CONCURRENT RESOLUTION NO. 128,  
SENATE CONCURRENT RESOLUTION NO. 129,  
SENATE CONCURRENT RESOLUTION NO. 130,  
SENATE CONCURRENT RESOLUTION NO. 131,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3067,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3085,  
ENGROSSED SENATE BILL NO. 3099,  
SECOND SUBSTITUTE SENATE BILL NO. 3155,  
ENGROSSED SENATE BILL NO. 3162,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3163,  
SENATE BILL NO. 3169,  
SENATE BILL NO. 3188,  
SENATE BILL NO. 3238,  
SUBSTITUTE SENATE BILL NO. 3244,  
SUBSTITUTE SENATE BILL NO. 3248,  
SUBSTITUTE SENATE BILL NO. 3267,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3290,  
ENGROSSED SENATE BILL NO. 3309,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3311,  
SENATE BILL NO. 3314,  
SUBSTITUTE SENATE BILL NO. 3372,  
SENATE BILL NO. 3379,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3387,  
ENGROSSED SENATE BILL NO. 3390,  
SENATE BILL NO. 3413,  
ENGROSSED SENATE BILL NO. 3475,  
SUBSTITUTE SENATE BILL NO. 3504,  
SUBSTITUTE SENATE BILL NO. 3538,  
SUBSTITUTE SENATE BILL NO. 3539,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624,

SUBSTITUTE SENATE BILL NO. 3628,  
 ENGROSSED SENATE BILL NO. 3647,  
 REENGROSSED SUBSTITUTE SENATE BILL NO. 3660,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3768,  
 SENATE BILL NO. 3784,  
 SUBSTITUTE SENATE BILL NO. 3800,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3814,  
 SUBSTITUTE SENATE BILL NO. 3982,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4055,  
 SECOND SUBSTITUTE SENATE BILL NO. 4102,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4158,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3056,  
 SUBSTITUTE SENATE BILL NO. 3266,  
 SUBSTITUTE SENATE BILL NO. 3856,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

#### INTRODUCTIONS AND FIRST READING

2SSB 3155 by Committee on Ways & Means (originally sponsored by Senators Gaspard, Talmadge, Bauer, Warnke, Thompson, von Reichbauer, Shinpoch, Bottiger, Patterson, Peterson, Goltz, Vognild, Bender, Guess, McManus, Granlund, Fleming, Kiskaddon, Benitz, Lee and Woody)

Requiring a high technology education training program.

Referred to Committee on Ways & Means.

SSB 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.

2SSB 4102 by Committee on Ways & Means (originally sponsored by Senator Gaspard)

Providing tuition incentives for students studying to be math and science teachers.

Held on first reading.

ESSB 4158 by Committee on Ways & Means (originally sponsored by Senators Thompson, McDermott, Fuller, Bauer, Barr and Owen)

Authorizing counties to impose an excise tax on timber.

Referred to Committee on Ways & Means.

SCR 128 by Senators Talmadge, Hughes, Bauer, Woody, Moore, Metcalf, Rasmussen, Fleming, Wojahn, Gaspard, Bender and McDermott

Creating the Joint Select Committee on Seattle-First National Bank crisis.

Referred to Committee on Rules.

SCR 129 by Senators McManus, Rinehart and Jones

Establishing a joint legislative committee on the arts.

Referred to Committee on Rules.

SCR 130 by Senators Peterson, Guess, Sellar, Patterson, Haley, Barr, Hansen, Vognild, von Reichbauer, Bender, Granlund and Owen

Assigning topics of study to the Legislative Transportation Committee and the standing committees on transportation.

Referred to Committee on Rules.

SCR 131 by Senators McDermott, Wojahn, Lee, Shinpoch, Kiskaddon and Bluechel

Establishing a joint committee to study ways to implement comparable worth.

Referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES

April 27, 1983

HB 515 Prime Sponsor, Representative Armstrong: Increasing judges' salaries. 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, Fiske, Hastings, McClure, McDonald, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Heck, Hine, Kreidler and Monohon.

Absent: Representatives Bond and J. King.

Passed to Committee on Rules for second reading.

April 27, 1983

HB 565 Prime Sponsor, Representative Smitherman: Researching the creation of high technology jobs in the south Puget Sound region. 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 with the following amendments:

On page 2, line 2 after "development" insert "or any successor agency"

On page 2, line 12 after "development" insert "or any successor agency"

Signed by Representatives Grimm, Chair; Appelwick, Braddock, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman and Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Hastings, McDonald, G. Nelson, Struthers, Taylor and Tilly.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Fiske, Hastings, McDonald, G. Nelson, Struthers, Taylor and Tilly.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 28, 1983

ESSB 3079 Prime Sponsor, Committee on Local Government: Authorizing insurance services for officials as well as employees of sewer districts. 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 2, chapter 75, Laws of 1963 as amended by section 2, chapter 57, Laws of 1965 and RCW 41.04.190 are each amended to read as follows:

The cost of any such group policy or plan to any such public agency or body shall not be deemed additional compensation to the employees or elected county officials covered thereby (~~(for services rendered)~~), and any officer authorized to disburse such funds may pay in whole

or in part to any such insurance carrier or health care service contractor the amount of the premiums due pursuant to any such contract.

**NEW SECTION.** Sec. 2. The local government committees of the senate and house of representatives shall study compensation and other benefits provided to officials of special purpose districts and report their findings and any recommendations to the senate and house of representatives on or before January 1, 1984."

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending section 2, chapter 75, Laws of 1963 as amended by section 2, chapter 57, Laws of 1965 and RCW 41.04.190; and creating a new section."

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Broback, Chandler, Charnley, Ebersole, Egger, Hine, Isaacson, Mitchell, Smitherman and Todd.

Absent: Representatives Ballard, Grimm and Ristuben.

Passed to Committee on Rules for second reading.

April 23, 1983

SSB 3248 Prime Sponsor, Committee on Local Government: Requiring the salaries of persons in public employment to be adjusted to achieve comparable worth. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Taylor, Tilly and Vander Stoep

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; and Fiske.

Voting nay: Representatives Cantu, Ranking Minority Chair; Fiske, Hastings, Heck, McDonald and Struthers.

Absent: Representative Bond.

Passed to Committee on Rules for second reading.

April 28, 1983

ESSB 3490 Prime Sponsor, Committee on Local Government: Changing the procedures for appointing the local health officer in counties with home rule charters. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 28 after "by" strike "the department of social and health services in consultation with"

On page 4, beginning on line 17 after "by" strike "the state department of social and health services or"

Signed by Representatives Moon, Chair; Haugen, Vice Chair; Van Dyken, Ranking Minority Chair; Brough, Ranking Minority Vice Chair; Allen, Broback, Chandler, Charnley, Ebersole, Egger, Isaacson, Mitchell and Smitherman

Voting nay: Representatives Hine and Todd.

Absent: Representatives Ballard, Grimm and Ristuben.

Passed to Committee on Rules for second reading.

April 27, 1983

SSB 4245 Prime Sponsor, Committee on Parks & Ecology: Revising provisions relating to hazardous waste management. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass without the Committee on Environmental Affairs amendments, and with the following amendments:

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:

The legislature hereby declares that:

(1) The health and welfare of the people of the state depend on clean and pure environmental resources unaffected by hazardous waste contamination. Management and regulation of hazardous waste disposal should encourage practices which result in the least amount of waste being produced. Towards that end, the legislature finds that the following priorities in the management of hazardous waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
- (b) Waste recycling;
- (c) Physical, chemical, and biological treatment;
- (d) Incineration;
- (e) Solidification/stabilization treatment;
- (f) Landfill.

(2) As used in this section:

(a) 'Waste reduction' means reducing waste so that hazardous byproducts are not produced;

(b) 'Waste recycling' means reusing waste materials and extracting valuable materials from a waste stream;

(c) 'Physical, chemical, and biological treatment' means processing the waste to render it completely innocuous, produce a recyclable byproduct, reduce toxicity, or substantially reduce the volume of material requiring disposal;

(d) 'Incineration' means reducing the volume or toxicity of wastes by use of an enclosed device using controlled flame combustion;

(e) 'Solidification/stabilization treatment' means the use of encapsulation techniques to solidify wastes and make them less permeable or leachable; and

(f) '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, surface impoundment, or injection well.

NEW SECTION. Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

The department after notice and public hearing shall:

(1) Conduct studies of the state's dangerous and extremely hazardous wastes to determine the best management practices for categories of waste for the priority waste management methods established in section 1 (b) through (f) of this act, with due consideration in the course of the study to sound environmental management and available technology. After conducting the studies, the department shall prepare new rules or modify existing rules as appropriate to promote implementation of the priorities established in section 1 (b) through (f) of this act for management practices which assure use of sound environmental management techniques and available technology. The preliminary studies shall be completed by July 1, 1985, and the rules shall be adopted by July 1, 1986.

(2) Conduct additional studies on policy direction (such as fee incentives, disposal bans, etc.) that will help achieve the goals of waste reduction for specific categories of waste. The studies shall be completed by July 1, 1987. The solid waste advisory committee shall review the studies and make recommendations regarding these policy options that could be used to encourage reduction of dangerous and extremely hazardous wastes. The review and recommendations shall be submitted to the legislature by January 1, 1988.

NEW SECTION. Sec. 3. There is added to chapter 70.105 RCW a new section to read as follows:

Consistent with the purposes of sections 1 and 2 of this act, the department is authorized to promote the priority waste management methods listed in section 1 of this act by establishing or assisting in the establishment of: (1) Consultative services which, in conjunction with any business or industry requesting such service, study and recommend alternative waste management practices; and (2) technical assistance, such as a toll-free telephone service, to persons interested in waste management alternatives. Any person receiving such service or assistance may, in accordance with state law, request confidential treatment of information about their manufacturing or business practices.

NEW SECTION. Sec. 4. There is added to chapter 70.105 RCW a new section to read as follows:

All fines and penalties collected under this chapter shall be deposited in the hazardous waste control and elimination account, which is hereby created in the state general fund. Moneys in the account collected from fines and penalties shall be expended exclusively by the department of ecology for the purposes of providing technical services under section 3 of this act, subject to legislative appropriation.

NEW SECTION. Sec. 5. (1) There is appropriated to the department of ecology from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of one hundred thousand dollars, or so much thereof as may be necessary, for the purposes of section 3 of this act.

(2) There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of two hundred thousand dollars, or so much thereof as may be necessary, for the purposes of section 2 of this act."

On page 1, line 1 of the title, after "wastes;" strike the remainder of the title and insert "adding new sections to chapter 70.105 RCW; and making appropriations."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Fiske, Hastings, Heck, Hine, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers and Taylor.

Absent: Representatives Bond, J. King and Vander Stoep.

Passed to Committee on Rules for second reading.

#### SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 3272, by Committee on Ways & Means (originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroners' System Improvement Act.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representative Sommers.

With the consent of the House, Ms. Sommers withdrew the amendments.

#### MOTION

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

#### 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 third time and placed on final passage.

Representatives Stratton and Mitchell 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. 181, and the bill passed the House by the following vote: Yeas, 86; nays, 0; excused, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, 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, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Excused: Representatives Ballard, Betzoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

Engrossed 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 213, by Committee on Commerce & Economic Development (originally sponsored by Representatives Halsan, B. Williams, Tanner, Todd, Holland, Kreidler, Ebersole, Haugen, Fisher, Ristuben, Ellis, Belcher, Sayan, Vekich, Powers, Fisch, Hine, Dellwo, Garrett, Lewis, Johnson, Crane and Stratton)

Establishing the community development finance corporation.

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

Representatives Halsan, Lux and J. King spoke in favor of passage of the bill, and Representatives Sanders, Silver, Broback, Addison, Barnes, Taylor and Cantu spoke against it.

#### MOTION

Mr. Sanders moved that Engrossed Substitute House Bill No. 213 be rereferred to Committee on Financial Institutions & Insurance.

Representatives Sanders, Addison, Broback and Vander Stoep spoke in favor of the motion, and Representatives Lux, J. King and Halsan spoke against it.

Mr. Sanders spoke again in favor of the motion.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Moon.

Mr. Moon: "Representative Lux, I've heard this discussion here this morning about bank failures and failures of private banks and failures of state banks. Could you give me a comparison as to how many state banks have failed as compared to those that are privately owned?"

Mr. Lux: "Representative Moon, I think it was referred to over there on the other side by the good representative from Bellevue that there were nineteen state banks and that eighteen of them had failed. I think the one in North Dakota is an example of a good solid Republican bank that existed since 1919 and it's in good shape. It's sound and it's going a good job for those good Republican farmers in North Dakota. I want to point out to you that since 1934, there have been 578 bank failures in the United States--578, not eighteen state banks--and not one depositor has lost any money and I think it should be pointed out that all kinds of businesses fail; it's just a matter of management. If we manage this operation right, this will be a success. I think we ought to get on with it."

#### POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Sanders, I'm wondering, without being repetitious, could you give a response to the same question that was asked on the other side of the aisle?"

Mr. Sanders: "Representative Struthers, when you consider that there is only one state bank left of twenty in the United States, if you divide that out, that means that ninety-five percent of the state banks have failed. You can imagine what a calamity it would be in the United States if ninety-five percent of the private sector banks failed. Representative Lux mentioned that five hundred or so banks have failed in the United States, and he suggest how many banks there are in the United States, but here again, I would say that that five hundred figure probably represents five percent of the state banks. The only bank left in North Dakota only makes loans for agricultural purposes."

Mr. Moon spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion that Engrossed Substitute House Bill No. 213 be rereferred to Committee on Financial Institutions & Insurance, and the motion was lost by the following vote: Yeas, 33; nays, 53; excused, 12.

Voting yeas: Representatives Addison, Allen, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long,

McDonald, Mitchell, Nealey, Nelson G. Patrick, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 33.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Ballard, Betzozoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 213.

Mr. B. Williams spoke against passage of the bill, and Mr. Halsan spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 213, and the bill passed the House by the following vote: Yeas, 50; nays, 36; excused, 12.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Dellwo, Fiske, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Moon, Nealey, Nelson G, Patrick, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 36.

Excused: Representatives Ballard, Betzozoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

Engrossed Substitute House Bill No. 213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Barrett moved that the House immediately consider Engrossed Substitute House Bill No. 49.

Mr. Barrett spoke in favor of the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House immediately consider Engrossed Substitute House Bill No. 49, and the motion was lost by the following vote: Yeas, 33; nays, 52; absent, 1; excused, 12.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Patrick, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 33.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Stratton - 1.

Excused: Representatives Ballard, Betzozoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 352, by Committee on Ways & Means (originally sponsored by Representatives Kreidler, Lewis and Dellwo; by Department of Social and Health Services request)

Modifying provisions relating to public assistance.

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



Representatives Kreidler and Taylor spoke in favor of the bill, and Mr. Fiske spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 352, and the bill passed the House by the following vote: Yeas, 63; nays, 23; excused, 12.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Addison, Barnes, Broback, Brough, Cantu, Chandler, Fiske, Fuhrman, Hastings, Holland, McDonald, Mitchell, Nealey, Nelson G, Patrick, Sanders, Schmidt, Struthers, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 23.

Excused: Representatives Ballard, Betzoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

Engrossed Second Substitute House Bill No. 352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1050, by Committee on Commerce & Economic Development (originally sponsored by Representative J. King)

Specifying terms of property leasebacks by state and local agencies.

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

Representatives J. King 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. 1050, and the bill passed the House by the following vote: Yeas, 85; nays, 1; excused, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, 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, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representative Moon - 1.

Excused: Representatives Ballard, Betzoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

Substitute House Bill No. 1050, having received the 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1051, by Committee on Commerce & Economic Development (originally sponsored by Representative J. King)

Establishing the Washington job training and partnership act.

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

Representatives J. King and Lux spoke in favor of passage of the bill, and Representatives B. Williams and Brough spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1051, and the bill passed the House by the following vote: Yeas, 55; nays, 31; excused, 12.

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, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sryan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Long, McDonald, Mitchell, Nealey, Nelson G, Patrick, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 31.

Excused: Representatives Ballard, Betzozoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

Engrossed Substitute House Bill No. 1051, having received the constitutional 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. 3090 AS AMENDED BY THE HOUSE, by Senators Talmadge and Hughes

Modifying the budget and accounting act.

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

Representatives Monohon, Barrett and Fiske spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3090 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 0; excused, 12.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charney, Crane, Dellwo, 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, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sryan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 86.

Excused: Representatives Ballard, Betzozoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

Senate Bill No. 3090 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.

#### INTERIM COMMITTEE ASSIGNMENTS

The Speaker announced the following committee assignments:

Capital Area Master Plan: Representatives Fisch and Struthers.

Energy Advisory Council: Representatives Todd and Isaacson.

Joint Committee on Energy & Utilities: Representatives Gallagher, D. Nelson, Barnes and Long.

Joint Committee on Financial Institutions: Representatives Lux, Chair; Monohon, Sanders and Broback.

Washington Public Power Supply System - Special Legislative Committee: Representatives Gallagher, D. Nelson, Isaacson and Fuhrman.

#### MOTIONS

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

Mr. Heck moved that ENGROSSED SUBSTITUTE SENATE BILL NO. 3814 be rereferred from Committee on Commerce & Economic Development to Committee on Ways & Means.

Representatives Heck and McDonald spoke in favor of the motion, and Representatives Struthers and Barrett spoke against it.

#### POINT OF INFORMATION

Ms. Brough: "We did work this bill in Commerce & Economic Development Committee, and we did amend it. If you remove the bill from the committee, will it

come out as amended by the committee, or will it come out as entered into the committee?"

The Speaker: "The committee did not take action on the bill as far as passing it out. It is my understanding that the committee did not vote the bill out; they did take action on amendments. If the bill were relieved from the committee, it would be without the amendments."

Ms. Brough spoke in favor of the motion.

#### POINT OF INFORMATION

Mr. Isaacson: "From the discussion on the floor of the House, I understand that this bill would do away with the lottery. Is that correct?"

The Speaker: "I'm afraid I have no idea. I have not read the bill."

Representatives Isaacson and Barnes spoke in favor of the motion, and Mr. Barrett again opposed it.

Representatives Schoon and G. Nelson spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to rerefer Engrossed Substitute Senate Bill No. 3814 to Committee on Commerce & Economic Development, and the motion was carried by the following vote: Yeas, 64; nays, 22; excused, 12.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Allen, Barrett, Dellwo, Fiske, Garrett, Hankins, Hastings, Haugen, Kaiser, Lewis, Mitchell, Nealey, Nelson G, Patrick, Sanders, Schmidt, Schoon, Stratton, Struthers, Tilly, Williams J, Wilson - 22.

Excused: Representatives Ballard, Betzoff, Bond, Clayton, Dickie, Egger, Miller, Padden, Prince, Smith, Van Dyken, West - 12.

#### MOTION

On motion of Mr. Heck, Second Substitute Senate Bill No. 4102 was referred to Committee on Ways & Means.

#### MOTION

On motion of Mr. Heck, the House adjourned until 11:00 a.m., Monday, May 2, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 2, 1983

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 Addison, Bond, Locke, Van Dyken and Vander Stoep, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lori Wilson and Jeff Edison. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist 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

April 29, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3045,  
 SUBSTITUTE SENATE BILL NO. 3158,  
 SUBSTITUTE SENATE BILL NO. 3181,  
 SENATE BILL NO. 3985,  
 SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 112,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 116,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 121,  
 SENATE CONCURRENT RESOLUTION NO. 123,  
 SENATE CONCURRENT RESOLUTION NO. 126,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORTS OF STANDING COMMITTEES

April 29, 1983

HB 54 Prime Sponsor, Representative Grimm: Modifying limitations on debt contracted by the state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman and Struthers.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Hastings, G. Nelson, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Fiske.

Passed to Committee on Rules for second reading.

April 28, 1983

HB 55 Prime Sponsor, Representative Grimm: Adopting the 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; Appelwick, Braddock, Ellis, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, Rust, Sayan, Smitherman and Struthers.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Hastings, G. Nelson, Taylor and Tilly.

Absent: Representatives Bond, Brekke, Fiske, J. King and Vander Stoep.

Passed to Committee on Rules for second reading.

April 28, 1983

HB 466 Prime Sponsor, Representative McClure: Repealing the business inventories property tax exemption and providing for local revenue distribution. Reported by Committee on Ways & Means

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

Voting nay: Representatives Grimm, Chair; Hastings, Kreidler, McDonald and Tilly.

Absent: Representatives Bond, Heck and G. Nelson.

Passed to Committee on Rules for second reading.

April 29, 1983

HB 588 Prime Sponsor, Representative Zellinsky: Providing funds for jail improvement and construction. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 6 after "projects." insert "There is reappropriated from the local jail improvement and construction account of the general fund to the corrections standard board for the biennium ending June 30, 1985, any sum remaining from the foregoing appropriation that was not spent in the biennium ending June 30, 1983."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers and Taylor.

Absent: Representatives Bond, Fiske, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

April 30, 1983

HB 717 Prime Sponsor, Representative Grimm: Authorizing bonds for hazardous waste investigation, clean up, etc. 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; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers and Taylor.

Absent: Representatives Bond, Fiske, Tilly and Vander Stoep.

Passed to Committee on Rules for second reading.

April 29, 1983

2nd SSB 3155 Prime Sponsor, Committee on Ways & Means: Requiring a high technology education training program. 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. This act may be known as the Washington technology development act.

NEW SECTION, Sec. 2. The legislature finds that:

(1) The investment of state resources is appropriate to help develop new technologies necessary to maintain a competitive and growing economy;

(2) Washington should be a leader in technological advances in such industries as electronics, computers, aviation, bio-engineering, forestry, fisheries, agriculture, and marine services;

(3) Investment in education is the most feasible method for state assistance to the technology development industries;

(4) Educational efforts should be directed toward the continuing education of employed individuals as well as the traditional student not yet in the workforce; and

(5) Investments by the state should be limited and monitored by the legislature and by the council of technology advisors.

**NEW SECTION.** Sec. 3. In order to provide guidance and leadership during the 1983-85 biennium, the council of technology advisors is hereby created.

(1) The council shall be limited to eleven persons. Six persons shall represent the technology development industries and shall be named by the governor. The speaker of the house of representatives and the majority leader of the senate may recommend appointees. The two presidents of the state's research universities, the executive director of the state board for community college education, and the superintendent of public instruction shall name one representative each to the council. The council for postsecondary education shall name one of its members to serve on the council of technology advisors.

(2) Representatives of the regional universities and state college, the council for postsecondary education representative for private universities, the council for postsecondary education, the commission for vocational education, the temporary committee for education policy, structure and management, the department of commerce and economic development or any successor agency, and the office of financial management shall cooperate in providing information upon request.

(3) The tasks of the council include:

(a) Monitoring and assistance in the development of a technology center at the University of Washington. A report on the progress shall be provided to the 1984 legislature;

(b) Reporting to the 1984 legislature on the progress of projects funded in this act, with particular reference to whether the original premise for the various projects continues to be reasonable or whether new approaches should be pursued;

(c) Making recommendations to the 1984 legislature regarding the optimum delivery of educational programs that would enhance technology development and provide for a technologically competent workforce. Among issues of interest to the legislature are similar efforts in other states, coordination between educational systems, and adequacy of instructional equipment. To this end, the council for postsecondary education and the superintendent of public instruction shall submit reports on this subject to the council by November 1, 1983; and

(d) Serve as a forum for selected technology development issues.

(4) The council shall be provided staff to be selected by state agency members of the council within thirty days of the effective date of this act. Staff shall serve at the pleasure of the council and shall be provided office space and administrative services by the University of Washington.

(5) The council shall cease to exist and this section shall expire on June 30, 1986.

**NEW SECTION.** Sec. 4. The following amounts, or so much thereof as may be necessary, are appropriated from the general fund for the biennium ending June 30, 1985:

(1) \$1,589,000 is appropriated to the University of Washington for specialized technology educational programs at a center for technology development and for planning for a permanent center for technology to be located in the Seattle area. No more than \$200,000 of this appropriation shall be expended for planning for a permanent center for technology. It is the intent of the legislature that all program requirements and a plan for ongoing maintenance, operations and provision of equipment using public and private sources be developed prior to consideration of physical space requirements. To this end, a plan detailing such program requirements shall be provided to the council prior to expenditure of moneys on physical plant planning.

(2) A Southwest joint center for technology is established in Vancouver. \$1,000,000 is appropriated to Washington State University to provide specialized technology educational programs and to provide administrative support for the center. It is intended that Clark College will join with Washington State University in offering technology-related courses through the facilities of the center.

(3) \$1,496,000 is appropriated to Washington State University to establish elements of a state-wide telecommunications network to deliver educational programs to the technology centers established in this act.

(4) \$320,000 is appropriated to the University of Washington to provide telecommunications services in conjunction with the system established in subsection (3) of this section.

(5) \$4,000,000 is appropriated to the state board for community college education to establish demonstration programs for training technicians needed by industries most affected by rapid technological change. To this end, the board shall select no more than five institutions

for demonstration sites for an estimated 1500 FTE students per biennium. In its selection of demonstration sites, the state board shall consider cooperation and matching efforts with technology development industries as a primary criteria in making final awards. No more than \$1,000,000 of this appropriation may be used for equipment related to these demonstration programs.

(b) \$2,746,000 is appropriated to the superintendent of public instruction to establish the following programs:

(a) \$1,600,000 for the establishment of regional computer demonstration centers in the educational service districts.

(b) \$360,000 for establishment of local school district pilot projects in the application of technology to basic skills instruction.

(c) \$236,000 to administer and coordinate these technology programs and coordinate regional computer centers. No more than three full time equivalent staff may be added to provide these services.

(d) \$550,000 to contract with the Pacific science center for the purchase of computer, science, and mathematics education services.

(7) \$166,750 is provided to the University of Washington to serve as financial agent for the council of technology advisors and its staff.

NEW SECTION, Sec. 5. The following amounts, or so much thereof as may be necessary, are hereby appropriated for the biennium ending June 30, 1983, from the specified accounts in the general fund:

(1) To the University of Washington, to replace instructional and support equipment and the purchase of high technology equipment.

	Reappropriation	Appropriation
University of Washington Building Account		921,000
Higher Education Construction Account		3,048,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	29,844,000	33,813,000

(2) To the University of Washington, to fund additional working drawings, renovation and construction for the ceramic engineering program at Roberts Hall.

	Reappropriation	Appropriation
Higher Education Construction Account		4,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,050,000	10,050,000

(3) To Washington State University, to design, construct, and equip a new facility for the department of electrical engineering and a portion of the department of mechanical engineering.

	Reappropriation	Appropriation
Washington State University Building Account		13,776,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
100,000		13,876,000

(4) To Washington State University, to design a new facility for the department of chemistry, the energy institute, and the biological chemistry institute.

	Reappropriation	Appropriation
Washington State University Building Account		1,061,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	19,138,000	20,199,000

NEW SECTION, Sec. 6. The state agencies appropriated moneys by this act shall provide whatever information and assistance is requested by the council of technology advisors in fulfilling its responsibilities to advise and report to the legislature on the progress and future needs in technology development."

On page 1, line 1 of the title, after "training;" strike the remainder of the title and insert "creating new sections; making appropriations; and providing an expiration date."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Fiske and Hine.

Passed to Committee on Rules for second reading.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3056,

SUBSTITUTE SENATE BILL NO. 3266,

SUBSTITUTE SENATE BILL NO. 3856.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTIONS

On motion of Mr. Heck, the Rules Committee was relieved of the following bills and they were placed at the top of the second reading calendar: House Bill No. 54; House Bill No. 55; House Bill No. 466, House Bill No. 588 and House Bill No. 717.

On motion of Mr. Heck, the Rules Committee was relieved of Second Substitute Senate Bill No. 3155 and it was placed at the bottom of today's second reading calendar.

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 (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Addison, Bond, Locke, Van Dyken and Vander Stoep, who were excused.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113, by Committee on State Government (originally sponsored by Senators Warnke and Vogmild)

Providing for a legislative study of government reorganization.

The resolution was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, Regular Session, April 13, 1983.)

On motion of Mr. Walk, the committee amendments to page 1, line 10 and page 1, line 14 were adopted.

Mr. Walk moved adoption of the committee amendments to page 1, line 18 and page 1, line 19.

Mr. Walk spoke against adoption of the amendments, and they were not adopted.

On motion of Mr. Walk, the committee amendments to page 1, line 20 and page 1, line 28 were adopted.

On motion of Mr. Walk, the following amendment was adopted:  
On page 2, line 18 strike "January 1, 1985" and insert "December 31, 1984"

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

Representatives Walk and Hankins spoke in favor of passage of the resolution.



## ROLL CALL

The Clerk called the roll on adoption of Engrossed Substitute Senate Concurrent Resolution No. 113 as amended by the House, and the resolution was adopted by the following vote: Yeas, 89; nays, 2; absent, 2; excused, 5.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barnes, Barrett, 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, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Allen, Belcher - 2.

Absent: Representatives Martinis, Niemi - 2.

Excused: Representatives Addison, Bond, Locke, Van Dyken, Vander Stoep - 5.

Engrossed Substitute Senate Concurrent Resolution No. 113 as amended by the House, having received the constitutional majority, was declared adopted.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3311, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Quigg and Wojahn - by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

The bill was read the second time. Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 93rd Day, Regular Session, April 12, 1983.)

On motion of Mr. R. King, the committee amendment to page 7, line 13 was adopted.

Representative Locke appeared at the bar of the House.

## MOTION

Mr. Heck moved that the House immediately consider Senate Bill No. 3314.

The motion was carried.

SENATE BILL NO. 3314, by Senators Vognild, Quigg and Wojahn (by Department of Employment Security request)

Establishing the OASI revolving fund.

The bill was read the second time. On motion of Mr. Wang, the rules were suspended, the third 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. 3314, and the bill passed the House by the following vote: Yeas, 94; nays, 0; excused, 4.

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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Addison, Bond, Van Dyken, Vander Stoep - 4.

Senate Bill No. 3314, having received the 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. 3272, by Committee on Ways & Means (originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroners' System Improvement Act.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 4th and 5th Days, First Special Session, April 28 and 29, 1983.)

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, how does the Coroner's System Act fall under House Concurrent Resolution No. 23? Is this budget-related? Is it a bill required to implement the budget? Is it a revenue? I'm quite puzzled and I know a number of other people are puzzled as well."

The Speaker (Mr. O'Brien presiding): "The Speaker has already examined these bills and he's found that they have a specific appropriation and were considered when we determined our budget and revenue levels. I feel it is a bill that implements the budget and revenue."

Mr. Appelwick moved adoption of the following amendments:

On page 4, line 25 after "birth," strike "death, fetal death," and insert "~~((death, fetal death))~~"

On page 4, line 30 after "fee of" strike "six" and insert "four"

On page 4, line 35 after "administration," insert "The state registrar or other state or local officers or officials shall, upon request, furnish an applicant with a certified copy of the record of any death or fetal death for the making and certification of which he or she shall charge a fee of nineteen dollars for the first copy of the record of any death or fetal death of each decedent and four dollars for every additional copy to be paid by the applicant each time such copies are requested."

On page 5, line 13 after "collected," strike all language through "copy" on line 14 and insert "except for fifteen dollars of each nineteen dollar fee for the issuance of the first certified copy of the record of any death or fetal death"

On page 5, line 26 after "collected," strike "except for two dollars of each six dollar fee" and insert "except for fifteen dollars of each nineteen dollar fee for the issuance of the first certified copy of the record of any death or fetal death"

On page 5, line 32 after "counties" insert "and the state registrar"

On page 5, line 34 after "turn" strike "two" and insert "fifteen"

On page 5, line 34 after "fee" insert "for the issuance of the first certified copy of the record of any death or fetal death"

On page 5, line 36 after "October," insert "The state treasurer shall deposit fees for the issuance of the first certified copy of the record of any death or fetal death in the state general fund."

On page 6, strike lines 1 through 4.

Representatives Appelwick and Padden spoke in favor of the amendments, and Mr. Moon spoke against them.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Ms. Brough.

Ms. Brough: "Representative Appelwick, looking over your amendments, does this once again establish fiscally a dedicated source of funds for the death investigations account?"

Mr. Appelwick: "The purpose of the account was to appropriate the money into the account so that there was front money to operate the program. Since that is appropriated as an account within the general fund, then as the receipts are paid quarterly by the health officers, the general fund would be reimbursed for the appropriation."

Ms. Brough: "So then this goes into the general fund and not into the death investigations account?"

Ms. Appelwick: "That is correct. There would be originally an appropriation to the death investigations account of the amount specified in the bill, and the reimbursement from the health officers would be paid to the general fund in which that account is situated."

Ms. Brough: "In hearing testimony on this legislation, we heard that a number of times people need more than one certified copy of a death or birth certificate. Can you tell me approximately, on an average, say upon deaths, how many certificates people come in for?"

Mr. Appelwick: "If you are going to do a straight average, it would be somewhere between two and a half and four and a half, but I think it tends to be a very exaggerated situation. Some people come in on a probate and need fifteen because they have a lot of creditors or a lot of insurance certificates and there is a question of solvency. Others wouldn't need any at all because there is a surviving spouse and no probate. So the average is not a true indication of the cost to any typical person."

Representatives Brough, Charnley and McMullen spoke against the amendments, and they were not adopted.

On motion of Ms. Sommers, the following amendments by Representatives Sommers and Tilly were adopted:

On page 11, strike lines 10 through 14 and renumber the remaining subsections consecutively.

On page 11, after line 21 insert the following:

"NEW SECTION, Sec. 21. The legislative budget committee shall conduct a study of the medical examiner system and the staffing programs and operations of the state toxicology laboratory and shall report its findings to the legislature no later than January 1, 1984."

Renumber the remaining sections consecutively.

Second Substitute Senate Bill No. 3272 as amended by the House was passed to Committee on Rules for third reading.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

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

#### REPORTS OF STANDING COMMITTEES

May 2, 1983

HB 56 Prime Sponsor, Representative Grimm: Authorizing bonds for capital improvements for institutions of higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 14 strike "eleven million eight" and insert "seven million three"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Appelwick, Braddock, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman and Struthers.

Voting nay: Representative Taylor.

Absent: Representatives Addison, Bond, Brekke, Hastings, Tilly and Vander Stoep.

May 2, 1983

HB 57 Prime Sponsor, Representative Grimm: Authorizing bonds for state buildings and 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; Appelwick, Braddock, Ellis, Heck, Hine, J. King, McClure, Monohon, Rust, Sayan, Smitherman and Struthers.

Voting nay: Representatives Cantu, Ranking Minority Chair; Fiske, G. Nelson and Taylor.

Absent: Representatives Addison, Bond, Brekke, Hastings, Tilly and Vander Stoep.

May 2, 1983

HB 58 Prime Sponsor, Representative Grimm: Authorizing bonds for fisheries facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 12 strike "two million three hundred" and insert "six hundred twenty-five"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Appelwick, Braddock, Ellis, Fiske, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman and Struthers.

Voting nay: Representative Taylor.

Absent: Representatives Addison, Bond, Brekke, Hastings, Tilly and Vander Stoep.

#### MOTION

On motion of Mr. Heck, the rules were suspended, the bills listed on the reports of standing committees were placed on the second reading calendar immediately following House Bill No. 55.

Representatives Addison, Van Dyken and Vander Stoep appeared at the bar of the House.

#### SECOND READING

HOUSE BILL NO. 54, by Representatives Grimm and Cantu (by Governor Spellman and State Treasurer request)

Modifying limitations on debt contracted by the state.

The bill was read the second time.

Mr. Smith moved adoption of the following amendment:

On page 2, line 15 following "67.40 RCW" insert ": PROVIDED, That such indebtedness was incurred pursuant to voter approval in accordance with section 3 of Article VIII of the Washington state Constitution with the exception of indebtedness incurred as provided in chapter 67.40 RCW."

Mr. Smith spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Smith, is it your interpretation that this amendment would put the whole bill before a vote of the people?"

Mr. Smith: "That's my intention, yes. I think when you're going to require the debt limit to be raised that it should go to a vote of the people."

Ms. Sommers spoke against adoption of the amendment, and Mr. G. Nelson spoke in favor of it.

The amendment was not adopted.

Mr. Cantu moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 6, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 204, Laws of 1979 ex. sess. and RCW 39.42.060 are each amended to read as follows:

No bonds, notes, or other evidences of indebtedness for borrowed money shall be issued by the state which will cause the aggregate debt contracted by the state to exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than seven percent of the arithmetic mean of its general state revenue, as defined in section 1 of Article VIII of the Washington state Constitution for the three immediately preceding fiscal years as certified by the treasurer in accordance with RCW 39.42.070. It shall be the duty of the state finance committee to compute annually the amount required to pay principal of and interest on outstanding debt. In making such computation, the state finance committee shall include all borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be paid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, and shall include debt incurred pursuant to section 3 of Article VIII of the Washington state Constitution, but shall (not include) exclude the following:

(1) Obligations for the payment of current expenses of state government (~~nor shall it include~~);

(2) Indebtedness incurred pursuant to RCW 39.42.080 or 39.42.090;

(3) Principal of and interest on bond anticipation notes (~~(or)~~);

(4) Any indebtedness which has been refunded;

(5) Indebtedness incurred as a result of bonds authorized for construction of a 500-bed medium security corrections center at Clallam Bay as authorized by section .... chapter .... Laws of 1983;

(6) Indebtedness incurred as a result of bonds authorized for continued rehabilitation of the area surrounding Mount St. Helens; and

(7) Indebtedness incurred as a result of bonds authorized for jail construction pursuant to RCW 70.48A.020.

To the extent necessary because of the constitutional or statutory debt limitation, priorities with respect to the issuance or guaranteeing of bonds, notes, or other evidences of indebtedness by the state shall be determined by the state finance committee.

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."

Mr. Cantu 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 Cantu to House Bill No. 54, 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, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ribuben, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Bond - 1.

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. J. Williams yielded to question by Mr. Padden.

Mr. Padden: "Representative Williams, I understand you have made a study as to what our total bonded indebtedness is. I wonder if you could indicate where we are right now in this state?"

Mr. J. Williams: "Yes, Representative Padden, early in the session we ran a survey on the total public debt in the State of Washington, including general obligation bonds, various other districts, and the total outstanding bonded indebtedness of this state is \$13,365,465,000, and in addition there is \$2,239,094,000 authorized but not issued for a total of \$15,604,559,000."

Representatives Padden, Lux, Cantu and G. Nelson spoke against passage of the bill, and Ms. Sommers spoke in favor of it.

#### POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. J. Williams.

Mr. J. Williams: "Representative Sommers, the figures that I read were correct. Would you tell me who is going to pay those bills?"

Ms. Sommers: "Representative Williams, when you presented your figures it sounded as though they were state debt figures, and the comment I made was that you were referring to WPPSS debt figures, and I felt it was misleading to do so

because our state, our base state entity, has a relatively low level of bonded indebtedness."

Mr. J. Williams spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 54, and the bill failed to pass the House by the following vote: Yeas, 19; nays, 78; excused, 1.

Voting yea: Representatives Appelwick, Belcher, Braddock, Brekke, Galloway, Grimm, Hine, Jacobsen, Kreidler, Locke, McClure, Monohon, Niemi, O'Brien, Rust, Sayan, Sommers, Vekich, Walk - 19.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Haugen, Heck, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Lux, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 78.

Excused: Representative Bond - 1.

House Bill No. 54, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Heck, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Bill No. 54 failed to pass the House.

#### MOTION

On motion of Mr. Heck, the House adjourned until 9:30 a.m., Tuesday, May 3, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 3, 1983

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 Representatives Bond and Smitherman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Tuttle and Dena McCormick. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist 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

May 2, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3766,  
REENGROSSED SUBSTITUTE SENATE BILL NO. 3817,  
SUBSTITUTE SENATE BILL NO. 4059,  
SUBSTITUTE SENATE BILL NO. 4063,  
SUBSTITUTE SENATE JOINT MEMORIAL NO. 112,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

SSB 4059 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Revising provisions relating to the central stores revolving fund.

Referred to Committee on Ways & Means.

SSB 4063 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Revising provisions relating to revolving funds.

Referred to Committee on Ways & Means.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3311, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Quigg and Wojahn - 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 yesterday's Journal.)

The committee amendment to page 7, line 13 had been adopted. On motion of Mr. R. King, the remaining committee amendments were adopted.

On motion of Mr. Sayan, the following amendment by Representatives Sayan and Patrick was adopted:

On page 24, after line 9 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."

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

On page 28, line 23 after "and" strike "26" and insert "25"

On page 28, line 19 after "18" strike "and 19" and insert ", 19 and 25"

On page 1, line 6 of the title after "50.04.115;" insert "amending section 13, chapter 18, Laws of 1982 1st ex. sess. and RCW 50.04.145;"

On page 2, line 11 of the title after "section" insert ";

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

SUBSTITUTE SENATE BILL NO. 3372, by Committee on Natural Resources (originally sponsored by Senators Vognild, Owen and Metcalf - by Department of Game request)

Implementing civil penalty system for recovery of wildlife values.

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 McMullen 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. 3372, 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, Braddock, Brekke, Broback, Brough, Burns, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Cantu, Locke, Tanner, Williams J - 4.

Excused: Representatives Bond, Smitherman - 2.

Substitute Senate Bill No. 3372, having received the 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. 3538, by Committee on Transportation (originally sponsored by Senators Peterson, Patterson and Haley)

Removing the traffic safety commission from the Sunset schedule and revising certain powers and duties.

The bill was read the second time. Mr. Wang moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Taylor spoke against the motion, and the motion was lost.

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

SENATE BILL NO. 3784, by Senators Vognild, Quigg and Shinpoch (by Department of Employment Security request)

Modifying period during which moneys from the federal unemployment trust fund may be used by the 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. 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. 3784, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Tanner - 1.

Excused: Representatives Bond, Smitherman - 2.

Senate Bill No. 3784, having received the 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 Smitherman appeared at the bar of the House.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3085, by Committee on Commerce & Labor (originally sponsored by Senators McDermott, Vognild, Moore, Wojahn, Shinpoch, Talmadge, Hughes and McManus)

Modifying provisions on unemployment compensation.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 94th Day, Regular Session, April 13, 1983.)

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.

Representatives R. King and Clayton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3085 as amended by the House, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Schmidt, Schoon - 2.

Absent: Representative Tanner - 1.

Excused: Representative Bond - 1.

Engrossed Second Substitute Senate Bill No. 3085 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. O'Brien presiding) declared the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Bond, who was excused.

## MOTION

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

## INTRODUCTION AND FIRST READING

HCR 26 by Representatives Heck and G. Nelson

Convening a joint session to receive the Governor's message on the current situation regarding WPPSS.

On motion of Mr. Heck, the rules were suspended, and the resolution was advanced to second reading and read the second time in full.

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

House Concurrent Resolution No. 26 was adopted.

## SENATE AMENDMENTS TO HOUSE BILL

April 29, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 74 with the following amendments:

On page 2, line 15 after "city," insert "or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240."

On page 2, line 18 after "year" strike all material down to and including "labor" on line 23

On page 2, line 18 after "year" insert "; PROVIDED FURTHER, That there be public disclosure by having an available list at the city treasurer's office of such purchases or contracts, and if the supplier or contractor is an official or employee of the municipality, he or she shall not vote on the authorization"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Moon, the House refused to concur in the Senate amendments to Engrossed House Bill No. 74, and ask for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Moon, Ebersole and Brough as conferees on Engrossed House Bill No. 74.

## SENATE AMENDMENTS TO HOUSE BILL

April 29, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 239 with the following amendments:

On page 1, line 8 after "place," strike "a building in which a polling place is located."

On page 1, line 9 after "within" strike "one" and insert "three"

On page 1, line 9 after "or" insert "in any public area"

On page 1, line 10 strike "building" and insert "polling place"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Pruitt, the House refused to concur in the Senate amendments to Engrossed House Bill No. 239, and ask for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Pruitt, Sommers and Miller as conferees on Engrossed House Bill No. 239.

## SENATE AMENDMENTS TO HOUSE BILL

April 29, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 420 with the following amendments:

On page 1, after line 21, insert the following:

"Sec. 2, Section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255 are each amended to read as follows:

Prior to the sale or transfer of ownership or control of any cemetery authority, any person, corporation or other legal entity desiring to acquire such ownership or control shall apply in writing for a new certificate of authority to operate a cemetery and shall comply with all provisions of Title 68 RCW relating to applications for, and the basis for granting, an original certificate of authority. The board shall, in addition, enter any order deemed necessary for the protection of all endowment care funds and/or prearrangement trust fund during such transfer. As a condition of applying for a new certificate of authority, the entity desiring to acquire such ownership or control must agree to be bound by all then existing prearrangement contracts and the board shall enter that agreement as a condition of the transfer: PROVIDED, That if the board determines that it is in the public interest it may waive or condition the entity's assumption of those preexisting prearrangement contracts entered into prior to June 7, 1979, which are for cemetery merchandise or services when the entity seeking the certificate of authority obtains ownership from a federal or state chartered bank, savings and loan association, or credit union which acquired ownership or control of a cemetery through foreclosure of a first lien mortgage or deed of trust pursuant to chapter 61.12 or 61.24 RCW: PROVIDED FURTHER, That a waiver shall not be granted if the bank, savings and loan association, or credit union was a party to or participated in the operation or control of the cemetery authority which incurred those obligations.

Persons and business entities selling and persons and business entities purchasing ownership or control of a cemetery authority shall each file an endowment care fund report and/or a prearrangement trust fund report showing the status of such funds immediately before and immediately after such transfer on a written report form prescribed by the board. Failure to comply with this section shall be a gross misdemeanor and any sale or transfer in violation of this section shall be void.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "board;" insert "amending section 5, chapter 99, Laws of 1969 ex. sess. as last amended by section 11, chapter 21, Laws of 1979 and RCW 68.05.255;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Walk moved that the House do concur in the Senate amendments to House Bill No. 420.

Representatives Walk and Hankins 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 House Bill No. 420 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 420 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, Appelwood, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzloff, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

House Bill No. 420 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

April 29, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 428 with the following amendments:

On page 3, after line 5, insert the following:

"Sec. 4. Section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190 are each amended to read as follows:

The real estate of any judgment debtor, and such as he may acquire, not exempt by law, shall be held and bound to satisfy any judgment of the district court of the United States rendered in this state, any judgment of the supreme court, court of appeals, or superior court of this state, and any judgment of any justice of the peace rendered in this state, and every such judgment shall be a lien thereupon to commence as hereinafter provided and to run for a period of not to exceed ten years from the day on which such judgment was rendered. As used in this chapter, real estate shall not include the vendor's interest under a real estate contract for judgments rendered after the effective date of this 1983 act. Personal property of the judgment debtor shall be held only from the time it is actually levied upon.

Sec. 5. Section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010 are each amended to read as follows:

At any time within ten years after entry of a judgment for the sum of twenty-five dollars or over upon application by the judgment creditor, such court or judge may, by an order, require the judgment debtor to appear at a specified time and place before the judge granting the order, or a referee appointed by him, to answer concerning the same; and the judge to whom application is made under this chapter may, if it is made to appear to him by the affidavit of the judgment creditor, his agent or attorney that there is danger of the debtor absconding, order the sheriff to arrest the debtor and bring him before the judge granting the order. Upon being brought before the judge he may be ordered to enter into a bond, with sufficient sureties, that he will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof. If the judgment debtor or other persons against whom the special proceedings are instituted has been served with these proceedings and fails to answer or appear, the plaintiff shall be entitled to costs of service, notary fees, and reasonable attorney fees.

Sec. 6. Section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 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 ~~((his))~~ 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;

(5) Reasonable expenses, exclusive of attorneys' fees, incurred in obtaining reports and records, which are admitted into evidence at trial 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) Statutory attorney and witness fees; and

(7) To the extent that the court finds that it was necessary to achieve the successful result: the reasonable expense of the transcription of depositions used at trial: 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.

Sec. 7. Section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020 are each amended to read as follows:

The following personal property shall be exempt from execution and attachment, except as hereinafter specially provided:

(1) All wearing apparel of every person and family, but not to exceed ~~((five hundred))~~ one thousand dollars in value in furs, jewelry, and personal ornaments for any person.

(2) All private libraries not to exceed ~~((five hundred))~~ one thousand dollars in value, and all family pictures and keepsakes.

(3) To each person or family~~((:))~~:

(a) The person's or family's household goods, appliances, furniture and home and yard equipment, not to exceed ~~((one))~~ two thousand dollars in value;

(b) Provisions and fuel for the comfortable maintenance of such person or family for three months; and

(c) Other property not to exceed ~~((four))~~ five hundred dollars in value, of which not more than one hundred dollars in value may consist of cash, bank accounts, savings and loan accounts, stocks, bonds, or other securities.

(4) To any person or family, one motor vehicle which is used for personal transportation, not to exceed ~~((seven hundred and fifty))~~ one thousand five hundred dollars in value.

(5) To a farmer, farm trucks, farm stock, farm tools, farm equipment, supplies and seed, not to exceed ~~((one))~~ four thousand five hundred dollars in value.

(6) To a physician, surgeon, attorney, clergyman, or other professional person, the person's library, office furniture, office equipment and supplies, not to exceed ~~((one))~~ four thousand five hundred dollars in value.

(7) To any other person, the tools and instruments and materials used to carry on his or her trade for the support of himself or herself or family, not to exceed ~~((one))~~ four thousand five hundred dollars in value.

The property referred to in the foregoing subsection (3) shall be selected by any adult member of the family on behalf of the family or the person, if present, and in case no adult member of the family or person is present to make the selection, then the sheriff or the director of public safety shall make a selection equal in value to the applicable exemptions above described and he shall return the same as exempt by inventory. Any selection made as above provided shall be prima facie evidence (a) that the property so selected is exempt from execution and attachment, and (b) that the property so selected is not in excess of the values specified for the exemptions. Except as above provided, the exempt property shall be selected by the person claiming the exemption. No person shall be entitled to more than one exemption under the provisions of the foregoing subsections (5), (6) and (7).

For purposes of this section "value" shall mean the reasonable market value of the article or item at the time of its selection, and shall be of the debtor's interest therein, exclusive of all liens and encumbrances thereon.

Wages, salary, or other compensation regularly paid for personal services rendered by the person claiming the exemption may not be claimed as exempt under the foregoing provisions, but the same may be claimed as exempt in any bankruptcy or insolvency proceeding to the same extent as allowed under the statutes relating to garnishments.

No property shall be exempt under this section from an execution issued upon a judgment for all or any part of the purchase price thereof, or for any tax levied upon such property."

Renumber the remaining sections consecutively.

On page 1, line 5 of the title, after "26.09.120;" insert "amending section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190; amending section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010; amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010; amending section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020;"

On page 1, after line 26 insert the following:

"Sec. 2. Section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050 are each amended to read as follows:

Homesteads may consist of lands and tenements with the improvements thereon, as defined in RCW 6.12.010, regardless of area but not exceeding in net value, of both the lands and improvements, the sum of ~~((twenty))~~ thirty thousand dollars. The premises thus included in the homestead must be actually intended or used as a home for the owner, and shall not be devoted exclusively to any other purpose."

Renumber the remaining sections consecutively.

On page 1, line 2 of the title after "6.04.050;" insert "amending section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. McMullen, the House refused to concur in the Senate amendments to Engrossed House Bill No. 428, and ask for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Crane, Dellwo and Padden as conferees on Engrossed House Bill No. 428.

## MESSAGE FROM THE SENATE

April 29, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3520, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Pruitt the House refused to recede from the amendments to Substitute Senate Bill No. 3520, and again asked the Senate to concur therewith.

## MESSAGE FROM THE SENATE

April 29, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3858, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Moon moved that the House do not recede from the amendments to Engrossed Senate Bill No. 3858, and ask the Senate for a conference thereon.

Representatives Moon, Van Dyken, Charnley and Isaacson spoke in favor of the motion, and Representatives Broback and Padden spoke against it.

Mr. Moon spoke again in favor of the motion, and it was carried.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Moon, Charnley and Van Dyken as conferees on Engrossed Senate Bill No. 3858.

## MESSAGE FROM THE SENATE

April 29, 1983

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4137 except for sections 9 and 10, and asks the House to recede therefrom. The Senate concurs in the title amendment except for the reference made to sections 9 and 10 of the amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Kreidler moved that the House insist on its position with regard to Substitute Senate Bill No. 4137, and ask the Senate for a conference thereon.

Representatives Kreidler and Lewis spoke in favor of the motion, and it was carried.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Niemi, Dellwo and Lewis as conferees on Substitute Senate Bill No. 4137.

## MOTION

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

## MOTION FOR RECONSIDERATION

Mr. Heck, having given previous notice, moved that the House now reconsider the vote by which House Bill No. 54 failed to pass the House.

The motion was carried.

The Speaker stated the question before the House to be reconsideration of final passage of House Bill No. 54.

Mr. G. Nelson moved that the rules be suspended and House Bill No. 54 be returned to second reading for amendment.

Mr. G. Nelson spoke in favor of the motion, and Mr. Grimm spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return House Bill No. 54 to second reading, and the motion was lost by the following vote: Yeas, 42; nays, 54; absent, 1; 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, McDonald, Miller, Mitchell, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Absent: Representative Ristuben - 1.

Excused: Representative Bond - 1.

Representatives Grimm, G. Nelson, Braddock, Lux and Hine spoke in favor of passage of the bill, and Representatives B. Williams, Isaacson, West, Addison, Hastings, Cantu and Vander Stoep spoke against it.

Mr. Grimm spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of House Bill No. 54, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Allen, Appelwick, Barnes, Belcher, Braddock, Brekke, Burns, Charney, Ellis, Fisher, Gallagher, Galloway, Grimm, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson G, Niemi, O'Brien, Powers, Rust, Sayan, Smitherman, Sommers, Struthers, Sutherland, Vekich, Walk, Zellinsky, and Mr. Speaker - 42.

Voting nay: Representatives Addison, Armstrong, Ballard, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Locke, Long, Lux, Miller, Mitchell, Nealey, Nelson D, Padden, Patrick, Prince, Pruitt, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Wang, West, Williams B, Williams J, Wilson - 55.

Excused: Representative Bond - 1.

House Bill No. 54, having failed to receive the constitutional majority, was declared lost.

#### MOTIONS

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

On motion of Mr. Heck, HOUSE BILL NO. 55, HOUSE BILL NO. 56, HOUSE BILL NO. 57 and HOUSE BILL NO. 58 were rereferred from the second reading calendar to Committee on Rules.

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

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 3434 was referred to Committee on Commerce & Economic Development.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Wednesday, May 4, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, May 4, 1983

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 except Representatives Bond, Chandler and Tanner. Representatives Bond and Chandler were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marjorie Ellis and Leif Wahlborg. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist 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

May 2, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 471,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 496,  
HOUSE BILL NO. 725,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 3, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3074,  
SENATE BILL NO. 3083,  
REENGROSSED SUBSTITUTE SENATE BILL NO. 3273,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3838,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3864,  
SENATE CONCURRENT RESOLUTION NO. 133,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 3, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3314,  
SUBSTITUTE SENATE BILL NO. 3372,  
SENATE BILL NO. 3784,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTIONS AND FIRST READING

ESSB 3838 by Committee on Social & Health Services (originally sponsored by Senators McManus, Talmadge, Rinehart, Moore, Woody, Fleming, Metcalf, Quigg and Deccio)

Providing for the licensing of social workers.

Referred to Committee on Social & Health Services.

SCR 133 by Senators Bottiger, Vognild and Wojahn

Authorizing a study regarding the consolidation of Department of Labor and Industries Olympia-area offices.

Referred to Committee on Rules.



## MOTION

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

## THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 3272 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Thompson, Zimmerman, Bauer and Talmadge)

Establishing the Coroners' System Improvement Act.

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

Representatives Moon, Ballard, Brough and McMullen spoke in favor of passage of the bill, and Representatives Appelwick and Padden spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3272 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 31; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Dellwo, Ebersole, Egger, Fisch, Fiske, Gallagher, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King R, Kreidler, Lewis, Locke, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Nelson G, O'Brien, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Sayan, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Williams B, Williams J, Wilson, and Mr. Speaker - 64.

Voting nay: Representatives Appelwick, Belcher, Betzoff, Clayton, Crane, Dickie, Ellis, Fisher, Fuhrman, Galloway, Garrett, Grimm, King J, King P, Long, Lux, McDonald, Miller, Mitchell, Nealey, Niemi, Padden, Pruitt, Schmidt, Schoon, Smith, Todd, Walk, Wang, West, Zellinsky - 31.

Absent: Representative Tanner - 1.

Excused: Representatives Bond, Chandler - 2.

Second Substitute Senate Bill No. 3272 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. 3538, by Committee on Transportation (originally sponsored by Senators Peterson, Patterson and Haley)

Removing the traffic safety commission from the Sunset schedule and revising certain powers and duties.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3538, and the bill passed the House by the following vote: Yeas, 90; nays, 5; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, 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, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Crane, Ellis, Fisher, Grimm, Walk - 5.

Absent: Representative Tanner - 1.

Excused: Representatives Bond, Chandler - 2.

Substitute Senate Bill No. 3538, having received the 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. 83-55, by Representatives Galloway, P. King, Schoon, Appelwick, Betzoff, Chandler, Egger, Fuhrman, Brough, Ebersole, D. Nelson, Haugen, Holland, Johnson, Long, Ristuben, Rust, Zellinsky, B. Williams, Patrick and Sommers

WHEREAS, This nation's success in achieving a well-educated citizenry is dependent upon our schools; and

WHEREAS, The success of our schools depends upon qualified teachers who are able to keep their skills current; and

WHEREAS, A teacher's ability to teach is influenced by class size, instructional materials and equipment available, support services, and teacher training; and

WHEREAS, An example of a teaching problem is a recent survey of school districts that shows that approximately thirty-three percent of mathematics and science teachers are not professionally prepared to teach these classes; and

WHEREAS, There are state and national teacher shortages and technological changes in specific areas such as mathematics, science, and computer education; and

WHEREAS, Teachers must have the opportunity to remain current and competent in their areas of expertise; and

WHEREAS, Effective teaching practices, programs, effective school programs, and appropriate instructional materials and equipment are available to provide improvements in instruction; and

WHEREAS, Staff development to improve instruction is an effective strategy that needs a higher priority for funding;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That school districts are encouraged to assign teachers to teaching responsibilities for which the teachers are qualified; and

BE IT FURTHER RESOLVED, That school districts are encouraged to properly train those persons responsible for evaluating instruction; and

BE IT FURTHER RESOLVED, That school districts are encouraged to examine effective teaching practices' programs and effective school programs which might improve instruction in specific subject areas, such as mathematics, science and computer education, where there is a need; and

BE IT FURTHER RESOLVED, That the State Board of Education is requested to review inservice programs statewide with special attention to developing criteria or standards that should be met before college credits are granted; and

BE IT FURTHER RESOLVED, That school districts and institutions of higher education are encouraged to provide inservice training for teachers to become familiar with the application of computers for instructional and time-saving purposes; and

BE IT FURTHER RESOLVED, That school districts cooperate with the Superintendent of Public Instruction, business, industry, and institutions of higher education to provide opportunities for staff development; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to each school district in the state and to the State Board of Education; and

BE IT FURTHER RESOLVED, That the State Board of Education report the results of its review to the House of Representatives Committee on Education prior to the beginning of the regular legislative session in 1984.

Ms. Galloway moved adoption of the resolution. Representatives Galloway, Fuhrman, Barnes, Betzoff, Charnley and Van Dyken spoke in favor of the resolution and it was adopted.

Representative Brekke was excused.

HOUSE FLOOR RESOLUTION NO. 83-56, by Representatives Galloway, P. King, Schoon, Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Brough, Ebersole, D. Nelson, Belcher, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Zellinsky, B. Williams, Patrick and Sommers

WHEREAS, The educational system must deal not only with the basic skills aspects of education but also with the technological aspects of the informational revolution; and

WHEREAS, The legislature recognizes that educational programs must be reformed both to respond to the updated technological focus and to improve student demand for and student performance in language arts, mathematics, and science skills; and

WHEREAS, In order to achieve successful reform, all educational groups must have a long-term interest in maintaining the reform; and

WHEREAS, Meaningful reform depends on the schools, institutions of higher education, and parents cultivating a working partnership to develop a coordinated educational system which is staffed by the most highly qualified staff possible; and

WHEREAS, Reform cannot come about only by legislative dictate. Short-term legislative solutions must be complemented by such long-term solutions as: (1) coordinating curriculum; (2) coordinating high school graduation and college entrance requirements; and (3) encouraging students to take advantage of the challenging programs available;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the State Board of Education, the Council for Postsecondary Education, and public and private institutions of higher education be requested to study the advisability of developing uniform requirements which identify those courses which students must take in order to be accepted into college and to coordinate these requirements with high school graduation requirements. Specific attention should be paid to requiring at least two years each of language arts, mathematics, and science as college entrance prerequisites; and

BE IT FURTHER RESOLVED, That the State Board of Education is requested to study options to encourage students to enroll in advanced classes and disseminate this information throughout the school districts; and

BE IT FURTHER RESOLVED, That the Office of the Superintendent of Public Instruction is requested to serve as a clearinghouse to share information about innovative programs throughout the school districts; and

BE IT FURTHER RESOLVED, That school districts are encouraged to advise parents of the availability of advanced or innovative academic programs and that school districts encourage students to enroll in mathematics and science courses; and

BE IT FURTHER RESOLVED, That the recommendations of this resolution be completed prior to the beginning of the regular legislative session in 1985 and that the affected agencies and school districts are requested to report their conclusions to the Standing Committee on Education in the House of Representatives upon completion and provide periodic updates upon request; and

BE IT FURTHER RESOLVED, That a copy of this resolution be distributed to the State Board of Education, the Superintendent of Public Instruction, the Council for Postsecondary Education, each school district in the state, and each public and private institution of higher education in the state.

HOUSE FLOOR RESOLUTION NO. 83-57, by Representatives Galloway, P. King, Dickie, Schoon, Appelwick, Armstrong, Berozoff, Chandler, Egger, Fuhrman, Brough, Ebersole, D. Nelson, Belcher, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Zellinsky, B. Williams, Patrick and Sommers

WHEREAS, Our economic system cannot be productive unless the educational system is effective, and students cannot be prepared for business without a good general basic education; and

WHEREAS, Students graduating from the public educational system often are not equipped with the skills needed by the business community; and

WHEREAS, The following statistics show how severe the problem is: Nineteen percent of white, forty-three percent of black, and fifty-six percent of hispanic seventeen-year old children are functionally illiterate, between forty and fifty percent of all students in urban areas have serious reading problems, and high school dropouts number over seven hundred thousand per year; and

WHEREAS, A survey of business has noted that basic skill deficiencies among employees make it difficult for the employees to follow written instructions and policies; and

WHEREAS, With the changing technological focus of society, people who cannot make effective use of information technology may find themselves unable to communicate with their government and to obtain and hold jobs; and

WHEREAS, Without a partnership between business and education there is no way to provide the proper direction to the curriculum and to balance the need for mathematics and science programs with language and social science oriented programs;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That school districts and businesses are encouraged to create advisory committees with the goal of improving the educational system. Representation on the committees should be as broadly based as possible and both employer and employee groups should be included. The committees should be involved in advising the school districts on curriculum development, and the employment of teachers and students in summer. The committees should provide technical assistance regarding the maintenance and purchase of equipment; and

BE IT FURTHER RESOLVED, That employers are encouraged to release employees for brief and regular periods to serve as tutors in academic programs; and

BE IT FURTHER RESOLVED, That businesses are encouraged to share skills with the schools and that businesses are encouraged to explore the possibility of providing employees to act as exchange teachers to teach mathematics, science or other academic subjects; and

BE IT FURTHER RESOLVED, That businesses are encouraged to donate equipment identified as needed by the schools for operation or for instruction and to provide financial or personnel support for professional science and mathematics conferences; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the major business organizations in the state including the Washington State Labor Council, The Association of Washington Business, and the local chambers of commerce; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to each school district in this state.

HOUSE FLOOR RESOLUTION NO. 83-58, by Representatives Galloway, P. King, Dickie, Schoon, Appelwick, Armstrong, Betzoff, Chandler, Egger, Fuhrman, Brough, Ebersole, Belcher, Haugen, Heck, Holland, Johnson, Long, Ristuben, Rust, Zellinsky, B. Williams, Patrick and Sommers

WHEREAS, The teaching profession is committed to further the educational goals of American society and to advance the intellectual and social growth of the students committed to its charge; and

WHEREAS, Institutions of Higher Education are responsible for designing and providing the instructional program for prospective teachers; and

WHEREAS, Prospective teachers must receive the best educational training possible; and

WHEREAS, The achievement scores of students entering the teaching profession are significantly lower than those entering such professions as engineering;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Institutions of Higher Education throughout the state are encouraged to upgrade their teacher education programs; and

BE IT FURTHER RESOLVED, That the institutions are requested to examine the possibility of more stringent screening of students entering the colleges of education and more stringent testing of knowledge of basic skills prior to graduation or teacher certification; and

BE IT FURTHER RESOLVED, That the Colleges of Education are encouraged to periodically survey teaching staff to develop training that applies to actual problems faced by the teaching profession; and

BE IT FURTHER RESOLVED, That offering computer literacy classes to prospective teachers be encouraged; and

BE IT FURTHER RESOLVED, That teacher education programs, particularly those programs for elementary school teachers, should require course work in all major discipline areas of teaching such as mathematics, science, language arts, and social studies in addition to teaching methods courses; and

BE IT FURTHER RESOLVED, That mathematics and science professors are encouraged to identify students who would be potentially effective teachers; and

BE IT FURTHER RESOLVED, That the Council for Postsecondary Education in conjunction with the State Board of Education is requested to monitor the entrance requirements and course work required of teaching candidates by the Colleges of Education and the evaluation procedures used by school districts and report on what efforts are being made to improve the programs to the House Committee on Education prior to the beginning of the regular legislative session in 1985; and

BE IT FURTHER RESOLVED, That a copy of this resolution be distributed to the Council for Postsecondary Education, the State Board of Education, each school district, and each College of Education in the state.

Ms. Galloway moved adoption of House Resolution No. 83-56, House Resolution No. 83-57 and House Resolution No. 83-58.

Representatives Galloway, Dickie and Schoon spoke in favor of the resolutions, and they were adopted.

#### MOTION

On motion of Mr. Charnley, the House recessed until 1:45 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Chandler, who were excused.

#### MESSAGES FROM THE SENATE

May 4, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 74, and the President has appointed the following conferees: Senators Thompson, Bauer, Zimmerman.

Sidney R. Snyder, Secretary.

May 4, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 239, and the President has appointed the following conferees: Senators Hughes, Talmadge, Clarke.

Sidney R. Snyder, Secretary.

May 4, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 428, and the President has appointed the following conferees: Senators Hughes, Talmadge, Hemstad.

Sidney R. Snyder, Secretary.

May 4, 1983

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 26.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 4, 1983

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3085, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 4, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 3858, and the President has appointed the following conferees: Senators Thompson, Granlund, Benitz.

Sidney R. Snyder, Secretary.

May 4, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 4137, and the President has appointed the following conferees: Senators Owen, Granlund, Pullen.

Sidney R. Snyder, Secretary.

May 4, 1983

Mr. Speaker:

The Senate concurred in the amendments to ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

## MOTION

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

## SECOND READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 3660, by Committee on Social & Health Services (originally sponsored by Senators McManus and Kiskaddon - by Department of Social and Health Services request)

Modifying laws governing the department of social and health services and its powers and duties.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 93rd Day, Regular Session, April 12, 1983.)

Mr. Kreidler moved adoption of the committee amendments.

Representatives Kreidler and Lewis spoke against the amendments, and they were not adopted.

Mr. Kreidler moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 10, chapter ... (SSB 3782), Laws of 1983 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) 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) 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. 2. Section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200 are each amended to read as follows:

Neither husband or wife is liable for the debts or liabilities of the other incurred before marriage, nor for the separate debts of each other, nor is the rent or income of the separate property of either liable for the separate debts of the other: PROVIDED, That the earnings and accumulations of the husband shall be available to the legal process of creditors for the satisfaction of debts incurred by him prior to marriage, and the earnings and accumulations of the wife shall be available to the legal process of creditors for the satisfaction of debts incurred by her prior to marriage. For the purpose of this section, neither the husband nor the wife shall be construed to have any interest in the earnings of the other: PROVIDED FURTHER, That no separate debt, except a child support or maintenance obligation, may be the basis of a claim against the earnings and accumulations of either a husband or wife unless the same is reduced to judgment within three years of the marriage of the parties. The obligation of a parent or stepparent to support a child may be collected out of the parent's or stepparent's separate property, the parent's or stepparent's earnings and accumulations, and the parent's or stepparent's share of community personal and real property. Funds in a community bank account which can be identified as the earnings of the nonobligated spouse are exempt from satisfaction of the child support obligation of the debtor spouse.

Sec. 3. Section 12, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.120 are each amended to read as follows:

In the case of a bank, bank association, mutual savings bank, or savings and loan association maintaining branch offices, service of a lien or order to withhold and deliver or any other notice or document authorized by this chapter shall only be effective as to the accounts, credits, or other personal property of the debtor in the particular branch upon which service is made.

If the department initiates collection action under this chapter against a community bank account, the debtor or the debtor's spouse, upon service on the department of a timely request, shall have a right to a contested hearing under chapter 34.04 RCW to establish that the funds in the account, or a portion of those funds, were the earnings of the nonobligated spouse, and are exempt from the satisfaction of the child support obligation of the debtor pursuant to RCW 26.16.200.

Sec. 4. Section 25, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.250 are each amended to read as follows:

The defendant may also in like manner controvert the answer of the garnishee and claim the exemption provided by RCW 26.16.200.

Sec. 5. Section 7, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.060 are each amended to read as follows:

(1) ~~(a) A child, ((his)) a child's natural mother, ((or a man presumed to be his father under RCW 26.26.040)) a man alleged or alleging himself to be the father, a child's guardian, a child's personal representative, the state of Washington, or any interested party may bring an action ((or)) at any time for the purpose of declaring the existence or nonexistence of the father and child relationship ((presumed under RCW 26.26.040; or)).~~

~~(b) A man presumed to be a child's father under RCW 26.26.040 may bring an action for the purpose of declaring the nonexistence of the father and child relationship ((presumed under RCW 26.26.040 (1), (2), (3) or (4))) only if the action is brought within a reasonable time after obtaining knowledge of relevant facts. After the presumption has been rebutted, paternity of the child by another man may be determined in the same action, if he has been made a party.~~

~~(2) ((Any interested party or the department of social and health services or the state of Washington may bring an action at any time for the purpose of determining the existence or nonexistence of the father and child relationship:~~

~~(3)) In an action brought by the state pursuant to this chapter, the state may be represented by either the prosecuting attorney for the county where the action is brought or by the attorney general.~~

~~((4) An action to determine the existence of the father and child relationship with respect to a child who has no presumed father under RCW 26.26.040 may be brought by the child, the mother or personal representative of the child, the department of social and health services, the state of Washington, the personal representative or a parent of the mother if the mother has died, a man alleged or alleging himself to be the father, or the personal representative or a parent of the alleged father if the alleged father has died or is a minor. If a child has no presumed father under RCW 26.26.040 and the action to determine the existence of the father and child relationship has not been brought and proceedings to adopt the child have not been instituted within one year after the child's birth, an action to determine the existence of the relationship may be brought promptly on behalf of the child by the department of social and health services or the state of Washington.~~

~~(5)) (3) Regardless of its terms, no agreement between an alleged or presumed father and the mother or child, shall bar an action under this section.~~

~~((6)) (4) If an action under this section is brought before the birth of the child, all proceedings may be stayed until after the birth, except service of process and discovery, including the taking of depositions to perpetuate testimony.~~

~~((7) No action may be brought by the department of social and health services to establish the duty of someone who is not a presumed parent under RCW 26.26.040 to support a child after five years (a) from the date of the child's birth, or (b) from any date the alleged parent ceases to contribute to the care, education, and support of the child, as required by chapter 26.20 RCW, whichever is later: PROVIDED, That the time during which the alleged parent is absent from the state shall not be included in the time periods described above.))~~

~~(5) Actions under this chapter may be maintained as to any child, whether born before or after the enactment of this chapter.~~

Sec. 6. Section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090 are each amended to read as follows:

The child shall be made a party to the action. If ~~((he))~~ the child is a minor ~~((he)),~~ the child shall be represented by ~~((his))~~ 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 man alleged to be the natural father, shall be made parties or, if not subject to the jurisdiction of the court, shall be given notice of the action in a manner prescribed by the court and an opportunity to be heard. The court may align the parties.

Sec. 7. Section 11, chapter 42, Laws of 1975-'76 2nd 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 alleged father to submit to blood tests. The tests shall be performed by an expert ~~((qualified as an examiner of blood types;))~~ in paternity blood testing appointed by the court.

(2) The court, upon reasonable request by a party, shall order that ~~((independent))~~ additional blood tests be performed by other experts ~~((as examiner of blood types))~~ in paternity blood testing.

(3) In all cases, the court shall determine the number and qualifications of the experts.

Sec. 8. Section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.130 are each amended to read as follows:

(1) The judgment and order of the court determining the existence or nonexistence of the parent and child relationship ~~((is))~~ shall be determinative for all purposes.

(2) If the judgment and order of the court is at variance with the child's birth certificate, the court shall order that an amended birth certificate be issued.

(3) The judgment and order ~~((may))~~ shall contain ~~((any))~~ other appropriate provisions directed ~~((against))~~ to the appropriate ~~((party))~~ parties to the proceeding, concerning the duty of current and future support, the extent of any liability for past support furnished to the child if



that issue is before the court, the custody and guardianship of the child, visitation privileges with the child, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment and order may direct the father to pay the reasonable expenses of the mother's pregnancy and confinement.

(4) Support judgment and orders shall be for periodic payments which may vary in amount. The court may limit the father's liability for the past support to the child to the proportion of the expenses already incurred as the court deems just: PROVIDED HOWEVER, That the court shall not limit or affect in any manner the right of nonparties including the state of Washington to seek reimbursement for support and other services previously furnished to the child.

(5) In determining the amount to be paid by a parent for support of the child and the period during which the duty of support is owed, the court shall consider all relevant facts, including, but not limited to:

- (a) The needs of the child;
- (b) The standard of living and circumstances of the parents;
- (c) The relative financial means of the parents;
- (d) The earning ability of the parents;
- (e) The need and capacity of the child for education, including higher education;
- (f) The age of the child;
- (g) The responsibility of the parents for the support of others; and
- (h) The value of services contributed by the custodial parent.

(6) In determining custody, a court, in accordance with the best interests of the child, shall consider all relevant facts including:

(a) The wishes of the child's parents or parent as to ((his)) the child's custody and as to visitation;

(b) The wishes of the child as to ((his)) the child's custodian and as to visitation privileges;

(c) The interaction and interrelationship of the child with ((his)) the child's parent or parents, ((his)) the child's siblings, and any other person who may significantly affect the child's best interests;

(d) The child's adjustment to ((his)) home, school, and community; and

(e) The mental and physical health of all individuals involved.

The court shall not consider conduct of a proposed custodian that does not affect the welfare of the child.

(7) In any dispute between the natural parents of a child and a person or persons who have (a) commenced adoption proceedings or who have been granted an order of adoption, and (b) pursuant to a court order, or placement by the department of social and health services or by a licensed agency, have had actual custody of the child for a period of one year or more before court action is commenced by the natural parent or parents, the court shall consider the best welfare and interests of the child, including the child's need for situation stability, in determining the matter of custody, and the parent or person who is more fit shall have the superior right to custody.

Sec. 9. Section 19, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.180 are each amended to read as follows:

Any promise in writing to furnish support for a child, growing out of a supposed or alleged father and child relationship, does not require consideration and is enforceable according to its terms, subject to RCW 26.26.060(((5))X3).

Sec. 10. Section 21, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.200 are each amended to read as follows:

Notwithstanding any other rule of law concerning public hearings and records, any hearing or trial held under this chapter shall be held in closed court without admittance of any person other than those necessary to the action or proceeding or for the orderly administration of justice. All papers and records, other than the final judgment and matters related to the enforcement of the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the department of social and health services, are subject to inspection by a nonparty only upon an order of the court for good cause shown following reasonable notice to all parties of the hearing where such order is to be sought.

NEW SECTION. Sec. 11. There is added to chapter 26.26 RCW a new section to read as follows:

A court may not order payment for support provided or expenses incurred more than five years prior to the commencement of the action. Any period of time in which the responsible party has concealed himself or avoided the jurisdiction of the court under this chapter shall not be included within the five-year period.

NEW SECTION. Sec. 12. There is added to chapter 26.26 RCW a new section to read as follows:

(1) If the court has made a finding as to the paternity of a child, or if a party's acknowledgment of paternity has been filed with the court, or a party alleges he is the father of the child, any party may move for temporary support for the child prior to the date of entry of the

final order. The motion shall be accompanied by an affidavit setting forth the factual basis for the motion and the amounts requested.

(2) Any 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 party from:

- (a) Molesting or disturbing the peace of another party;
- (b) Entering the home of another party; or
- (c) 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 support in such amounts and on such terms as are just and proper in the circumstances.

(5) 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 order is entered or when the petition is dismissed; and

(d) May be entered in a proceeding for the modification of an existing order.

(6) 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.

**NEW SECTION.** Sec. 13. There is added to chapter 4.16 RCW a new section to read as follows:

This chapter does not limit the time in which an action for determination of paternity may be brought under chapter 26.26 RCW.

Sec. 14. Section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 70.58.095 are each amended to read as follows:

The state registrar of vital statistics shall establish a new certificate of birth for a person born in this state when he receives a request that a new certificate be established and such evidence as required by regulation of the state board of health proving that such person has been acknowledged, or that a court of competent jurisdiction has determined the paternity of such person. When a new certificate of birth is established, the actual place and date of birth shall be shown. It shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of paternity, or acknowledgment shall not be subject to inspection except upon order of a court of competent jurisdiction, or upon written request of the department of social and health services, the attorney general, or a prosecuting attorney, stating that the documents are being sought in furtherance of an action to enforce a duty of support. If no certificate of birth is on file for the person for whom a new certificate is to be established under this section, a delayed registration of birth shall be filed with the state registrar of vital statistics as provided in RCW 70.58.120.

Sec. 15. Section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280 are each amended to read as follows:

The department is authorized and directed to establish a central unit to serve as a registry for the receipt of information, for answering interstate inquiries concerning ((deserting)) the parents of dependent children, to coordinate and supervise departmental activities in relation to ((deserting)) such parents ((and)), to assure effective cooperation with law enforcement agencies, and to perform other functions authorized by state and federal support enforcement and child custody statutes and regulations.

To effectuate the purposes of this section, the secretary may request from state, county and local agencies all information and assistance as authorized by this chapter. Upon the request of the department of social and health services, all state, county and city agencies, officers and employees shall cooperate in the location of the parents ((who have abandoned or deserted, or are failing to support, children receiving public assistance)) of a dependent child and shall ((on request)) supply the ((state)) department ((of social and health services)) with all information ((on hand)) relative to the location, income and property of such parents, notwithstanding any provision of law making such information confidential.

Any records established pursuant to the provisions of this section shall be available only to the attorney general, prosecuting attorneys, ~~((and))~~ courts having jurisdiction in support and/or abandonment proceedings or actions, or other authorized agencies ~~((in other states engaged in the enforcement of support of minor children as authorized by the rules and regulations of the department and by the provisions of the federal social security act))~~ or persons for use consistent with the intent of state and federal support enforcement and child custody statutes and regulations.

Sec. 16. Section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080 are each amended to read as follows:

(1) The state agency may purchase, from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the director of financial management. The performance of and payment for such services shall be subject to post audit review by the state auditor.

(2) Notwithstanding any other provision of RCW 28A.10.080, 28A.10.100, 28A.10.105 and 28A.10.110, when the state agency determines that a mentally retarded, severely handicapped, or disadvantaged person can reasonably be expected to benefit from, or in his best interests reasonably requires extended sheltered employment or supervised work furnished by an approved nonprofit organization, the state agency is authorized to contract with such organization for the furnishing of such sheltered employment or supervised work to such mentally retarded, severely handicapped, or disadvantaged person. ~~((The state agency is authorized to expend for or toward the cost of providing such sheltered employment or supervised work a sum or sums not to exceed one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person in order to maintain him as a contributing and self-supporting member of society as an alternative to dependency. PROVIDED: That the state agency is authorized to expend in excess of one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person when federal or other funding becomes available to the state agency for such purpose and such additional expenditures may continue as long as the additional federal or other funding is or becomes available.))~~

(3) The determination of eligibility for such service shall be made for each individual by the state agency. The mentally retarded, severely handicapped and disadvantaged individuals served under this law shall be construed to be poor or infirm within the meaning of the term as used in the state Constitution.

(4) The state agency shall maintain a register of nonprofit organizations which it has inspected and certified as meeting required standards and as qualifying to serve the needs of such mentally retarded, severely handicapped, or disadvantaged persons. Eligibility of such organizations to receive the funds hereinbefore specified shall be based upon standards and criteria promulgated by the state agency.

(5) The state agency is authorized to promulgate such rules and regulations as it may deem necessary or proper to carry out the provisions of this section.

NEW SECTION. Sec. 17. There is added to chapter 43.20A RCW a new section to read as follows:

(1) 'Vendor', for the purposes of this section, means any public or private agency providing services under contract to or for clientele of the department.

(2) Except as provided in subsection (5) of this section, vendors of services to the department of social and health services shall pay interest on overpayments or erroneous payments made by the department on billings from the vendor at the rate of one percent per month, but of at least one dollar per month.

(3) The department may recover interest accrued under this section by setoff or recoupment against subsequent contract payments due to the vendor.

(4) The interest shall begin accruing thirty days after notice to the vendor of overpayment or erroneous payment or the date of the final decision on any administrative or judicial remedy sought by the vendor, whichever is the later date.

(5) This section does not apply to:

(a) Interagency or intergovernmental transactions;

(b) Contracts for public works, goods and services procured for the exclusive use of the department, equipment, or travel;

(c) Claims subject to a good faith dispute. A good faith dispute exists when:

(i) The exact amount of the overpayment has not been established by agreement of the parties or by operation of law; or

(ii) All administrative or judicial remedies available have not been exhausted;

(d) Nursing homes licensed under chapter 18.51 RCW or portions of hospitals licensed under chapter 70.41 RCW and operating as a nursing home, if those facilities are subject to chapter 74.46 RCW;

(e) Contracts entered into before the effective date of this section.

**NEW SECTION.** Sec. 18. The enactment of section 17 of this act shall not have the effect of terminating or in any way modifying any liability, civil or criminal, which is already in existence on the effective date of section 17 of this act.

Sec. 19. Section 6, chapter 224, Laws of 1982 and RCW 71.20.016 are each amended to read as follows:

~~((Prior to the development of a new statutory definition by the department of social and health services))~~ The term 'developmental disability' ~~((shall))~~ means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary ~~((of Health and Human Services))~~ of the department of social and health services to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

**NEW SECTION.** Sec. 20. There is added to chapter 43.20A RCW a new section to read as follows:

The department may establish and operate workshops for the training, habilitation, and rehabilitation of residents of institutions of the department. Products, goods, wares, articles, or merchandise manufactured or produced by the workshops may be sold to governmental agencies or on the open market at fair value. Prior to establishment of new state-operated workshops at institutions, the department shall consider the availability, appropriateness, and relative cost of contracting with and giving first preference to private nonprofit sheltered workshops, as defined in RCW 82.04.385, to provide workshop activities for residents of the institution.

The secretary shall credit the moneys derived from the sale of items from workshops under this section to a revolving fund under the control of the superintendent of the institution or facility where the items were manufactured. These moneys shall be expended for the purchase of supplies and materials for use in the workshop, to provide pay and training incentives for residents, and for other costs of the operation of the workshop. Payment of residents for work performed on workshop projects shall take into account resident productivity in comparison to the productivity of a nondisabled person earning the minimum wage as well as other factors consistent with goals of rehabilitation and treatment. Institutional work training programs shall be operated in accordance with standards required by the department for private vendors for the same or similar service.

Workshop materials and supplies may be purchased through state purchasing or from private vendors. Each institution or facility shall maintain records to demonstrate that purchases are made at the fair market value or best available price.

Sec. 21. Section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605 are each amended to read as follows:

(1) The secretary shall have full authority to administer oaths and take testimony thereunder, to issue subpoenas requiring the attendance of witnesses before him together with all books, memoranda, papers, and other documents, articles or instruments, and to compel the disclosure by such witnesses of all facts known to them relative to the matters under investigation. ~~((The provisions of RCW 34.04.105 shall apply to subpoenas issued hereunder.))~~

(2) Subpoenas issued in agency hearings and contested cases shall be governed by the provisions of RCW 34.04.105.

(3) Subpoenas issued in the conduct of investigations required or authorized by other statutory provisions or necessary in the enforcement of other statutory provisions shall be governed by the following:

(a) The secretary shall not compel the production of any papers, books, records, or documents which are in the custody of another public official or agency and within the public official's or agency's power to provide voluntarily on request.

(b) If an individual fails to obey the subpoena or obeys the subpoena but refuses to testify when required concerning any matter under examination or investigation, the secretary may petition the superior court of the county where the examination or investigation is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court, upon such petition, shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and at that time and place show cause why the witness has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant, the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers. On failing to obey the order, the witness shall be dealt with as for contempt of court.

(c) Subpoenas issued under this subsection shall be served in the manner prescribed for service of a summons in a civil action or by certified mail, return receipt requested. The return receipt is prima facie evidence of service.

Sec. 22. Section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter 171, Laws of 1979 ex. sess. and RCW 74.04.290 are each amended to read as follows:

In carrying out any of the provisions of this title, the secretary, county administrators, hearing examiners, or other duly authorized officers of the department shall have power to subpoena witnesses, administer oaths, take testimony and compel the production of such papers, books, records and documents as they may deem relevant to the performance of their duties; but no officer or agency mentioned in this section shall have power to compel the production of any papers, books, records or documents which are in the custody of any other such officer or agency and within his or its power to provide voluntarily on request:

If an individual fails to obey the subpoena or obeys the subpoena but refuses to testify when required concerning any matter under examination or investigation or the subject of a hearing, the officer or agency issuing the subpoena may petition the superior court of the county where the examination or investigation is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court upon such petition shall enter an order directing the witness to appear before the court at a time and place to be fixed in such order and then and there to show cause why he has not responded to the subpoena or has refused to testify. A copy of the order shall be served upon the witness. If it appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the required papers, and on failing to obey said order the witness shall be dealt with as for contempt of court:

The subpoena shall be served in the same manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested. The receipt shall be prima facie evidence of service. Subpoenas issued under this power shall be under RCW 43.20A.605.

Sec. 23. Section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290 are each amended to read as follows:

The secretary of the department of social and health services or his authorized representative shall have the authority to:

(1) Conduct audits and investigations of providers of medical and other services furnished pursuant to this chapter, except that the Washington state medical disciplinary board shall generally serve in an advisory capacity to the secretary in the conduct of audits or investigations of physicians. In the conduct of such audits or investigations, the secretary may examine only those records or portions thereof, including patient records, for which services were rendered by a health care provider and reimbursed by the department, notwithstanding the provisions of RCW 5.60.060, 18.53.200, 18.83.110, or any other statute which may make or purport to make such records privileged or confidential: PROVIDED, That no original patient records shall be removed from the premises of the health care provider, and that the disclosure of any records or information by the department of social and health services is prohibited and constitutes a violation of RCW 42.22.040, unless such disclosure is directly connected to the official purpose for which the records or information were obtained: PROVIDED FURTHER, That the disclosure of patient information as required under this section shall not subject any physician or other health services provider to any liability for breach of any confidential relationship between the provider and the patient, but no evidence resulting from such disclosure may be used in any civil, administrative, or criminal proceeding against the patient unless a waiver of the applicable evidentiary privilege is obtained: PROVIDED FURTHER, That the secretary shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation or proceedings;

(2) (Issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts, take depositions within and without the state of Washington as now provided by law, and compel the production of pertinent books, payrolls, accounts, papers, records, documents, and testimony relevant to such investigation; if a person in attendance before such secretary or his authorized representative refuses, without reasonable cause, to be examined or to answer a legal and pertinent question, or to produce a book or paper or other evidence when ordered to do so by the secretary or his authorized representative, said secretary or his authorized representative may apply to the judge of the superior court of the county where such person is in attendance, upon affidavit, for an order returnable in not less than two nor more than five days, directing such person to show cause before such judge, or any other judge of such county, why he should not produce such records. Upon the hearing of such order, if the judge shall determine that such person has refused, without reasonable cause or legal excuse, to be examined or to answer a legal or pertinent question, or to produce a book or paper which he was ordered to bring or produce, he may forthwith punish the offender for contempt of court. Subpoenas shall be served and witness fees and mileage paid as allowed in civil cases in the superior courts of this state;

(3)) Approve or deny applications to participate as a provider of services furnished pursuant to this chapter;

~~((4))~~ (3) Terminate or suspend eligibility to participate as a provider of services furnished pursuant to this chapter; and

~~((5))~~ (4) Adopt, promulgate, amend, and rescind administrative rules and regulations, in accordance with the administrative procedure act, chapter 34.04 RCW, to carry out the policies and purposes of RCW 74.09.200 through 74.09.290.

Sec. 24. Section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050 are each amended to read as follows:

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, it is the duty of the law enforcement agency and the department to commence an investigation within twenty-four hours of such receipt and, where appropriate, submit a report to the appropriate prosecuting attorney. The local prosecutor may seek a restraining order to prohibit continued patient abuse. In all cases investigated by the department a report to the complainant shall be made by the department.

NEW SECTION. Sec. 25. There is added to chapter 43.20A RCW a new section to read as follows:

The secretary may appoint one individual to serve as chief executive officer, administrator, or superintendent for more than one facility or institution of the department where one or both facilities or institutions are required by law to have a chief executive officer, administrator, or superintendent. This section, however, shall not apply to RCW 72.40.020.

Sec. 26. Section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060 are each amended to read as follows:

~~((It shall be the duty of the secretary to appoint a chief executive officer for each public institution under his control, who shall devote his entire time to the duties of his office and whose title shall be "superintendent". Said appointment shall be for a term of four years, but the appointee may be removed by the secretary in his discretion:~~

~~No person shall be eligible for appointment as superintendent of a hospital for the mentally ill unless he has had three or more years experience as a practicing physician after receiving his diploma or license.))~~ The secretary shall appoint the chief executive officers necessary to manage one or more of the public facilities operated by the department. This section, however, shall not apply to RCW 72.40.020.

Except as otherwise provided in this title, the ~~((superintendent))~~ chief executive officer of each institution may appoint all assistants and employees required for the management of the institution placed in his charge, the number of such assistants and employees to be determined and fixed by the secretary. The ~~((superintendent))~~ chief executive officer of any institution may, at his pleasure, discharge any person therein employed. The secretary shall investigate all complaints made against the ~~((superintendent))~~ chief executive officer of any institution and also any complaint against any other officer or employee thereof, if it has not been investigated and reported upon by the ~~((superintendent))~~ chief executive officer.

The secretary may, after investigation, for good and sufficient reasons, order the discharge of any subordinate officer or employee of an institution.

Each ~~((superintendent))~~ chief executive officer shall receive such salary as is fixed by the secretary, who shall also fix the compensation of other officers and the employees of each institution. Such latter compensation shall be fixed on or before the first day of April of each year and no change shall be made in the compensation, so fixed, during the twelve month(s) period commencing April 1st.

Sec. 27. Section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030 are each amended to read as follows:

The superintendent of the correctional institution established by this chapter shall be appointed by the secretary. ~~((The superintendent shall have such administrative and correctional experience and possess such qualifications as shall be determined by the state personnel board subject to the advice and approval of the secretary.))~~

Sec. 28. Section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030 are each amended to read as follows:

The superintendent of a state hospital ~~((shall be a skilled practicing physician; he shall have control of the medical, therapeutic, and dietetic treatment of the patients, which shall include authority to cause the performance of all necessary surgery. The superintendent.))~~ subject to rules ~~((and regulations))~~, of the department, shall have control of the internal government and economy of a state hospital and shall appoint and direct all subordinate officers and employees. If the superintendent is not a psychiatrist, clinical care shall be under the direction of a qualified psychiatrist.

Sec. 29. Section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030 are each amended to read as follows:

The superintendent of the Interlake School ~~((for handicapped persons))~~ shall be appointed by the secretary ~~((and shall have such administrative experience and possess such qualifications as shall be determined by the state personnel board subject to the advice and approval of the secretary.))~~

Sec. 30. Section 72.33.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 ex. sess. and RCW 72.33.040 are each amended to read as follows:

~~((The superintendent of a state school appointed after June 12, 1957 shall be a person of good character, and either a physician licensed to practice in the state of Washington or has attained a minimum of a master's degree from an accredited college or university in psychology, social science, or education, and in addition shall have had suitable experience in an administrative or professional capacity in the residential care, treatment and training of handicapped persons.))~~

The superintendent shall have custody of all residents and control of the medical, educational, therapeutic and dietetic treatment of all persons resident in such state school, except for the program of education provided pursuant to RCW 28A.58.772 through 28A.58.776, as now or hereafter amended, which the school district conducting the program shall have control of and joint custody of such residents in connection therewith: PROVIDED, That the superintendent shall cause surgery to be performed on any resident only upon gaining the consent of a parent, guardian, or limited guardian as authorized, except, if after reasonable effort to locate the parents, guardian, or limited guardian as authorized, and the health of such resident is certified by the attending physician to be jeopardized unless such surgery is performed, the required consent shall not be necessary.

The superintendent shall have control of the internal government and economy of the state school and shall appoint and direct all subordinate officers and employees: PROVIDED, That the powers and duties conferred upon the superintendent shall be subject to the rules and regulations of the department and the state personnel board.

The superintendent shall have authority to engage the residents of the state school in beneficial work programs but shall not abuse such therapy by excessive hours or for purposes of discipline or punishment.

Sec. 31. Section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020 are each amended to read as follows:

~~The secretary shall appoint a superintendent for each institution. The ((superintendents must be not less than thirty nor more than seventy years of age and must be practically acquainted with school management and class instruction of the blind and the deaf, respectively, having had at least ten years' actual experience in teaching in schools for such persons.~~

~~The)) secretary may discharge any employee in his discretion.~~

NEW SECTION. Sec. 32. There is added to chapter 74.20 RCW a new section to read as follows:

If the legal custodian has been wrongfully deprived of physical custody, the department is authorized to excuse the custodian from support payments for a child or children receiving or on whose behalf public assistance was provided under chapter 74.12 RCW.

Sec. 33. Section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060 are each amended to read as follows:

For the protection of applicants and recipients, the department and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, except for purposes directly connected with the administration of the programs of this title. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records, files, papers and communications, and their contents, shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a recipient of welfare assistance and such person shall be entitled to an affirmative or negative answer. However, upon written request of a parent who has been awarded visitation rights in an action for divorce or separation or any parent with legal custody of the child, the department shall disclose to him or her the current address and location of his or her natural or adopted children. Information supplied to a parent by the department shall be used only for purposes directly related to the enforcement of the visitation and custody provisions of the court order of separation or decree of divorce. No parent shall disclose such information to any other person except for the purpose of enforcing visitation provisions of the said order or decree.

The county offices shall maintain monthly at their offices a report showing the names and addresses of all recipients in the county receiving public assistance under this title, together with the amount paid to each during the preceding month.

The provisions of this section shall not apply to duly designated representatives of approved private welfare agencies, public officials, members of legislative interim committees and advisory committees when performing duties directly connected with the administration of this title, such as regulation and investigation directly connected therewith: PROVIDED, HOWEVER, That any information so obtained by such persons or groups shall be treated with such degree of confidentiality as is required by the federal social security law.

It shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, publish, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of any lists or names for commercial or political purposes of any nature. The violation of this section shall be a gross misdemeanor.

NEW SECTION. Sec. 34. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department and the office of administrative hearings shall insure that bilingual services are provided to non-English speaking applicants and recipients. The services shall be provided to the extent necessary to assure that non-English speaking persons are not denied, or unable to obtain or maintain, services or benefits because of their inability to speak English.

(2) If the number of non-English speaking applicants or recipients sharing the same language served by any community service office client contact job classification equals or exceeds fifty percent of the average caseload of a full-time position in such classification, the department shall, through attrition, employ bilingual personnel to serve such applicants or recipients.

(3) Regardless of the applicant or recipient caseload of any community service office, each community service office shall ensure that bilingual services required to supplement the community service office staff are provided through contracts with interpreters, local agencies, or other community resources.

(4) Initial client contact materials shall inform clients in all primary languages of the availability of interpretation services for non-English speaking persons. Basic informational pamphlets shall be translated into all primary languages.

(5) To the extent all written communications directed to applicants or recipients are not in the primary language of the applicant or recipient, the department and the office of administrative hearings shall include with the written communication a notice in all primary languages of applicants or recipients describing the significance of the communication and specifically how the applicants or recipients may receive assistance in understanding, and responding to if necessary, the written communication. The department shall assure that sufficient resources are available to assist applicants and recipients in a timely fashion with understanding, responding to, and complying with the requirements of all such written communications.

(6) As used in this section, 'primary languages' includes but is not limited to Spanish, Vietnamese, Cambodian, Laotian, and Chinese.

(7) The department shall report to the legislature by July 1, 1984, on the cost-effectiveness of translating all written forms, notices, and other documents provided to non-English speaking applicants or recipients into primary languages.

NEW SECTION. Sec. 35. There is added to chapter 74.04 RCW a new section to read as follows:

No payment may be collected by the department for residential care if the collection will reduce the income as defined in RCW 74.04.005 of the head of household and remaining dependents below one hundred percent of the need standard for aid to families with dependent children.

NEW SECTION. Sec. 36. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The secretary is authorized to expend state funds in amounts necessary to continue federal aid assistance to clients who are eligible for such assistance except for temporary interruption in availability of federal funds when:

(a) Nonavailability of federal funds is the result of temporary expiration of appropriations or other factors and not the result of legislative changes in program structure, existence, or eligibility conditions;

(b) The secretary finds that federal funding may reasonably be expected to resume promptly and that federal repayment to the state for such funds advanced will cover what would otherwise have been the federal contribution to the cost of the assistance; and

(c) Expenditures are in accordance with RCW 43.88.070.

(2) The provisions of this section shall terminate on June 30, 1985.

Sec. 37. Section 1, chapter 6, Laws of 1981 1st ex. sess. as amended by section 5, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.005 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) 'Public assistance' or 'assistance'—Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) 'Department'—The department of social and health services.

(3) 'County or local office'—The administrative office for one or more counties or designated service areas.

(4) 'Director' or 'secretary' means the secretary of social and health services.

(5) 'Federal-aid assistance'—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(6) (a) 'General assistance'—Aid to ((unemployable)) persons in need who:



((a)) (i) Are not eligible to receive federal-aid assistance, other than food stamps and medical assistance, by reason other than resource and income eligibility; and

((b)) (ii) Are either:

(A) Pregnant: PROVIDED, That during any period in which an aid for dependent children employable program is not in operation, only those pregnant women who are categorically eligible for medicaid are eligible for general assistance; or

(B) Incapacitated from gainful employment by reason of((:

(i) bodily or mental infirmity((:

(ii) Participation in an approved drug or alcoholism treatment program; or

(iii) Being sixty-five years of age, or over: PROVIDED, That such incapacity in (b) (i) through (iii) of this subsection, as determined by the department, will last at least sixty days from the date of application, except that persons in approved alcoholism and/or drug programs may be eligible for less than a sixty-day period in accordance with the terms of their treatment plan)) that will likely continue for a minimum of sixty days as determined by the department: PROVIDED, That persons in approved alcoholism or drug programs may be eligible for less than a sixty-day period in accordance with their plans; or

(C) Eligible for supplemental security income and whose need, as defined in this section, is not met by such supplemental security income grant because of separation from a spouse.

(b) General assistance shall be provided only to persons who are not members of assistance units receiving federal aid assistance, except as provided in subsection (6)(a)(ii)(A) and (C) of this section, and will accept available services which can reasonably be expected to enable the person to work or reduce the need for assistance unless there is good cause to refuse. Failure to accept such services shall result in termination until the person agrees to cooperate in accepting such services and subject to the following maximum periods of ineligibility after reapplication:

(i) First failure: One week;

(ii) Second failure within six months: One month;

(iii) Third and subsequent failure within one year: Two months.

(7) 'Applicant'—Any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(8) 'Recipient'—Any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.

(9) 'Standards of assistance'—The level of income required by an applicant or recipient to maintain a level of living specified by the department.

(10) 'Resource'—Any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent: PROVIDED, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto, which is used by and useful to the applicant. Whenever a recipient shall cease to use such property for residential purposes, either for himself or his dependents, the property shall be considered as income which can be made available to meet need, and if the recipient or his dependents absent themselves from the home for a period of ninety consecutive days such absence, unless due to hospitalization or health reasons or a natural disaster, shall raise a rebuttable presumption of abandonment: PROVIDED, That if in the opinion of three physicians the recipient will be unable to return to the home during his lifetime, and the home is not occupied by a spouse or dependent children or disabled sons or daughters, such property shall be considered as income which can be made available to meet need.

(b) Household furnishings and personal effects and other personal property having great sentimental value to the applicant or recipient, as limited by the department consistent with limitations on resources and exemptions for federal aid assistance.

(c) A motor vehicle, other than a motor home, used and useful having an equity value not to exceed one thousand five hundred dollars.

(d) All other resources, including any excess of values exempted, not to exceed one thousand dollars or other limit as set by the department, to be consistent with limitations on resources and exemptions necessary for federal aid assistance.

(e) Applicants for or recipients of general assistance may retain the following described resources in addition to exemption for a motor vehicle or home and not be ineligible for public assistance because of such resources:

(i) Household furnishings, personal effects, and other personal property having great sentimental value to the applicant or recipient;

(ii) Term and burial insurance for use of the applicant or recipient;

(iii) Life insurance having a cash surrender value not exceeding one thousand five hundred dollars; and

(iv) Cash, marketable securities, and any excess of values above one thousand five hundred dollars equity in a vehicle and above one thousand five hundred dollars in cash surrender value of life insurance, not exceeding one thousand five hundred dollars for a single person or two thousand two hundred fifty dollars for a family unit of two or more. The one thousand dollar limit in subsection (10)(d) of this section does not apply to recipients of or applicants for general assistance.

(f) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient, but the department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient.

(11) 'Income'—All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient during the month of application or after applying for or receiving public assistance: PROVIDED, That the department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him to decrease his need for public assistance or to aid in rehabilitating him or his dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance: PROVIDED FURTHER, That in determining the amount of assistance to which an applicant or recipient of aid to families with dependent children is entitled, the department is hereby authorized to disregard as a resource or income the earned income exemptions consistent with federal requirements: PROVIDED FURTHER, The department may permit the above exemption of earnings of a child to be retained by such child to cover the cost of special future identifiable needs even though the total exceeds the exemptions or resources granted to applicants and recipients of public assistance, but consistent with federal requirements. In formulating rules and regulations pursuant to this chapter, the department shall define income and resources and the availability thereof, consistent with federal requirements. All resources and income not specifically exempted, and any income or other economic benefit derived from the use of, or appreciation in value of, exempt resources, shall be considered in determining the need of an applicant or recipient of public assistance.

(12) 'Need'—The difference between the applicant's or recipient's standards of assistance for himself and the dependent members of his family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt income received by or available to the applicant or recipient and the dependent members of his family.

(13) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

Sec. 38. Section 3, chapter 10, Laws of 1973 2nd ex. sess. as last amended by section 7, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.620 are each amended to read as follows:

(1) The department is authorized to establish a program of state supplementation to the national program of supplemental security income consistent with Public Law 92-603 and Public Law 93-66 to those persons who are in need thereof in accordance with eligibility requirements established by the department.

(2) The department is authorized to establish reasonable standards of assistance and resource and income exemptions specifically for such program of state supplementation which shall be consistent with the provisions of the Social Security Act.

(3) The department is authorized to make payments to applicants for supplemental security income, pursuant to agreements as provided in Public Law 93-368, who are otherwise eligible for general assistance.

(4) Any agreement between the department and a supplemental security income applicant providing for the reimbursement of interim assistance to the department shall provide, if the applicant has been represented by an attorney, that twenty-five percent of the reimbursement received shall be withheld by the department and all or such portion thereof as has been approved as a fee by the United States department of health and human services shall be released directly to the applicant's attorney. The secretary may maintain such records as are deemed appropriate to measure the cost and effectiveness of such agreements and may make recommendations concerning the continued use of such agreements to the legislature.

Sec. 39. Section 4, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.770 are each amended to read as follows:

The department shall establish consolidated standards of need each ((biennium)) fiscal year which may vary by geographical areas, program, and family size, for aid to families with dependent children, refugee assistance, supplemental security income, and general assistance ((to unemployable persons)). Standards for aid to families with dependent children, refugee assistance, and general assistance ((to unemployable persons)) shall be based on studies of actual living costs and generally recognized inflation indices and shall include reasonable allowances for shelter, fuel, food, transportation, clothing, household maintenance and

operations, personal maintenance, and necessary incidentals. The standard of need (~~shall~~) may take into account the economies of joint living arrangements, but unless explicitly required by federal statute, there shall not be proration of any portion of assistance grants unless the amount of the grant standard is equal to the standard of need.

The department is authorized to establish rateable reductions and grant maximums consistent with federal law.

Payment level will be equal to need or a lesser amount if rateable reductions or grant maximums are imposed. In no case shall a recipient of supplemental security income receive a state supplement less than the minimum required by federal law.

The department may establish a separate standard for shelter provided at no cost.

Sec. 40. Section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541 are each amended to read as follows:

'Chore services,' as used in this chapter, means services in performing light work and household and other personal tasks which eligible persons are unable to do for themselves because of frailty or handicapping conditions.

Persons eligible for services (~~at no cost~~) are adult (~~recipients of supplemental security income and/or state supplementation and other~~) individuals having (~~income equal to or less than thirty percent of the state median income and~~) resources less than a level determined by the department, and whose level of need for chore services and risk of being placed in a residential care facility have been determined by the department. Adult recipients of supplemental security income, state supplementation, or limited casualty program medical care as defined by RCW 74.09.010, are eligible for services at no cost. Other individuals are eligible for needed chore services at a reduced level based on their ability to purchase the services. The department shall develop a scale of reduced services in comparison to determined need so that recipient participation does not reduce income below thirty percent of the state median income. Subject to the availability of funds, the department shall develop a sliding scale of participation considering a portion of income between thirty percent and fifty percent of the state median income and all income above fifty percent of the state median income. Any scale of reduced service developed by the department shall maintain services as in effect on the effective date of this 1983 act to those persons below thirty percent of the state median income. However, the department is authorized to continue, without reduction, benefits provided to persons receiving chore services on the effective date of this 1983 act. Effort shall be made to obtain chore services from volunteer chore service providers for those individuals at risk of being placed in a residential care facility but eligible for five hours of chore services per month or less, rather than have those services provided by paid providers. Any individual at risk of being placed in a residential care facility but not eligible for chore services or eligible for a reduced level of service shall be referred to the volunteer chore service program where such program exists for needed hours or services not provided by the department. Individuals determined by the department to be eligible for adult protective services are eligible to receive emergency chore services without regard to income if the services are essential to, and a subordinate part of, the adult protective services plan. Emergency chore services under adult protective services shall be provided only until the emergent situation has stabilized, not to exceed ninety days.

~~(Those persons whose income is between thirty and forty percent of the state median income and whose level of need for chore services and risk of being placed in a residential care facility has been determined by the department are eligible for a reduced level of service based on their ability to purchase the services. The department shall develop a scale of reduced hours of service based on need and income level to be applied in these cases. Persons whose resources exceed the level determined by the department are not eligible for any reduced level service.~~

~~The department is authorized to provide chore services on a case-by-case basis to severely handicapped persons in need of attendant care whose income exceeds the criteria established in this section. Services may be provided for this purpose only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time. PROVIDED: That the department may not extend authorization for chore services to more than thirty persons at any one time whose income exceeds fifty-seven percent of the state median income.)~~

For clients whose chore services are authorized on an hourly basis, the department shall establish a monthly lid on chore service hours, which shall be allocated to the department's community service offices. This lid shall be established at a level set by the department. The department shall also establish a monthly rate lid to apply to clients whose chore services are authorized on a monthly rate basis.

Sec. 41. Section 74.12.010, chapter 26, Laws of 1959 as last amended by section 23, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.12.010 are each amended to read as follows:

For the purposes of the administration of aid to families with dependent children assistance, the term 'dependent child' means any child in need under the age of eighteen years who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of the parent, and who is with his father,

mother, grandmother, grandfather, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, in a place of residence maintained by one or more of such relatives as his or their homes. The term a 'dependent child' shall, notwithstanding the foregoing, also include a child who would meet such requirements except for his removal from the home of a relative specified above as a result of a judicial determination that continuation therein would be contrary to the welfare of such child, for whose placement and care the state department of social and health services or the county office is responsible, and who has been placed in a licensed or approved child care institution or foster home as a result of such determination and who: (1) Was receiving an aid to families with dependent children grant for the month in which court proceedings leading to such determination were initiated; or (2) would have received aid to families with dependent children for such month if application had been made therefor; or (3) in the case of a child who had been living with a specified relative within six months prior to the month in which such proceedings were initiated, would have received aid to families with dependent children for such month if in such month he had been living with such a relative and application had been made therefor, as authorized by the Social Security Act: PROVIDED, That to the extent authorized by the legislature in the biennial appropriations act and to the extent that matching funds are available from the federal government, aid to families with dependent children assistance shall be available to any child in need who has been deprived of parental support or care by reason of the unemployment of a parent or step-parent liable under this chapter for support of the child.

'Aid to families with dependent children' means money payments, services, and remedial care with respect to a dependent child or dependent children and the needy parent or relative with whom the child lives and may include the spouse of such relative if living with him and if such relative is the child's parent and the child is a dependent child by reason of the physical or mental incapacity or unemployment of a parent or stepparent liable under this chapter for the support of such child.

NEW SECTION. Sec. 42. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department shall provide a community work and training program for recipients of aid for dependent children in accordance with RCW 74.04.390 through 74.04.470 beginning no later than January 1, 1984. The program shall be designed to:

(a) Provide community work and training services to a minimum of two hundred recipients in each biennium;

(b) Provide community work and training experience which will enhance the recipient's ability to obtain employment;

(c) Provide useful assistance to public and private nonprofit agencies which would otherwise not be provided by paid employees;

(d) Coordinate with other public or private employment programs to assure maximum employment opportunities for program participants;

(e) Utilize the effective components of the community work experience pilot program.

NEW SECTION. Sec. 43. Section 45, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.902 are each repealed.

NEW SECTION. Sec. 44. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 277, Laws of 1959, section 216, chapter 141, Laws of 1979 and RCW 72.18.010;

(2) Section 4, chapter 277, Laws of 1959, section 217, chapter 141, Laws of 1979 and RCW 72.18.040;

(3) Section 5, chapter 277, Laws of 1959, section 218, chapter 141, Laws of 1979 and RCW 72.18.050;

(4) Section 6, chapter 277, Laws of 1959, section 219, chapter 141, Laws of 1979 and RCW 72.18.060;

(5) Section 7, chapter 277, Laws of 1959, section 220, chapter 141, Laws of 1979 and RCW 72.18.070; and

(6) Section 8, chapter 277, Laws of 1959, section 221, chapter 141, Laws of 1979 and RCW 72.18.080.

NEW SECTION. Sec. 45. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 46. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Mr. Lewis, the following amendments to the Kreidler amendment were adopted:

On page 37, line 36 insert the following:

"The superintendent of a state school shall have a demonstrated history of knowledge, understanding, and compassion for the needs, treatment, and training of developmentally disabled persons."

On page 38, line 15 after "follows:" insert:

"The superintendent of a state school shall have a demonstrated history of knowledge, understanding, and compassion for the needs, treatment, and training of developmentally disabled persons."

Ms. Galloway moved adoption of the following amendment by Representatives Galloway and Belcher to the Kreidler amendment:

On page 39, beginning on line 35 strike all of section 31 and renumber the remaining sections consecutively.

Ms. Galloway 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 Representatives Galloway and Belcher to page 39 of the Kreidler amendment to Reengrossed Substitute Senate Bill No. 3660, and the amendment to the amendment was adopted by the following vote: Yeas, 55; nays, 40; absent, 1; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Belcher, Berozoff, Broback, Brough, Burns, Cantu, Charnley, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King R, Locke, Martinis, McClure, McMullen, Miller, Monohon, Nelson D, Niemi, O'Brien, Patrick, Powers, Ristuben, Sanders, Schmidt, Schoon, Sommers, Stratton, Sutherland, Tanner, Van Dyken, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Braddock, Brekke, Clayton, Crane, Dellwo, Dickle, Fuhrman, Grimm, Hankins, Hastings, Isaacson, King P, Kreidler, Lewis, Long, Lux, McDonald, Mitchell, Moon, Nealey, Nelson G, Prince, Pruitt, Rust, Sayan, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Todd, Vander Stoep, Vekich, Waik, Wang - 40.

Absent: Representative Padden - 1.

Excused: Representatives Bond, Chandler - 2.

On motion of Mr. Kreidler, the following amendments by Representatives Kreidler and Lewis to the amendment were adopted:

On page 63, after line 13 of the amendment, insert the following:

"Sec. 43, Section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter \_\_\_\_ (SB 4204), Laws of 1983 and RCW 70.38.025 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

(1) 'Board of health' means the state board of health created pursuant to chapter 43.20 RCW.

(2) 'Capital expenditure' is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a health care facility which if acquired directly by such facility would be subject to certificate of need review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.

(3) 'Council' means the state health coordinating council created in RCW 70.38.055 and described in Public Law 93-641.

(4) 'Department' means the state department of social and health services.

(5) 'Expenditure minimum' means, for the purposes of the certificate of need program, one million dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

(6) 'Federal law' means Public Law 93-641, as amended, or its successor.

(7) 'Health care facility' means hospices, hospitals, psychiatric hospitals, tuberculosis hospitals, (~~alcoholism hospitals~~) nursing homes, kidney disease treatment centers, ambulatory surgical facilities, rehabilitation facilities, and home health agencies, and includes such facilities when owned and operated by the state or by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any

nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; (c) whose rate reviews are waived by the state hospital commission; and (d) if not contrary to federal law as necessary to the receipt of federal funds by the state.

(8) 'Health maintenance organization' means a public or private organization, organized under the laws of the state, which:

(a) is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health Services Act; or

(b) (i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(9) 'Health services' means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in federal law.

(10) 'Health service area' means a geographic region appropriate for effective health planning which includes a broad range of health services and a population of at least four hundred fifty thousand persons.

(11) 'Institutional health services' means health services provided in or through health care facilities and entailing annual operating costs of at least five hundred thousand dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule: PROVIDED, That no new health care facility may be initiated as an institutional health service.

(12) 'Major medical equipment' means medical equipment which is used for the provision of medical and other health services and which costs in excess of one million dollars, adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule; except that such term does not include medical equipment acquired by or on behalf of a clinical laboratory to provide clinical laboratory services if the clinical laboratory is independent of a physician's office and a hospital and it has been determined under Title XVIII of the Social Security Act to meet the requirements of paragraphs (10) and (11) of section 1861(s) of such act;

(13) 'Person' means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(14) 'Provider' generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be established by rule of the department, consistent with federal law.

(15) 'Public health' means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.

(16) 'Regional health council' means a public regional planning body or a private nonprofit corporation which is organized and operated in a manner that is consistent with the laws of the state and which is capable of performing each of the functions described in RCW 70.38.085. A regional health council shall have a governing body for health planning which is composed of a majority (but not more than sixty percent of the members) of persons who are residents of the health service area served by the entity; who are consumers of health care; who are broadly representative of the social, economic, linguistic, and racial populations, and geographic areas of the health service area, and major purchasers of health care; and who are not, nor within the twelve months preceding appointment have been, providers of health care. The remainder of the members shall be residents of the health service area served by the agency who are providers of health care.

(17) 'Regional health plan' means a document which provides at least a statement of health goals and priorities for the health service area. In addition, it sets forth the number, type, and distribution of health facilities, services, and manpower needed within the health service area to meet the goals of the plan.

(18) 'State health plan' means a document developed in accordance with RCW 70.38.065.\*  
 Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 64, after line 10 strike all of section 46.

Mr. Fuhrman moved adoption of the following amendment by Representatives Fuhrman, Addison, Sanders, Lewis and Egger to the Kreidler amendment:

On page 63, after line 13 add a new section as follows:

"NEW SECTION, Sec. 43. There is added to chapter 74.04 RCW a new section to read as follows:

(1) The department of social and health services shall apply for a waiver from the federal government to implement a community work and training program for recipients of food stamps in accordance with RCW 74.04.390 through 74.04.470. The program shall be established in two counties, one east and one west of the Cascade mountains, and shall serve a minimum of 100 recipients in each fiscal year.

(2) Any member of a household participating in the food stamp program who is not exempt under subsection (3) of this section may be required to participate in the community work and training program required in subsection (1) of this section in order to continue to be eligible for food stamps.

(3) No household member shall be required to participate in the community work and training program who is:

(a) determined to have good cause to refuse employment under chapter 74.23 RCW;

(b) under eighteen or over sixty years of age;

(c) a parent or other member of the household responsible for the care of a child under six or of an incapacitated person;

(d) employed at least twenty hours a week or participating in another work and training program under this title; or

(e) a regular participant in a drug addiction or alcohol training program.

(4) The department shall adopt any rules necessary to administer the community work and training program for food stamp recipients consistent with this title and with federal statutes and regulations."

Renumber the remaining sections consecutively.

Representatives Fuhrman and Lewis spoke in favor of the amendment to the amendment, and Representatives Kreidler and Brekke spoke against it.

#### POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Brekke, when this amendment was discussed when we were working on House Bill 352, I believe there were some interesting points that you brought out regarding the characteristics of people who receive food stamps. I think that was one of the things that was convincing to me in terms of how this work therapy program might affect a food stamp program as opposed to some other type of program. Could you refresh my memory on that?"

Ms. Brekke: "I think you probably are referring to the comment that at least half of the people who receive food stamps are, in fact, working. They are the working poor and this is where many of the food stamps go. These people are already at work and would probably not be affected by a program such as this. It also doesn't affect or touch all those persons on public assistance because, approximately, only seventy percent of those who are on public assistance receive food stamps. I think the program that will be under way in January will deal far better and more selectively with those who need it."

Representatives Smitherman, Stratton and Pruitt spoke against the amendment to the amendment, and Representatives Egger, Addison and Padden spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman and others to the Kreidler amendment to Reengrossed Substitute Senate Bill No. 3660, and the amendment to the amendment was adopted by the following vote: Yeas, 61; nays, 34; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, Lewis, Long, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Powers, Prince, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson, Zellinsky - 61.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Dellwo, Fisch, Fisher, Galloway, Grimm, Halsan, Jacobsen, King R, Kreidler, Locke,

Lux, Martinis, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Pruitt, Rust, Smitherman, Sommers, Stratton, Tanner, Vekich, Wang, and Mr. Speaker - 34.

Absent: Representative Ristuben - 1.

Excused: Representatives Bond, Chandler - 2.

Ms. Allen moved adoption of the following amendment by Representatives Allen and Charnley to the Kreidler amendment:

On page 63, after line 13 insert the following:

"Sec. 35. The legislature recognizes the increasing evidence that tobacco smoke in closely confined places creates a danger to the health of citizens of this state. In order to protect the public health, safety, and welfare, the legislature therefore finds it necessary to prohibit smoking in public places and places of employment except in designated smoking areas.

NEW SECTION. Sec. 36. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Smoke' or 'smoking' means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

(2) 'Public place' means an enclosed indoor area to which the public is invited or permitted including, but not limited to: Elevators, public conveyances, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, hospitals, nursing homes, medical, dental, or health care facilities, enclosed shopping centers, retail stores, retail service establishments, financial institutions, educational facilities, public meetings or hearings, public transportation facilities, ticket areas, public restrooms, libraries, restaurants, waiting areas, lobbies, and reception areas. 'Public place' does not include a private residence.

(3) 'Place of employment' means an enclosed area under the control of a private or public employer which employees normally frequent during the course of employment including, but not limited to: Work areas, employee lounges, and cafeterias. 'Place of employment' does not include a private residence.

NEW SECTION. Sec. 37. No person may smoke in a public place or place of employment except in designated smoking areas.

NEW SECTION. Sec. 38. (1) A smoking area may be designated in a public place or a place of employment by the proprietor or other person in charge of the place except in: (a) Elevators, public conveyances, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, health care clinics, retail stores, retail service establishments, financial institutions, public meetings or hearings, public restrooms, and libraries that are open to the public, or (b) other places already prohibited by other rule, ordinance, or regulation: PROVIDED, That a smoking area may be designated in an exception enumerated in this subsection if the area is in a location where only employees are permitted. No public area other than a bar may be designated as a smoking area in its entirety.

(2) Where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect of smoke in adjacent nonsmoking areas. The size of the designated smoking area shall not be more than proportionate to the preference of the users of the smoking area, as can be demonstrated by the proprietor or other person in charge.

(3) Employers shall provide smoke-free areas for nonsmokers within existing facilities to the maximum extent possible, but employers are not required to incur any expense to make structural or other physical modifications to provide these areas. An employer who in good faith develops and promulgates a policy regarding smoking and nonsmoking in the workplace is in compliance with this subsection: PROVIDED, That a policy which designates an entire workplace as a smoking area is not in compliance.

(4) Managers of restaurants covered under this chapter shall designate an adequate amount of seating, not to exceed seventy-five percent of the seating capacity of the restaurant, to meet sufficiently the demands of restaurant patrons who wish to smoke. Owners of restaurants are not required to incur any expense to make structural or other physical modifications in providing these areas. Restaurant patrons shall be informed that separate smoking and nonsmoking sections are available.

(5) Notwithstanding any other provision of this chapter, a facility or area may be designated in its entirety as a nonsmoking area by the owner or proprietor.

NEW SECTION. Sec. 39. Proprietors or other persons having control of a place regulated under this chapter shall:

(1) Post signs prohibiting or permitting smoking as appropriate under this chapter. Signs shall be posted conspicuously at each entrance and in prominent locations throughout the place. The boundary between a nonsmoking area and a smoking permitted area shall be clearly designated so that persons may differentiate between the two areas.

(2) Arrange seating to provide a smoke-free area.

(3) Ask smokers to refrain from smoking upon the request of a client, customer, or employee.

NEW SECTION. Sec. 40. (1) It is unlawful for a person to remove, deface, or destroy a sign required by this chapter.



(2) A person who violates any provision of this chapter is guilty of a misdemeanor and subject to a maximum fine of one hundred dollars.

**NEW SECTION, Sec. 41.** (1) The department of social and health services in consultation with local fire departments shall adopt such rules as are necessary to implement and enforce section 21 of this act in public places.

(2) The department of labor and industries in consultation with the department of social and health services shall adopt such rules as are necessary to implement and enforce section 21 of this act in places of employment.

(3) The department of social and health services, the department of labor and industries, a local fire department, or any affected person may institute an action to enjoin violations of section 21 of this act.

**NEW SECTION, Sec. 42.** Sections 17 through 23 of this act shall constitute a new chapter in Title 70 RCW."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. West: "Mr. Speaker, I would request that you rule on the germaness of this issue under House Rule 12(D)."

#### SPEAKER'S RULING

The Speaker: "Representative West, the Speaker has examined Substitute Senate Bill No. 3660 and the House striking amendment by Representative Kreidler and the amendment by Representative Allen. While traditionally the Speaker rules very narrowly, this bill and the striking amendment are so narrowly drawn, the Speaker rules that this amendment is, in fact, within the scope and object of the bill and is germane."

#### POINT OF ORDER

Mr. West: "Mr. Speaker, the reference to the rule was 12(D) which refers to bills before the House. House Bill 229 is still in Social & Health Services Committee and this amendment is word-for-word House Bill 229."

#### SPEAKER'S RULING

The Speaker: "Representative West, having examined House Bill 229 and the floor amendment, I find very little similarity."

Representatives Allen, Charnley, Isaacson, Brough and Long spoke in favor of the amendment to the amendment, and Representatives Struthers, Kreidler, Barnes and Taylor spoke against it.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Ebersole.

Mr. Ebersole: "Representative Charnley, if this amendment were to pass and this bill became law, in your interpretation, would smoking then be legal on the floor of the House of Representatives?"

Mr. Charnley: "Yes, Representative Ebersole, because the floor of the two bodies, the House and the Senate, are not covered in statute. They write their own rules and have their own laws."

Representatives West, Martinis and Stratton spoke against the amendment to the amendment, and Mr. Charnley spoke again in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Allen and Charnley to the Kreidler amendment to Reengrossed Substitute Senate Bill No. 3660, and the amendment to the amendment was adopted by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Braddock, Brekke, Brough, Burns, Cantu, Charnley, Dellwo, Dickie, Fiske, Galloway, Garrett, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Locke, Long, Lux, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Patrick, Powers, Pruitt, Rust, Sanders, Schoon, Silver, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, and Mr. Speaker - 54.

Voting nay: Representatives Armstrong, Barnes, Belcher, Betrozoff, Broback, Clayton, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Halsan, Hankins, Hastings, King J, Kreidler, Martinis, McClure, Moon, Niemi, O'Brien, Padden, Prince, Ristuben, Sayan, Schmidt, Smith, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 42.

Excused: Representatives Bond, Chandler - 2.

#### MOTION FOR RECONSIDERATION

Mr. Barrett, having voted on the prevailing side, moved that the House now reconsider the vote by which the Allen/Charnley amendment to the Kreidler amendment was adopted.

Representatives Barrett, Hastings and Schmidt spoke in favor of the motion, and Mr. Charnley spoke against it.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Ms. Allen.

Ms. Allen: "Representative Charnley, there are two questions I have. The first one is: The intent of subsection (3) in section 37. That was not designed to make people be breaking the law if they don't ask a smoker to quit smoking under given circumstances?"

Mr. Charnley: "You are quite correct, Representative Allen. In new section 36, it says, 'No person may smoke in a public place or place of employment except in designated smoking areas.' It clearly says that when in a designated smoking area, the person may smoke."

Ms. Allen: "Secondly, Representative Charnley, following through on the last suggestion we had, that clients could be kept from smoking--if a smoking area is provided, a client can be consulted in that area, can they not?"

Mr. Charnley: "Again, the answer is yes. Section 37, page 2, subsection (2), 'Where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect...', so that means within an office, of which there are certainly many, that is described as a single large room, a portion of that room can be clearly designated as a smoking area, and the employees who do prefer to smoke would have the area. That could be very clearly set up and would not be a problem."

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Locke.

Mr. Locke: "Representative Charnley, just to clarify the questions and answers, is it your understanding that the subsection (3) of section 38, which indicates the proprietors having control of the place regulated under the chapter--shall have 'smokers refrain from smoking upon the request of a client, customer or employee.' Does that pertain only to where that smoking is occurring in an area not designated as smoking?"

Mr. Charnley: "Yes, Representative Locke, it is clearly the intent of the language of this bill to mean just that. Again, I refer back to section 36 to reinforce that statement."

Representatives Barrett and Ebersole spoke in favor of the motion to reconsider.

Mr. Heck demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Allen/Charnley amendment to the Kreidler amendment to Reengrossed Substitute Senate Bill No. 3660 was adopted, and the motion was carried by the following vote: Yeas, 54; nays, 42; excused, 2.

Voting yea: Representatives Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Braddock, Broback, Cantu, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Halsan, Hankins, Hastings, King J, King P, King R, Kreidler, Martinis, McClure, McDonald, McMullen, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Ristuben,

Sayan, Schmidt, Schoon, Smith, Smitherman, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 54.

Voting nay: Representatives Addison, Allen, Appelwick, Brekke, Brough, Burns, Charnley, Dellwo, Fiske, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, Lewis, Locke, Long, Lux, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Patrick, Pruitt, Rust, Sanders, Silver, Sommers, Sutherland, Tanner, Tilly, Todd, Walk, and Mr. Speaker - 42.

Excused: Representatives Bond, Chandler - 2.

The Speaker declared the question before the House to be the amendment by Representatives Allen and Charnley to the Kreidler amendment.

Representatives Isaacson, Kaiser and Charnley spoke in favor of the amendment to the amendment, and Mr. Fuhrman spoke against it.

#### ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representatives Allen and Charnley to the Kreidler amendment to Reengrossed Substitute Senate Bill No. 3660, and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Brekke, Brough, Burns, Cantu, Charnley, Dellwo, Fiske, Galloway, Garrett, Grimm, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Locke, Long, Lux, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Patrick, Pruitt, Rust, Sanders, Schoon, Silver, Sommers, Sutherland, Tilly, Todd, Walk, and Mr. Speaker - 44.

Voting nay: Representatives Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Broback, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Hine, King J, Kreidler, Lewis, Martinis, McClure, McDonald, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Ristuben, Sayan, Schmidt, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Excused: Representatives Bond, Chandler - 2.

The Kreidler amendment as amended was adopted.

Mr. Kreidler moved adoption of the following amendment to the title of the bill:

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending section 6, chapter 157, Laws of 1973 1st ex. sess. as last amended by section 10, chapter ... (SSB 3782), Laws of 1983 and RCW 26.09.060; amending section 10, page 452, Laws of 1873 as last amended by section 1, chapter 121, Laws of 1969 ex. sess. and RCW 26.16.200; amending section 12, chapter 164, Laws of 1971 ex. sess. and RCW 74.20A.120; amending section 25, chapter 264, Laws of 1969 ex. sess. and RCW 7.33.250; amending section 7, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.060; amending section 10, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.090; amending section 11, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.100; amending section 14, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.130; amending section 19, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.180; amending section 21, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.200; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 70.58.095; amending section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080; amending section 6, chapter 224, Laws of 1982 and RCW 71.20.016; amending section 2, chapter 102, Laws of 1967 ex. sess. as amended by section 47, chapter 141, Laws of 1979 and RCW 43.20A.605; amending section 74.04.290, chapter 26, Laws of 1959 as last amended by section 2, chapter 171, Laws of 1979 ex. sess. and RCW 74.04.290; amending section 10, chapter 152, Laws of 1979 ex. sess. and RCW 74.09.290; amending section 5, chapter 228, Laws of 1979 ex. sess. and RCW 70.124.050; amending section 72.01.060, chapter 28, Laws of 1959 as amended by section 146, chapter 141, Laws of 1979 and RCW 72.01.060; amending section 3, chapter 165, Laws of 1963 as amended by section 224, chapter 141, Laws of 1979 and RCW 72.19.030; amending section 72.23.030, chapter 28, Laws of 1959 as amended by section 2, chapter 56, Laws of 1969 and RCW 72.23.030; amending section 3, chapter 18, Laws of 1967 ex. sess. as amended by section 55, chapter 80, Laws of 1977 ex. sess. and RCW 72.30.030; amending section 72.33.040, chapter 28, Laws of 1959 as last amended by section 12, chapter 217, Laws of 1979 ex. sess. and RCW 72.33.040; amending section 74.04.060, chapter 26, Laws of 1959 as amended by section 1, chapter 152, Laws of 1973 and RCW 74.04.060; amending section 1, chapter 6, Laws of 1981 1st ex. sess. as amended by section 5, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.005; amending section 3, chapter 10, Laws of 1973 2nd ex. sess. as last amended by section 7, chapter 6, Laws of 1981 1st ex. sess.

and RCW 74.04.620; amending section 4, chapter 10, Laws of 1981 2nd ex. sess. and RCW 74.04.770; amending section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 23, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.12.010; adding new sections to chapter 26.26 RCW; adding a new section to chapter 4.16 RCW; adding new sections to chapter 43.20A RCW; adding new sections to chapter 74.04 RCW; adding a new section to chapter 74.20 RCW; creating a new section; repealing section 45, chapter 42, Laws of 1975-76 2nd ex. sess. and RCW 26.26.902; repealing section 1, chapter 277, Laws of 1959, section 216, chapter 141, Laws of 1979 and RCW 72.18.010; repealing section 4, chapter 277, Laws of 1959, section 217, chapter 141, Laws of 1979 and RCW 72.18.040; repealing section 5, chapter 277, Laws of 1959, section 218, chapter 141, Laws of 1979 and RCW 72.18.050; repealing section 6, chapter 277, Laws of 1959, section 219, chapter 141, Laws of 1979 and RCW 72.18.060; repealing section 7, chapter 277, Laws of 1959, section 220, chapter 141, Laws of 1979 and RCW 72.18.070; repealing section 8, chapter 277, Laws of 1959, section 221, chapter 141, Laws of 1979 and RCW 72.18.080."

On motion of Mr. Kreidler, the following amendments to the title amendment were adopted:

On page 65, line 1 of the amendment to the title, after "26.16.200;" insert "amending section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 2, chapter \_\_\_\_ (SB 4204), Laws of 1983 and RCW 70.38.025;"

On page 66, line 2 following "74.04.290;" insert "adding a new section to chapter 74.04 RCW;"

On page 66, line 25 of the title amendment after "72.33.040;" strike everything through "RCW 72.40.020;" on line 28

The Kreidler amendment to the title as amended was adopted.

Reengrossed Substitute Senate Bill No. 3660 as amended by the House was passed to Committee on Rules for third reading.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO.	420,
HOUSE BILL NO.	471,
SUBSTITUTE HOUSE BILL NO.	496,
HOUSE BILL NO.	725,
HOUSE CONCURRENT RESOLUTION NO.	26,
SENATE BILL NO.	3314,
SUBSTITUTE SENATE BILL NO.	3372,
SENATE BILL NO.	3784.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3628, by Committee on Natural Resources (originally sponsored by Senator Owen)

Establishing Hood Canal shrimp fishing licenses.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, Regular Session, April 8, 1983.)

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "I'm interested in how this relates to HCR 23?"

The Speaker: "The Speaker has examined the bill. It was considered when we determined the budget and revenue levels, and therefore the bill is necessary to implement the budget and revenue."

Mr. McDonald: "Is it because it does have a revenue attached to it, or is it part of the revenue package?"

The Speaker: "Both."

On motion of Ms. Stratton, the committee amendments were adopted.

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

SECOND SUBSTITUTE SENATE BILL NO. 3155, by Committee on Ways & Means (originally sponsored by Senators Gaspard, Talmadge, Bauer, Warnke, Thompson, von Reichbauer, Shinpoch, Bottiger, Patterson, Peterson, Goltz, Voguild, Bender, Guess, McManus, Granlund, Fleming, Kiskaddon, Benitz, Lee and Woody)

Requiring a high technology education training program.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 8th Day, First Special Session, May 2, 1983.)

Mr. Heck moved adoption of the committee amendment striking everything after the enacting clause.

On motion of Mr. Heck, the following amendment to the committee amendment was adopted:

On page 4 of the committee amendment, line 23, strike "1983" and insert "1985"

The committee amendment as amended was adopted. On motion of Mr. Heck, 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 Heck, Taylor and McDonald 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. 3155 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, Braddock, Brekke, Broback, Brough, Burns, Cantu, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Chandler - 2.

Second Substitute Senate Bill No. 3155 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 SUBSTITUTE SENATE BILL NO. 3766 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Fleming, Talmadge and McDermott)

Prohibiting the use of choke holds by law enforcement and correctional officers.

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 Senate Bill No. 3766 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, Braddock, Brekke, Broback, Brough, Burns, Cantu, 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, Martinis,

McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Chandler - 2.

Engrossed Substitute Senate Bill No. 3766 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.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3817 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Fleming, Hemstad, McDermott and Talmadge)

Restricting body searches by law enforcement agencies.

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

Representatives Locke and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3817 as amended by the House, 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, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chamley, Clayton, Crane, Dellwo, Dickie, Ebersole, 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, Martins, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Egger, Fuhrman - 2.

Excused: Representatives Bond, Chandler - 2.

Reengrossed Substitute Senate Bill No. 3817 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 eighth order of business.

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-74, by Representative Rust

WHEREAS, The week of April 24 through 30, 1983, has been proclaimed both National Organ Donation Awareness Week and the Third Annual Organ Donation Week in Washington State; and

WHEREAS, Organ Donation Awareness Week originated in our own state in 1981; and

WHEREAS, Those who care and have foresight may save another's life, improve someone's life, or contribute to the advancement of medical science by becoming an organ donor; and

WHEREAS, Despite the generosity of persons who have volunteered to donate organs, many medically eligible patients fail to receive organ transplants due to a lack of suitable donors;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the citizens of this state be urged, particularly during Organ Donation Awareness Week, to pledge an anatomical gift of themselves to those who are less fortunate; and

BE IT FURTHER RESOLVED, That the Washington State Medical Association Auxiliary; the Washington State Medical Association; the Organ Donation Association; Honorary State Chairs, Nancy Evans and Sally Gorton; and National Honorary Chair, Barbara Bush, each be commended for their efforts in organizing Organ Donation Awareness Week.

Ms. Rust moved adoption of the resolution. Representatives Rust, Charnley and Kreidler spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-75, by Representative G. Nelson

WHEREAS, Music brings pleasure and enjoyment to millions around the world; and

WHEREAS, Soundsation '83 is an outstanding vocal jazz group from Edmonds Community College; and

WHEREAS, Soundsation annually hosts the International Jazz Festival on the Edmonds Community College campus; and

WHEREAS, Thousands of citizens of this state, as well as members of the public, both throughout this nation and internationally, have enjoyed performances by Soundsation groups; and

WHEREAS, In addition to live performances, Soundsation groups have recorded record albums and performed on radio and television programs; and

WHEREAS, Citizens of the State of Washington are proud to have these fine performing artists represent our state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Soundsation be honored for its involvement in the music world and its contribution to the arts and enjoyment of music-lovers throughout this state and the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Frank DeMiero, director of the Soundsation vocal jazz group, and to each member of Soundsation '83.

Mr. G. Nelson moved adoption of the resolution. Representatives G. Nelson, McClure, Allen and Miller spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-76, by Representative Taylor

WHEREAS, The House of Representatives has not yet completed the business of the people of the State of Washington; and

WHEREAS, The Majority Party of the House has been unwilling or unable to devote all of its energies to adopting a biennial budget as required by the Constitution; and

WHEREAS, The people of the State of Washington are currently paying in excess of \$60,000 for each day of this special session;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House of Representatives will adjourn for three-day periods beginning the next working day until the Majority Party is prepared to act on the budget on the floor of the House; and

BE IT FURTHER RESOLVED, That all measures on the Rostrum of the House, including, but not limited to, all measures on the second and third reading calendar, concurring calendar, and dispute calendar shall be referred to the House Rules Committee; and

BE IT FURTHER RESOLVED, That any messages received from the Senate during the adjournments provided herein shall be referred to the House Rules Committee; and

BE IT FURTHER RESOLVED, That members of the House shall not receive per diem during the period of adjournment except as authorized by the House Rules Committee upon its finding that such members presence is necessary to reach a budget solution; and

BE IT FURTHER RESOLVED, That a copy of this resolution shall be immediately transmitted to the Senate and each member thereof.

Mr. Taylor moved adoption of the resolution. Representatives Taylor and McDonald spoke in favor of the resolution, and Mr. Heck spoke against it.

Mr. Taylor spoke again in favor of the resolution.

#### MOTION

Mr. Hastings moved that further consideration of House Resolution No. 83-76 be deferred until Saturday, May 7, 1983 at 2:00 p.m.

Representatives Hastings and Taylor spoke in favor of the motion.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion to defer consideration of House Resolution No. 83-76, and the motion was carried by the following vote: Yeas, 80; nays, 16; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, Kreidler, Lewis, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Armstrong, Belcher, Charnley, Dellwo, Galloway, Garrett, Halsan, Jacobsen, King P, King R, Locke, Martinis, Moon, Nelson D, Todd, Vekich - 16.

Excused: Representatives Bond, Chandler - 2.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### JOINT SESSION

The Sergeants at Arms of the House and Senate announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms to escort the President of the Senate John Cherberg, President Pro Tem H. A. "Barney" Goltz, Vice President Pro Tem A. L. "Slim" Rasmussen and Majority Leader Ted Bottiger 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 except Representatives Bond and Chandler, who were excused.

The President of the Senate appointed Senators Warnke and Craswell and Representatives Belcher, Ristuben and Allen to escort the State Elected Officials to seats within the House Chamber.

The President of the Senate appointed Senators Hurley, Metcalf and McManus and Representatives Galloway, Wang and Ballard to escort Governor John Spellman to the rostrum.

The President introduced Governor John Spellman.

#### MESSAGE FROM THE GOVERNOR

Governor Spellman: "Mr. President, Mr. Speaker, distinguished elected officials, members of the Senate and House, my fellow citizens:

"It is necessary this evening to report to you and to the citizens of the State of Washington on the imminent crisis that threatens our state and our region because of the likely default of the Washington Public Power Supply System. As things stand now, default is likely and will come quickly, but it could still be avoided in the few days remaining, before we pass the point of no return.

"I come before you this evening, in the eleventh hour, in an attempt to unite the many special interests in the common cause of avoiding default. I will not review the Supply System's dismal past—its once-bad management; its cost overruns; the previous, erroneous power need forecasts. It is the future that concerns us this evening, not the past. I will not again detail the litany of probable, grave impacts of default on every user of electricity, every business, every school district, and every unit of government. Let it suffice to say that no good can come from default. For two years, I have wrestled with the seemingly infinite details of the financial nightmare of WPPSS. For the past two months, I have vigorously applied myself to carrying out the intent of the House and Senate resolutions that requested



me to negotiate an alternative to default. In a series of meetings totaling well over eighty hours, I have chaired negotiating sessions attended by more than two dozen key representatives of public utility participants in terminated plants 4 and 5, the investor-owned utilities, the rural co-ops, the direct service industries, the Bonneville Power Administration, the Supply System's executive board, and others. At the first meeting--indeed, at each meeting--the parties, no matter how divided on other issues, all agreed that default was the worst possible conclusion and that default must be avoided. From the beginning, the negotiations were impeded by a series of lawsuits in Washington, Oregon, and Idaho. Oregon and Idaho trial courts ruled that their states' municipal participants could not pay their contractual obligations. Those rulings are now on appeal; and the Chemical Bank Case, in King County Superior Court, is a suit questioning whether or not Washington participants in terminated plants 4 and 5 are legally bound by and must pay under the contracts they signed. The trial of that case has been delayed for almost four months while the State Supreme Court considers preliminary rulings. It has never been possible for those suits--and a number of other related lawsuits--to be decided before default would occur, especially if the parties involved in those suits refuse to make interim payments on their obligations. The search for a solution has been hampered by a host of lawyers advising their clients not to honor their obligations, unless the courts order them to pay. It was in that atmosphere--complicated by numerous lawsuits, court delays, and conflicting legal advice--that negotiations were begun to avoid default.

"What were we trying to accomplish? First, to establish a solid foundation for the newly developed Regional Power Plan to function and meet our energy and conservation needs; second, to complete plants 1, 2, and 3, which the Regional Power Plan assumes are needed and will be built; third, to get control of the plant 4 and 5 situation, which is now in a chaotic condition, with control dispersed through a number of courts; and fourth, to allow some ratepayer relief and to provide equity throughout the northwest region.

"In addressing those goals, we considered at least seven plans and dozens of variations on them. The plans ranged from the first public suggestion, a huge state-sponsored bond issue, to a sharing of burdens in order to lessen the impact on the hardest-hit 4 and 5 participants, to a full or partial regionalization of all terminated public and private plants under Bonneville. After all that deliberation, it does not appear that we can obtain a comprehensive long-term solution to all the problems at this time.

"None of the proposals that were considered had sufficient support to achieve such a comprehensive long-term solution. As a result, we are unable to get control of the plant 4 and 5 situation and accomplish our other goals. In addition, plants 2 and 3, even though needed, are in real jeopardy. The implementation of the Regional Power Plan is also in jeopardy. The problems facing plants 4 and 5 are out of control; therefore, there can be no ratepayer relief. It is now clear that plants 4 and 5 will not be built by the Supply System. It is now clear that we are on the very verge of default. There is no doubt the default will have a serious negative impact on the public utilities that are participants in those plants. Default will have a lesser but real adverse impact on other public utilities, municipalities, and the State of Washington in terms of higher borrowing costs and, therefore, higher rates to the consumers and taxpayers.

"Default is likely to occur on May 13, and certainly within the next two months. Therefore, in our deliberations, we turned to short-term solutions in order to avoid default. Unfortunately, most of the decisions in the short-term will be made by the courts. Let us hope the courts will act with necessary dispatch. I urge them to do so. The final plan we considered was, while the courts are reaching their decisions, to settle the existing cost-sharing lawsuits, which will have to be paid someday under any circumstance. That plan would use the funds from a \$300 million settlement of those lawsuits, together with a comparable amount from the funds already paid into court escrow by the participants, in order to avoid default before the courts rule. By that action, the ratepayers and utilities would be protected from additional lawsuits and from the acceleration of the 4 and 5 debt. That plan--the final proposal to be considered--was rejected by the participants. The participants, on the advice of their lawyers, refused to pay any funds to avoid default.

"Let me reiterate. At each meeting, all agreed that default was the worst possible result. Proposals were seriously considered by the utilities that did not build terminated plants 4 and 5 in order to voluntarily help the public utilities that did undertake to build plants 4 and 5. The nonparticipants would have provided funds to hold things together until the courts ruled, but the participants, the builders of plants 4 and 5, have refused to allow any of their funds to be paid out of escrow in order to avoid default. The simple truth we face tonight is that, unless those payments are made, default will occur as surely as I am standing here. WPPSS plants 1, 2 and 3 have been put in jeopardy in this process. In its recently adopted plan, the Regional Power Council finds that those plants are needed and assumes they will proceed. Plant 2 is ninety-seven percent complete. Plant 3 is seventy percent complete. It will cost about as much to ramp down, or mothball, plant 3 as it will to complete it. Nevertheless, because of the current situation, funding to complete those needed plants may be impossible to obtain, unless the legislature passes legislation in order to make it impossible for WPPSS to go into bankruptcy until a change in federal law permits separating the needed plants from terminated plants 4 and 5. Such legislation is absolutely necessary in order to ensure the fiscal stability of our region. I call on the Legislature to pass it. Let me make clear my motivation. I am not an advocate for any party in this dispute. I would gladly accept any solution that would serve the best interests of the people of this state as ratepayers, in their homes and on the job. If we can avoid default and establish stability, we will have the opportunity in the future to keep utility rates lower by refinancing existing high-interest construction bonds at lower interest rates. If default occurs, that opportunity will be lost. I am gravely concerned that the default that is now imminent will hurt our ratepayers and dampen our economy, keeping people out of work.

"Having spent months considering all proposals, I have concluded that there is one best solution which can avoid default. It is the solution that was on the table when the parties last met; that is, a settlement of the lawsuit pending on the subject of how much money is owed to the participants in plants 4 and 5 from the builders of their twin plants 1 and 3. The settlement would be \$300 million to be paid over ten years. The first year's payment would be \$50 million. That payment, combined with funds released from escrow by the public utilities, would be used to pay the Supply System's ongoing costs. It would avoid default. It would allow time for the courts to finally rule on who must pay. It would cost ratepayers nothing additional for the first year and imperceptible rate increases, if any, during the remaining nine years. I believe the elected public utility officials want to avoid default. I know it will be necessary for them to step forward and act in order to avoid default, while the legal issues are being resolved. I see no other solution that can occur in the time left. I call on those elected public utility officials to take this necessary action, for the best interests of the state and of their ratepayers. I call on them to take this action within the next seven days.

"Default equals failure--failure to honor and pay our obligations, and failure to reach an agreement that will avoid default. This region, this state, our people have not had a record of failure. We must not fail now."

The President instructed the committees to escort Governor Spellman, the Supreme Court Justices and the state elected officials from the House Chamber.

#### MOTION

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

The President returned the gavel to the Speaker.

The Speaker instructed the committee to escort President Cherberg, President Pro Tem Goltz, Vice President Pro Tem Rasmussen and Majority Leader Bottiger from the House Chamber.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators from the House Chamber.

MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Thursday, May 5, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**ELEVENTH DAY**

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 5, 1983

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 except Representatives Bond and Locke, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Meggin Thompson and Brent Williams. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist 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

May 4, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 420,  
HOUSE BILL NO. 471,  
SUBSTITUTE HOUSE BILL NO. 496,  
HOUSE BILL NO. 725,  
HOUSE CONCURRENT RESOLUTION NO. 26,  
SECOND SUBSTITUTE SENATE BILL NO. 3085,  
SUBSTITUTE SENATE BILL NO. 3538,  
SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 4, 1983

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3187,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 3608,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 4099,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

2SSB 3187 by Committee on Ways & Means (originally sponsored by Senators Bottiger, McDermott and Vognilid)

Imposing an excise tax on the severance of minerals.

Referred to Committee on Ways & Means.

## REPORTS OF STANDING COMMITTEES

May 4, 1983

SSB 3982 Prime Sponsor, Committee on Commerce & Labor: Establishing the small business improvement council. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Appelwick, Barrett, Braddock, Ellis, Halsan, Haugen, Kaiser, Niemi, Powers, Silver, Smitherman, Stratton, Tilly and Walk.

Voting nay: Representative Schoon.

Absent: Representatives Tanner, Vice Chair; B. Williams, Ranking Minority Chair; Holland, Ranking Minority Vice Chair; Addison, Brough, Ebersole, Padden, Schmidt, Van Dyken and Wilson.

Passed to Committee on Rules for second reading.

May 4, 1983

ESSB 3434 Prime Sponsor, Committee on Commerce & Labor: Modifying definition of "member" for gambling enforcement purposes. Reported by Committee on Commerce & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 139, Laws of 1981 and RCW 9.46.020 are each amended to read as follows:

(1) 'Amusement game' means a game played for entertainment in which:

(a) The contestant actively participates;

(b) The outcome depends in a material degree upon the skill of the contestant;

(c) Only merchandise prizes are awarded;

(d) The outcome is not in the control of the operator;

(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter: PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) 'Bingo' means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee of said organization takes any part in the management or operation of said game, and no person who takes any part in the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or any other branch of the same organization, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) 'Bona fide charitable or nonprofit organization' means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish

volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same. Such an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. It must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, and board members, if any, who determine the policies of the organization in order to receive a gambling license. An organization must demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

Any person, organization or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) 'Commercial stimulant'. An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) 'Commission' means the Washington state gambling commission created in RCW 9.46.040.

(7) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) 'Fishing derby' means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) 'Gambling device' means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chute for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball

machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(11) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(12) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(13) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(14) 'Lottery' means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute 'valuable consideration' as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof: PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet; or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) 'Member' and 'bona fide member'. As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit; and

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) 'Player' means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(17) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a), except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) 'Punch boards' and 'pull-tabs' shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) 'Social card game' means a card game, including but not limited to the game commonly known as 'Mah Jongg', which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and



(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of one dollar per half hour of playing time by that person collected in advance: PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed twenty-five dollars, including all separate fees which might be paid by a player for various phases or events of the tournament: PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) 'Fund raising event' means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ~~(five)~~ ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; ~~((and))~~ (d) such event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Sec. 2. Section 2, chapter 139, Laws of 1981 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members ~~((and)), their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution,~~ to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed ~~((five))~~ ten thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only

those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together ~~((does))~~ do not exceed ~~((five))~~ ten thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to 'win', 'place' or 'show' and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government: PROVIDED FURTHER, That (1) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and (2) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and (3) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and (4) when any person shall win over twenty dollars in money or merchandise from

any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary; AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes; PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which does not discriminate in full membership on the basis of sex and race, and which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding ((five)) ten thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games.

**NEW SECTION.** Sec. 4. The legislative budget committee shall conduct a study to determine the social and economic impact of services to compulsive gamblers, the types of services which are effective in addressing their unique problems, and recommendations for legislative and administrative initiatives which should be pursued to address the problem of compulsive gambling. The report shall be transmitted to the appropriate standing committees no later than January 1, 1984."

On page 1, line 3 of the title, after "9.46.030;" strike "and" and on line 5 after "RCW 9.46.110" insert "; and creating a new section"

Signed by Representatives J. King, Chair; Tanner, Vice Chair; Holland, Ranking Minority Vice Chair; Addison, Appelwick, Barrett, Braddock, Brough, Ebersole, Ellis, Halsan, Haugen, Niemi, Padden, Powers, Silver, Smitherman, Stratton, Tilly and Walk.

Voting nay: Representatives Kaiser and Schoon.

Absent: Representatives Tanner, Vice Chair; B. Williams, Ranking Minority Vice Chair; Holland, Ranking Minority Vice Chair; Schmidt, Van Dyken and Wilson.

Passed to Committee on Rules for second reading.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3163, by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, Pullen, McDermott and Talmadge)

Granting reparation to certain state employees who suffered salary losses during World War II.

The bill was read the second time.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, once again, this bill has a lot of interest, but I'm just interested in how this falls under HCR 23, a fairly tightly-drawn document as we are all aware. This is one bill that doesn't seem to fall under that--not based on its merits anyway."

The Speaker (Mr. O'Brien presiding): "Representative McDonald, the Speaker has examined the bill and finds it has significant appropriation and was considered when we determined the budget and revenue levels, thus it is our position that it implements the budget and revenue. It is necessary."

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

SENATE BILL NO. 3188, by Senators Talmadge and Hemstad

Regulating timeshare offerings in this state.

The bill was read the second time.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, we've examined this measure very, very closely in its relationship to budget or other parts of the cut-off resolution, revenue or anything. We just can't find the link-up and we're wondering what it is?"

The Speaker (Mr. O'Brien presiding): "Representative Taylor, this is closely in line with the cut-off resolution. It not only contains revenue, but it also has an appropriation."

Committee on Ways & Means recommendation: Majority, do pass with the following amendment:

On page 15, line 32 strike "two hundred twenty-one thousand forty dollars" and insert "one hundred thirty thousand dollars"

On motion of Mr. Armstrong, the committee amendment was adopted.

Mr. Armstrong moved adoption of the following amendments:

On page 16, line 8 after "1983" insert "and shall terminate June 30, 1987 as provided in section 37 of this act"

On page 16, after line 8 add a new section as follows:

"NEW SECTION. Sec. 37. Sections 1 through 35 of this act as now existing or hereafter amended, and corresponding RCW sections are each repealed, effective June 30, 1987."

Mr. Armstrong spoke in favor of the amendments.

## POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Armstrong, this amendment refers to corresponding RCW sections. I assume that is not in this chapter. Under this language, would those other sections also be repealed by this amendment?"

Mr. Armstrong: "Just sections 1 through 35."

The amendments were adopted.

On motion of Mr. Armstrong, the following amendment to the title was adopted:

On page 1, line 2 of the title after "appropriation;" insert "providing for future repeal;"

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

ENGROSSED SENATE BILL NO. 3390, by Senators Owen and Fuller (by Department of Game request)

Permitting up to seven letters or numbers on personalized license plates.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, Regular Session, 104th Day, April 23, 1983.)

On motion of Mr. Grimm, the Committee on Ways & Means amendments were adopted.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, Regular Session, April 8, 1983.)

On motion of Ms. Stratton, the amendments by the Committee on Natural Resources were adopted.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson and Locke:

On page 1, line 11 following "positions" insert "unless proposed by the department and approved by the Washington state patrol"

Representatives Isaacson and Belcher spoke in favor of the amendment, and it was adopted.

On motion of Mr. Grimm, the committee amendments to the title 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. 3390 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, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Todd - 1.

Absent: Representative Clayton - 1.

Excused: Representatives Bond, Locke - 2.

Engrossed Senate Bill No. 3390 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 recessed until 1:30 p.m.

## AFTERNOON SESSION

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 Bond and Brekke, who were excused.

## SENATE AMENDMENTS TO HOUSE BILL

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. 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 are each amended to read as follows:

There shall be in effect in all cities, towns, and counties of the state a state building code which shall consist of the following codes which are hereby adopted by reference:

(1) Uniform Building Code and Related Standards, 1976 edition, published by the International Conference of Building Officials;

(2) Uniform Mechanical Code, 1976 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials;

(3) The Uniform Fire Code with appendices thereto, 1976 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) The Uniform Plumbing Code, 1976 edition, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That chapter 11 of such code is not adopted: PROVIDED, That notwithstanding any wording in this code, nothing in this code shall apply to the installation of any gas piping, water heaters, or vents for water heaters;

(5) The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided for in RCW 70.92.100 through 70.92.160; and

(6) ~~(The thermal performance and design standards for dwellings as set forth in RCW 19.27.210 through 19.27.290. This subsection shall be of no further force and effect when RCW 19.27.200 through 19.27.290 expire as provided in RCW 19.27.300)~~ The rules adopted by the state building code advisory council or its successor and approved by the legislature establishing energy-efficient thermal and lighting standards for commercial and residential buildings under RCW 19.27.075.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following.

Sec. 2. Section 4, chapter 96, Laws of 1974 ex. sess. as last amended by section 12, chapter 14, Laws of 1976 ex. sess. and RCW 19.27.040 are each amended to read as follows:

On and after January 1, 1975, the governing body of each city, town or county is authorized to amend the state building code as it applies within its jurisdiction in all such respects as shall be not less than the minimum performance standards and objectives enumerated in RCW 19.27.020 including the authority to adopt any subsequent revisions in the codes in RCW 19.27.030(1),(2),(3),(4) and (5) ~~((-and-(6)))~~ as now or hereafter amended ~~((-PROVIDED- That amendments to RCW 19.27.030(6), so adopted result in structures that do not exceed the overall structural heat loss characteristics that would have resulted from conforming to RCW 19.27.030(6), as now or hereafter amended)).~~

Nothing in this section shall authorize any modification of the requirements of chapter 35, Laws of 1967 or chapter 70.92 RCW.

Sec. 3. Section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075 are each amended to read as follows:

(1) The state building code advisory council or its successor shall have authority to promulgate rules, pursuant to chapter 34.04 RCW, for the purpose of adopting a state-wide thermal efficiency and lighting code subject to the legislative direction and approval requirements of section 2 of this act ((to the extent necessary to comply with Title 10, Code of Federal Regulations, section 420.35. Such code shall take into account regional climatic conditions; shall take effect prior to June 30, 1980; and shall be presented to the senate and house committees on energy and utilities at the time it is proposed as a draft rule)).

(2) The state building code advisory council, or its successor, shall:

(a) Review and evaluate the model conservation standards for new electrically heated structures as adopted by the Pacific Northwest Electric Power and Conservation Planning Council;

(b) Develop a draft rule establishing a supplement to the state-wide thermal efficiency and lighting code. The rule shall only apply to electric resistance space heated structures and shall:

(i) Incorporate, to the extent possible, the model conservation standards or measures which will achieve energy savings comparable to the model standards;

(ii) Consider climatic conditions within the state; and

(iii) Be cost-effective for the region and economically feasible for consumers;

(c) Present the draft rule to the legislature on or before September 30, 1984, for its review and approval or rejection;

(d) Adopt the rule, pursuant to chapter 34.04 RCW, and provide for an effective date of May 1, 1985; and

(e) When revising the state-wide thermal efficiency and lighting code, consider and utilize all available energy use data collected by the Bonneville Power Administration from demonstration homes built to the model conservation standards for new electric resistance space heated homes as recommended by the Pacific Northwest Electric Power and Conservation Planning Council. In addition the building code advisory council shall consider thermal transmittance studies for residential structures developed by the University of Washington pursuant to any studies completed on behalf of the Pacific Northwest Electric Power and Conservation Planning Council, the Bonneville Power Administration, or others.

(f) Consider the possible impact on the health of occupants of any building so tightly insulated that the normal flow of fresh air through the building is significantly retarded.

NEW SECTION. Sec. 4. The state energy office shall provide the state building code advisory council, or its successor, with such technical and other staff support, as is necessary, for review and evaluation of the model conservation standards and development and adoption of the state-wide thermal efficiency and lighting code.

NEW SECTION. Sec. 5. Once a building permit application has been submitted for a new structure, the thermal efficiency and lighting code in effect at the time of the application shall remain in effect for the duration of the construction of the structure.

NEW SECTION. Sec. 6. The legislature declares that it is the intent of RCW 19.27.030 and section 3 of this act to preclude local governments from adopting energy codes or amendments more stringent than the thermal efficiency and lighting code adopted pursuant to RCW 19.27.075. The thermal efficiency and lighting code adopted by the state building code advisory council, or its successor, shall preempt requirements adopted by local governments which exceed the state-wide code.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200;

(2) Section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210;

(3) Section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220;

(4) Section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230;

(5) Section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240;

(6) Section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250;

(7) Section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260;

(8) Section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270;

- (9) Section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280;  
 (10) Section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290;  
 (11) Section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300;  
 (12) Section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310;  
 (13) Section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905.

**NEW SECTION.** Sec. 8. There is hereby appropriated to the state energy office from the general fund, for the biennium ending June 30, 1985 the sum of one hundred twenty-three thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act. In the event that the Bonneville Power Administration or another agency shall reimburse the state energy office for the carrying out the purposes of this act, the moneys from such reimbursement shall revert to the general fund.

**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."

On page 1, line 1 of the title, after "standards;" strike the remainder of the title and insert "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; amending section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075; creating new sections; repealing section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200; repealing section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210; repealing section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220; repealing section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230; repealing section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240; repealing section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250; repealing section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260; repealing section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270; repealing section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280; repealing section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290; repealing section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300; repealing section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310; repealing section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905; and making an appropriation."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. D. Nelson, the House refused to concur in the Senate amendments to Engrossed House Bill No. 2, and asked the Senate for a conference thereon.

#### SENATE AMENDMENTS TO HOUSE BILL

May 3, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 39 with the following amendments:

On page 2, after line 21 strike all the material down to and including "43.131.070." on line 29 and insert the following:

"Any state agency scheduled for termination by the processes provided in this chapter may be reestablished by the legislature for a specified period of time (~~specified by law, but not to exceed six years. At the end of such period of time~~) or indefinitely. The legislature (~~shall~~) may again review (~~such~~) the state agency in a manner consistent with the provisions of this chapter (~~and RCW 43.06.010~~) and reestablish, modify, or consolidate such agency or allow it to be terminated."

On page 3, line 31 after "bill." insert "Bills reestablishing or modifying any state agency shall not include any matter not considered in the final report of the legislative budget committee."

On page 7, beginning on line 20 strike all of new section 9 and insert the following:

"**NEW SECTION.** Sec. 9. The following acts or parts of acts are each repealed:

- (1) Section 9, chapter 260, Laws of 1981 and RCW 43.131.140; and
- (2) Section 86, chapter 99, Laws of 1979 and RCW 43.131.145."

On page 7, line 22 after "RCW" strike "43.131.140."

On page 7, after line 27 strike all the material down to and including "legislature." on page 9, line 29 and insert the following:

"**NEW SECTION.** Sec. 11. 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 consisting of the limited practice board created by the supreme court of the state of Washington by its limited practice rule for closing officers. The commission shall be appointed by the supreme court of the state of Washington and shall have such duties and powers as shall be granted by the supreme court of the state of Washington. Any conflicts between orders, rules, and regulations



promulgated by the limited practice board acting as the state escrow commission and any provisions of this chapter shall be resolved in favor of orders or rules of the supreme court of the state of Washington or the limited practice board acting in behalf of the supreme court of the state of Washington and as the state escrow commission.

Sec. 12. Section 1, chapter 153, Laws of 1965 as last amended by section 42, chapter 158, Laws of 1979 and RCW 18.44.010 are each amended to read as follows:

Unless the context otherwise requires terms used in this chapter shall have the following meanings:

- (1) 'Department' means the department of licensing.
- (2) 'Director' means the director of licensing, or his duly authorized representative.
- (3) 'Escrow' means any transaction wherein any person or persons, for the purpose of effecting and closing the sale, purchase, exchange, transfer, encumbrance, or lease of real or personal property to another person or persons, delivers any written instrument, money, evidence of title to real or personal property, or other thing of value to a third person to be held by such third person until the happening of a specified event or the performance of a prescribed condition or conditions, when it is then to be delivered by such third person, in compliance with instructions under which he is to act, to a grantee, grantor, promisee, promisor, obligee, obligor, lessee, lessor, bailee, bailor, or any agent or employee thereof.

(4) 'Escrow agent' means any sole proprietorship, firm, association, partnership, or corporation engaged in the business of performing for compensation the duties of the third person referred to in RCW 18.44.010(3) above.

(5) 'Certificated escrow agent' means any sole proprietorship, firm, association, partnership, or corporation holding a certificate of registration as an escrow agent under the provisions of this chapter.

(6) 'Person' unless a different meaning appears from the context, includes an individual, a firm, association, partnership or corporation, or the plural thereof, whether resident, nonresident, citizen or not.

(7) 'Escrow officer' means any natural person handling escrow transactions and licensed as such by the director; PROVIDED, That such person is also certified by the supreme court to select, prepare, and complete documents in connection with a sale, exchange, or transfer of property.

(8) 'Escrow commission' means the escrow commission of the state of Washington created by ~~(RCW 18.44.210)~~ section 11 of this 1983 act.

(9) 'Controlling person' is any person who owns or controls ten percent or more of the beneficial ownership of any escrow agent, regardless of the form of business organization employed and regardless of whether such interest stands in such person's true name or in the name of a nominee.

Sec. 13. 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 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))~~ commission or when otherwise engaged in the business of the commission."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 10, after line 29 strike all the material down to and including "18.44.215;" on line 31

Renumber the remaining subsection consecutively.

On page 1, line 3 of the title, after "18.44.010;" strike all the material down to and including "18.44.360;" on line 6 and insert "amending section 29, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.215;"

On page 1, line 15 of the title, after "43.131.150;" insert "adding a new section to chapter 18.44 RCW;"

On page 1, line 16 of the title after "RCW" strike "43.131.140."

On page 1, line 22 of the title, after "18.44.210;" strike all the material down to and including "18.44.215;" on line 24

On page 1, line 26 of the title after "18.04.090;" insert "repealing section 9, chapter 260, Laws of 1981 and RCW 43.131.140;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

On motion of Mr. Walk, the House concurred in the Senate committee amendments except the amendment to page 3, line 31.

On motion of Mr. Walk, the House refused to concur in the Senate amendment to page 3, line 31 and ask the Senate to recede therefrom.

## SENATE AMENDMENTS TO HOUSE BILL

May 2, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 231 with the following amendments:

Strike everything after the enacting clause and insert the following:

**NEW SECTION, Sec. 1.** The legislature declares that it is an important function of government to increase opportunities for gainful employment, to assist in promoting a productive and expanding economy, and to encourage the flow of business and industry support to educational institutions. Therefore, the legislature finds that it is in the public interest of the state to encourage and facilitate the formation of cooperative relationships between business and industry and educational institutions which provide for the development and significant expansion of programs of skills training and education consistent with employment needs and to make interested individuals aware of the employment opportunities presented thereby. It is the policy of the state of Washington to ensure that programs of skill training are available on a regional basis and are utilized by a variety of businesses and industries.

**NEW SECTION, Sec. 2.** Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28C.04.040 and sections 4 through 10 of this act.

(1) 'Applicant' means an educational institution which has made application for a job skills grant under sections 4 through 10 of this act.

(2) 'Business and industry' means a private corporation, institution, firm, person, group, or association concerned with commerce, trades, manufacturing, or the provision of services within the state, or a public or nonprofit hospital licensed by the department of social and health services.

(3) 'Educational institution' means a public secondary or post secondary institution or an independent institution within the state authorized by law to provide a program of skills training or education beyond the secondary school level. Any educational institution receiving a job skills grant under sections 4 through 10 of this 1983 act shall be free of sectarian control or influence as set forth in Article IX, section 4 of the state Constitution.

(4) 'Equipment' means tangible personal property which will further the objectives of the supported program and for which a definite value and evidence in support of the value have been provided by the donor.

(5) 'Financial support' means any thing of value which is contributed by business and industry to an educational institution which is reasonably calculated to support directly the development and expansion of a particular program under sections 4 through 10 of this act and represents an addition to any financial support previously or customarily provided to such educational institutions by the donor. 'Financial support' includes, but is not limited to, funds, equipment, facilities, faculty, and scholarships for matriculating students and trainees.

(6) 'Job skills grant' means funding that is provided to an educational institution by the commission for the development or significant expansion of a program under sections 4 through 10 of this act.

(7) 'Job skills program' means a program of skills training or education separate from and in addition to existing vocational education programs and which:

(a) Provides short-term training which has been designated for specific industries;

(b) Provides training for prospective employees before a new plant opens or when existing industry expands;

(c) Includes training and retraining for workers already employed by an existing industry or business where necessary to avoid dislocation or where upgrading of existing employees would create new vacancies for unemployed persons;

(d) Serves areas with high concentrations of economically disadvantaged persons and high unemployment;

(e) Serves areas with new and growing industries;

(f) Serves areas where there is a shortage of skilled labor to meet job demands; or

(g) Promotes the location of new industry in areas affected by economic dislocation.

(8) 'Technical assistance' means professional and any other assistance provided by business and industry to an educational institution, which is reasonably calculated to support directly the development and expansion of a particular program and which represents an addition to any technical assistance previously or customarily provided to the educational institutions by the donor.

(9) 'Commission' or 'commission for vocational education' shall mean the commission for vocational education or any successor agency or organization.

Sec. 3. Section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040 are each amended to read as follows:

The commission for vocational education shall have the following functions:

(1) Plan development. The commission shall be responsible for complying with federal directives to insure the development and maintenance of a state plan for vocational education but initial planning shall be accomplished by the secondary and postsecondary education

systems. Prior to the adoption of the state plan, the commission shall request comments from the council on higher education and the advisory council for vocational education.

(2) State plan modification adjudication. Decisions on new programs and/or facilities for vocational education shall be made internally within the respective secondary or postsecondary education system in accordance with the provisions of the state plan. The commission may review such decisions to insure compliance with the state plan and avoid unnecessary duplication of current or projected programs.

Any common school or community college district, or the superintendent of public instruction, or the state board for community college education, or other interested parties as authorized by the commission, shall be afforded the opportunity to comment upon any new programs or facilities proposed. The commission, subject to dispute resolution rules adopted by said commission, shall have the final determination on any disputes arising out of such program proposals.

In adjudicating disputes between the two secondary and postsecondary education systems regarding the state plan, the commission will use at least the following criteria: Recognition that secondary education is constitutionally the responsibility of the superintendent of public instruction and that by legislative action postsecondary education is the responsibility of institutions of higher education; adhere to the general policy set forth in the state plan; consider the particular vocational need of the community, region, or state and whether the common school or community college, or both, can best respond to those needs; encourage cooperation and coordination rather than competition and program conflict between secondary and postsecondary education systems; consider the desires and preferences of the residents of the immediate program service area and of the representatives of the fields of management, labor, and agriculture which benefit from possible program offerings; and avoid unnecessary duplication of vocational education programs and facilities.

(3) Vocational education administration. The commission shall be the sole agency for the receipt and allocation of federal funds in accordance with the state plan. The supervision of the state plan shall be carried out by the commission; however, daily administration of the state plan shall be primarily the responsibility of the superintendent of public instruction and the state board for community college education: PROVIDED, That the commission shall review and approve state plan development proposals or special programs requiring personal service contracts, and activities beyond the program responsibilities of the superintendent of public instruction and the state board for community college education.

Under the state plan the commission shall make periodic compliance audits at least once a biennium of the vocational education programs individually and jointly conducted by the common schools and community colleges to insure compliance with the state plan.

The commission shall be the primary state liaison with the federal government for the state plan for vocational education.

(4) Fire service training program. 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 the United States or any agency thereof, any governmental agency, any institution, person, firm, or corporation, public and private, to be held, used, or applied for the purposes of the fire service training program established in RCW 28C.04.140.

(5) Job skills program. The commission shall have the following powers and duties for the job skills program:

(a) To collect and disseminate to interested individuals, in cooperation with and through any agencies of federal, state, and municipal government, information concerning areas of present and projected employment need, programs of skills training and education consistent therewith, and any other relevant information;

(b) To apply for, utilize, and accept grants from other federal, state, and local agencies for the purposes of matching requirements and to facilitate the purposes of sections 4 through 10 of this 1983 act;

(c) To help identify, upon the request of business and industry, those educational institutions which could provide the training services sought by business and industry and to identify any existing programs which could serve the particular needs of business and industry;

(d) To provide job skills grants to educational institutions to facilitate the development of programs of job skills training and education consistent with employment needs;

(e) To work cooperatively with the employment security department to enhance and update the state's occupational information system and the state's career information system;

(f) To adopt rules to carry out its powers and duties for the job skills program.

NEW SECTION, Sec. 4. The commission may, subject to appropriation from the legislature or from funds made available from any other public or private source and pursuant to rules adopted by the commission, provide job skills grants to educational institutions. The job skills grants shall be used exclusively for programs which are consistent with the job skills program. A job skills grant may be awarded only after:

(1) Receipt of an application from an educational institution which contains a proposal for a program of skills training and education, including a description of the program, the type of

skills training or education to be provided, a statement of the total cost of the program and a breakdown of the costs associated with equipment, personnel, facilities, and materials, a statement of the employment needs for the program and evidence in support thereof, demonstrates that the program does not unnecessarily duplicate existing programs in the area and is provided at a reasonable cost, a statement of the technical assistance and financial support for the program received or to be received from business and industry, and such other information as the commission requests; and

(2) The commission, based on the application submitted by the educational institution and such additional investigation as the staff of the commission shall make, finds that:

(a) The program is within the scope of the job skills program under this chapter and may reasonably be expected to succeed and thereby increase employment within the state;

(b) Provision has been made to use any available alternative funding from local, state, and federal sources;

(c) The job skills grant will only be used to cover the costs associated with the program;

(d) The program will not unnecessarily duplicate existing programs and could not be provided by another educational institution more effectively or efficiently;

(e) The program involves an area of skills training and education for which there is a demonstrable need;

(f) The applicant has made provisions for the use of existing federal and state resources for student financial assistance;

(g) The job skills grant is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;

(h) The commitment of financial support from business and industry shall be equal to or greater than the amount of the requested job skills grant;

(i) Binding commitments have been made to the commission by the applicant for adequate reporting of information and data regarding the program to the commission, particularly information concerning the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the commission as it considers prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the commission and without limitation, right of access to financial and other records of the applicant directly related to the programs;

(j) Provision has been made by the applicant to work, in cooperation with the employment security department, to identify and screen potential trainees and that provision has been made by the applicant of persons who are victims of economic dislocation and persons from minority and economically disadvantaged groups to participate in the program; and

(k) Binding commitments have been made to the commission by the applicant for compliance with the monitoring and evaluation rules of the commission.

NEW SECTION. Sec. 5. Upon approval of a job skills grant application by the commission, the commission shall immediately provide notification of its decision to the employment security department. The notification shall include the following information regarding the supported program: The trade, occupation, or profession with which the program is concerned; a description of the curriculum, the requirements for participation, and the procedures for making application; the duration of the program; a description of support services available to participants in the program; and any other information relevant to encouraging and facilitating the participation in the program of those in economic need.

NEW SECTION. Sec. 6. The department of commerce and economic development or its successor and the employment security department shall each enter into an interagency agreement with the commission on vocational education to establish cooperative working arrangements for the purposes of sections 2 and 4 through 10 of this act.

NEW SECTION. Sec. 7. The employment security department shall, for the purposes of sections 2 and 4 through 10 of this act:

(1) Work cooperatively with educational institutions providing job skills training programs to identify and screen potential trainees and students;

(2) Perform labor market analyses designed to assure the availability of suitable trainees and students; and

(3) Identify areas with high concentrations of economically disadvantaged persons and high unemployment.

NEW SECTION. Sec. 8. The department of commerce and economic development or its successor shall for the purposes of sections 2 and 4 through 10 of this act:

(1) Work cooperatively with the commission on vocational education to market the job skills program to business and economic development agencies and other firms;

(2) Recruit industries from outside the state to participate in the job skills training program; and

(3) Refer business and industry interested in developing a job skills training program to the commission on vocational education.

**NEW SECTION.** Sec. 9. The commission shall annually submit a complete and detailed report of the commission's activities within ninety days after the end of the fiscal year to the chief clerk of the house of representatives, to the secretary of the senate, and to the governor. The annual report shall include, but not be limited to, descriptions of all programs funded, and evaluation of the performance of each program, a summary of the public moneys expended, and the demographic and economic characteristics of the individuals trained, educated, and employed, including, in particular, the number of minority and economically disadvantaged individuals.

**NEW SECTION.** Sec. 10. A person making satisfactory progress in a program under this section and sections 2 and 4 through 9 of this act and who in the determination of the commissioner has no reasonable expectation of securing work without training shall be deemed to be in training with the approval of the commissioner of employment security for the purposes of RCW 50.20.043.

**NEW SECTION.** Sec. 11. Sections 1, 2, and 4 through 10 of this act are each added to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW.

**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. There is appropriated from the general fund to the commission on vocational education for the biennium ending June 30, 1985, the sum of three million five hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act. However, of this appropriation, not more than two hundred fifty thousand dollars may be expended for the state's occupational information system, and not more than two hundred fifty thousand dollars may be expended for the state's career information system. The amount spent for administrative expenses incurred by the commission on vocational education for the jobs skills program shall not exceed five percent of all funds expended for the jobs skills program."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28C.04 RCW; and making an appropriation."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Ms. Hine, the House concurred in the Senate amendments to Engrossed Second Substitute House Bill No. 231.

#### 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 Second Substitute House Bill No. 231 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 231 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 9; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Ballard, Betrozoff, Cantu, Fuhrman, Hastings, Nelson G, Padden, Schmidt, Williams J - 9.

Absent: Representatives Holland, Lux, Van Dyken - 3.

Excused: Representatives Bond, Brekke - 2.

Engrossed Second Substitute House Bill No. 231 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

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 399 with the following amendment:

On page 2, line 20 after "1983" insert "and shall cease to be effective October 1, 1987" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Sayan, the House concurred in the Senate amendment to Engrossed House Bill No. 399.

## 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. 399 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 399 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 1; absent, 3; excused, 2.

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, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Fuhrman - 1.

Absent: Representatives Holland, Lux, Van Dyken - 3.

Excused: Representatives Bond, Brække - 2.

Engrossed House Bill No. 399 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

May 2, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 470 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. During the fiscal biennium ending June 30, 1983, the state treasurer shall transfer from the resource management cost account to the University of Washington building account three million three hundred thousand dollars or so much thereof as may be necessary to maintain a positive balance in the University of Washington building account.

NEW SECTION, Sec. 2. During the fiscal year ending June 30, 1984, the state treasurer shall transfer from the University of Washington building account to the resource management cost account an amount equal to the amount transferred under section 1 of this act. To the extent moneys in the University of Washington building account, less funds required for debt service and funds authorized for capital expenditure, are not sufficient to allow full transfer under the preceding sentence, the state treasurer shall transfer moneys from the state general fund to the resource management cost account on June 30, 1984.

NEW SECTION, Sec. 3. (1) The deductions authorized in RCW 79.64.040 relating to common school lands may be increased by the board of natural resources to one hundred percent after temporary discontinued deductions result in a transfer to the common school construction fund in the amount of approximately fourteen million dollars or so much thereof as may be necessary to maintain a positive cash balance in the common school construction fund. The increased deductions shall continue until the additional amounts received from the increased rate equal the amounts of the deductions that were discontinued or transferred under subsection (2) of this section. Thereafter the deductions shall be as otherwise provided for in RCW 79.64.040.

(2) If the discontinued deductions will not result in a transfer of fourteen million dollars or so much thereof as may be necessary to maintain a positive balance in the common school construction fund in the biennium ending June 30, 1983, the state treasurer shall transfer the difference from the resource management cost account to the common school construction fund.

**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," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Grimm, the House concurred in the Senate amendment to Substitute House Bill No. 470.

#### 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. 470 as amended by the Senate.

Representative Grimm spoke in favor of passage of the bill, and Representatives B. Williams and Cantu spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 470 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 42; absent, 1; excused, 2.

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

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Absent: Representative Jacobsen - 1.

Excused: Representatives Bond, Brekke - 2.

Substitute House Bill No. 470 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 would have voted "Yes" on Substitute House Bill No. 470 as amended by the Senate.

KEN JACOBSEN, 46th District.

#### SENATE AMENDMENTS TO HOUSE BILL

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 740 with the following amendments:

On page 2, line 12 strike "on April 30, 1984" and insert "upon submitting its report as required by section 3 of this act"

On page 2, line 13 strike "legislative budget committee" and insert "legislative advisory committee on state government organization created by Engrossed Substitute Senate Concurrent Resolution No. 113 of 1983"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 740.

Representatives Walk and Hankins 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 Engrossed Substitute House Bill No. 740, and the motion was carried by the following vote: Yeas, 96; nays, 0; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Brekke - 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. 740 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 740 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Bond, Brekke - 2.

Engrossed Substitute House Bill No. 740 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.

Representative Brekke appeared at the bar of the House.

## MESSAGE FROM THE SENATE

May 4, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3090 and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Ms. Monohon, the House refused to recede from its amendments to Senate Bill No. 3090, and asked the Senate for a conference thereon.

## REPORT OF CONFERENCE COMMITTEE

May 4, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTION SENATE BILL NO. 4137, modifying provisions relating to adult corrections, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference to recommend that the bill be amended.

Signed by Senators Granlund, Owen, Pullen; Representatives Dellwo, Lewis, Niemi.



## MOTION

On motion of Mr. Kreidler, the conference committee report was adopted, and the committee was granted the powers of Free Conference.

## SENATE AMENDMENTS TO HOUSE BILL

May 4, 1983

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 226 with the following amendments:

- On page 2, line 11 after "governor" insert "and confirmed by the senate"
  - On page 2, line 29 after "large," strike down to and including "senate." on line 30
  - On page 2, line 19 after ", and" strike "three" and insert "four"
  - On page 2, line 32 after "represent" strike "three" and insert "four"
  - On page 2, line 36 after "and (c)" strike "one" and insert "two"
  - On page 2, line 36 after "representative of" strike "a"
  - On page 3, line 1 strike "company" and insert "companies"
  - On page 4, line 4 after "development" insert "or its statutory successor"
  - On page 4, line 8 after "development" insert "or its statutory successor"
  - On page 4, line 10 after "development" insert "or its statutory successor"
  - On page 4, line 13 after "development" insert "or its statutory successor"
  - On page 4, line 19 after "department" insert "or its statutory successor"
  - On page 4, line 21 after "department" insert "or its statutory successor"
  - On page 4, line 24 after "development" insert "or its statutory successor"
  - On page 4, line 28 after "development" insert "or its statutory successor"
- and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Ristuben moved that the House concur in the Senate amendments to Second Substitute House Bill No. 226.

Representatives Ristuben and B. Williams 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. 226 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 226 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 31; absent, 2; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, 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, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Addison, Ballard, Barnes, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hankins, Hastings, Long, McDonald, Mitchell, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 31.

Absent: Representatives Fiske, Holland - 2.

Excused: Representative Bond - 1.

Second Substitute House Bill No. 226 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

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 495 with the following amendments:

On page 1, line 11 after "July 1," strike "1983" and insert "1978"

On page 1, line 25 after "July 1," strike "1983" and insert "1978"

On page 2, line 11 after "July 1," strike "1983" and insert "1978"

On page 2, line 28 after "July 1," strike "1983" and insert "1978"

On page 3, line 12 after "July 1," strike "1983" and insert "1978"

On page 3, line 22 after "appropriated" strike "\$4,178,000" and insert "\$3,600,000"

On page 3, line 25 after "(1)" strike "\$3,747,000" and insert "\$3,212,000"

On page 3, line 27 after "(a)" strike "\$1,252,000" and insert "\$1,025,000"

On page 3, line 29 after "(b)" strike "\$2,444,000" and insert "\$2,136,000"

On page 3, line 34 after "(2)" strike "\$431,000" and insert "\$388,000"

On page 3, line 35 after "University of Washington..." strike "\$220,000" and insert "\$193,000"

On page 4, line 1 after "Washington State University..." strike "\$180,000" and insert "\$171,000"

On page 4, line 2 after "Eastern Washington University..." strike "\$7,000" and insert "\$4,000"

On page 4, line 3 after "Eastern Washington University..." strike "\$10,000" and insert "\$9,000"

On page 4, line 4 after "Central Washington University..." strike "\$14,000" and insert "\$11,000"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Grimm, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 495.

## 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. 495 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 495 as amended by the Senate, 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, Betrozoff, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Williams J - 1.

Excused: Representative Bond - 1.

Engrossed Substitute House Bill No. 495 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 was called off the floor and unfortunately missed my vote on ESHB 495 as amended by the Senate. It was my intention to vote "Aye" on this measure.

JOSEPH WILLIAMS, 41st District.

## SECOND READING

ENGROSSED SENATE BILL NO. 3162, by Senators Talmadge, McDermott and Granlund

Modifying the property taxation on nonprofit organizations.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Braddock:

On page 3, following line 3 insert:

\*NEW SECTION. Sec. 2. There is added to chapter 84.36 RCW a new section to read as follows:

All conservation easements, or conservation futures as defined in RCW 84.34.220, on agricultural land 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 easements are of an unlimited duration;
- (2) The conservation easements 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.\*

## POINT OF ORDER

Mr. Armstrong: "Mr. Speaker, I would ask the Speaker for a ruling on scope and object of this amendment."

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Armstrong, it is the Speaker's opinion that this amendment is not within the scope and object of the bill. The subject matter is different. The proposed amendment deals with ad valorem tax and the bill pending before us pertains to excise taxes relative to nonprofit organizations. The Speaker rules 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 Grimm and Tilly spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3162, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Neatley, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bond - 1.

Engrossed Senate Bill No. 3162, having received the 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 Rules Committee was relieved of HOUSE BILL NO. 1082, and it was placed at the top of the second reading calendar.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Fiske, Grimm and McMullen as conferees on Senate Bill No. 3090.

The speaker appointed Representatives Todd, D. Nelson and Hastings as conferees on Engrossed House Bill No. 2.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 399,  
SECOND SUBSTITUTE SENATE BILL NO. 3085,  
SUBSTITUTE SENATE BILL NO. 3538,  
SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 113.

Representative Schmidt was excused.

HOUSE BILL NO. 1082, by Representative Grimm

Relating to fiscal matters.

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 6, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 204, Laws of 1979 ex. sess. and RCW 39.42.060 are each amended to read as follows:

No bonds, notes, or other evidences of indebtedness for borrowed money shall be issued by the state which will cause the aggregate debt contracted by the state to exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than seven percent of the arithmetic mean of its general state revenue, as defined in section 1 of Article VIII of the Washington state Constitution for the three immediately preceding fiscal years as certified by the treasurer in accordance with RCW 39.42.070. It shall be the duty of the state finance committee to compute annually the amount required to pay principal of and interest on outstanding debt. In making such computation, the state finance committee shall include all borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be paid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, and shall include debt incurred pursuant to section 3 of Article VIII of the Washington state Constitution, but shall ~~(not include)~~ exclude the following:

(1) Obligations for the payment of current expenses of state government~~((not shall it include))~~;

(2) Indebtedness incurred pursuant to RCW 39.42.080 or 39.42.090;

(3) Principal of and interest on bond anticipation notes ~~((or))~~;

(4) Any indebtedness which has been refunded; and

(5) Indebtedness incurred pursuant to statute heretofore or hereafter enacted which requires that the state treasury be reimbursed, in the amount of the principal of and the interest on such indebtedness, from money other than general state revenues or from the special excise tax imposed pursuant to chapter 67.40 RCW.

To the extent necessary because of the constitutional or statutory debt limitation, priorities with respect to the issuance or guaranteeing of bonds, notes, or other evidences of indebtedness by the state shall be determined by the state finance committee.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

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

On page 2, line 14 after "to" strike everything down to and including "with" on line 16.

Mr. Grimm spoke in favor of the amendment as amended, 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 "fiscal matters" and before the period insert "; amending section 6, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 204, Laws of 1979 ex. sess. and RCW 39.42.060; and declaring an emergency"

House Bill No. 1082 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. 1082, and the bill passed the House by the following vote: Yeas, 52; nays, 43; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Hankins, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King R, Kreidler, Lewis, Locke, Martinis, McClure, McDonald, Mitchell, Monohon, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Smitherman, Sommers, Struthers, Sutherland, Tanner, Vekich, Waik, Wang, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Ballard, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Fiske, Fuhrman, Garrett, Halsan, Hastings, Haugen, Heck, Holland, King P, Long, Lux, McMullen, Miller, Moon, Nealey, Nelson D, Padden, Patrick, Ristuben, Sanders, Schoon, Silver, Smith, Stratton, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, West, Williams J, Wilson - 43.

Absent: Representative Williams B - 1.

Excused: Representatives Bond, Schmidt - 2.

Engrossed House Bill No. 1082, having received the 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 PERSONAL PRIVILEGE

Mr. Patrick: "I was one of those who wanted to be acknowledged to speak. I wanted to rise in my opposition to this bill. You should all know that the capital budget we are talking about is not \$557 million. The capital budget is \$1,313,000,000. You should also know that the capital budget is within seven bills: House Bill 55, \$557 million; House Bill 49, \$617 million; House Bill 588, \$10 million; House Bill 605, \$98 million; House Bill 717 at \$3 million; Senate Bill 3155 at \$22.8 million and Senate Bill 3519 at \$5 million. You should also know where the capital funds come from. They would come from bond sales--1983-85, \$741 million; bond sales in 1985-87 of \$189 million and cash in 1983-85 of \$102 million, and other funds in the 1983-85 biennium of \$281 million. You should also ask yourselves what happens if the legislature does not pass the bond limit bill. There are three alternatives that are available that I can see. First of all, the legislature can prioritize outstanding issues. Secondly, OFM can prioritize outstanding issues, or thirdly, the State Finance Committee can do the same. What alternatives are available to House Bill 54? There's one that I think is very important and that is no bill and change our priorities. For some time down here, in fact for many years in Olympia, we seem to increase our budget at will with no thought of how we're going to pay for these things. We raise taxes without any thought of what impact it is going to have on the citizens of this state, and then we pass bond issues without thinking what we are doing to the future of this state and the future of our children. By God, I think the time has come to stop. I think we have to live within the revenues available. I feel this bill is extremely irresponsible; it's not a responsible bill and I think everybody should have voted against it."

## POINT OF PERSONAL PRIVILEGE

Mr. B. Williams: "I also had wanted to speak in opposition to the bill. Earlier this afternoon, I passed out to the members a fact sheet on what this bill really entails. Let me briefly touch on some points I had hoped to make to influence maybe three of you to change your vote. First, and I think this is very important, state bonded general obligation debt in the past two years has increased fifty-four percent, up to \$2.033 billion, or \$477 for every man, woman and child in the state. The effect of passing this bill is to have Washington State go out to the bond market for over \$1 billion in bonds and interest in the next two years. As you know, the State Treasurer has already announced that he will have to borrow up to \$300 million--some of us think more--to cover the budget because of a cash flow shortage in the next few months. In addition, this bill and the capital budget that will follow will authorize the expenditure of \$779 million in new bonds during the next two years.

"I guess my concern is the difficulty I had in finding out what the current state bond limit is. Two days ago, we had some debate on this and we were told at that time that we had \$27 million in capacity left for the remainder of the biennium, and

yesterday morning I was kind of astounded to hear that the State Finance Committee approved \$30 million in bonds. My rough accounting background says that if you have \$27 million available and you go out for \$30 million, you're in trouble. I called that up today and we may or we may not be. It depends on what interest rates come in, but we may be over the limit right now. The current debt which goes against the ceiling of that over \$2 billion is \$1.45 billion, and if you look at the handout, what is really, I think, astonishing is the fact that currently we have already authorized but not put out for bond, \$1,655,000,000 in additional. So even though we've gone up fifty-four percent in the past two years, we're planning to go up by a larger amount—a much larger amount—in the next two years. I think Governor Cherberg has put it very well, that this is simply a way around the limitations and I'd like to quote him: 'I just do not believe that Washington State can borrow its way out of debt.' I don't believe we can either. I think it's interesting to note that this still does not address the problem. We had no discussion on what the state bond limit was. Do you know the fact that in the past two years, the average two-year revenue used to calculate the bonded indebtedness has gone up \$347.2 million? But our bond limit has gone down and the reason for that is because of the high national interest rate. Even though the average revenue went up \$347 million, our lid went down \$258 million. You simply cannot borrow your way to prosperity. What we need more than this bond limit is the federal Congress to balance the budget to reduce the national debt so we can have lower national interest rates. That will give us about \$800 million in new bonding capacity. That's the simple fact.

"The second point is this next two years is the time when the bonds from the previous irresponsible action by the legislature will be taken. This is the time when over \$940 million in bonds that are against the debt limit ceiling that have been authorized without issue are starting to come up. It's true, this session we are only looking at \$100 million in new bonds, so that gives us a billion dollars and we're going to spend over \$700 million. I guess what really has me concerned is the fact that we talked so much about this being a bare-bones capital budget, and we talked so much about what a tight look we took in tightening up these capital projects, and maybe we did for \$557 million of that, but the fact is that this legislature is about to approve \$1.3 billion in capital projects that have not been prioritized. They have not been run against the same type of review that, allegedly, we do with the capital budget. I submit to you that currently we have \$385 million without this bill; that we can reprioritize issues. The national interest rates may go down, which will give us up to \$800 million or more bonding capacity, but we should look at all the issues on an issue-by-issue basis and not say it's a bare-bones capital budget when it's \$1.3 billion. You are looking at substantial increases in the tax load on every man, woman and child in the State of Washington—fifty-four percent in two years, and we're looking at almost double that again in the next two years. It's too much, and I only regret I could not have spoken in opposition to this bill."

#### MOTION

On motion of Mr. Heck, the Rules Committee was relieved of House Bill No. 55, House Bill No. 56, House Bill No. 57 and House Bill No. 58, and they were placed at the top of the second reading calendar.

HOUSE BILL NO. 55, by Representatives Grimm and Cantu (by Governor Spellman request)

Adopting the capital budget.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 55 was substituted for House Bill No. 55, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 55 was read the second time.

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

On page 8, line 17 strike all of section 119 and renumber the remaining sections consecutively.

Mr. G. Nelson spoke in favor of the amendment, and Mr. Braddock spoke against it.

The amendment was not adopted.

Mr. Schoon moved adoption of the following amendment:

On page 9, after line 35 insert the following new section:

"NEW SECTION. Sec. 125. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To convert industrial space vacated by the state printer in the general administration building to office space for the state auditor and the state treasurer and to renovate vacated computer space in the state treasurer's office:

	Reappropriation	Appropriation
GF, State Bldg. Constr. Acct.		4,863,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		4,863,400"

Renumber the remaining sections consecutively.

Representatives Schoon, B. Williams and McDonald spoke in favor of the amendment, and Representatives Braddock, Lux and Smitherman spoke against it.

Mr. Schoon spoke again in favor of the amendment, and Mr. Braddock again opposed it.

The amendment was not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 10, after line 7 insert the following new sections:

"NEW SECTION. Sec. 127. FOR THE MILITARY DEPARTMENT

To construct and equip maintenance shop--Fort Lewis.

	Reappropriation	Appropriation
General Fund--Federal		1,438,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	268,000	1,706,000

NEW SECTION. Sec. 128. FOR THE MILITARY DEPARTMENT

To construct and equip maintenance shop--Ephrata army.

	Reappropriation	Appropriation
General Fund--Federal		193,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	35,000	228,000"

Renumber remaining sections and check references accordingly.

Representatives Barnes and Sayan spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Braddock, under the criteria set in developing the capital budget whereby a capital budget item would have to be in a category of either precommitted contract, emergency or safety and welfare, does the program outlined in the military budget of two maintenance shops for the National Guard meet those criteria?"

Mr. Braddock: "No."

Mr. Barnes spoke again in favor of the amendment.

The amendment was adopted.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock, Allen, Kreidler, B. Williams, Broback and Niemi"

On page 17, line 4 after "Bay," strike all material through line 11 on page 17 and insert the following:

"To cover current obligations related to design, site planning and land acquisition for a 500-bed medium security corrections center. New contracts or other expenditure obligations relative to this project are to be deferred until after the 1984 legislative session.

	Reappropriation	Appropriation
GF, DSHS Constr. Acct.		5,054,371
GF, State Bldg. Constr. Acct.		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,601,600		7,655,971"

Representatives Braddock, Van Dyken, Kreidler, Stratton, Sommers and Appelwick spoke in favor of the amendment, and Representatives McClure, Struthers, Taylor, Lewis, Sutherland, Fisch, Sayan, R. King, Smitherman and West spoke against it.

Representatives Kreidler and Braddock 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 Representative Braddock and others to page 17 of Substitute House Bill No. 55, and the amendment was not adopted by the following vote: Yeas, 36; nays, 60; excused, 2.

Vote ye: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Ebersole, Egger, Fisher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Monohon, Nelson D, Niemi, Pruitt, Ristuben, Rust, Schoon, Sommers, Stratton, Tilly, Van Dyken, Walk, Wang, Williams B - 36.

Vote nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Sanders, Sayan, Silver, Smith, Smitherman, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 60.

Excused: Representatives Bond, Schmidt - 2.

The Clerk read the following amendment by Representatives Braddock, Allen, Kreidler, B. Williams, Broback and Niemi:

On page 19, after line 40 insert the following new section:

"NEW SECTION, Sec. 243. FOR THE DEPARTMENT OF CORRECTIONS

Fast track housing, 600-beds to be co-located with existing correction facilities at locations determined most suitable by the department.

	Reappropriation	Appropriation
GF, State Bldg. Constr. Acct.		24,761,363
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		24,761,363"

Renumber the remaining sections and correct internal references.

With the consent of the House, Mr. Braddock withdrew the amendment.

Mr. Sayan moved adoption of the following amendment by Representatives Sayan, Grimm and Struthers:

On page 17, after line 34 strike everything down through line 41 on page 17 and insert:

	Reappropriation	Appropriation
GF, State Bldg. Constr. Acct.		18,510,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		18,510,000"

Representatives Sayan and Struthers spoke in favor of the amendment, and it was adopted.



Ms. Brough moved adoption of the following amendment by Representatives Brough and Schoon:

On page 25, after line 15 insert the following:

**\*NEW SECTION, Sec. 411. FOR THE STATE PARKS AND RECREATION COMMISSION**

Acquire approximately 38 acres, known as the West Hylebos area, near Federal Way

	Reappropriation	Appropriation
GF. ORA--State		330,000
GF. ORA--Federal		330,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		660,000*

Representatives Brough and Sanders spoke in favor of the amendment, and Representatives Braddock and Kaiser spoke against it.

**POINT OF INQUIRY**

Ms. Brough yielded to question by Mr. Lux.

Mr. Lux: "Representative Brough, does this property belong to Weyerhaeuser?"

Ms. Brough: "No, this property is owned by six different owners, one being the Brook Lake Community Club. None of this is Weyerhaeuser property. Twenty-four acres have already been deeded to the state by the present owner by a quit claim deed for the purposes of forming a state park. This acquisition is to acquire additional acres."

Mr. Lux spoke against the amendment, and Mr. Charnley spoke in favor of it.

**ROLL CALL**

The Clerk called the roll on adoption of the amendment by Representatives Brough and Schoon to Substitute House Bill No. 55, and the amendment was adopted by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Crane, Dickle, Fiske, Galloway, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, King P, King R, Lewis, Locke, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Moon, Nelson D, Nelson G, Patrick, Powers, Sanders, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Wang, Williams B, Williams J, Wilson, Zellinsky - 55.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Burns, Clayton, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, Kreidler, Lux, McClure, Monohon, Nealey, Niemi, O'Brien, Padden, Prince, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Tanner, Vekich, Walk, West, and Mr. Speaker - 41.

Excused: Representatives Bond, Schmidt - 2.

Mr. McClure moved adoption of the following amendment by Representatives McClure and Martinis:

On page 31, after line 37 insert the following:

**\*NEW SECTION, Sec. 530. FOR THE DEPARTMENT OF FISHERIES**

To partially renovate the Snow Creek public boat launch.

	Reappropriation	Appropriation
GF. ORA--State	10,000	72,500
GF. ORA--Federal		72,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	150,000	305,000

**\*NEW SECTION, Sec. 531. FOR THE DEPARTMENT OF FISHERIES**

To redevelop the public boat access facility at Pillar Point.

	Reappropriation	Appropriation
GF. ORA	150,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
13,400		163,400

NEW SECTION, Sec. 532. FOR THE DEPARTMENT OF FISHERIES

To construct artificial reefs in Puget Sound and Hood Canal.

	Reappropriation	Appropriation
GF, ORA--State	50,000	75,000
GF, ORA--Federal		75,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
50,000	200,000	450,000

NEW SECTION, Sec. 533. FOR THE DEPARTMENT OF FISHERIES

To develop parking and restrooms to support the Gardiner public boat launch.

	Reappropriation	Appropriation
GF, ORA--State		37,500
GF, ORA--Federal		37,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		75,000

NEW SECTION, Sec. 534. FOR THE DEPARTMENT OF FISHERIES

To renovate and expand the Fox Island public boat launch.

	Reappropriation	Appropriation
GF, ORA--State		122,000
GF, ORA--Federal		122,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		244,000*

Representatives McClure, Martinis and Smitherman 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 Representatives McClure and Martinis to page 31 of Substitute House Bill No. 55, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Addison, Allen, Barrett, Betrozoff, Brekke, Clayton, Dickie, Fisch, Fiske, Gallagher, Garrett, Hankins, Hastings, Haugen, Isaacson, Johnson, Kaiser, King P, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nelson D, Nelson G, Prince, Sanders, Sayan, Smith, Smitherman, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, West, Williams B, Wilson, Zellinsky - 42.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Barnes, Belcher, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisher, Fuhrman, Galloway, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, King J, King R, Kreidler, Lewis, Locke, Long, Lux, Monohon, Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Schoon, Silver, Sommers, Stratton, Todd, Vander Stoep, Vekich, Walk, Wang, Williams J, and Mr. Speaker - 54.

Excused: Representatives Bond, Schmidt - 2.

## MOTION FOR RECONSIDERATION

Mr. R. King, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the McClure/Martinis amendment was not adopted.

Mr. R. King spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Barnes.

Mr. Barnes: "Representative Martinis, I voted against the amendment on the belief that we, as a legislature, were interfering with the prioritization process that is the procedure by which the interagency determines which projects to put on the funding. If I am wrong, I think I will vote to reconsider this and then vote for it. Could you explain that process; and are we interfering with this prioritization?"

Mr. Martinis: "These projects have been approved by the interagency committee and, in fact, four of the projects have already gone through the permit process. Possibly there may have been some confusion on this floor. There isn't any bond money involved here. This is money that is available from the fund refunded that the voters have paid and are, by law, set aside for those voters and are set out by the interagency committee. Yes, these projects are already priority projects. That money is there; they have approved these projects and four of them have already gone through the permit process."

Representatives Grimm and Braddock spoke against the motion to reconsider, and Representatives B. Williams and Barrett spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendment by Representatives McClure and Martinis to page 31 of Substitute House Bill No. 55 was not adopted, and the motion was carried by the following vote: Yeas, 62; nays, 34; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dickie, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, King P, King R, Lewis, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Moon, Nelson D, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vekich, West, Williams B, Williams J, Wilson, Zellinsky - 62.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Crane, Dellwo, Ebersole, Egger, Ellis, Fisher, Galloway, Grimm, Heck, Hine, Jacobsen, King J, Kreidler, Locke, McDonald, Monohon, Nealey, Nelson G, Niemi, O'Brien, Rust, Sayan, Sommers, Todd, Vander Stoep, Walk, Wang, and Mr. Speaker - 34.

Excused: Representatives Bond, Schmidt - 2.

The Speaker stated the question before the House to be reconsideration of the amendment by Representatives McClure and Martinis.

ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representatives McClure and Martinis to Substitute House Bill No. 55, and the amendment was adopted by the following vote: Yeas, 61; nays, 35; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Chandler, Charnley, Clayton, Dickie, Ebersole, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, King P, King R, Lewis, Long, Martinis, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 61.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Burns, Cantu, Crane, Dellwo, Egger, Ellis, Fisher, Galloway, Grimm, Halsan, Heck, Hine, Jacobsen, King J, Kreidler, Locke, Lux, McDonald, Monohon, Nelson G, Niemi, O'Brien, Pruitt, Rust, Sayan, Sommers, Todd, Vander Stoep, Vekich, Walk, and Mr. Speaker - 35.

Excused: Representatives Bond, Schmidt - 2.

On motion of Mr. McDonald, the following amendment by Representatives McDonald and Braddock was adopted:

On page 26, after line 40 insert the following:

"Administration costs shall be limited to seven percent of stream and river improvement expenditures."

The Clerk read the following amendment by Representatives Barnes:

On page 32, after line 28 insert the following:

NEW SECTION, Sec. 540. FOR THE DEPARTMENT OF FISHERIES  
Improvements to conserve energy.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		115,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83

Thereafter  
200,000

315,000\*

With the consent of the House, Mr. Barnes withdrew the amendment.

## POINT OF PERSONAL PRIVILEGE

Mr. Barnes: "This amendment is a result of the law we passed some years ago, and amended to some extent two years ago, which requires that we do conservation audits, energy conservation audits, on all state buildings. Then we require these various departments, by the various methods called for in the audit, to make the changes and procedures and the physical changes to conserve energy. Part of the audits have been completed and in the case of the Department of Fisheries, the improvements have been identified. They have not been costed. I have no estimate of what that cost is or how much energy they will save. Therefore, I would like to withdraw this until we have further information on that next January. I would like to point out that this law encompasses all agencies and all agencies probably should have been asking for this. It will probably catch up with us by next January, and then we will be able to prioritize and determine where to start making the improvements that will conserve energy."

Mr. Prince moved adoption of the following amendment by Representatives Prince and Moon:

On page 41, following line 41 insert:

**NEW SECTION.** Sec. 813. FOR WASHINGTON STATE UNIVERSITY

To complete the design, renovation, and equipping of Science Hall.

GF, H Ed Constr. Acct	Reappropriation		Appropriation
	Project	Estimated Costs	Estimated Total Costs
		3,899,000	
Through 6/30/83	7/1/85 and Thereafter		4,237,000*
239,000			

Renumber the remaining sections consecutively.

Representatives Prince, Moon and Taylor spoke in favor of the amendment, and Representatives Braddock and Sommers spoke against it.

Mr. Moon spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Prince and Moon to Substitute House Bill No. 55, and the amendment was adopted by the following vote:

Yeas, 51; nays, 44; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Brough, Chandler, Charney, Clayton, Dickie, Egger, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Patrick, Prince, Sanders, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 51.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Broback, Burns, Cantu, Crane, Dellwo, Ebersole, Ellis, Fisher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Niemi, O'Brien, Padden, Powers, Pruitt, Risuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 44.

Absent: Representative Stratton - 1.

Excused: Representatives Bond, Schmidt - 2.

Mr. Barrett moved adoption of the following amendments by Representatives Taylor and Barrett:

On page 42, line 18 strike "one" and insert "two"

On page 42, line 18 strike "1,766,000" and insert "2,188,000"

On page 42, line 26 strike "8,325,200" and insert "8,747,200"

Mr. Barrett spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Barrett yielded to question by Mr. Braddock.

Mr. Braddock: "On page 42, new section 815, it states, 'Provide for minor capital improvements and a one-year lease for the Spokane Center.' Do we want to lease two centers? Is this a different center?"

Mr. Barrett: "Representative Braddock, are you telling me that the amendment in its entirety is already included in the bill?"

Mr. Braddock: "That's what it would appear to me if you were talking about the same building. I thought there was only one; maybe there are two."

Mr. Barrett: "If you can guarantee me that it reads 'two' instead of 'one,' and if you can guarantee me it reads '\$2,188,000' instead of '\$1,766,000,' I would then believe that, perhaps, I didn't read the correct part of the bill."

Representatives Braddock, Egger and Vander Stoep spoke against the amendments, and Mr. Taylor spoke in favor of them.

The amendments were not adopted.

Mr. Barrett moved adoption of the following amendment:

On page 42, after line 44 add a new section as follows:

**NEW SECTION. Sec. 818. FOR EASTERN WASHINGTON UNIVERSITY**

Provide planning and design funds through working drawings for the remodeling of and addition to the science building.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct		400,000
GF, St. H. Ed Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	8,134,200	8,534,200*

Renumber the remaining sections consecutively.

Representatives Barrett and Taylor 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 Barrett to page 42 of Substitute House Bill No. 55, and the amendment was not adopted by the following vote: Yeas, 25; nays, 70; absent, 1; excused, 2.

Voting yea: Representatives Ballard, Barnes, Barrett, Dellwo, Fuhrman, Hankins, Hastings, Isaacson, Jacobsen, Johnson, King R, Lewis, Mitchell, Moon, Nealey, Nelson G, Padden, Prince, Sanders, Silver, Smith, Struthers, Taylor, Tilly, West - 25.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Haisan, Haugen, Heck, Hine, Holland, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 70.

Absent: Representative Stratton - 1.

Excused: Representatives Bond, Schmidt - 2.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Chandler, Ballard, Smith and Lewis:

On page 45, after line 1 insert new sections as follows:

**NEW SECTION. Sec. 826. FOR CENTRAL WASHINGTON UNIVERSITY**

Construct and equip computer applications laboratory--Hogue Technology, and renovation of Hebelor.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct		946,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter	946,500
<u>NEW SECTION, Sec. 827. FOR CENTRAL WASHINGTON UNIVERSITY</u> Install a steamline from Walnut to Chestnut Street.		
GF, CWU cap Proj Acct		Reappropriation
Project	Estimated	Appropriation
Costs	Costs	694,000
Through	7/1/85 and	Estimated
6/30/83	Thereafter	Total
		Costs
		694,000
<u>NEW SECTION, Sec. 828. FOR CENTRAL WASHINGTON UNIVERSITY</u> Upgrade the existing computer hardware.		
GF, CWU Cap Proj Acct		Reappropriation
Project	Estimated	Appropriation
Costs	Costs	475,000
Through	7/1/85 and	Estimated
6/30/83	Thereafter	Total
		Costs
		475,000
<u>NEW SECTION, Sec. 829. FOR CENTRAL WASHINGTON UNIVERSITY</u> Provide for additional staff space—Computer Center.		
GF, CWU Cap Proj Acct		Reappropriation
Project	Estimated	Appropriation
Costs	Costs	182,800
Through	7/1/85 and	Estimated
6/30/83	Thereafter	Total
		Costs
		182,800
<u>NEW SECTION, Sec. 830. FOR CENTRAL WASHINGTON UNIVERSITY</u> Construct instruction addition, Nicholson Building.		
GF, CWU Cap Proj Acct		Reappropriation
Project	Estimated	Appropriation
Costs	Costs	650,000
Through	7/1/85 and	Estimated
6/30/83	Thereafter	Total
		Costs
		650,000*

ReNUMBER the remaining sections consecutively and correct internal references accordingly.

Representatives Tilly, Lewis and Chandler spoke in favor of the amendment, and Mr. Braddock spoke against it.

#### POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Braddock, in formulating the capital budget and in working with the various agencies, I'm just assuming that you had reason to get information from OFM and others about what were priority projects and how they were listed. Could you enlighten me as to how this project would be ranked among the priorities for Central?"

Mr. Braddock: "There are several projects here, not just one project, and the reason they were not included was not because of a program priority, but because they did not meet the emergency priority as defined by the committee."

Mr. Smitherman: "In terms of the emergency need, were there things that you could identify at Central Washington that were identified by both you and the officials at Central Washington as being emergency?"

Mr. Braddock: "Yes, those items were identified and are included in the budget."

Mr. Smitherman spoke against the amendment, and Representatives Smith and Moon spoke in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly and others to Substitute House Bill No. 55, and the amendment was not adopted by the following vote: Yeas, 35; nays, 60; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Brough, Chandler, Clayton, Dickie, Egger, Fisch, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King P, King R, Lewis, Mitchell, Moon, Nealey, Nelson G, Padden, Prince, Sanders, Smith, Struthers, Taylor, Tilly, Wilson - 35.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Cantu, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, King J, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 60.

Absent: Representative Stratton - 1.

Excused: Representatives Bond, Schmidt - 2.

On motion of Mr. B. Williams, the following amendment by Representatives B. Williams and Braddock was adopted:

On page 54, following line 21 insert:

**"NEW SECTION. Sec. 910.** To effectively, efficiently, and economically carry out the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds two hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management and the legislative auditor no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management and the legislative budget committee the reason for the delay and indicate the new start and/or completion date(s). The legislative auditor shall review these filing and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay."

Renumber the remaining section consecutively.

Mr. D. Nelson moved adoption of the following amendment:

On page 11, after line 4, insert the following new section:

**"NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES - FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Establish and implement energy conservation program--DSHS institutions.

GF, DSHS Const Act	Reappropriation		Appropriation
	Estimated Costs	Estimated Costs	Estimated Total Costs
		480,000	
Through 6/30/83	7/1/85 and Thereafter	1,444,900	2,614,900*
690,000			

Renumber the remaining sections consecutively.

Representatives D. Nelson, Isaacson and Barnes spoke in favor of the amendment, and Mr. Braddock spoke against it.

Mr. D. Nelson spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative D. Nelson to page 11 of Substitute House Bill No. 55, and the amendment was not adopted by the following vote: Yeas, 27; nays, 68; absent, 1; excused, 2.

Voting yea: Representatives Addison, Barnes, Barrett, Brekke, Crane, Garrett, Halsan, Hankins, Isaacson, Johnson, King P, King R, Lewis, Long, Martinis, Moon, Nelson D, Prince, Pruitt, Sanders, Struthers, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Williams B - 27.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Belcher, Betzoff, Braddock, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, Kreidler, Locke, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Ristuben, Rust, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton,

Sutherland, Taylor, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 68.

Absent: Representative Smith - 1.

Excused: Representatives Bond, Schmidt - 2.

Mr. Tanner moved adoption of the following amendments by Representatives Tanner, Galloway, Heck, Sutherland and Ristuben:

On page 48, line 40 strike "236,000" and insert "4,782,900"

On page 48, line 45 strike "236,000" and insert "4,782,900"

Representatives Tanner, Galloway and Sutherland spoke in favor of the amendments, and Representatives J. King and Braddock spoke against them.

Mr. Tanner spoke again in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tanner and others to Substitute House Bill No. 55, and the amendments were not adopted by the following vote: Yeas, 14; nays, 81; absent, 1; excused, 2.

Voting yea: Representatives Charnley, Egger, Fisch, Galloway, Heck, Jacobsen, King P, King R, Martinis, Moon, Nelson D, Ristuben, Sutherland, Tanner - 14.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Kaiser, King J, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 81.

Absent: Representative Barrett - 1.

Excused: Representatives Bond, Schmidt - 2.

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 Braddock, Sommers, Grimm and Locke spoke in favor of passage of the bill, and Representatives Cantu, G. Nelson, Van Dyken, B. Williams, Padden, Taylor, Lux and McDonald spoke against it.

Representatives Sommers and Braddock spoke again in favor of the bill, and Representative B. Williams again opposed it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 55, and the bill passed the House by the following vote: Yeas, 55; nays, 40; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Smitherman, Sommers, Struthers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Ballard, Betzoff, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Hankins, Hastings, Haugen, Isaacson, Kreidler, Long, Lux, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Ristuben, Sanders, Schoon, Silver, Smith, Stratton, Tanner, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 40.

Absent: Representative Van Dyken - 1.

Excused: Representatives Bond, Schmidt - 2.

Engrossed Substitute House Bill No. 55, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I was unavoidably off the floor during the vote on ESHB 55, the capital budget. I vote "No."

ROGER VAN DYKEN, 42nd District.



MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Friday, May 6, 1983.

DEAN R. FOSTER, Chief Clerk

WAYNE EHLERS, Speaker

## TWELFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 6, 1983

The House was called to order at 10:00 a.m. by the Speaker (Mr. Wang presiding). The Clerk called the roll and all members were present except Representatives Ballard, Bond and J. King, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Pom Pen and Garth Olson. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist 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

May 4, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3044,  
SENATE BILL NO. 3834,  
ENGROSSED SENATE BILL NO. 3850,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 5, 1983

Mr. Speaker:

The Senate concurred in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 3272, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 5, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3173,  
ENGROSSED SENATE BILL NO. 3760,  
SUBSTITUTE SENATE BILL NO. 4007,

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

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

ESB 3850 by Senators Vognild, Quigg and Woody

Establishing the private sector job placement program.

Referred to Committee on Commerce & Economic Development

SSB 4007 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying the refunding bond act.

Referred to Committee on Ways & Means

REPORTS OF STANDING COMMITTEES

May 5, 1983

SSB 3244 Prime Sponsor, Committee on Ways & Means: Modifying provisions on excise taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 14, insert the following:

\*Sec. 4, Section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of thirty-three one-hundredths of one percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of thirty-three one hundredths of one percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business

subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460."

On page 1, line 1 of the title after "taxes;" insert "amending section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260;"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Brekke, Ellis, Fiske, Hastings, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Bond, Braddock, Heck, Hine and Taylor.

Passed to Committee on Rules for second reading.

May 5, 1983

SSB 3267 Prime Sponsor, Committee on Ways & Means: Modifying provisions on property tax exemptions and deferrals. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 7, beginning on line 26 strike all of section 8 and renumber the remaining sections consecutively and correct internal references.

On page 1, beginning on line 13 of the title strike all material through ".810;" on line 14.

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Brekke, Fiske, Hastings, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Tilly and Vander Stoep.

Absent: Representatives Bond, Braddock, Ellis, Heck, Hine, J. King and Taylor.

Passed to Committee on Rules for second reading.

May 4, 1983

ESSB 3290 Prime Sponsor, Committee on Natural Resources: Modifying provisions relating to the lease of aquatic lands. Reported by Committee on Natural Resources

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 9 after "2." strike all material through "owner," on line 12 and insert "The abutting residential owner to state-owned shorelands, tidelands, or related beds of navigable waters, other than harbor areas, may install and maintain without charge a dock on such areas if used exclusively for private recreational purposes and the area is not subject to prior rights. This permission is subject to applicable local regulation governing construction, size, and length of the dock. This permission may be revoked by the department upon finding of public necessity which is limited to the protection of waterward access or ingress rights of other landowners or public health and safety. The revocation may be appealed as a contested case under chapter 34.04 RCW. Nothing in this section prevents the abutting owner from obtaining a lease if otherwise provided by law."

Signed by Representatives Halsan, Vice Chair; Mitchell, Ranking Minority Chair; Fuhrman, Ranking Minority Vice Chair; Belcher, Fiske, Haugen, Isaacson, Locke, McClure, McMullen, Miller, Sanders, Sayan, Sommers, Sutherland, Vander Stoep, Vekich, B. Williams and Wilson.

Voting nay: Representative Stratton, Chair.

Absent: Representatives Johnson and Martinis.

Passed to Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 56, by Representatives Grimm, Cantu, Powers and Charnley (by Governor Spellman request)

Authorizing bonds for capital improvements for institutions of higher education.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass with the following amendment:

On page 1, line 14 strike "eleven million eight" and insert "seven million three"

On motion of Mr. Grimm, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Grimm, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

The Speaker (Mr. Wang presiding) declared the House to be at ease.  
The Speaker called the House to order.

#### MOTION

On motion of Mr. Charnley, the House was recessed until 1:30 p.m.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. Wang presiding). The Clerk called the roll and all members were present except Representative Ballard, who was excused.

#### MESSAGES FROM THE SENATE

May 6, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 2, and the President has appointed the following conferees: Senators Williams, Bender, Benitz.

Sidney R. Snyder, Secretary.

May 6, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 399,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 6, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on SENATE BILL NO. 3090, and the President has appointed the following conferees: Senators Gaspard, Lee, Talmadge.

Sidney R. Snyder, Secretary.

May 6, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3390, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 6, 1983

Mr. Speaker:

The Senate receded from its amendment to page 3, line 31 and has passed SUBSTITUTE HOUSE BILL NO. 39 with the remaining Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

The Speaker (Mr. Wang presiding) declared the question before the House to be the final passage of Substitute House Bill No. 39 without the Senate amendment to page 3, line 31.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 39 without the Senate amendment to page 3, line 31, and the bill passed the House by the following vote: Yeas, 90; nays, 0; absent, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Chamley, 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, Lewis, Locke, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Ebersole, Kreidler, Martinis, McMullen, Sommers, Vekich, West - 7.  
Excused: Representative Ballard - 1.

Substitute House Bill No. 39 without the Senate amendment to page 3, line 31, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 127 with the following amendments:

On page 4 strike all material following line 11.

On page 1, beginning on line 7 of the title after "RCW 43.03.010;" strike all material down to and including "43.19 RCW;" on line 8 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 Substitute House Bill No. 127.

Ms. Monohon spoke in favor of the motion, and Ms. Schmidt spoke against it.

## 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. 127, and the motion was carried by the following vote: Yeas, 50; nays, 46; absent, 1; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Absent: Representative Ebersole - 1.

Excused: Representative Ballard - 1.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Wang presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 127 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 127 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, 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, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Bond, Chandler, Clayton, Dickie, Fuhrman, Isaacson, Nealey, Padden, Patrick, Schmidt, Smith, West, Williams J - 13.

Excused: Representative Ballard - 1.

Engrossed Substitute House Bill No. 127 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

May 4, 1983

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 295 with the following amendments:

On page 7, line 12 strike "2,531,000" and insert "1,121,000"

On page 7, line 14 strike "30,000" and insert "13,000"

On page 7, line 16 strike "1,824,000" and insert "807,000"

On page 7, line 17 strike "4,944,000" and insert "2,500,000"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Ms. Belcher moved that the House do concur in the Senate amendments to Second Substitute House Bill No. 295.

Ms. Belcher spoke in favor of the motion, and Mr. Tilly spoke against it.

## ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Second Substitute House Bill No. 295, and the motion was carried by the following vote: Yeas, 56; nays, 41; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barnes, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Allen, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

Excused: Representative Ballard - 1.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Wang presiding) declared the question before the House to be the final passage of Second Substitute House Bill No. 295 as amended by the Senate.

Representatives Cantu and Nealey spoke against passage of the bill, and Ms. Belcher spoke in favor of it.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Belcher, during the debate when this bill went through the House the first time, there was a lot of debate on the size of the appropriation and so forth, and my question to you is that I see in the general fund appropriation that it has been cut by more than one-half and the federal fund was not cut at all. The local fund was cut by, again, more than one-half and the revolving fund was cut by approximately sixty percent. Can you give me what rationale the Senate used for making, what seems to be, no-rhyme-or-reason on these patterns of cuts?"

Ms. Belcher: "I wish I could give you the Senate's rationale for this or any other action, but I'm sorry; I can't."

Mr. Hastings: "What information did they transmit to you to justify that they looked at something in order to make these sort of cuts?"

Ms. Belcher: "They transmitted to us a summary of the cuts they had made. I then went back to my sources and went over these with them to find out what those cuts would do. The fiscal notes from the beginning, with this bill, have been ones that have caused a lot of questions because OFM's method of obtaining information for that cost of the bill was simply to ask every state agency if they had to do their payrolls twice—instead of what they are doing now—how much would it cost? By their own admission, most state agencies, without much thought, simply doubled their current payroll figures, which is not an accurate way of estimating cost. They have since redone the fiscal note several times, and my understanding is that this is a fiscal note that they intend to live with."

Mr. Hastings spoke against passage of the bill.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Belcher, the representative from the Wenatchee area raised the question prior to the vote on concurrence. Can you assure me that, because of this new fiscal note, the difference or any of the difference between what we passed over to the Senate and what the Senate has done will not be made up from program dollars that go to the agencies for people—that these moneys will not be taken from the program area?"

Ms. Belcher: "Representative Lewis, that's an assurance that I couldn't give you on this bill, or any other that the House passes, because the art of estimating costs is just that—an estimate—and OFM will tell you, as they told us the other morning in a special State Government Committee meeting, that they do not have a good method of estimating fiscal notes. Whenever we pass a bill with a fiscal note on it, we are always running the risk of having an agency have to supplant those dollars from other sources. I couldn't assure you on this or any other bill."

Mr. Lewis spoke against the bill.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Belcher, it seems to me that this bill would be good from a cash-flow standpoint. As you know, a couple of years ago we had all kinds of cash-flow problems, and had to go to New York and borrow \$400 million because, for one thing, we were paying state employees the first of every month, which is not the tenth of every month. Now, if we start paying state employees twice a month it seems to me it would help us on our cash-flow problem. Have you heard any discussions or have there been any discussions on this helping the cash-flow problem?"



Ms. Belcher: "Yes, as a matter of fact, there have been. The Office of Financial Management supports this bill, and one of the reasons they do support it is the one you mentioned. It will give them a great deal of assistance in their cash-flow problems, both from the payroll for those first days, and also from the late payments of OASI and other deductions. They do support it on that basis."

Representatives Sanders, Taylor and Sayan spoke in favor of the bill, and Representatives Padden, Tilly and Fiske spoke against it.

Ms. Belcher spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 295 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 31; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, 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, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Long, McDonald, Miller, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Smith, Struthers, Tilly, Van Dyken, West, Williams J, Wilson - 31.

Excused: Representative Ballard - 1.

Second Substitute House Bill No. 295 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

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 796 with the following amendment:

On page 35, beginning on line 12 strike "1983" and insert "1984" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Walk moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 796.

Representatives Walk and Barrett spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Wang presiding) declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 796 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 796 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 31; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Dickie, 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, Martinis, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Silver, Smith, Smitherman, Sommers, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Barnes, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Egger, Fuhrman, Hastings, Long, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G,

Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Stratton, Struthers, Taylor, Tilly, West, Williams J, Wilson - 31.

Excused: Representative Ballard - 1.

Engrossed Substitute House Bill No. 796 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 5, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 239, and has granted the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### REPORT OF CONFERENCE COMMITTEE

May 5, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 239, regulating exit polling, 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 Clarke, Talmadge, Hughes; Representatives Pruitt, Miller, Sommers.

#### MOTION

On motion of Mr. Pruitt, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

May 5, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3766, and asks the House for a conference thereon. The President has appointed as conferees: Senators Talmadge, Fleming, Newhouse, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Armstrong, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3766.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. Wang presiding) announced the appointment of Representatives Armstrong, Halsan and Patrick as conferees on Engrossed Substitute Senate Bill No. 3766.

#### MESSAGE FROM THE SENATE

May 5, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to REENGROSSED SUBSTITUTE SENATE BILL NO. 3817, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Talmadge, Fleming, Hemstad, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Armstrong, the House granted the request of the Senate for a conference on Reengrossed Substitute Senate Bill No. 3817.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. Wang presiding) announced the appointment of Representatives Belcher, Locke and Tilly as conferees on Reengrossed Substitute Senate Bill No. 3817.

## REPORT OF CONFERENCE COMMITTEE

May 5, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3858, annexation of areas outside cities and towns upon consent of the property owners, 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, Benitz; Representatives Moon, Charnley, Van Dyken.

## MOTION

On motion of Mr. Moon, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MOTION

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

## THIRD READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 3273, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Hurley, Bauer and Talmadge)

Establishing the Washington radioactive waste commission.

The bill was read the third time.

On motion of Mr. Heck, the rules were suspended, and the bill was returned to second reading for the purpose of amendment.

Mr. D. Nelson moved adoption of the following amendments by Representatives D. Nelson and Isaacson:

On page 1, line 27 after "the" strike "state" and insert "executive branch"

On page 1, line 30 after "including" strike "state" and insert "executive branch"

Representatives D. Nelson and Isaacson spoke in favor of the amendments, and they were adopted.

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

Representatives D. Nelson, Isaacson and Hankins spoke in favor of passage of the bill, and Mr. Fuhrman spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3273 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Fuhrman, Padden, West - 4.

Absent: Representatives Powers, Sayan - 2.

Excused: Representative Ballard - 1.

Reengrossed Substitute Senate Bill No. 3273 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. Wang presiding) called on Mr. Heck to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3163, by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, Pullen, McDermott and Talmadge)

Granting reparation to certain state employees who suffered salary losses during World War II.

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

Representatives Wang, Charnley, Patrick, Van Dyken, Smitherman, Barnes, Pruitt, Hine and Locke spoke in favor of passage of the bill, and Representatives Struthers, Dickie, Smith, Kaiser, Isaacson and Padden spoke against it.

Mr. Wang 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. 3163, and the bill passed the House by the following vote: Yeas, 57; nays, 37; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Johnson, King P, King R, Kreidler, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, and Mr. Speaker - 57.

Voting nay: Representatives Appelwick, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Kaiser, King J, Lewis, Martinis, Mitchell, Monohan, Moon, Nealey, Nelson G, Padden, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Sutherland, Tanner, Taylor, Tilly, Wilson, Zellinsky - 37.

Absent: Representatives Egger, Gallagher, Williams J - 3.

Excused: Representative Ballard - 1.

Engrossed Substitute Senate Bill No. 3163, having received the 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 PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Would it be possible for me to ask Representative Locke to yield to question in reference to the bill that was just passed?"

The Speaker (Mr. Heck presiding): "Yes, it would."

#### POINT OF INQUIRY

Mr. Locke yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Locke, referring to ESSB 3163, I would like to ask your opinion here to get on the record. Article VIII, section 5 of the State Constitution states that the credit of the state shall not in any manner be given or loaned to or in aid of any individual, association, company or corporation. In your opinion, would ESSB 3163 be in violation of that proviso in the State Constitution?"

Mr. Locke: "Representative Nelson, it is the opinion of both myself and Representative Wang, who is the prime sponsor of the House version of the bill, that it is not a gift of the state and is not in violation of the State Constitution."

SENATE BILL NO. 3188 AS AMENDED BY THE HOUSE, by Senators Talmadge and Hemstad

Regulating timeshare offerings in this state.

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 Senate Bill No. 3188 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Ballard - 1.

Senate Bill No. 3188 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. 3311 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Quigg and Wojahn - by Department of Employment Security request)

Modifying provisions relating to unemployment insurance.

The bill was read the third time and 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. 3311 as amended by the House, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Todd - 1.

Excused: Representative Ballard - 1.

Engrossed Substitute Senate Bill No. 3311 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. 3628 AS AMENDED BY THE HOUSE, by Committee on Natural Resources (originally sponsored by Senator Owen)

Establishing Hood Canal shrimp fishing licenses.

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

Representatives Stratton and Mitchell spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3628 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D,

Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Ballard - 1.

Substitute Senate Bill No. 3628 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.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3660 AS AMENDED BY THE HOUSE, by Committee on Social & Health Services (originally sponsored by Senators McManus and Kiskaddon - by Department of Social and Health Services request)

Modifying laws governing the department of social and health services and its powers and duties.

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

Representatives Kreidler and Lewis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3660 as amended by the House, 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, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, 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, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Betzozoff, Bond, Cantu, Chandler, Clayton, Dickie, Ebersole, Fuhrman, Hastings, McDonald, Mitchell, Nelson G, Padden, Smith, Struthers, Tilly, Vander Stoep, West, Williams J, Wilson - 20.

Absent: Representative Taylor - 1.

Excused: Representative Ballard - 1.

Reengrossed Substitute Senate Bill No. 3660 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.

#### MESSAGE FROM THE SENATE

May 5, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4137, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 5, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4137, modifying provisions relating to adult corrections, have had the same under consideration, and we recommend that the bill pass with the following amendments:

Strike everything after the enacting clause and insert the following:

**\*NEW SECTION.** Sec. 1. It is the intent of the legislature to relieve the department of corrections from unacceptable burdens of cost related to storage space and manpower in the preservation of inmate personal property if the property has been abandoned by the inmate and to enhance the security and safety of the institutions.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Secretary' means the secretary of the department of corrections or the secretary's designees.

(2) 'Personal property' or 'property' includes both corporeal and incorporeal personal property and includes among others contraband and money.

(3) 'Contraband' means all personal property including, but not limited to, alcoholic beverages and other items which a resident of a correctional institution may not have in the resident's possession, as defined in rules adopted by the secretary.

(4) 'Money' means all currency, script, personal checks, money orders, or other negotiable instruments.

(5) 'Owner' means the inmate, the inmate's legal representative, or any person claiming through or under the inmate entitled to title and possession of the property.

(6) 'Unclaimed' means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

(7) 'Inmate' means a person committed to the custody of the department of corrections or transferred from other states or the federal government.

(8) 'Institutions' means those facilities set forth in RCW 72.01.050(2) and all community residential programs under the department's jurisdiction operated pursuant to chapter 72.65 RCW.

(9) 'Department' means the department of corrections.

(10) 'Illegal items' means those items unlawful to be possessed.

(11) 'Nonprofit' has the meaning prescribed by state or federal law or rules.

**NEW SECTION, Sec. 3.** (1) All personal property, and any income or increment which has accrued thereon, held for the owner by an institution that has remained unclaimed for more than six months from the date the owner terminated without authorization from work training release, transferred to a different institution, or when the owner is unknown or deceased, from the date the property was placed in the custody of the institution, is presumed abandoned: PROVIDED, That the provisions of this section shall be extended for up to six months for any inmate, transferred to another institution, who has no recorded next of kin, or person to whom the unclaimed property can be sent.

(2) All personal property, and any income or increment which has accrued thereon, the inmate owner of which has been placed on escape status is presumed abandoned and shall be held for three months by the institution from which the inmate escaped. If the inmate owner remains on escape status for three months or if no other person claims ownership within three months, the property shall be disposed of as set forth in this chapter.

(3) All illegal items owned by and in the possession of an inmate shall be confiscated and held by the institution to which the inmate is assigned. Such items shall be held as required for evidence for law enforcement authorities. Illegal items not retained for evidence shall be destroyed.

**NEW SECTION, Sec. 4.** (1) All personal property, other than money, presumed abandoned shall be destroyed unless, in the opinion of the secretary, the property may be used or has value to a charitable or nonprofit organization, in which case the property may be donated to the organization. A charitable or nonprofit organization does not have a claim nor shall the department or any employee thereof be held liable to any charitable or nonprofit organization for property which is destroyed rather than donated or for the donation of property to another charitable or nonprofit organization.

(2) Money presumed abandoned under this chapter shall be paid into the revolving fund set up in accordance with RCW 9.95.360.

(3) The department shall inventory all personal property prior to its destruction or donation.

(4) Before personal property is donated or destroyed, if the name and address of the owner thereof is known or if deceased, the address of the heirs as known, at least thirty days' notice of the donation or destruction of the personal property shall be given to the owner at the owner's residence or place of business or to some person of suitable age and discretion residing or employed therein. If the name or residence of the owner or the owner's heirs is not known, a notice of the action fixing the time and place thereof shall be published at least once in an official newspaper in the county at least thirty days prior to the date fixed for the action. The notice shall be signed by the secretary. The notice need not contain a description of property, but shall contain a general statement that the property is unclaimed personal property of inmates, specifying the institution at which the property is held. If the owner fails to reclaim the property prior to the time fixed in the notice, the property shall be donated or destroyed.

**NEW SECTION, Sec. 5.** This chapter does not apply if the inmate and the department have reached an agreement in writing regarding the disposition of the personal property.

**NEW SECTION, Sec. 6.** (1) The uniform disposition of unclaimed property act, chapter 63.28 RCW, does not apply to personal property in the possession of the department of corrections.

(2) Chapter 63.24 RCW, unclaimed property in hands of bailees, does not apply to personal property in the possession of the department of corrections.

Sec. 7. Section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102 are each amended to read as follows:

From and after July 1, 1973, any inmate employed in ~~((institutional industries shall be eligible for the benefits provided by Title 51 RCW, as now or hereafter amended, relating to industrial insurance, with the exceptions herein provided:~~

~~No inmate as herein described, until released upon an order of parole by the state board of prison terms and paroles, or discharged from custody upon expiration of sentence, or discharged from custody by order of a court of appropriate jurisdiction, or his dependents or beneficiaries, shall be entitled to any payment for temporary disability or permanent total disability as provided for in RCW 51.32.090 or 51.32.060 respectively, as now or hereafter enacted. Any inmate who is either not paid any wages or paid a gratuity shall not be considered employed under this section)) classes I, II, and IV of institutional industries as defined in RCW 72.09.100 is eligible for industrial insurance benefits as provided by Title 51 RCW. However, eligibility for benefits for either the inmate or his dependents or beneficiaries for temporary disability or permanent total disability as provided in RCW 51.32.090 or 51.32.060, respectively, shall not take effect until the inmate is released pursuant to an order of parole by the board of prison terms and paroles, or discharged from custody upon expiration of the sentence, or discharged from custody by order of a court of appropriate jurisdiction. Nothing in this section shall be construed to confer eligibility for any industrial insurance benefits to any inmate who is employed in class III or V of institutional industries as defined in RCW 72.09.100.~~

**NEW SECTION.** Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 63 RCW.

**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."

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 2, chapter 40, Laws of 1972 ex. sess. as last amended by section 102, chapter 136, Laws of 1981 and RCW 72.60.102; and adding a new chapter to Title 63 RCW."

Signed by Senators Granlund, Owen, Pullen; Representatives Dellwo, Lewis, Niemi.

#### MOTION

On motion of Mr. Kreidler, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 4137.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE

The Speaker (Mr. Heck presiding) declared the question before the House to be the final passage of Substitute Senate Bill No. 4137 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4137 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Ballard - 1.

Substitute Senate Bill No. 4137 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.



## SECOND READING

SUBSTITUTE SENATE BILL NO. 3248, by Committee on Ways & Means (originally sponsored by Senators Lee, Wojahn, Kiskaddon, McDermott, Warnke, Patterson, Woody, Bottiger, Fleming, Rinehart, Fuller, Hemstad, Haley, Vognild, Hayner, Zimmerman, Jones, von Reichbauer, Bluechel, Granlund, Talmadge, Hurley, Shinpoch, Deccio, Craswell and Bauer)

Requiring the salaries of persons in public employment to be adjusted to achieve comparable worth.

The bill was read the second time.

Mr. Fiske moved adoption of the following amendments by Representatives Fiske and Appelwick:

On page 4, line 26 strike "increased" and insert "adjusted"

On page 9, line 23 strike "increased" and insert "adjusted"

On page 10, line 27 strike "Increases" and insert "Adjustments"

Mr. Fiske spoke in favor of the amendments, and Ms. Belcher spoke against them.

## POINT OF INQUIRY

Mr. Fiske yielded to question by Mr. Appelwick.

Mr. Appelwick: "Representative Fiske, is it your intent that the word 'adjusted' would mean that they could be increased upward or downward?"

Mr. Fiske: "Yes."

Mr. Appelwick: "Would it also be your intent that salaries would be frozen at one point until those that are below the level could be caught up?"

Mr. Fiske: "That's correct, Representative Appelwick. It is to allow the Personnel Board the flexibility to make those decisions, any decisions, they feel are appropriate to implement the comparable worth survey report."

Mr. Appelwick spoke in favor of the amendments, and Mr. Sayan spoke against them.

Mr. Fiske spoke again in favor of the amendments, and Mr. Sayan again opposed them.

## POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Belcher, is it your understanding that those people above the comparable worth line would receive that higher salary only in the time they remained in the position that they are currently in, and when they leave that position and go to another position, then that new position would be at the comparable worth level?"

Ms. Belcher: "That certainly is one of the possibilities that's available to the Department of Personnel even without this piece of legislation. The position is what carries the salary range and level with it."

Mr. D. Nelson spoke against the amendments, and Ms. Belcher spoke again in opposition to them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Fiske and Appelwick to Substitute Senate Bill No. 3248, and the amendments were adopted by the following vote: Yeas, 52; nays, 43; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Heck, Holland, Isaacson, Johnson, Kaiser, King J, Lewis, Long, McDonald, Mitchell, Nealey, Nelson G, Niemi, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Voting nay: Representatives Armstrong, Belcher, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hine, Jacobsen, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Todd, Vekich, Walk, Wang, and Mr. Speaker - 43.

Absent: Representatives Haugen, Smitherman - 2.

Excused: Representative Ballard - 1.

Mr. McDonald moved adoption of the following amendments:

On page 5, line 29, after "follows:" strike all the material down to and including "personnel," on line 32 and insert "The board in cooperation with the department of personnel shall develop salary schedules and compensation plans to implement comparable worth not later than June 30, 1993. The board shall submit the comparable worth salary schedules and compensation plans to the legislature before January 1, 1984. The comparable worth salary schedules and compensation plans shall not be implemented unless and until the implementation is approved by the legislature in a statute."

On page 10, line 23, after "follows:" strike all the material down to and including "board," on line 27 and insert "The department in cooperation with the higher education personnel board shall develop salary schedules and compensation plans to implement comparable worth not later than June 30, 1993. The department shall submit the comparable worth salary schedules and compensation plans to the legislature before January 1, 1984. The schedule shall not be implemented unless and until the implementation is approved by the legislature in a statute."

Representatives McDonald, Van Dyken, Isaacson and Barnes spoke in favor of the amendments, and Representatives Brekke, Galloway, Sayan, Hine, Brough and Belcher spoke against them.

Mr. McDonald spoke again in favor of the amendments, and Mr. Sayan again opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative McDonald to Substitute Senate Bill No. 3248, and the amendments were not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Grimm, Hankins, Hastings, Heck, Holland, Isaacson, Johnson, King J, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Halsan, Haugen, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Ballard - 1.

#### MOTION FOR RECONSIDERATION

Mr. Tanner, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendments by Representatives Fiske and Appelwick were adopted.

Representatives Tanner and Belcher spoke in favor of the motion, and Mr. Fiske spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendments by Representatives Fiske and Appelwick were adopted, and the motion was lost by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Allen, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Hine, Jacobsen, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

Voting nay: Representatives Addison, Appelwick, Barnes, Barrett, Betrozoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Heck, Holland, Isaacson, Johnson, Kaiser, King J, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G,

O'Brien, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Sutherland, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 49.  
Excused: Representative Ballard - 1.

Substitute Senate Bill No. 3248 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624, by Committee on Ways & Means (originally sponsored by Senators Hughes, Zimmerman, Hurley, Bender, Wojahn, Hansen, Bottiger, McManus, Granlund, Owen, Vognild, Moore, Thompson, Gaspard, Peterson, Fleming, Woody, Bauer, Conner, Rasmussen, Warnke, Rinehart, Shipoch, Talmadge, Williams, Goltz, McDermott, Hemstad, Lee, Fuller, Bluechel and Quigg)

Establishing a conservation corps.

The bill was read the second time. Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 104th Day, Regular Session, April 23, 1983.)

Mr. J. King moved adoption of the committee amendment striking everything after the enacting clause.

Mr. J. King spoke against the motion, and Mr. B. Williams spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to Engrossed Second Substitute Senate Bill No. 3624, and the committee amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Ballard - 1.

Mr. J. King moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The Washington conservation corps is hereby created, to be implemented by the following state departments: The employment security department, the department of ecology, the department of game, the department of natural resources, the department of fisheries, the department of agriculture, and the state parks and recreation commission.

**NEW SECTION.** Sec. 2. The legislature declares that:

(1) A central element in the development of the state's young is the provision of meaningful work experience to teach the value of labor and membership in a productive society;

(2) It is important to provide an opportunity for group-oriented public service experiences for the state's young persons;

(3) The state is still benefiting from the wide range of public works accomplished by the conservation corps many years ago and that a similar program will likewise benefit future generations; and

(4) Values of hard work, public spiritedness, group achievement and cooperation, resource conservation, and environmental appreciation can and should be transmitted to society's youth through a conservation corps program.

**NEW SECTION.** Sec. 3. Program goals of the Washington conservation corps include:

(1) Conservation, rehabilitation, and enhancement of the state's natural, historic, environmental, and recreational resources;

(2) Development of the state's youth resources through meaningful work experiences;

(3) Making outdoor and historic resources of the state available for public enjoyment;

(4) Teaching of the workings of natural, environmental, and biological systems, as well as basic employment skills;

(5) Assisting agencies in carrying out statutory assignments with limited funding resources; and

(6) Providing needed public services in both urban and rural settings.

**NEW SECTION.** Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Public lands' means any lands or waters, or interests therein, owned or administered by any agency or instrumentality of the state, federal, or local government.

(2) 'Corps' means the Washington conservation corps.

(3) 'Corps member' means an individual enrolled in the Washington conservation corps.

(4) 'Corps member leaders' or 'specialists' means members of the corps who serve in leadership or training capacities or who provide specialized services other than or in addition to the types of work and services that are performed by the corps members in general.

**NEW SECTION.** Sec. 5. (1) The youth employment exchange as established in section 3, chapter ... (2SHB 251), Laws of 1983 shall be the overall coordinator of the Washington conservation corps and have such powers as are provided by this chapter for the purposes of recruitment. The youth employment exchange shall develop guidelines for work performance standards for the conservation corps programs of the agencies listed in section 1 of this act.

(2) The youth employment exchange shall be the sole recipient of federal funds for youth employment and conservation corps programs.

**NEW SECTION.** Sec. 6. (1) Each state department identified in section 1 of this act shall have the following powers and duties to carry out its functions relative to the Washington conservation corps:

(a) Recruiting and employing staff and corps member leaders and specialists;

(b) Adopting criteria for the selection of applicants to the program from among the enrollees of the youth employment exchange program;

(c) Executing agreements for furnishing the services of the employment conservation program to carry out conservation corps programs to any federal, state, or local public agency, any local organization as specified in this chapter in concern with the overall objectives of the conservation corps;

(d) Applying for and accepting grants or contributions of funds from any private source;

(e) Determining a preference for those projects which will provide long-term benefits to the public, will provide productive training and work experiences to the members involved, will be labor-intensive, may result in payments to the state for services performed, and can be promptly completed;

(f) Entering into agreements with community colleges within the state's community college system and other educational institutions or independent nonprofit agencies to provide special education in basic skills, including reading, writing, and mathematics for those conservation corps members who may benefit by participation in such classes. Classes shall be scheduled after corps working hours. Participation by members is not mandatory but shall be strongly encouraged. The participation shall be a primary factor in determining whether the opportunity for corps membership beyond one year shall be offered. Instruction related to the specific role of the department in resource conservation shall also be offered, either in a classroom setting or as is otherwise appropriate; and

(g) Reporting annually to the governor and the legislature on the activities undertaken by the employment and conservation program in the preceding fiscal year, including a cost-effectiveness analysis of all completed, ongoing, and proposed projects.

(2) The assignment of corps members shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Supervising agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of using a corps member with available funds. In circumstances where substantial efficiencies or a public purpose may result, supervising agencies may use corps members to carry out essential agency work or contractual functions without displacing current employees.

(3) Facilities, supplies, instruments, and tools of the supervising agency shall be made available for use by the conservation corps to the extent that such use does not conflict with the normal duties of the agency. The agency may purchase, rent, or otherwise acquire other necessary tools, facilities, supplies, and instruments.

**NEW SECTION.** Sec. 7. (1) Conservation corps members shall be unemployed residents of the state between eighteen and twenty-five years of age at the time of enrollment who are citizens or lawful permanent residents of the United States. The age requirements may be waived for corps leaders and specialists with special leadership or occupational skills; such members shall be given special responsibility for providing leadership, character development, and sense of community responsibility to the corps members, groups, and work crews to which they are assigned. Special effort shall be made to recruit minority and disadvantaged youth who meet selection criteria of the conservation corps. Preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment exceeding the state average unemployment rate.

(2) Corps members shall not be considered state employees. Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to the Washington conservation

corps except for the crew leaders, who shall be project employees, and the administrative and supervisory personnel.

(3) Enrollment shall be for a period of six months which may be extended by mutual agreement of the corps and the corps member. Corps members shall be reimbursed at the minimum wage rate established by federal law: PROVIDED, That the conservation corps shall be operated, to the maximum extent possible, as a residential program and corps members being provided housing shall receive a stipend.

(4) Corps members are to be available at all times for emergency response services coordinated through the department of emergency services or other public agency. Duties may include sandbagging and flood cleanup, search and rescue, and other functions in response to emergencies.

**NEW SECTION.** Sec. 8. Conservation corps members shall be selected based on their orientation towards public service, development of job skills and productive work habits, and character development. Special effort shall be made at the time of initial screening to explain rigorous productivity standards and special expectations and obligations of corps membership. An employment agreement shall be entered into by the corps member, indicating the member's understanding of, and willingness to abide by, such standards.

In the development of the corps program, consideration shall be given to providing corps members with a beneficial and meaningful work experience. Standards of productivity, behavior, and punctuality shall be developed and observed. Consideration shall be given to the development of a program that deserves the respect of the public, both in terms of service provided and personal development of corps members.

**NEW SECTION.** Sec. 9. (1) There is established a conservation corps within the department of ecology.

(2) Specific work project areas of the ecology conservation corps may include the following:

(a) Litter pickup as a supplement to the role of the litter patrol established by the model litter control and recycling act, chapter 70.93 RCW;

(b) Stream rehabilitation, including trash removal, in-stream debris removal, and clearance of log jams and silt accumulation, to the extent that such projects do not conflict with similar tasks undertaken by the department of fisheries;

(c) Minimum flow field work and stream gauging;

(d) Identification of indiscriminate solid waste dump sites;

(e) Laboratory and office assistance;

(f) General maintenance and custodial work at sewage treatment plants;

(g) Irrigation district assistance, including ditch cleaning and supervised work in surveying and engineering;

(h) Streambank erosion control; and

(i) Other projects as the director may determine. If a project requires certain levels of academic training, the director may assign corps members to categories of work projects according to educational background. If appropriate facilities are available, the director may authorize carrying out projects which involve overnight stays.

**NEW SECTION.** Sec. 10. The director of ecology shall undertake a study to identify facilities which may lend themselves to providing residential accommodations for civilian conservation corps members in appropriate locations throughout the state. The study shall include an assessment of any needed costs for rehabilitation or renovation of such facilities, facility ownership, and potential for utilization agreements; any required lease or rental costs; and other appropriate matters. As a function of this study, the director shall seek an agreement with the Cispus educational center to establish a pilot residential conservation corps program. Such program shall utilize the dormitory facilities at the educational center and shall provide for meals and supervision at the center. The director may deduct appropriate amounts from wages of participating corps members to reflect costs of providing residential camp services. Results of this study shall be reported to the legislature by January 1, 1984.

**NEW SECTION.** Sec. 11. The director of ecology shall develop a community recycling pilot project. This recycling project shall utilize ecology conservation corps members to establish recycling collection routes. As a function of this program, the department shall develop and produce, or contract to have developed and produced, a compartmentalized source separation container which may be used within the homes of a community for source separation of recyclable materials such as bottles, cans, paper, and other such materials. A public information process shall be undertaken to inform the residents of a selected community, town, or city, as identified by the director, of the nature of the project. Conservation corps members shall then contact community residents on a home-by-home basis, requesting participation in a recycling collection route and distributing the compartmentalized source separation containers to those homes participating. Thereafter, on a regular basis, the corps members shall collect recyclable materials from the participating homes for recycling. Materials may then be delivered for reimbursement to the appropriate entity as determined by the director. All funds shall be returned, with receipt, to the recycling program supervisor. The director shall establish an advisory committee made up of representatives of the recycling community, a major state-

wide industry group interested in recycling, the department of ecology, public interest groups, and such other persons as the director determines. This advisory committee shall monitor the development of the project and advise on various policy matters. These may include the appropriate use of collected funds and the feasibility of involvement of the conservation corps in other elements of the recycling system, such as providing labor to recycling centers for the various tasks associated with recycling, the appropriate disbursement of recycled materials generated through the recycling collection routes, and other matters as they develop. Consistent with its monitoring function, the committee shall assist the director in the development of a report to the legislature discussing the feasibility of the program and any problems encountered, the appropriateness of utilization of conservation corps members in such a community recycling project, generation of funds and costs, and the possibility of expansion of the program on a broader scale. The director shall present such a report to the legislature within two years after the effective date of this act.

NEW SECTION. Sec. 12. (1) There is established a conservation corps within the department of game.

(2) Specific work project areas of the game conservation corps may include the following:

- (a) Habitat development;
- (b) Land clearing;
- (c) Construction projects;
- (d) Noxious weed control;
- (e) Brush cutting;
- (f) Reader board construction;
- (g) Painting;
- (h) Cleaning and repair of rearing ponds;
- (i) Fishtrap construction;
- (j) Brush clearance;
- (k) Spawning channel restoration;
- (l) Log removal;
- (m) Nest box maintenance and cleaning;
- (n) Fence building;
- (o) Winter game feeding and herding; and

(p) Such other projects as the director of game may determine. If appropriate facilities are available, the director of game may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 13. (1) There is established a conservation corps within the department of natural resources.

(2) Specific work project areas of the natural resources conservation corps may include the following:

- (a) Research assistance;
- (b) Recreation projects;
- (c) Slash disposal;
- (d) Pit site reclamation;
- (e) Road deactivation;
- (f) Animal damage control;
- (g) Reforestation;
- (h) Wood cutting;
- (i) Firewood systems development;
- (j) Noxious weed control;
- (k) Fence construction and maintenance;
- (l) Wood products manufacturing;
- (m) Riparian area cleaning;
- (n) Spring development for grazing;
- (o) Erosion control;
- (p) Control of fires; and

(q) Such other projects as the commissioner of public lands may determine. If appropriate facilities are available, the commissioner of public lands may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 14. (1) There is established a conservation corps within the department of fisheries.

(2) Specific work project areas of the fisheries conservation corps may include the following:

- (a) Stream rehabilitation;
- (b) Fish hatchery operation and maintenance;
- (c) Fish tagging; and

(d) Such other projects as the director of fisheries may determine. If appropriate facilities are available, the director of fisheries may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 15. (1) There is established a conservation corps within the department of agriculture.

(2) Specific work project areas of the agriculture conservation corps may include the following:

- (a) Insect detection and control;
- (b) Noxious weed removal;
- (c) Irrigation district canal maintenance; and
- (d) Such other projects as the director of agriculture may determine. If appropriate facilities are available, the director of agriculture may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 16. (1) There is established a conservation corps within the state parks and recreation commission.

(2) Specific work project areas of the state parks and recreation conservation corps may include the following:

- (a) Restoration or development of park facilities;
- (b) Trail construction and maintenance;
- (c) Litter control;
- (d) Park and land rehabilitation;
- (e) Fire suppression;
- (f) Road repair; and
- (g) Other projects as the state parks and recreation commission may determine. If appropriate facilities are available, the state parks and recreation commission may authorize carrying out projects which involve overnight stays.

NEW SECTION. Sec. 17. The services of corps members placed with agencies listed in section 1 of this act are exempt from unemployment compensation coverage under RCW 50.44.040(5) and the enrollees shall be so advised by the department.

NEW SECTION. Sec. 18. The state historic preservation officer shall review the state and national registers of historic places to identify publicly owned historic properties and sites within the state which are in need of rehabilitation or renovation and which could utilize parks and recreation conservation corps members in such rehabilitation or renovation. Any such tasks shall be performed in such a way as not to conflict with the historic character of the structure as determined by the state historic preservation officer.

Conservation corps members shall be made available for tasks identified by the state historic preservation officer in the rehabilitation and renovation of historic sites within the state.

NEW SECTION. Sec. 19. (1) The employment security department shall be the overall coordinator of the Washington conservation corps and have such powers as are provided by this chapter for the purposes of recruitment. The employment security department shall develop guidelines for work performance standards for the conservation corps programs of the agencies listed in section 1 of this act. The agencies may, at their option, utilize such standards in the development of their respective conservation corps programs.

(2) The employment security department shall be the sole recipient of federal funds for youth employment and conservation corps programs.

NEW SECTION. Sec. 20. The agencies listed in section 1 of this act shall convene a conservation corps coordinating council to meet as needed on the call of the employment security department to establish consistent work standards and placement and evaluation procedures of corps programs. The coordinating council shall be composed of administrative personnel of the implementing agencies. The coordinating council shall serve to reconcile problems that arise in the implementation of the corps programs and develop coordination procedures for emergency responses of corps members.

NEW SECTION. Sec. 21. The governor shall appoint an eight-member legislative oversight committee to recommend to the governor a plan for the distribution and use of new federal funds for youth employment and conservation corps programs. The senate majority leader and the speaker of the house of representatives shall each submit to the governor a list of eight legislators from which the governor shall appoint the members of the legislative oversight committee. The membership of the committee shall include equal representation of the two houses of the legislature and the two largest caucuses in each house.

NEW SECTION. Sec. 22. (1) If Second Substitute House Bill No. 251 is enacted into law in the 1983 first extraordinary session of the legislature, section 5 of this act shall take effect and section 19 of this act shall be null and void.

(2) If Second Substitute House Bill No. 251 is not enacted into law, section 19 of this act shall take effect and section 5 of this act shall be null and void.

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.

NEW SECTION. Sec. 24. Sections 1 through 21 of this act shall constitute a new chapter in Title 43 RCW."

Mr. Sanders moved adoption of the following amendments to the King amendment:

On page 1, line 15 following "agriculture," insert "department of transportation."

On page 18, following line 16 insert:

**NEW SECTION, Sec. 22.** (1) There is established a conservation corps within the department of transportation.

(2) Specific work project areas of the conservation corps may include the following:

(a) Litter pickup, debris removal, roadside cleaning, and erosion control;

(b) Weed control, noxious weed control, brushing, tree removal and disposal;

(c) Cleaning, custodial service, watering, mowing, and other necessary maintenance activities at roadside rest areas;

(d) Roadway and shoulder maintenance including flagging, maintenance, and repair for traffic control devices assistance; and

(e) Other projects as the secretary may determine. If a project requires certain levels of academic training, the secretary may assign corps members to categories of work projects according to educational background. If appropriate facilities are available, the secretary may authorize carrying out projects which involve overnight stays."

Renumber the sections consecutively.

On page 19, line 2, strike "21" and insert "22"

Representatives Sanders and Lux spoke in favor of the amendments to the amendment, and Representatives Wilson, J. King, Martinis and Sayan spoke against them.

Mr. Sanders spoke again in favor of the amendments to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sanders to the King amendment to Engrossed Second Substitute Senate Bill No. 3624, and the amendments were not adopted by the following vote: Yeas, 25; nays, 72; excused, 1.

Voting yea: Representatives Addison, Allen, Barnes, Betzoff, Bond, Broback, Cantu, Chandler, Fuhrman, Hastings, Johnson, Lux, McDonald, Miller, Nealey, Nelson G. Padden, Patrick, Sanders, Schoon, Silver, Tilly, West, Williams B, Williams J - 25.

Voting nay: Representatives Appelwick, Armstrong, Barrett, Belcher, Braddock, Brække, Brough, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, 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, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 72.

Excused: Representative Ballard - 1.

On motion of Ms. Sommers, the following amendment by Representatives Sommers and B. Williams to the King amendment was adopted:

On page 18, after line 16 insert the following new section:

**NEW SECTION, Sec. 22.** The Washington conservation corps shall cease to exist and sections 1 through 21 of this act shall expire on July 1, 1987, unless extended by law for an additional fixed period of time."

Renumber the sections consecutively and correct internal references accordingly.

The Speaker (Mr. Heck presiding) stated the question before the House to be the King amendment as amended.

Mr. J. King spoke in favor of the amendment as amended.

#### POINT OF INQUIRY

Mr. J. King yielded to question by Mr. Hastings.

Mr. Hastings: "Representative King, on page 5, subsection (2), it says, 'The assignment of corps members shall not result in the displacement of currently employed workers....' With that language, I refer you then to section 11, where it talks about a recycling pilot project. Knowing that there are some cities in the state that have recycling projects done by private enterprise and, therefore, there are jobs that obviously could be displaced, would it be your intent that the language on page 5 (2) also refers to the private sector as well as the public sector?"

Mr. J. King: "It would be my intent that we do not displace private workers. For example, with the recycling center we would not go in and set up the recycling



center when we have an active private sector business at work there. Representative Hastings."

#### POINT OF INQUIRY

Mr. J. King yielded to question by Ms. Brough.

Ms. Brough: "Representative King, I'm still going back and forth between our bill and this amendment before us and understanding that this is a partial substitute of our bill for the youth conservation corps section; it does not touch the youth exchange section, is that correct?"

Mr. J. King: "It would touch our youth exchange section in our original House Bill 251--the use of the funding for the different agencies that would have been through the youth employment exchange. At this point the youth employment exchange is recruiting for the different agencies, but the appropriation is made directly by the legislature through the budget process."

Ms. Brough: "I have another question and it deals with the sixteen-hour per month of education that we had mandated for the youths involved in our program in order either to continue their education or to help them become job-sophisticated in search for a job in the private sector. I wonder, is this going to affect that sixteen-hour requirement?"

Mr. J. King: "In the civilian conservation corps section, as in House Bill 251, that sixteen hours came during the work week, during the forty hours of work. The study now comes after hours and primarily through the community college system."

Ms. Brough: "That means that none of the youths involved in either of the programs will be mandated to go into the educational process?"

Mr. J. King: "It means that the youths will put in a forty-hour work week that they are going to have to do when they eventually get placed in the private sector."

Ms. Brough spoke against the amendment as amended, and Representatives Sayan and B. Williams spoke in favor of it.

The amendment as amended was adopted.

Mr. J. King moved adoption of the following amendment to the title:

On page 1, line 1 of the title after "conservation;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; and creating a new section."

On motion of Ms. Sommers, the following amendment by Representatives Sommers and B. Williams to the title amendment was adopted:

On line 11 of the title amendment after "RCW;" strike "and" and on line 12 after "section" insert "; and providing an expiration date"

The title amendment as amended was adopted.

Engrossed Second Substitute Senate Bill No. 3624 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 56, by Representatives Grimm, Cantu, Powers and Charnley (by Governor Spellman request)

Authorizing bonds for capital improvements for institutions of higher education.

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

The Speaker (Mr. Heck presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

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

## SECOND READING

HOUSE BILL NO. 57, by Representatives Grimm and Cantu (by Governor Spellman request)

Authorizing bonds for state buildings and facilities.

The bill was read the second time. On motion of Ms. Sommers, Substitute House Bill No. 57 was substituted for House Bill No. 57, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 57 was read the second time.

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

On page 1, line 27 strike "sixty-eight million" and insert "seventy-one million one hundred thousand"

Mr. Isaacson moved adoption of the following amendment:

On page 4, following line 14 insert:

"NEW SECTION. Sec. 8. There is added to chapter 43.33 RCW a new section to read as follows:

The state finance committee shall issue no bonds bearing an interest rate in excess of nine and five-tenths percent."

Reumber the remaining sections consecutively.

Mr. West moved adoption of the following amendment to the Isaacson amendment:

On line 5 of the amendment strike "nine and five-tenths" and insert "eleven"

Mr. West spoke in favor of the amendment to the amendment, and Mr. Isaacson spoke against it.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative Isaacson.

## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Grimm.

Mr. Grimm: "Representative Isaacson, I appreciate the good faith in which this amendment is offered in order to control the cost of our indebtedness. I do have a question. Would you support a similar restriction on the sale of bonds for the construction of energy facilities under the authority of the Washington Public Power Supply System?"

Mr. Isaacson: "I believe that's mixing the issues right now, Representative Grimm. I don't believe one could respond to that question. I think that would depend upon what the market is. At the present time, there is no market for the WPPSS bonds, and so, again, you cannot draw that kind of analogy. If you can't sell bonds, you can't place an interest rate on them, but we are trying to sell bonds for state institutions, which you do have a market for, and again, it's a mixing of the issues."

Mr. Grimm spoke against the amendment, and it was not adopted.

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.

Mr. G. Nelson spoke against passage of the bill, and Speaker Ehlers spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Bill No. 57 to final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 54; nays, 43; 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

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

Excused: Representative Ballard - 1.

Engrossed Substitute House Bill No. 57 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 58, by Representatives Grimm, Cantu, Isaacson and Charnley (by Governor Spellman request)

Authorizing bonds for fisheries facilities.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass with the following amendment:

On page 1, line 12 strike "two million three hundred" and insert "six hundred twenty-five"

On motion of Ms. Sommers, the committee amendment was adopted.

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.

Mr. G. Nelson spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed House Bill No. 58 to final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 54; nays, 43; 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

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

Excused: Representative Ballard - 1.

Engrossed House Bill No. 58 was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Wang, the House was adjourned until 9:00 a.m., Saturday, May 7, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, May 7, 1983

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 Ballard, Hastings and B. Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Monica Blykowski and Brian Raiter. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist 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

May 5, 1983

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3272,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 5, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3780,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 6, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3162,

SUBSTITUTE SENATE BILL NO. 3163,

SENATE BILL NO. 3390,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 6, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3226,

SENATE CONCURRENT RESOLUTION NO. 134,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTIONS AND FIRST READING

ESSB 3226 by Committee on Ways & Means (originally sponsored by Senators McDermott, Jones and Thompson - by Department of Retirement request)

Modifying provisions on retirement from public service.

Referred to Committee on Ways & Means

ESSB 3780 by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, McManus, McDermott and Deccio - by Department of Social & Health Services request)

Modifying provisions relating to nursing homes.

Referred to Committee on Ways & Means

SCR 134 by Senators McDermott and Shinpoch

Establishing a joint interim committee on public retirement.

Referred to Committee on Rules

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO.	226.
SECOND SUBSTITUTE HOUSE BILL NO.	231.
SUBSTITUTE HOUSE BILL NO.	470.
SUBSTITUTE HOUSE BILL NO.	495.
HOUSE BILL NO.	595.
SUBSTITUTE HOUSE BILL NO.	740.
SENATE BILL NO.	3162.
SUBSTITUTE SENATE BILL NO.	3163.
SECOND SUBSTITUTE SENATE BILL NO.	3272.
SENATE BILL NO.	3390.

#### SECOND READING

HOUSE BILL NO. 466, by Representatives McClure, Fisch, Haugen and Egger

Repealing the business inventories property tax exemption and providing for local revenue distribution.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 466 was substituted for House Bill No. 466, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 466 was read the second time.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, P. King and Zellinsky:

On page 1 strike lines 18 through 25 and insert:

"(2) The intent of the inventory tax phaseout was to stimulate the economy of the state and to increase the revenues of the state and local taxing districts by attracting new business, encouraging the expansion of existing businesses thereby increasing economic activity and tax revenue on noninventory property. The inventory tax phaseout will cause certain unforeseen and heretofore unprepared for tax shifts among property owners."

Representatives Tilly and McClure spoke in favor of the amendment, and Mr. Moon 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 and others to Substitute House Bill No. 466, and the amendment was adopted by the following vote: Yeas, 68; nays, 16; absent, 11; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Galloway, Halsan, Hankins, Haugen, Heck, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Lewis, Long, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Prince, Pruitt, Ristuben, Sayan, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Walk, West, Williams J, Wilson, Zellinsky - 68.

Voting nay: Representatives Brekke, Burns, Charnley, Fisher, Grimm, Hine, King R, Kreidler, Lux, McMullen, Moon, Niemi, Rust, Sommers, Vekich, and Mr. Speaker - 16.

Absent: Representatives Belcher, Fuhrman, Garrett, Isaacson, Locke, Powers, Sanders, Smitherman, Todd, Van Dyken, Wang - 11.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Mr. McClure moved adoption of the following amendments:

On page 2, line 28 after "84.36.470," strike all material down through "1982" on line 30 and insert "or timber which is standing on public land and which is sold under a contract entered into after August 1, 1982"

On page 4, line 27 strike "79.01" and insert "84.33"

On page 4, line 31 after "resources" insert "or other governmental unit, as appropriate."

Mr. McClure spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. McClure yielded to question by Mr. Struthers.

Mr. Struthers: "Representative McClure, not coming from a timber part of the state, could you tell me, does this have any direct effect on the timber excise tax?"

Mr. McClure: "No. Certainly none was intended and, apparently, according to legal counsel it has no effect."

The amendments were adopted.

On motion of Mr. McClure, the following amendment to the title was adopted:

On page 1, line 5 of the title strike "adding a new section to chapter 79.01 RCW;" and on line 7 strike "a new section" and insert "new sections"

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

#### MESSAGES FROM THE SENATE

May 7, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3188, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 7, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3311, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

#### SENATE AMENDMENTS TO HOUSE BILL

May 4, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 240 with the following amendments:

On page 1, beginning on line 23 of the engrossed and printed bill, after "~~((only))~~," strike all of the underscored material down through "29.04.055," on line 28 and insert:

"At any nonpartisan special election not being held in conjunction with a state primary or general election, the county, city, town, or district requesting the election pursuant to RCW 29.13.010 or RCW 29.13.020 may also request that the election be conducted by mail ballot. The county auditor may honor the request or may determine that the election is not to be conducted by mail ballot. The decision of the county auditor in this regard is final.

In no instance shall any special election be conducted by mail ballot in any precinct with more than one hundred registered voters if candidates for partisan office are to be voted upon."

On page 2, line 1 after "than" strike "~~((fifteen)) five~~" and insert "fifteen"

On page 2, line 5 after "and" strike "a postage prepaid" and insert "an"

On page 2, line 19 after "shall" insert "contain only the ballot, the return envelope and information authorized in RCW 28A.56.610 and shall"

On page 2, line 20 after "Sender" and before the period insert " - Return Postage Guaranteed"

On page 2, line 24 after "auditor" strike "may" and insert "shall"

On page 3, line 2 after "election," insert "Each spoiled ballot must be returned to the county auditor before a new one is issued."

On page 3, line 12 after "than" insert "one day after"

On page 3, line 30 after "secrecy" insert "in the presence of at least three election officials"

On page 3, line 35 after "ballots," insert "Such political party observers shall be permitted to conduct a hand count of the ballots whenever electronic vote tallying devices are used."

On page 3, line 35 after "ballots," insert "Political party observers shall be allowed to count by hand ballots from up to ten precincts selected by the observers."

On page 4, line 12 after "voter," insert "The county auditor must notify both the county prosecuting attorney and the state attorney general of every instance in which a voter has voted more than once."

On page 4, line 12 after the period insert "To insure that the foregoing requirements are met, no mail ballots may be opened for counting until such a time following the date of the election as it is reasonable to expect that all ballots have been returned and all signatures have been checked for validity."

On page 4, line 23 after "election)" strike all of the underlined language down through "29.36.120," on line 24.

On page 5, line 10 strike all of section 8.

Renumber the remaining sections consecutively.

On page 5, line 21 of the engrossed and printed bill, after "mail" strike "in conjunction" and insert "in connection"

On page 5, following line 26 of the engrossed bill, being page 5, following the House amendment on page 5, line 24, insert a new section as follows:

"NEW SECTION. Sec. 9. The secretary of state shall adopt rules and regulations not inconsistent with the provisions of this chapter to:

(1) Ensure that standards and procedures are established to prevent fraud and to facilitate the accurate processing and canvassing of mail ballots;

(2) Ensure that standards and procedures are established to guarantee the secrecy of the ballot;

(3) Ensure that uniformity exists among the counties of the state in the conduct of mail ballot elections."

Renumber the remaining section consecutively.

On page 5, after line 26 add a new section as follows:

"NEW SECTION. Sec. 8. There is added to chapter 29.36 RCW a new section to read as follows:

A person who wilfully violates any provision of this chapter is guilty of a class C felony."

Renumber the remaining section consecutively.

On page 1, line 6 of the title after ";" strike the balance of the language down through the next semicolon.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Pruitt, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 240, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Pruitt, Tanner and Barnes as conferees on Engrossed Substitute House Bill No. 240.

#### SENATE AMENDMENTS TO HOUSE BILL

May 5, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 278 with the following amendments:

On page 14, line 21 after "impair" strike "their supply" and insert "the resource"

On page 27, after line 8, insert the following:

"(4) In the sale of surplus salmon from state hatcheries, the division of purchasing shall require that a portion of the surplus salmon be processed and returned to the state by the purchaser. The processed salmon shall be fit for human consumption and in a form suitable for distribution to individuals. The division of purchasing shall establish the required percentage at a level that does not discourage competitive bidding for the surplus salmon. The measure of the percentage is the combined value of all of the surplus salmon sold. The department of social and health services shall distribute the processed salmon to economically depressed individuals and state institutions pursuant to rules adopted by the department of social and health services."

On page 46, after line 35 insert the following:

"NEW SECTION. Sec. 61. There is added to chapter 75.12 RCW a new section to read as follows:

(1) It is unlawful to fish for or take salmon commercially with a net within the waters of the tributaries and sloughs described in subsection (2) of this section which flow into or are connected with the Columbia river.

(2) The director shall adopt rules defining geographical boundaries of the following Columbia river tributaries and sloughs:

- (a) Washougal river;
- (b) Camas slough;
- (c) Lewis river;
- (d) Kalama river;
- (e) Cowlitz river;
- (f) Elokomin river;
- (g) Elokomin sloughs;
- (h) Skamokawa sloughs;
- (i) Grays river;
- (j) Deep river;
- (k) Grays bay.

(3) The director may authorize commercial net fishing for salmon in the tributaries and sloughs from September 1st to November 30th, if the time, areas, and level of effort are regulated in order to maximize the recreational fishing opportunity while minimizing excess returns of fish to hatcheries. The director shall not authorize commercial net fishing if a significant catch of steelhead would occur."

Renumber the sections consecutively and correct internal references accordingly.

On page 52, line 21 strike "~~(shall in no way)~~ do not" and insert "shall in no way"

On page 55, beginning on line 15, strike all material down to and including "section." on page 56, line 36 and insert the following:

"Sec. 75. Section 75.20.100, chapter 12, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1975 1st ex. sess. and RCW 75.20.100 are each amended to read as follows:

In the event that any person or government agency desires to construct any form of hydraulic project or other work that will use, divert, obstruct, or change the natural flow or bed of any river or stream or that will utilize any of the salt or fresh waters of the state or materials from the stream beds, such person or government agency shall ~~((submit to the department of fisheries and the department of game full plans and specifications of the proposed construction or work, complete plans and specifications for the proper protection of fish life in connection therewith, the approximate date when such construction or work is to commence, and shall)),~~ before commencing construction or work thereon and to ensure the proper protection of fish life, secure the written approval of the ~~((director of fisheries and the director of game))~~ department having jurisdiction of the site as to the adequacy of the means ~~((outlined))~~ proposed for the protection of fish life ~~((in connection therewith and as to the propriety of the proposed construction or work and time thereof in relation to fish life, before commencing construction or work thereon. The director of fisheries and the director of game shall designate and authorize certain employees of their respective departments to act in place of themselves by signing written approvals for such designations and authorizations)).~~ This approval shall not be unreasonably withheld. The appropriate department shall grant or deny approval within forty-five calendar days of the receipt of a complete application and notice of compliance with any applicable requirements of the state environmental policy act, made in the manner prescribed in this section. The applicant may document receipt of application by filing in person or by registered mail. A complete application for approval shall contain general plans for the overall project, complete plans and specifications of the proposed construction or work within the mean higher high water line in salt water or within the ordinary high water line in fresh water, and complete plans and specifications for the proper protection of fish life. The forty-five day requirement shall be suspended if (1) after ten working days of receipt of the application, the applicant remains unavailable or unable to arrange for a timely field evaluation of the proposed project; (2) the site is physically inaccessible for inspection; or (3) the applicant requests delay. Immediately upon determination that the forty-five day period is suspended, the appropriate department shall notify the applicant in writing of the reasons for the delay. Approval is valid for a period of up to five years from date of issuance. The permittee must demonstrate substantial progress on construction of that portion of the project relating to the hydraulic permit within two years of the date of issuance. If approval is denied, the appropriate department shall provide the applicant, in writing, a statement of the specific reasons why and how the proposed project would adversely affect fish life. Protection of fish life shall be the only ground upon which approval may be denied or conditioned. Chapter 34.04 RCW applies to any denial of project approval, conditional approval, or requirements for project modification upon which approval may be contingent. If any person or government agency commences construction on any ~~((such))~~ hydraulic works or projects subject to this section without ~~((first providing plans and specifications subject to the approval of the director of fisheries and the director of game for the proper protection of fish life in connection therewith and without))~~ first having obtained written approval of the ~~((director of fisheries and the director of game))~~ appropriate department as to the adequacy of ~~((such plans and specifications submitted))~~ the means proposed for the protection of fish life, or if any person or government agency fails to follow or carry out any of the requirements or conditions as are made a part of such approval, ~~((he))~~ the person or director of the agency is guilty of a gross misdemeanor. If any such person



or government agency ~~(be)~~ is convicted of violating any of the provisions of this section and continues construction on any such works or projects without fully complying with the provisions hereof, such works or projects are hereby declared a public nuisance and shall be subject to abatement as such. For the purposes of this section, "bed" shall mean that portion of a river or stream and the shorelands within ~~(the)~~ ordinary high water lines.

For each application, the departments shall mutually agree on which one department shall administer the provisions of this section, in order to avoid duplication of effort. The department designated to act shall cooperate with the other department in order to protect all species of fish life found at the project site. If a department receives an application concerning a site not in its jurisdiction, it shall transmit the application to the appropriate department within three days and notify the applicant.

(PROVIDED, That) In case of an emergency arising from weather or stream flow conditions or other natural conditions, the department of fisheries or department of game, through their authorized representatives, shall issue immediately upon request oral permits to a riparian owner or lessee for removing any obstructions, repairing existing structures, restoring stream banks, or to protect property threatened by the stream without the necessity of ~~(submitting prepared plans and specifications or)~~ obtaining a written permit prior to commencing work. Conditions of an oral permit shall be reduced to writing within thirty days and complied with as provided for in this section."

On page 66, after line 28, insert the following:

\*NEW SECTION. Sec. 94. There is added to chapter 75.25 RCW a new section to read as follows:

(1) A Hood Canal shrimp license is required to take or possess shrimp taken for personal use from that portion of Hood Canal lying south of the Hood Canal floating bridge.

(2) The annual fees for Hood Canal shrimp licenses are:

(a) For a resident license, five dollars;

(b) For a nonresident license, fifteen dollars.

(3) Hood Canal shrimp licenses shall be issued only under authority of the director. The director may authorize license dealers to issue the licenses and collect the license fees. In addition to the license fee, license dealers may charge a dealer's fee of fifty cents. The dealer's fee may be retained by the license dealer.

(4) The director shall adopt rules for the issuance of Hood Canal shrimp licenses and for the collection, payment, and handling of license fees and dealer's fees.

(5) Notwithstanding RCW 75.04.010, for the purposes of this section, "resident" means a person who for at least ninety days immediately preceding application for a license has maintained a permanent place of abode within this state and has established by formal evidence an intent to continue residence within this state. All other persons are nonresidents.

(6) Hood Canal shrimp licenses are not transferable.

(7) Upon request of a fisheries patrol officer or ex officio fisheries patrol officer, a person taking or possessing shrimp for personal use in that portion of Hood Canal south of the Hood Canal floating bridge shall exhibit the required license and write his or her signature for comparison with the signature on the license. Failure to comply with the request is prima facie evidence that the person does not have a license or is not the person named on the license.

(8) A person who violates a provision of this section or who knowingly falsifies information required for the issuance of a Hood Canal shrimp license is guilty of a misdemeanor and is subject to the penalties provided in chapter 9A.20 RCW."

Renumber the sections consecutively and correct internal references accordingly.

On page 72, line 6 before "a bona fide" strike "or" and insert "and"

On page 78, beginning on line 13, strike all material down to and including "nonresidents." on line 20 and insert the following:

"((Any)) A commercial ((salmon)) fishing vessel not qualified for a ((commercial salmon fishing)) license or ((vessel delivery)) permit under RCW 75.28.455 ((and wishing to land salmon caught outside the territorial waters of the state of Washington shall be able to)) shall not land salmon in the state of Washington unless, as determined by the director or the director's designee on a case-by-case basis, a bona fide emergency exists. In such an emergency situation, the vessel owner shall obtain a single delivery vessel delivery permit. The fee for such permit shall be one hundred dollars."

On page 80, after line 24, insert the following:

\*NEW SECTION. Sec. 121. There is added to chapter 75.28 RCW a new section to read as follows:

(1) In addition to a shellfish pot license, a Hood Canal shrimp endorsement is required to take shrimp commercially in that portion of Hood Canal lying south of the Hood Canal floating bridge. The annual endorsement fee is one hundred sixty-five dollars for a resident and three hundred forty dollars for a nonresident.

(2) Not more than fifty shrimp pots may be used while commercially fishing for shrimp in that portion of Hood Canal lying south of the Hood Canal floating bridge."

Renumber the sections consecutively and correct internal references accordingly.

On page 83, line 32, strike "five" and insert "((five)) fifty"

On page 83, line 32, after "dollars" insert "for residents and one hundred dollars for nonresidents."

On page 93, line 18 after "take" insert "dungeness"

On page 93, line 18 after "crab" insert "(Cancer magister)"

On page 93, line 20 after "endorsement," insert "A license endorsement is not required to take other species of crab, including red rock crab (Cancer productus)."

On page 93, line 28 after "of" insert "dungeness"

On page 7, line 22 of the title, strike "a new section" and insert "new sections"

On page 7, line 23 of the title, strike "a new section to chapter 75.25 RCW;" and insert "new sections to chapter 75.25 RCW; adding a new section to chapter 75.28 RCW;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

On motion of Ms. Stratton, the House concurred in the Senate amendments to page 14, line 21; page 27, line 8; page 52, line 21; page 55, line 15; page 72, line 6 and page 93, lines 18, 20 and 28 of Engrossed Substitute House Bill No. 278.

On motion of Ms. Stratton, the House refused to concur in the remaining Senate amendments and asked the Senate to recede therefrom.

#### MESSAGE FROM THE SENATE

May 5, 1983

Mr. Speaker:

The President ruled that the House amendments to SUBSTITUTE SENATE BILL NO. 3520 change 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. Pruitt, the House receded from its amendments to Substitute Senate Bill No. 3520.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker declared the question before the House to be the final passage of Substitute Senate Bill No. 3520 without the House amendments.

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. 3520 without the House amendments, 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, Chamley, 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, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Substitute Senate Bill No. 3520 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 6, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 239 and 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

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 239, regulating exit polling, have had the same under consideration and we recommend that the bill be amended as follows and that the amended bill do pass:

On page 1, beginning on line 8 of the engrossed and printed bill, after "place," strike all material through "building" on line 10 of the engrossed and printed bill and insert "or in any public area within three hundred feet of any entrance to such polling place"

Signed by Senators Clarke, Talmadge, Hughes; Representatives Pruitt, Miller, Sommers.

## MOTION

Mr. Pruitt moved that the House adopt the report of the Free Conference Committee.

Representatives Pruitt and Miller spoke in favor of the motion, and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 239 as amended by Free Conference Committee.

Mr. Pruitt spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 239 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 92; nays, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, 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, Haugen, Heck, Hine, Holland, Isacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zeilinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Fuhrman, Sanders - 3.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Engrossed House Bill No. 239 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

May 6, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 428, and has granted the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

May 6, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 428, modifying certain court procedures, have had the same under consideration and we report that we are unable to agree on the Senate amendments, and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Hemstad, Hughes; Representatives Padden, Dellwo, Crane.

## MOTION

On motion of Mr. Dellwo, the Conference Committee report was adopted, and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

May 7, 1983

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 226,  
 SECOND SUBSTITUTE HOUSE BILL NO. 231,  
 SUBSTITUTE HOUSE BILL NO. 470,  
 SUBSTITUTE HOUSE BILL NO. 495,  
 HOUSE BILL NO. 595,  
 SUBSTITUTE HOUSE BILL NO. 740,  
 SENATE BILL NO. 3188,  
 SUBSTITUTE SENATE BILL NO. 3273,  
 SUBSTITUTE SENATE BILL NO. 3311,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF CONFERENCE COMMITTEE

May 6, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3766, prohibiting the use of chokeholds by law enforcement and correctional officers, have had the same under consideration, and we recommend that the bill be passed without the House amendment.

Signed by Senators Talmadge, Fleming; Representatives Armstrong, Halsan.

## MOTION

Mr. Armstrong moved that the Conference Committee report be adopted.

Representatives Armstrong, Locke and Halsan spoke in favor of the motion, and Representatives Patrick, Padden, West and Egger spoke against it.

Mr. Patrick again opposed the motion.

Mr. McDonald demanded the previous question, and the demand was not sustained.

Representatives Armstrong and Locke spoke again in favor of the motion, and Mr. West again opposed it.

Mr. McMullen spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3766, and the report was not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Brekke, Burns, Charnley, Ellis, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prullitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Todd, Vekich, Walk, Wang, and Mr. Speaker - 42.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fiske, Fuhrman, Hankins, Haugen, Holland, Isaacson, Johnson, King J, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson, Zellinsky - 53.

Excused: Representatives Ballard, Hastings, Williams B - 3.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 39,  
 SUBSTITUTE HOUSE BILL NO. 127,  
 SECOND SUBSTITUTE HOUSE BILL NO. 295,  
 SENATE BILL NO. 3188,  
 SUBSTITUTE SENATE BILL NO. 3273,  
 SUBSTITUTE SENATE BILL NO. 3311.

## MOTION

Mr. Taylor moved that the rules be suspended, and the House immediately consider House Floor Resolution No. 83-76.

Mr. Taylor spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion that the rules be suspended and the House immediately consider House Resolution No. 83-76, and the motion was lost by the following vote: Yeas, 41; nays, 54; excused, 3.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J. Wilson - 41.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Ballard, Hastings, Williams B - 3.

## REPORT OF CONFERENCE COMMITTEE

May 6, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3817, restricting body searches by law enforcement agencies, 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, Hemstad; Representatives Locke, Belcher, Tilly.

## MOTION

Mr. Armstrong moved that the report of the Conference Committee be adopted and the committee be granted the powers of Free Conference.

Representatives Armstrong, Tilly and West spoke in favor of the motion, and it was carried.

## MESSAGE FROM THE SENATE

May 6, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 3858, and granted the powers of Free Conference.

Bill Gleason, Assistant Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3858, authorizing the annexation of areas outside cities and towns upon consent of the property owners, have had the same under consideration and we recommend that the bill be amended as follows and that the amended bill to pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180 are each amended to read as follows:

City and town councils of second and third class cities and towns may by a majority vote annex new territory outside the city or town limits, whether contiguous or noncontiguous for park, cemetery, or other municipal purposes when (~~such territory is owned by the city or town~~) all owners of the real property in the new territory give their written consent to the annexation.

NEW SECTION. Sec. 2. There is added to chapter 35.13 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any city or town shall be incorporated into, and become part of, the city or town within whose boundaries the unincorporated area lies: PROVIDED, That the governing body of a city or town may, prior to January 1, 1984, adopt an ordinance removing all or a portion of such unincorporated areas from this annexation if a portion of each area annexed is contiguous with a portion of the boundary of the city or town. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular city or town is considered to lie wholly within the boundaries of a city or town.

NEW SECTION. Sec. 3. There is added to chapter 35.13 RCW a new section to read as follows:

A city or town shall not annex territory under RCW 35.10.211, 35.10.217, 35.13.015, 35.13.020, or 35.13.130 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing city's or town's boundaries. A city or town may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the city or town than the perimeter of the original figure. In addition, a city or town shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing city or town.

NEW SECTION. Sec. 4. There is added to chapter 35A.14 RCW a new section to read as follows:

All unincorporated areas that as of January 1, 1984, lie wholly within the boundaries of any code city shall be incorporated into, and become part of, the code city within whose boundaries the unincorporated area lies: PROVIDED, That the governing body of a code city may, prior to January 1, 1984, adopt an ordinance removing all or a portion of such unincorporated areas from this annexation if a portion of each area annexed is contiguous with a portion of the boundary of the code city. Land which is owned by a county and used for the purposes of an agricultural fair under chapter 15.76 or 36.37 RCW or a county park, however, shall not be annexed without the consent of a majority of the members of the legislative authority of the county which owns the land. For purposes of this section, an unincorporated area which is completely bounded by both a state boundary or a body or bodies of navigable water and the particular code city is considered to lie wholly within the boundaries of a code city.

NEW SECTION. Sec. 5. There is added to chapter 35A.14 RCW a new section to read as follows:

A code city shall not annex territory under RCW 35A.14.015, 35A.14.020, or 35A.14.120 if, after the proposed annexation has occurred, any closed plane figure of unincorporated area could be drawn that includes a portion of the boundary of the newly-annexed area so that eighty percent or more of the figure's perimeter is coterminous with any of the annexing code city's boundaries. A code city may, however, annex territory that lies within a corridor of unincorporated territory which existed before the effective date of this act despite the fact that it creates a closed plane figure prohibited by this section if, after the proposed annexation has occurred, another closed plane figure cannot be drawn within the corridor so that a greater percentage of the perimeter is coterminous with the boundaries of the code city than the

perimeter of the original figure. In addition, a code city shall not annex unincorporated territory if the annexation would result in an area of unincorporated territory being entirely surrounded by a body or bodies of water and the annexing code city.

**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 public institutions, and shall take effect immediately."

On page 1, beginning on line 2 of the title, after "towns;" strike the remainder of the title and insert "amending section 35.13.180, chapter 7, Laws of 1965 as amended by section 4, chapter 332, Laws of 1981 and RCW 35.13.180; adding new sections to chapter 35.13 RCW; adding new sections to chapter 35A.14 RCW; and declaring an emergency."

Signed by Senators Thompson, Granlund, Benitz; Representatives Moon, Charnley, Van Dyken.

#### MOTION

Mr. Moon moved that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 3858.

Representatives Moon, Van Dyken, Charnley, Hine and Egger spoke in favor of the motion, and Representatives Broback, Long, Miller, Zellinsky, J. Williams and Barrett spoke against it.

Mr. Van Dyken spoke again in favor of the motion.

Mr. Heck demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 3858, and the motion was carried by the following vote: Yeas, 60; nays, 34; absent, 1; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Brough, Burns, Chandler, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 60.

Voting nay: Representatives Addison, Barnes, Barrett, Betrozoff, Broback, Cantu, Clayton, Dellwo, Dickie, Hankins, Johnson, King P, Lewis, Long, McDonald, Miller, Mitchell, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Taylor, Tilly, Vander Stoep, West, Williams J, Wilson, Zellinsky - 34.

Absent: Representative Bond - 1.

Excused: Representatives Ballard, Hastings, Williams B - 3.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 3858 as amended by Free Conference.

Mr. Moon spoke in favor of passage of the bill, and Mr. Padden spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3858 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 57; nays, 38; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 57.

Voting nay: Representatives Addison, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Hankins, Johnson, King P, Lewis, Long, McDonald, Miller, Mitchell, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Taylor, Tilly, Vander Stoep, West, Williams J, Wilson, Zellinsky - 38.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Engrossed Senate Bill No. 3858 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

Mr. McDonald moved that the House immediately consider SUBSTITUTE HOUSE BILL NO. 49.

Mr. McDonald spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion that the House immediately consider Substitute House Bill No. 49, and the motion was lost by the following vote: Yeas, 41; nays, 53; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J. Wilson - 41.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Absent: Representative Stratton - 1.

Excused: Representatives Ballard, Hastings, Williams B - 3.

HOUSE BILL NO. 717, by Representatives Grimm, Wang, Ellis, Rust, Fisher, Isaacson, B. Williams and Charnley

Authorizing bonds for hazardous waste investigation, clean up, etc.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 717 was substituted for House Bill No. 717, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 717 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.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Grimm, your last remarks raised some questions in my mind. If, upon evaluating a waste site—and we're mindful that some maintenance sites have come to our attention through the media, such as near Kent and other places, where wastes have been dumped and, in some cases, they were dumped assuming it was safe, but if it is found that these materials are hazardous and were dumped there in good faith, will they still be subject to a fine or a penalty?"

Mr. Grimm: "That would be a determination of the courts. This simply provides that if through this the courts were to rule on behalf of the plaintiff—in this instance, the state—the claims that are processed would be the money that is gained from penalties of fines would come back into the fund. Its not just lost in the general fund, but that would be up to the courts to determine whether or not the parties involved were acting in accordance with previously existing law or practices."

Mr. Isaacson: "So previously accepted practices would be a check valve?"

Mr. Grimm: "That would be up to the defendant and the determination of the court."

Representatives Wang, Cantu, Isaacson and Moon spoke in favor of the bill, and Mr. Lux spoke against it.



## POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Lux.

Mr. Lux: "Representative Isaacson, do you have any intention of putting a lid on the interest on these bonds, or do you care what the interest limit is on these bonds?"

Mr. Isaacson: "Representative Lux, yesterday I attempted in that amendment to bring that matter to the attention of the House. It was dutifully placed and I think commentaries are very applicable. This should be subject to the same limitations; however, by the action of this House, by the fact that we did not place that amendment and so it would not be in force and effect if this should pass, so I think the question is somewhat moot."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 717, and the bill passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

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, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Fuhrman, Lux - 2.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Substitute House Bill No. 717, having received the 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. 712, by Representatives Wang, Grimm, Kaiser, Ellis, J. King, Garrett, Lux, Rust, B. Williams, Fisher, Isaacson and Charnley

Providing for the funding of a hazardous waste program.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 712 was substituted for House Bill No. 712, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 712 was read the second time.

Mr. G. Nelson moved adoption of the following amendment by Representatives Hastings and Stratton:

On page 5, line 30 following "(4)" strike everything through "ecology" on page 6, line 4 and insert "If an identified site does not generate dangerous wastes regulated by RCW 70.105, the person owning or controlling the site is exempt from the fee imposed by this section"

Representatives G. Nelson and Isaacson spoke in favor of the amendment, and Representatives Wang and Moon spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Wang, under section 3(g) anybody who would be selling glass, for example, could be charged a fee for doing so. Is that correct?"

Mr. Wang: "Representative Isaacson, it would have to be worked out by rules by the department; but, yes, it would certainly be possible to charge persons who are involved in the industry of selling glass or producing and selling glass, under the language of the bill, if they were involved in producing hazardous waste."

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hastings and Stratton to Substitute House Bill No. 712, and the amendment was not adopted by the following vote: Yeas, 47; nays, 48; excused, 3.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Hankins, Holland, Isaacson, Johnson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson, Zellinsky - 47.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, 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, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 48.

Excused: Representatives Ballard, Hastings, Williams B - 3.

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 and Isaacson 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 Substitute House Bill No. 712, and the bill passed the House by the following vote: Yeas, 74; nays, 20; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brekke, Brough, Burns, Charney, 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, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Miller, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Tilly, Vander Stoep, West, Williams J - 20.

Absent: Representative Van Dyken - 1.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Substitute House Bill No. 712, having received the 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. 4245, by Committee on Parks & Ecology (originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams)**

Revising provisions relating to hazardous waste management.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 5th Day 1st Ex., April 29, 1983.)

Ms. Rust moved adoption of the committee amendment striking everything after the enacting clause.

Ms. Rust moved adoption of the following amendment by Representatives Rust and Patrick to the committee amendment:

On page 2, beginning on line 31, strike all of section 2 and insert the following:

**\*NEW SECTION.** Sec. 2. There is added to chapter 70.105 RCW a new section 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 section 1 of this act, 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 section 1(1)(a) of this act, waste reduction. After conducting the study, the department shall prepare new rules or modify existing rules as appropriate to promote implementation of the priorities established in section 1 of this act 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."

Representatives Rust and Patrick spoke in favor of the amendment to the amendment, and it was adopted.

Ms. Rust spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Ms. Rust, 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. Brekke spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

#### SPECIAL ORDER OF BUSINESS

The hour of 2:00 p.m. having arrived, the Speaker stated the question before the House to be House Resolution No. 83-76. (For previous action, see Journal, 10th Day, 1st ex. sess., May 4, 1983.)

Mr. Heck moved that House Resolution No. 83-76 be tabled.

#### ROLL CALL

The Clerk called the roll on the motion to table House Resolution No. 83-76, and the motion was carried by the following vote: Yeas, 54; nays, 41; excused, 3.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J, Wilson - 41.

Excused: Representatives Ballard, Hastings, Williams B - 3.

The House resumed consideration of Substitute Senate Bill No. 4245 as amended by the House on final passage.

Mr. Schoon spoke in favor of the bill.

#### POINT OF PERSONAL PRIVILEGE

Mr. Taylor: "I guess we've seen everything now. We were promised that the measure would be run--"

The Speaker: "On what are you doing the point of personal privilege, Representative Taylor?"

Mr. Taylor: "I'm talking about the health, the conduct, the safety, the honesty of this body. In Reed's Rules you are able to talk about things that affect the body, and when there's a gag rule imposed, certainly that's--"

The Speaker: "Representative Taylor, I regret this, but we cannot interrupt Representative Schoon except for the motion which you had placed the previous day. You are in the middle of interrupting Representative Schoon's speech. I'm sorry."

Mr. Schoon continued his remarks in favor of the bill, and Mr. Isaacson spoke in opposition.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4245 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 11; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, 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, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams J, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barrett, Clayton, Dickie, Fuhrman, Hankins, Isaacson, Mitchell, Prince, Smith, Struthers, Wilson - 11.

Excused: Representatives Ballard, Hastings, Williams B - 3.

Substitute Senate Bill No. 4245 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 advanced to the eighth order of business.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Isaacson: "Mr. Speaker, all week long I have seen by the press announcements and media releases that we were going to have the budget completed by Mother's Day. Tomorrow is Mother's Day, and so far I haven't seen a schedule as to when we will deal with that subject matter on the floor. It's very important that I know what the schedule might be, so I can make some personal plans with respect to getting some other work done including returning to my job. I was wondering if the Speaker could address the body--"

The Speaker: "We will be here on Monday. Be sure to show up and we'll let you know."

## MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Monday, May 9, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## FIFTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, May 9, 1983

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 Bond, Clayton, Fiske, Locke, Mitchell, Prince and Van Dyken. Representatives Bond, Locke and Prince were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dena McCormick and Phillip Hampton. Prayer was offered by The Reverend Timothy Dolan, Minister of the Westminster United Presbyterian 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

May 6, 1983

Mr. Speaker:

The Senate concurred in the House amendments to REENGROSSED SUBSTITUTE SENATE BILL NO. 3273, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 6, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 74, and has granted the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

May 6, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 74, raising limits on local government contracts that may benefit local officers, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill.

Signed by Senators Thompson, Zimmerman, Bauer; Representatives Moon, Ebersole, Brough.

## MOTION

On motion of Mr. Moon, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

## SENATE AMENDMENTS TO HOUSE BILL

May 5, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 43 with the following amendments:

On page 3, after line 20, insert the following:

"Sec. 3. Section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541 are each amended to read as follows:

'Chore services,' as used in this chapter, means services in performing light work and household and other personal tasks which eligible persons are unable to do for themselves because of frailty or handicapping conditions.

Persons eligible for services at no cost are adult recipients of supplemental security income ((and/or)), state supplementation, or limited casualty program medical care as defined by

RCW 74.09.010, and other individuals having income equal to or less than thirty percent of the state median income and resources less than a level determined by the department, and whose level of need for chore services and risk of being placed in a residential care facility have been determined by the department. Individuals determined by the department to be eligible for adult protective services are eligible to receive emergency chore services without regard to income if the services are essential to, and a subordinate part of, the adult protective services plan. Emergency chore services under adult protective services shall be provided only until the emergent situation has stabilized, not to exceed ninety days.

Those persons whose income is between thirty and forty percent of the state median income and whose level of need for chore services and risk of being placed in a residential care facility has been determined by the department are eligible for a reduced level of service based on their ability to purchase the services. The department shall develop a scale of reduced hours of service based on need and income level to be applied in these cases. Persons whose resources exceed the level determined by the department are not eligible for any reduced level service.

The department is authorized to provide chore services on a case-by-case basis to severely handicapped persons in need of attendant care whose income exceeds the criteria established in this section. Services may be provided for this purpose only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time; PROVIDED, That the department may not extend authorization for chore services to more than thirty persons at any one time whose income exceeds fifty-seven percent of the state median income.

For clients whose chore services are authorized on an hourly basis, the department shall establish a monthly lid on chore service hours, which shall be allocated to the department's community service offices. This lid shall be established at a level set by the department. The department shall also establish a monthly rate lid to apply to clients whose chore services are authorized on a monthly rate basis."

On page 1, line 5 of the title, after "74.09.035;" insert "amending section 17, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.541;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Kreidler, the House refused to concur in the Senate amendments to Substitute House Bill No. 43, and asked the Senate to recede therefrom.

#### SENATE AMENDMENT TO HOUSE BILL

May 6, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 570 with the following amendment:

On page 1, line 14 of the engrossed bill, being page 1, line 14 of the printed bill, after "(1)" strike all material down to and including "Washington" on page 2, line 22 of the engrossed bill, being page 2, line 22 of the printed bill, and insert: "A vocational agriculture education service area within the office of the superintendent of public instruction shall be established. Adequate staffing of individuals trained or experienced in the field of vocational agriculture shall be provided for the vocational agriculture education service area for coordination of the state program and to provide assistance to local school districts for the coordination of the activities of student agricultural organizations and associations.

(2) The vocational agriculture education service area shall:

(a) Assess needs in vocational agriculture education, assist local school districts in establishing vocational agriculture programs, review local school district applications for approval of vocational agriculture programs, evaluate existing programs, plan research and studies for the improvement of curriculum materials for specialty areas of vocational agriculture. Standards and criteria developed under this subsection shall satisfy the mandates of federally-assisted vocational education;

(b) Develop in-service programs for teachers and administrators of vocational agriculture, review application for vocational agriculture teacher certification, and assist in teacher recruitment and placement in vocational agriculture programs;

(c) Serve as a liaison with the Future Farmers of America, representatives of business, industry, and appropriate public agencies, and institutions of higher education in order to disseminate information, promote improvement of vocational agriculture programs, and assist in the development of adult and continuing education programs in vocational agriculture; and

(d) Establish an advisory task force committee of agriculturists, who represent the diverse areas of the agricultural industry in Washington, which shall make annual recommendations including, but not limited to, the development of curriculum, staffing, strategies for the purpose of establishing a source of trained and qualified individuals in agriculture, and strategies for

articulating the state program in vocational agriculture education, including youth leadership through the state school system.

NEW SECTION, Sec. 3. The superintendent of public instruction, pursuant to chapter 34.04 RCW, shall adopt such rules as are necessary to carry out the provisions of section 2 of this act. Renumber remaining section consecutively and correct internal references accordingly, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kaiser moved that the House do concur in the Senate amendment to Engrossed House Bill No. 570.

Representatives Kaiser, Smith and Dickie spoke in favor of the motion, and Ms. Galloway spoke against it.

Mr. Kaiser 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 Engrossed House Bill No. 570, and the motion was carried by the following vote: Yeas, 61; nays, 21; absent, 13; excused, 3.

Voting yea: Representatives Allen, Appelwick, Ballard, Barnes, Barrett, Braddock, Broback, Brough, Cantu, Chandler, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Martinis, McClure, McDonald, Miller, Moon, Nealey, Nelson G, Patrick, Powers, Ristuben, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Todd, Waik, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Armstrong, Belcher, Brekke, Burns, Charnley, Ebersole, Fisher, Galloway, Garrett, Heck, Jacobsen, Kreidler, Lux, Nelson D, Niemi, Pruitt, Rust, Schoon, Sommers, Wang, West - 21.

Absent: Representatives Addison, Betzoff, Clayton, McMullen, Mitchell, Monohon, O'Brien, Padden, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich - 13.

Excused: Representatives Bond, Locke, Prince - 3.

#### 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. 570 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 570 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 64; nays, 19; absent, 12; excused, 3.

Voting yea: Representatives Allen, Appelwick, Ballard, Barnes, Barrett, Betzoff, Braddock, Broback, Brough, Cantu, Chandler, Crane, Dellwo, Dickie, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Grimm, Halsan, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, Long, Martinis, McClure, McDonald, Miller, Moon, Nealey, Nelson D, Nelson G, Patrick, Powers, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Taylor, Todd, Waik, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Armstrong, Belcher, Brekke, Burns, Charnley, Ebersole, Fisher, Galloway, Garrett, Heck, Jacobsen, King P, Kreidler, Lux, Niemi, Pruitt, Rust, Sommers, Wang - 19.

Absent: Representatives Addison, Clayton, McMullen, Mitchell, Monohon, O'Brien, Padden, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich - 12.

Excused: Representatives Bond, Locke, Prince - 3.

Engrossed House Bill No. 570 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

May 6, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 139 with the following amendments:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section .09.35, chapter 79, Laws of 1947 and RCW 48.09.350 are each amended to read as follows:

(1) ~~((No))~~ Upon satisfaction of the requirements applicable to the formation of a domestic stock insurer, a domestic mutual insurer ((shall hereafter be converted, changed, or)) may be reorganized as a stock corporation, pursuant to a plan of reorganization as approved by the commissioner.

(2) ~~((Such an))~~ A domestic mutual insurer may be wholly reinsured in and its assets transferred to and its liabilities assumed by another mutual or stock insurer under such terms and conditions as are approved by the commissioner in advance of such reinsurance.

(3) The commissioner shall not approve any such reinsurance agreement which does not determine the amount of and make adequate provision for paying to policy holders of such mutual insurer, reasonable compensation for their equities as owners of such insurer, such compensation to be apportioned to policyholders as identified and in the manner prescribed in RCW 48.09.360.

Sec. 2. Section .13.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 218, Laws of 1982 and RCW 48.13.020 are each amended to read as follows:

(1) No security or other investment shall be eligible for purchase or acquisition under this chapter unless it is interest bearing or interest accruing or dividend or income paying, is not then in default in any respect, and the insurer is entitled to receive for its exclusive account and benefit, the interest or income accruing thereon; except,

(a) that an insurer may acquire real property as provided in RCW 48.13.160, and

(b) that this section shall not prevent participation by an insurer in a mortgage loan if the insurer, either individually or jointly with other lenders, holds a senior participation in such mortgage or deed of trust giving it substantially the rights of a first mortgagee as to its interest in that loan.

(2) No security shall be eligible for purchase at a price above its market value except voting stock of a corporation being acquired as a subsidiary.

(3) No provision of this chapter shall prohibit the acquisition by an insurer of other or additional securities or property if received as a dividend or as a lawful distribution of assets, or if acquired pursuant to a lawful and bona fide agreement of bulk reinsurance or consolidation. Any investments so acquired through bulk reinsurance or consolidation, which are not otherwise eligible under this chapter, shall be disposed of pursuant to RCW 48.13.290 if personal property or securities, or pursuant to RCW 48.13.170 if real property.

Sec. 3. Section .15.02, chapter 79, Laws of 1947 as amended by section 2, chapter 102, Laws of 1980 and RCW 48.15.020 are each amended to read as follows:

(1) An insurer not thereunto authorized by the commissioner shall not solicit insurance business in this state, nor transact insurance business in this state except as provided in this chapter.

(2) No person shall, in this state, represent an unauthorized insurer except as provided in this chapter. This provision shall not apply to any adjuster or attorney at law representing such an insurer from time to time in this state in his professional capacity.

(3) Each violation of this section shall constitute a separate offense punishable by a fine of not ~~((less than two hundred fifty dollars nor))~~ more than ~~((ten))~~ twenty-five thousand dollars, and the commissioner, at the commissioner's discretion, may order replacement of policies improperly placed with an unauthorized insurer with policies issued by an authorized insurer. Violations may result in suspension or revocation of a license.

Sec. 4. Section .15.04, chapter 79, Laws of 1947 and RCW 48.15.040 are each amended to read as follows:

If certain insurance coverages cannot be procured from authorized insurers, such coverages, hereinafter designated as 'surplus lines,' may be procured from unauthorized insurers subject to the following conditions:

(1) The insurance must be procured through a licensed surplus line broker.

(2) The insurance must not be procurable, after diligent effort has been made to do so from among a majority of the insurers authorized to transact that kind of insurance in this state ~~((and placing the insurance in an unauthorized insurer must not be for the purpose of securing a lower premium rate than would be accepted by any authorized insurer)).~~

(3) Coverage shall not be procured from an unauthorized insurer for the purpose of securing a lower premium rate than would be accepted by any authorized insurer nor to secure any other competitive advantage.

(4) The commissioner may by regulation establish the degree of effort required to comply with subsections (2) and (3) of this section.

(5) At the time of the procuring of any such insurance an affidavit setting forth the facts referred to in ~~((subdivision))~~ subsections (2) and (3) of this section must be executed by the surplus line broker. Such affidavit shall be filed with the commissioner within thirty days after the insurance is procured.

Sec. 5. Section .15.13, chapter 79, Laws of 1947 as amended by section 5, chapter 102, Laws of 1980 and RCW 48.15.130 are each amended to read as follows:



If any surplus line broker fails to file his annual statement, or fails to remit the tax provided by RCW 48.15.120, ~~((prior to the first day of April after the tax is due, he shall be liable for a fine of one hundred dollars for each day of delinquency commencing with the first day of April))~~ by the last day of the month in which the tax becomes due, the surplus line broker shall pay the penalties provided in RCW 48.14.060. The tax may be collected by distraint, or the tax and fine may be recovered by an action instituted by the commissioner in any court of competent jurisdiction. Any fine collected by the commissioner shall be paid to the state treasurer and credited to the general fund.

Sec. 6. Section 23, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.296 are each amended to read as follows:

(1) The provisions of RCW 48.18.291 through 48.18.297 shall not apply to:

(a) Contracts of insurance issued under the assigned risk plan; and

(b) Contracts of insurance, other than combination homeowners and vehicle insurance policies, providing principally general casualty or property insurance ((in addition to)) with only incidental additional vehicle insurance; and

(c) Contracts of insurance insuring more than four motor vehicles; and

(d) Any policy covering garage, automobile sales agency, repair shop, service station, or public parking place operation hazards.

Sec. 7. Section 15, chapter 181, Laws of 1982 and RCW 48.18A.035 are each amended to read as follows:

Every individual variable contract issued ~~((after May 1, 1982;))~~ shall have printed on its face or attached thereto a notice stating in substance that the policy owner shall be permitted to return the policy within ten days after it is received by the policy owner and to have the market value of the assets purchased by its premium, less taxes and investment brokerage commissions, if any, refunded, if, after examination of the policy, the policy owner is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policy owner pursuant to such notice returns the policy to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued.

Sec. 8. Section .19.41, chapter 79, Laws of 1947 and RCW 48.19.410 are each amended to read as follows:

(1) The commissioner may permit the organization and operation of examining bureaus for the examination of policies, daily reports, binders, renewal certificates, endorsements, and other evidences of insurance or of the cancellation thereof, for the purpose of ascertaining that lawful rates are being charged.

(2) A bureau shall examine documents with regard to such kinds of insurance as the commissioner may, after hearing, reasonably require to be submitted for examination. A bureau may examine documents as to such other kinds of insurance as the issuing insurers may voluntarily submit for examination. Upon request of the commissioner, a bureau shall also examine affidavits filed pursuant to RCW 48.15.040, surplus lines contracts and related documents, and shall make recommendations to the commissioner to assist the commissioner in determining whether surplus lines have been procured in accordance with chapter 48.15 RCW and rules issued thereunder.

(3) No bureau shall operate unless licensed by the commissioner as to the kinds of insurance as to which it is permitted so to examine. To qualify for a license a bureau shall:

(a) Be owned in trust for the benefit of all the insurers regularly using its services, under a trust agreement approved by the commissioner.

(b) Make its services available without discrimination to all authorized insurers applying therefor, subject to such reasonable rules and regulations as to the obligations of insurers using its services, as to the conduct of its affairs, and as to the correction of errors and omissions in documents examined by it as are approved by the commissioner.

(c) Have no manager or other employee ~~((who is connected with any rating organization; or))~~ who is an employee of an insurer other than to the extent that he is an employee of the bureau owned by insurers through such trust agreement.

(d) Pay to the commissioner a fee of ten dollars for issuance of its license.

(4) Such license shall be of indefinite duration and shall remain in force until revoked by the commissioner or terminated at the request of the bureau. The commissioner may revoke the license, after hearing.

(a) if the bureau is no longer qualified therefor;

(b) if the bureau fails to comply with a proper order of the commissioner;

(c) if the bureau violates or knowingly participates in the violation of any provision of this code.

(5) Any person aggrieved by any rule, regulation, act or omission of a bureau may appeal to the commissioner therefrom. The commissioner shall hold a hearing upon such appeal, and shall make such order upon the hearing as he deems to be proper.

(6) Every such bureau operating in this state shall be subject to the supervision of the commissioner, and the commissioner shall examine it as provided in chapter 48.03 RCW of this code.

(7) Every examining bureau shall keep adequate records of the outstanding errors and omissions found in coverages examined by it and of its receipts and disbursements, and shall hold as confidential all information contained in documents submitted to it for examination.

(8) The commissioner shall not license an additional bureau for the examination of documents relative to a kind of insurance if such documents are being examined by a then existing licensed bureau. Any examining bureau operating in this state immediately prior to the effective date of this code under any law of this state repealed as of such date, shall have prior right to apply for and secure a license under this section.

Sec. 9. Section 26, chapter 150, Laws of 1967 and RCW 48.20.013 are each amended to read as follows:

Every individual disability insurance policy issued after January 1, 1968, except single premium nonrenewable policies, shall have printed on its face or attached thereto a notice stating in substance that the person to whom the policy is issued shall be permitted to return the policy within ten days of its delivery to the purchaser and to have the premium paid refunded if, after examination of the policy, the purchaser is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policy holder or purchaser pursuant to such notice, returns the policy to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued.

Sec. 10. Section 1, chapter 60, Laws of 1977 and RCW 48.23.380 are each amended to read as follows:

Every individual life insurance policy issued after September 1, 1977, shall have printed on its face or attached thereto a notice stating in substance that the policy owner shall be permitted to return the policy within ten days after it is received by the policy owner and to have the premium paid refunded if, after examination of the policy, the policy owner is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policy owner pursuant to such notice, returns the policy to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued.

This section shall not apply to individual life insurance policies issued in connection with a credit transaction or issued under a contractual policy change or conversion privilege provision contained in a policy.

Sec. 11. Section 4, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.230 are each amended to read as follows:

Every subscriber of an individual health care service plan contract issued after September 1, 1973, may return the contract to the health care service contractor or the agent through whom it was purchased within ten days of its delivery to the subscriber if, after examination of the contract, he is not satisfied with it for any reason, and the health care service contractor shall refund promptly any fee paid for such contract. Upon such return of the contract it shall be void from the beginning and the parties shall be in the same position as if no policy had been issued. Notice of the substance of this section shall be printed on the face of each such contract or be attached thereto. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent.

Sec. 12. Section 12, chapter 153, Laws of 1981 as amended by section 3, chapter 200, Laws of 1982 and RCW 48.66.120 are each amended to read as follows:

Every individual medicare supplement insurance policy issued after January 1, 1982, and every certificate issued pursuant to a group medicare supplement policy after January 1, 1982, shall have prominently displayed on the first page of the policy form or certificate a notice stating in substance that the person to whom the policy or certificate is issued shall be permitted to return the policy or certificate within thirty days of its delivery to the purchaser and to have the premium refunded if, after examination of the policy or certificate, the purchaser is not satisfied with it for any reason. An additional ten percent penalty shall be added to any premium refund due which is not paid within thirty days of return of the policy to the insurer or agent. If a policyholder or purchaser, pursuant to such notice, returns the policy or certificate to the insurer at its home or branch office or to the agent through whom it was purchased, it shall be void from the beginning and the parties shall be in the same position as if no policy or certificate had been issued.

Sec. 13. Section 19.02, chapter 79, Laws of 1947 and RCW 48.19.020 are each amended to read as follows:

Premium rates for insurance shall not be excessive, inadequate, or unfairly discriminatory. ~~((This section does not apply to casualty insurance.))~~

Sec. 14. Section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040 are each amended to read as follows:

(1) Every insurer shall, before using, file with the commissioner every manual of classifications, manual of rules and rates, and every rating plan as to surety insurances, and every rating schedule, minimum rate, class rate, and rating rule as to other insurances, and every modification of any of the foregoing which it proposes. The insurer need not so file any rate on individually rated risks as described in subdivision (1) of RCW 48.19.030; except that any such specific rate made by a rating organization shall be filed. ~~((This section does not apply to casualty insurance.))~~

(2) Every such filing shall state its proposed effective date and shall indicate the character and extent of the coverage contemplated. When a filing is not accompanied by the information upon which the insurer supports such filing, and the commissioner does not have sufficient information to determine whether the filing meets the requirements of this chapter, he may require the insurer to furnish the information upon which it supports the filing. An insurer may offer in support of any filing

(a) the experience or judgment of the insurer or rating organization making the filing,

(b) the experience of other insurers or rating organizations, or

(c) any other factors which the insurer or rating organization deems relevant. A filing and any supporting information shall be open to public inspection only after the filing becomes effective.

(3) Where a filing is required no insurer shall make or issue an insurance contract or policy except in accordance with its filing then in effect, except as is provided by RCW 48.19.090.

Sec. 15. Section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120 are each amended to read as follows:

(1) If at any time subsequent to the applicable review period provided in RCW 48.19.060 ~~((or)), 48.19.110, or 48.19.440,~~ the commissioner finds that a filing does not meet the requirements of this chapter, he shall, after a hearing, notice of which was given to every insurer and rating organization which made such filing, issue his order specifying in what respect he finds that such filing fails to meet the requirements of this chapter, and stating when, within a reasonable period thereafter, the filings shall be deemed no longer effective. ~~((This subsection does not apply to casualty insurance.))~~

(2) Such order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order.

(3) Any person aggrieved with respect to any filing then in effect, other than the insurer or rating organization which made the filing, may make written application to the commissioner for a hearing thereon. The application shall specify the grounds to be relied upon by the applicant. If the commissioner finds that the application is made in good faith, that the applicant would be so aggrieved if his grounds are established, and that such grounds otherwise justify holding the hearing, he shall, within thirty days after receipt of the application, hold a hearing as required in subsection (1) of this section.

**NEW SECTION.** Sec. 16. There is added to chapter 48.20 RCW a new section, to be designated RCW 48.20.050, to read as follows:

There shall be a provision as follows:

'**MISSTATEMENT OF AGE OR SEX:** If the age or sex of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age or sex.'

The amount of any underpayments which may have been made on account of any such misstatement under a disability income policy shall be paid the insured along with the current payment and the amount of any overpayment may be charged against the current or succeeding payments to be made by the insurer. Interest may be applied to such underpayments or overpayments as specified in the insurance policy form but not exceeding six percent per annum.

Sec. 17. Section 6, chapter 229, Laws of 1951 as last amended by section 12, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.052 are each amended to read as follows:

There shall be a provision as follows:

**TIME LIMIT ON CERTAIN DEFENSES:** (a) After two years from the date of issue of this policy no misstatements except fraudulent misstatements, made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such two year period.'

(The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial two year period, nor to limit the application of section 16 of this 1983 act, RCW 48.20.172, ~~((48.20.182.))~~ 48.20.192, 48.20.202, and 48.20.212 in the event of misstatement with respect to age or occupation or other insurance.)

(A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age 50 or, (2) in the case of a policy issued after

age 44, for at least five years from its date of issue, may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption 'INCONTESTABLE':

'After this policy has been in force for a period of two years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application.'

'(b) No claim for loss incurred or disability (as defined in the policy) commencing after two years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy.'

(More stringent provisions may be required by the commissioner in connection with individual disability policies sold without any application or with minimal applications.)

Sec. 18. Section 1, chapter 139, Laws of 1974 ex. sess. and RCW 48.20.430 are each amended to read as follows:

(1) Any disability insurance contract providing hospital and medical expenses and health care services, delivered or issued for delivery in this state more than one hundred twenty days after February 16, 1974, which provides coverage for dependent children of the insured, shall provide coverage for newborn infants of the insured from and after the moment of birth. Coverage provided in accord with this section shall include, but not be limited to, coverage for congenital anomalies of such infant children from the moment of birth.

(2) If payment of an additional premium is required to provide coverage for a child, the contract may require that notification of birth of a newly born child and payment of the required premium must be furnished to the insurer. The notification period shall be no less than sixty days from the date of birth. This subsection applies to policies issued or renewed on or after January 1, 1984.

Sec. 19. Section 1, chapter 117, Laws of 1975 1st ex. sess. and RCW 48.21.075 are each amended to read as follows:

Any employee whose compensation includes group disability or blanket disability insurance providing health care services, the premiums for which are paid in full or in part by an employer including the state of Washington, its political subdivisions, or municipal corporations, or paid by payroll deduction, may pay the premiums as they become due directly to the policyholder whenever the employee's compensation is suspended or terminated directly or indirectly as the result of a strike, lockout, or other labor dispute, for a period not exceeding six months and at the rate and coverages as the policy provides. During that period of time the policy may not be altered or changed. Nothing in this section shall be deemed to impair the right of the insurer to make normal decreases or increases of the premium rate upon expiration and renewal of the policy, in accordance with the provisions of the policy. Thereafter, if such insurance coverage is no longer available, then the employee shall be given the opportunity to (purchase an individual policy at a rate consistent with rates filed by the insurer with the commissioner) convert as specified in RCW 48.21.210. When the employee's compensation is so suspended or terminated, the employee shall be notified immediately by the policyholder in writing, by mail addressed to the address last on record with the policyholder, that the employee may pay the premiums to the policyholder as they become due as provided in this section.

Payment of the premiums must be made when due or the insurance coverage may be terminated by the insurer.

The provisions of any insurance policy contrary to provisions of this section are void and unenforceable after May 29, 1975.

Sec. 20. Section 2, chapter 139, Laws of 1974 ex. sess. and RCW 48.21.155 are each amended to read as follows:

(1) Any group disability insurance contract except blanket disability insurance contract, providing hospital and medical expenses and health care services, renewed, delivered or issued for delivery in this state more than one hundred twenty days after February 16, 1974, which provides coverage for the dependent children of persons in the insured group, shall provide coverage for newborn infant children of persons in the insured group from and after the moment of birth. Coverage provided in accord with this section shall include, but not be limited to, coverage for congenital anomalies of such infant children from the moment of birth.

(2) If payment of an additional premium is required to provide coverage for a child, the contract may require that notification of birth of a newly born child and payment of the required premium must be furnished to the insurer. The notification period shall be no less than sixty days from the date of birth. This subsection applies to policies issued or renewed on or after January 1, 1984.

Sec. 21. Section .23.30, chapter 79, Laws of 1947 and RCW 48.23.300 are each amended to read as follows:

Any life insurer shall have the power to hold under agreement the proceeds of any policy issued by it, upon such terms and restrictions as to revocation by the policyholder and control by beneficiaries, and with such exemptions from the claims of creditors of beneficiaries other

than the policyholder as set forth in the policy or as agreed to in writing by the insurer and the policyholder. Upon maturity of a policy in the event the policyholder has made no such agreement, the insurer shall have the power to hold the proceeds of the policy under an agreement with the beneficiaries. The insurer shall not be required to segregate funds so held but may hold them as part of its general assets.

An insurer holding proceeds while awaiting determination of the final settlement option shall accrue interest on the proceeds from the date of death or maturity at a rate not less than the lower of the average over a period of thirty-six months and the average over a period of twelve months, ending on June 30 of the calendar year next preceding the year of death or maturity, of Moody's Corporate Bond Yield Average-Monthly Average Corporates, as published by Moody's Investors Service, Inc. This interest shall become payable as part of the settlement. If Moody's Corporate Bond Yield Average-Monthly Average Corporates is no longer published by Moody's Investor Service, Inc., or if the National Association of Insurance Commissioners determines that Moody's Corporate Bond Yield Average-Monthly Average Corporates as published by Moody's Investors Service, Inc. is no longer appropriate for the determination of this interest rate, then an alternative interest rate shall be defined by rule adopted by the commissioner.

Sec. 22. Section .24.15, chapter 79, Laws of 1947 and RCW 48.24.150 are each amended to read as follows:

There shall be a provision specifying an equitable adjustment of premiums or of benefits or of both to be made in the event the age or sex of a person insured has been misstated, such provision to contain a clear statement of the method of adjustment to be used.

Sec. 23. Section 6, chapter 219, Laws of 1961 as last amended by section 2, chapter 61, Laws of 1977 and RCW 48.34.060 are each amended to read as follows:

The initial amount of credit life insurance under a group policy shall at no time exceed the amount owed by the debtor which is repayable in installments to the creditor((~~or twenty-five thousand dollars, whichever is less. Nor shall the amount repayable under the contract of indebtedness extend over a period in excess of ten years, except that in case of long term agricultural real estate mortgages or agricultural short term crop production loans, the amount of insurance on the life of the debtor shall at no time exceed the amount owed by him to the creditor or fifty thousand dollars, whichever is less~~)) nor shall the amount repayable under the contract of indebtedness extend over a period in excess of ten years.

Sec. 24. Section .15.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 181, Laws of 1982 and RCW 48.15.070 are each amended to read as follows:

Any individual while a resident of this state, or any firm or any corporation that has in its employ a qualified individual who is a resident of this state and who is authorized to exercise the powers of the firm or corporation, deemed by the commissioner to be competent and trustworthy, and while maintaining an office at a designated location in this state, may be licensed as a surplus line broker in accordance with this section.

(1) Application to the commissioner for the license shall be made on forms furnished by the commissioner.

(2) The license fee shall be one hundred dollars for each license year during any part of which the license is in force. The annual renewal date shall be determined by the commissioner. The commissioner shall adopt a rule providing for the proration, on a quarterly basis, of the license fee. The proration shall be applicable only: (a) To applicants who apply for a license after the expiration of the first quarter of any license year, or (b) to licensees whose licenses would exist for less than nine months as a result of the adoption of the annual renewal date.

(3) Prior to issuance of license the applicant shall file with the commissioner a bond in favor of the state of Washington in the penal sum of twenty thousand dollars, with authorized corporate sureties approved by the commissioner, conditioned that he will conduct business under the license in accordance with the provisions of this chapter and that he will promptly remit the taxes provided by RCW 48.15.120. The licensee shall maintain such bond in force for as long as the license remains in effect.

(4) Every applicant for a surplus line broker's license or for the renewal of a surplus line broker's license shall file with the application or request for renewal a bond in favor of the people of the state of Washington, executed by an authorized corporate surety approved by the commissioner, in the amount of (~~(\$fifty))~~ one hundred thousand dollars and shall be the bonding requirement for new licensees. The licensee shall maintain such bond in force while so licensed. The bond may be continuous in form, and total aggregate liability on the bond may be limited to the amount stated in the bond. The bond shall be contingent on the accounting by the surplus line broker to any person requesting such broker to obtain insurance, for moneys or premiums collected in connection therewith. A bond issued in accordance with RCW 48.17.250 or with this subsection will satisfy the requirements of both RCW 48.17.250 and this subsection if the limit of liability is not less than the greater of the requirement of RCW 48.17.250 or the requirement of this subsection.

(5) Any bond issued pursuant to subsection (3) or (4) of this section shall remain in force until the surety is released from liability by the commissioner, or until the bond is canceled by

the surety. Without prejudice to any liability accrued prior to such cancellation, the surety may cancel the bond upon thirty days' advance notice in writing filed with the commissioner.

(6) For the purposes of this section, a 'qualified individual' is a natural person who has met all the requirements that must be met by an individual surplus line broker.

**NEW SECTION.** Sec. 25. Section 19, chapter 229, Laws of 1951, section 11, chapter 181, Laws of 1982 and RCW 48.20.182 are each repealed."

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending section .09.35, chapter 79, Laws of 1947 and RCW 48.09.350; amending section .13.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 218, Laws of 1982 and RCW 48.13.020; amending section .15.02, chapter 79, Laws of 1947 as amended by section 2, chapter 102, Laws of 1980 and RCW 48.15.020; amending section .15.04, chapter 79, Laws of 1947 and RCW 48.15.040; amending section .15.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 181, Laws of 1982 and RCW 48.15.070; amending section .15.13, chapter 79, Laws of 1947 as amended by section 5, chapter 102, Laws of 1980 and RCW 48.15.130; amending section 23, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.296; amending section 15, chapter 181, Laws of 1982 and RCW 48.18A.035; amending section .19.41, chapter 79, Laws of 1947 and RCW 48.19.410; amending section 26, chapter 150, Laws of 1967 and RCW 48.20.013; amending section 1, chapter 60, Laws of 1977 and RCW 48.23.380; amending section 4, chapter 65, Laws of 1973 1st ex. sess. and RCW 48.44.230; amending section 12, chapter 153, Laws of 1981 as amended by section 3, chapter 200, Laws of 1982 and RCW 48.66.120; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; amending section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; amending section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; amending section 6, chapter 229, Laws of 1951 as last amended by section 12, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.052; amending section 1, chapter 139, Laws of 1974 ex. sess. and RCW 48.20.430; amending section 1, chapter 117, Laws of 1975 1st ex. sess. and RCW 48.21.075; amending section 2, chapter 139, Laws of 1974 ex. sess. and RCW 48.21.155; amending section .23.30, chapter 79, Laws of 1947 and RCW 48.23.300; amending section .24.15, chapter 79, Laws of 1947 and RCW 48.24.150; amending section 6, chapter 219, Laws of 1961 as last amended by section 2, chapter 61, Laws of 1977 and RCW 48.34.060; adding a new section to chapter 48.20 RCW to be designated RCW 48.20.050; and repealing section 19, chapter 229, Laws of 1951, section 11, chapter 181, Laws of 1982 and RCW 48.20.182."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Lux moved that the House do concur in the Senate amendments to Substitute House Bill No. 139.

Representatives Lux, Sanders and Wang 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 Substitute House Bill No. 139 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 139 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent, 11; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, 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, Long, Lux, Martinis, McClure, McDonald, Miller, Moon, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Taylor, Todd, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Absent: Representatives Addison, Clayton, McMullen, Mitchell, Monohon, O'Brien, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich - 11.

Excused: Representatives Bond, Locke, Prince - 3.

Substitute House Bill No. 139 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

Mr. Heck moved that HOUSE BILL NO. 53, HOUSE CONCURRENT RESOLUTION NO. 12, HOUSE CONCURRENT RESOLUTION NO. 14 and ENGROSSED SENATE BILL NO. 3475 be rereferred from the second reading calendar to Committee on Rules.

Mr. Hastings moved that the motion be amended to include HOUSE BILL NO. 82.

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

## ROLL CALL

The Clerk called the roll on the motion that House Bill No. 82 be rereferred to Committee on Rules, and the motion was lost by the following vote: Yeas, 37; nays, 48; absent, 10; excused, 3.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G. Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, West, Williams B, Williams J, Wilson - 37.

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, Lux, Martinis, McClure, Moon, Nelson D, Niemi, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Absent: Representatives Addison, Clayton, McMullen, Mitchell, Monohon, O'Brien, Tanner, Van Dyken, Vander Stoep, Vekich - 10.

Excused: Representatives Bond, Locke, Prince - 3.

The motion by Mr. Heck was carried.

HOUSE BILL NO. 588, by Representatives Zellinsky, Smitherman, Egger, Schmidt, Isaacson, Hankins, McClure, Fisch, Miller, Vekich, Sayan, Powers and Holland

Providing funds for jail improvement and construction.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 8th Day, 1st ex. sess., May 2, 1983.)

On motion of Mr. Grimm, the committee amendment was adopted.

Mr. Dellwo moved adoption of the following amendments by Representatives Dellwo, Brekke and Struthers:

On page 1, line 14 after "hundred" strike "forty" and insert "forty-four"

On page 1, line 14 after "million" strike "five" and insert "((five)) three"

On page 2, after line 6 insert the following:

\*NEW SECTION, Sec. 3. There is appropriated to the state jail commission for the biennium ending June 30, 1983, from the local jail improvement and construction account in the general fund the sum of three million eight hundred thousand dollars, or so much thereof as may be necessary, for the specific purpose of constructing an additional floor on the state-funded Spokane county jail project which will house state prisoners under an agreement between the county and the department of corrections. The agreement between Spokane county and the department of corrections shall grant the department of corrections the right to use the additional floor of the Spokane county jail project for housing state prisoners until December 31, 1995, should the department require such housing or use of the jail facilities."

Renumber the remaining section consecutively.

Representatives Dellwo, Struthers, Barrett and Silver spoke in favor of the amendments, and Representatives Grimm and Sommers spoke against them.

Mr. Struthers spoke again in favor of the amendments.

## POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Taylor, as a member of the Ways & Means Committee, I believe we had a conversation on a similar amendment that was offered. Was I correct in hearing you say that you didn't think this facility was necessary at this time?"

Mr. Taylor: "No, you didn't. You heard me state that since I would refuse to vote to raise the debt limit, even though there is a need for the jail in Spokane, I would refuse to vote to raise the debt limit and could not vote for this issue. I wish I could; it's very necessary."

Representatives P. King and Brekke spoke in favor of the amendments, and Mr. Kreidler spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Dellwo and others to House Bill No. 588, and the amendments were not adopted by the following vote: Yeas, 42; nays, 47; absent, 6; excused, 3.

Voting yea: Representatives Allen, Appelwick, Barnes, Barrett, Brekke, Brough, Cantu, Dellwo, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson, Johnson, King P, King R, Lewis, Martinis, Nealey, Nelson D, Nelson G, O'Brien, Padden, Powers, Rust, Sanders, Silver, Smitherman, Stratton, Struthers, Todd, West, Williams B, Wilson, Zellinsky - 42.

Voting nay: Representatives Armstrong, Ballard, Belcher, Betzoff, Braddock, Broback, Burns, Chandler, Charnley, Crane, Dickie, Ebersole, Fisher, Galloway, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, Kreidler, Long, Lux, McClure, McDonald, McMullen, Miller, Monohon, Moon, Niemi, Patrick, Pruitt, Ristuben, Sayan, Schmidt, Schoon, Smith, Sommers, Sutherland, Tanner, Taylor, Tilly, Walk, Wang, Williams J, and Mr. Speaker - 47.

Absent: Representatives Addison, Clayton, Mitchell, Van Dyken, Vander Stoep, Vekich - 6.

Excused: Representatives Bond, Locke, Prince - 3.

House Bill No. 588 was ordered engrossed and passed to Committee on Rules for third reading.

#### INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following appointments to the Economic Recovery Commission:

Legislative Members: Representatives Ellis, J. King, Silver, Van Dyken; Senators Bottiger, Craswell, Lee, Vognild.

Business: Ned Barnholt, Charles Cereghino, Barbara Pool.

Labor: Rhonda Allgaier, Joe Dear.

Financial Institutions: Larry Connell.

Agriculture: Leslie Judd, James Miller.

Education: Nelson Grote, Nancy Jacobs.

Public: Bob Levin, Leland Smith, Orin Smith.

State Investment Board: John Hitchman.

The Speaker declared 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 Locke and McDonald, who were excused.

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

#### REPORT OF STANDING COMMITTEE

May 7, 1983

HB 693 Prime Sponsor, Representative D. Nelson: Permitting excess moneys in the institutional long-term loan fund to be used for locally administered financial aid programs. 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, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan and Smitherman.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Bond, McDonald, G. Nelson, Struthers, Taylor and Vander Stoep.

Absent: Representatives Braddock, Fiske, Hastings and Tilly.



Passed to Committee on Rules for second reading.

SECOND READING

On motion of Mr. Heck, HOUSE BILL NO. 635 was rereferred from the second reading calendar to Committee on Rules.

MESSAGE FROM THE SENATE

May 9, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 39,  
SUBSTITUTE HOUSE BILL NO. 127,  
SECOND SUBSTITUTE HOUSE BILL NO. 295,  
SUBSTITUTE SENATE BILL NO. 3520,  
SUBSTITUTE SENATE BILL NO. 3628,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3520,  
SUBSTITUTE SENATE BILL NO. 3628.

SUBSTITUTE SENATE BILL NO. 3267, by Committee on Ways & Means (originally sponsored by Senator McDermott - by Department of Revenue request)

Modifying provisions on property tax exemptions and deferrals.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day 1st ex. sess., May 6, 1983.)

On motion of Mr. Grimm, the committee amendment to page 7 was adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Braddock and Charnley:

On page 4, following line 3 insert:

“(6) All conservation futures, as defined in RCW 84.34.220, on agricultural land 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:

(a) The conservation futures are of an unlimited duration;

(b) The conservation futures are effectively restricted to preclude nonagricultural uses on such agricultural land; and

(c) The lands are classified as farm and agricultural lands under chapter 84.34 RCW.”

Renumber the remaining subsection consecutively.

Mr. Van Dyken spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Moon.

Mr. Moon: “Representative Van Dyken, are there any of these nonprofit corporations presently in existence that are taking over or holding these conservation futures?”

Mr. Van Dyken: “Representative Moon, there are a number of conservation futures existing in the state now. There are, under consideration, some nonprofit organizations being formed by farmers to which they could give the development rights to their own land voluntarily as a means of maintaining the agricultural land base. Those are currently under consideration, and it's a voluntary effort on the part of the farmers themselves. The only thing this would clarify is that the nonprofit holding organization that holds those development rights would not have to pay property taxes on those property rights, those development rights, which they have been made responsible for.”

Mr. Moon: "Presently there are no nonprofit corporations that you know of, as such, that this will enable nonprofit corporations to be developed strictly to hold development futures?"

Mr. Van Dyken: "There are nonprofit nature conservancies and there are, under consideration, nonprofit nature conservancies for the purpose of agricultural land. There is nothing that allows or disallows them to be created. They could be created under existing statute. The only little ambiguity that this is designed to clarify is whether or not those nonprofit nature conservancies would have to pay property taxes on the development rights which have been deeded to them."

Mr. Moon: "My concern is that these nonprofit organizations might hold these and then sometime in the future may decide to sell them for some other purpose or be in a position where there would be extreme pressure put on them to release these development rights, and they would then maybe have control of the agricultural lands."

Mr. Van Dyken: "Other places in statute and also in the mechanisms of the nonprofit organizations, in order to qualify for tax exempt status from the Internal Revenue Service, the dedication of the development rights is done in perpetuity. It is permanent and they do not really have a land development. The only thing that makes it nonpermanent is that the eminent domain powers of local government, should they decide they need those lands for legitimate government purposes in the future, can still exercise those prerogatives."

The amendment was adopted.

On motion of Mr. Grimm, the committee amendment to the title was adopted.

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

SUBSTITUTE SENATE BILL NO. 3067, by Committee on Transportation (originally sponsored by Senators Hansen, Peterson and Guess)

Modifying provisions and the taxation of motor vehicle and special fuels.

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. Martinis spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3067, 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, 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, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Locke, McDonald - 2.

Substitute Senate Bill No. 3067, having received the 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. 3079, by Committee on Local Government (originally sponsored by Senators Bauer and Sellar)

Authorizing insurance services for officials as well as employees of sewer districts.

The bill was read the second time.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker is this before us because it was in dispute at the time of the cutoff?"

The Speaker: "That's correct."

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 5th Day 1st ex. sess., April 29, 1983.)

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, as the bill stands now, would the water and sewer commissioners be able to participate in the group health programs for their districts if they paid for the premiums?"

Mr. Moon: "No, they would not at this time be able to participate, but they would, hopefully after we have a study of this and are presented a bill at the next session and get it passed."

Ms. Miller: "Then you propose to make that part of the study on compensation?"

Mr. Moon: "That would be part of the compensation and salaries."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3079 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, Brække, 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, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Locke, McDonald - 2.

Substitute Senate Bill No. 3079 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. 3290 was placed on the calendar for immediate consideration.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3290, by Committee on Natural Resources (originally sponsored by Senators Moore, Barr, Goltz and Williams)

Modifying provisions relating to the lease of aquatic lands.

The bill was read the second time.

## POINT OF ORDER

Mr. Barrett: "As has been our practice in looking at all the bills which supposedly are governed by the cutoff resolution, we ask for an explanation of why this is applicable."

The Speaker: "The Speaker has not had an opportunity to look at this bill and to deal with your point of order, Representative Barrett, so the Speaker will take this under advisement and get back to you later."

On motion of Mr. Heck, Senate Bill No. 3413 was placed on the calendar for immediate consideration.

SENATE BILL NO. 3413, by Senators Hughes and Lee (by Parks and Recreation Commission request)

Modifying provisions relating to nonresident camping fee surcharges at state parks.

The bill was read the second time.

#### POINT OF ORDER

Mr. Taylor: "I would ask for a ruling. We've looked at this and perhaps we're missing something, but we're wondering if this is properly before us, in keeping with the cutoff resolution?"

The Speaker: "This has to do with fees, generating fees which are tied to revenue, as well as the general operations of the budget."

Senate Bill No. 3413 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3490, by Committee on Local Government (originally sponsored by Senators Goltz, Deccio and Granlund)

Changing the procedures for appointing the local health officer in counties with home rule charters.

The bill was read the second time.

#### POINT OF ORDER

Mr. Taylor: "I will have to repeat the question I asked on the last bill. Would you please rule on the connection with the cutoff resolution?"

The Speaker: "My understanding is that the bill is in dispute between the two bodies and is, therefore, alive."

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal, 5th Day 1st ex. sess., April 29, 1983.)

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.

Representatives Moon and Van Dyken spoke in favor of passage of the bill, and Ms. Hine spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3490 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 16; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Velich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Betrozoff, Bond, Cantu, Clayton, Crane, Dellwo, Fuhrman, Galloway, Hastings, Hine, Miller, Nelson G, Padden, Taylor, Todd, West - 16.

Excused: Representatives Locke, McDonald - 2.

Engrossed Substitute Senate Bill No. 3490 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. 3434, by Committee on Commerce & Labor (originally sponsored by Senators Peterson, Sellar and Vognild)

Modifying definition of "member" for gambling enforcement purposes.

The bill was read the second time.

#### POINT OF ORDER

Mr. Taylor: "I am assuming this is before us because it has a revenue connection. Is that correct?"

The Speaker: "The same remarks apply; it's in dispute."

Committee on Commerce & Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 11th Day, 1st ex. sess., May 5, 1983.)

Mr. Appelwick moved adoption of the committee amendment striking everything after the enacting clause.

Mr. J. King moved adoption of the committee amendment adding a new section to the committee amendment.

Representatives Struthers, Taylor and J. King spoke against the committee amendment to the striking committee amendment, and Representatives Tilly, Pruitt and Isaacson spoke in favor of it.

The amendment was not adopted.

The Speaker stated the question before the House to be the committee amendment striking everything after the enacting clause and inserting new language.

Ms. Niemi moved adoption of the following amendments by Representatives Niemi, J. King, Barrett, McDonald, Kreidler and Braddock to the committee amendment:

On page 11, beginning on line 38 of the amendment, after "thereof" strike all material through "outlet" on page 12, line 20, and insert "(~~PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet~~)"

On page 12, after line 38 of the amendment, insert the following:

"Notwithstanding any other provision of this subsection (14), where any contest of chance is held by or on behalf of in-state retail grocery outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than seven consecutive days: PROVIDED, That if the sponsoring organization has more than one outlet in the state such contests of chance must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate contest of chance in connection with the initial opening of any such outlet."

Ms. Niemi spoke in favor of the amendments.

#### POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Niemi, I was reading through this and there are cases where some grocery stores pass out little bingo cards and then periodically, on the radio, they will read off some bingo numbers. Would that exclude that from continuing on a year-round basis? Could that only be done maybe one week a year?"

Ms. Niemi: "It would exclude it if someone objected."

Mr. Isaacson: "It would exclude it if some one objected?"

Ms. Niemi: "Yes, but I believe there's another amendment coming up dealing with that."

Mr. Barrett spoke in favor of the amendments, and Mr. Bond spoke against them.

POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Niemi, on line 27 of the amendment to page 12, would you tell me how you would identify, and how do you interpret 'initial opening of any such outlet?'"

Ms. Niemi: "That's when a new store opens--one opening per store."

Mr. Struthers spoke against the amendments.

POINT OF INQUIRY

Ms. Niemi yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Niemi, where it says, 'a contest of chance,' can you explain to me what this would incorporate?"

Ms. Niemi: "That would incorporate any of the computer-developed games which we now have in the state."

Ms. Schmidt: "Would this also prohibit some of the grocery stores who are doing coloring contests, or guess-jelly bean contests, things that are offered for children, which are games of chance? Our grocery store, for instance, has a coloring contest on their grocery bags, and the big prize is either a giant bunny or a twenty-five dollar gift certificate or something in that area. Are we prohibiting that kind of activity also?"

Ms. Niemi: "I was reminded that some of those involve skill, not chance. Probably they would be prohibited also. We are trying to do away with the proliferation of these games. Unfortunately, some of the benefits would probably go, along with the nuisances at which the statute is aimed."

Representatives Schmidt, Tanner, R. King and Schoon spoke against the amendments, and Representatives Braddock, Braddock, Van Dyken and J. King spoke in favor of them.

Mr. Bond again opposed the amendments, and Mr. Barrett spoke again in favor of them.

The amendments were adopted.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan, Barrett, J. King, McMullen and Vander Stoep to the committee amendment: On page 12, after line 38 of the amendment, insert the following:

"Notwithstanding any other provision of this subsection (14), where any contest of chance is conducted by a radio or television station in connection with the business promotions of the station or other businesses under subsections (d) and (e) hereof, such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations."

Representatives Halsan and Isaacson spoke in favor of the amendment, and it was adopted.

Mr. Barrett moved adoption of the following amendment to the committee amendment:

On page 18, line 24 strike "one dollar" and insert "(~~one~~) two dollars"

Representatives Barrett, Struthers, R. King, Clayton and Lux spoke in favor of the amendment, and Representatives Kreidler, Miller, Patrick, Van Dyken, Barnes, Sutherland and Chandler spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barrett to the committee amendment to Engrossed Substitute Senate Bill No. 3434, and the amendment was not adopted by the following vote: Yeas, 39; nays, 57; excused, 2.

Voting yea: Representatives Barrett, Braddock, Brough, Clayton, Dickie, Ellis, Gallagher, Grimm, Halsan, Hastings, Haugen, Heck, King J, King P, King R, Lewis, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson G, Prince, Sanders, Schmidt, Silver, Smitherman, Stratton, Struthers, Tanner, Vekich, Walk, Williams J, Wilson, Zellinsky - 39.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzozoff, Bond, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Galloway, Garrett, Hankins, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, Kreidler, Miller, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Smith, Sommers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Wang, West, Williams B, and Mr. Speaker - 57.

Excused: Representatives Locke, McDonald - 2.

Mr. Barrett moved adoption of the following amendment to the committee amendment:

On page 30, line 28 strike "twenty-five" and insert "~~((twenty-five))~~ fifty"

Representatives Barrett, Struthers and R. King spoke in favor of the amendment, and Representatives Kreidler, Taylor, Van Dyken and Pruitt spoke against it.

The amendment to the amendment was not adopted.

The committee amendment as amended was adopted.

On motion of Mr. Appelwick, the following amendment to the title was adopted:

On page 1, line 1 after "gambling;" insert "modifying the definition of membership, the eligibility for exemption from the gambling tax and the maximum allowable gross receipts for nonprofit organizations engaged in gambling activities."

Engrossed Substitute Senate Bill No. 3434 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3173, by Committee on Commerce & Labor (originally sponsored by Senators McManus, Hemstad, Talmadge, Bottiger, Zimmerman, Lee and Deccio)

Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities.

The bill was read the second time.

#### POINT OF ORDER

Mr. Taylor: "Mr. Speaker, I wonder if you would give us a ruling on how this meets the cutoff resolution?"

The Speaker: "Representative Taylor, the Speaker has not had a chance to review this on scope and object. I will take it under advisement and get back to you."

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Tuesday, May 10, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## SIXTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 10, 1983

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 Locke and Niemi, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alicia Schloredt and James McGreevey. Prayer was offered by The Reverend Timothy Dolan, Minister of the Westminster United Presbyterian 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

May 9, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3067,  
SUBSTITUTE SENATE BILL NO. 4137,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3067,  
SUBSTITUTE SENATE BILL NO. 4137.

## MESSAGES FROM THE SENATE

May 9, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 4137 and passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

May 9, 1983

Mr. Speaker:

The Senate has receded from certain of its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 278 on page 46, line 35; page 66, line 28; page 78, line 13; page 80, line 24; page 83, line 32; page 7, line 13 and page 7, line 23, and passed the bill with the remaining amendments to page 14, line 21; page 27, line 8; page 52, line 21; page 55, line 15; page 72, line 6; page 93, lines 18, 20 and 28, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 278 with certain Senate amendments.

Representatives Stratton and Mitchell 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. 278 with certain Senate amendments, and the bill passed the House by the following vote: Yeas, 92; nays, 1; 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, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative King R - 1.

Absent: Representatives Clayton, Johnson, Lux - 3.

Excused: Representatives Locke, Niemi - 2.

Engrossed Substitute House Bill No. 278 with certain Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

May 9, 1983

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 43 and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### FINAL PASSAGE OF HOUSE BILL WITHOUT SENATE AMENDMENTS

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 43 without the Senate amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 43 without the Senate amendments, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Clayton - 1.

Excused: Representatives Locke, Niemi - 2.

Substitute House Bill No. 43 without the Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

SUBSTITUTE SENATE BILL NO. 3267 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senator McDermott - by Department of Revenue request)

Modifying provisions on property tax exemptions and deferrals.

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

Representatives Grimm and Tilly spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Moon.

Mr. Moon: "Representative Grimm, does this change the method of the level of exemptions in any way? Does it loosen it and make it easier to get exemptions, or does it tighten it up?"

Mr. Grimm: "I don't think it's a question of loosening or tightening, Representative Moon. It simply makes consistent the dates and qualifications for the property tax exemptions for nonprofit organizations. If one wanted to construe it in terms of statutory construction, I suppose one could say that it loosens up for the nonprofit organizations, the statutory conditions, but it is not inconsistent with legislative intent that has previously been expressed. It's just changes that are an accumulation of, more than anything else, date changes over a period of time."

Mr. Moon: "The changes, then, are more technical to make the law more easily administered, rather than increasing or decreasing the level of exemptions?"

Mr. Grimm: "That is correct. There is no policy change regarding the legislature or the statutes. This is maintaining, in statute, current policy implementation to the Department of Revenue."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3267 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, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Locke, Niemi - 2.

Substitute Senate Bill No. 3267 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 Locke appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3248 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Lee, Wojahn, Kiskaddon, McDermott, Warnke, Patterson, Woody, Bottiger, Fleming, Rinehart, Fuller, Hemstad, Haley, Vognild, Hayner, Zimmerman, Jones, von Reichbauer, Bluechel, Granlund, Talmadge, Hurley, Shipoch, Deccio, Craswell and Bauer)

Requiring the salaries of persons in public employment to be adjusted to achieve comparable worth.

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

Representatives Belcher, Brough and Brekke spoke in favor of passage of the bill, and Representatives Silver and McDonald spoke against it.

## POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Lewis.

Mr. Lewis: "Could you tell me if the legislature, the legislative body, has exempted itself from this inasmuch as how it pays its staff, whether it be session staff, patronage staff or anything like that?"

Ms. Belcher: "I could make a whole speech on that, but I'll simply answer your question. Yes."

Mr. Lewis: "We have exempted ourselves?"

Ms. Belcher: "Yes, the legislative staff persons are not civil service employees and, as such, would not be affected by a comparable worth bill."

Representatives Lewis, Broback, Fiske and Galloway spoke in favor of the bill, and Representatives Schoon and Hastings spoke against it.

#### POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Belcher, I believe that education is extremely important in comparable worth. We have the word 'knowledge' in the criteria here. If we have two state employees sitting side-by-side and one has a degree and the other doesn't and they are both doing the same work, would the person with the degree be eligible for a higher pay than the other?"

Ms. Belcher: "Are you asking if they would be eligible under comparable worth?"

Mr. Sanders: "Yes."

Ms. Belcher: "Not to my knowledge. The knowledge factor included in the comparable worth studies included education as part of knowledge, included education and other forms of daily knowledge, experience specifically, and I can't imagine that that would be a factor in considering a job between two employees on the same job."

Mr. Sanders: "A second question I have, Representative Belcher, I believe that experience is extremely important in paying an employee and I look at the criteria of comparable worth and I do not see the word 'experience.' If there are two state employees sitting side-by-side and one has more years' experience on that job than the other, would the one with more experience be eligible for higher pay than the other?"

Ms. Belcher: "The one with more experience would probably be eligible for higher pay under our current prevailing rate system in our current civil service system. Comparable worth measures the job position, not the person holding that position and it measures the knowledge and skills and experience necessary to fill that position. So, in the comparable worth concept, you are measuring one position against the other position. Then when you start to fulfill those positions, you're evaluation those people under different criteria, but that does not come under comparable worth."

Mr. Sanders spoke against passage of the bill.

#### POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Brekke, for the record, does Substitute Senate Bill 3248 require that comparable worth be achieved during the '83-'85 biennium?"

Ms. Brekke: "The answer is 'No.' It does not. Under this bill, the state will begin to implement the comparable worth during the '83-'85 biennium, but comparable worth is not required to be achieved completely until June 30, 1993. Comparable worth will be phased-in over this ten-year period under schedules developed by the Department of Personnel and the Higher Education Personnel Board."

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

#### POINT OF INQUIRY

Mr. Sanders asked Ms. Miller to yield to question and she refused to yield.

Mr. 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. 3248 as amended by the House, and the bill passed the House by the following vote: Yeas, 77; nays, 19; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Nelson D, Nelson G, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Bond, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, Heck, McDonald, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, West - 19.

Absent: Representative Moon - 1.

Excused: Representative Niemi - 1.

Substitute Senate Bill No. 3248 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. 3413, by Senators Hughes and Lee (by Parks and Recreation Commission request)

Modifying provisions relating to nonresident camping fee surcharges at state parks.

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 Senate Bill No. 3413, and the bill passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Bond, Braddock, Brekke, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Vander Stoep, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Addison, Armstrong, Betzozoff, Broback, Fisher, Haugen, Jacobsen, Moon, Nealey, Pruitt, Rust, Smitherman, Todd, Van Dyken, Vekich, West, Williams J - 17.

Excused: Representative Niemi - 1.

Senate Bill No. 3413, having received the 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. 3434 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators Peterson, Sellar and Vognilid)

Modifying definition of "member" for gambling enforcement purposes.

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 Engrossed Substitute Senate Bill No. 3434 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Betzozoff, Braddock, Brekke, Broback, Brough, Chandler, Clayton, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Todd, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Ballard, Barnes, Bond, Burns, Cantu, Charnley, Dellwo, Fuhrman, Garrett, Johnson, Kaiser, Kreidler, McDonald, Miller, Moon, Nealey, Prince, Schoon, Sutherland, Tilly, Van Dyken, Vander Stoep, Williams B - 23.

Excused: Representative Niemi - 1.

Engrossed Substitute Senate Bill No. 3434 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. 3624 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Hughes, Zimmerman, Hurley, Bender, Wojahn, Hansen, Bottiger, McManus, Granlund, Owen, Vognild, Moore, Thompson, Gaspard, Peterson, Fleming, Woody, Bauer, Conner, Rasmussen, Warnke, Rinehart, Shinpoch, Talmadge, Williams, Goltz, McDermott, Hemstad, Lee, Fuller, Bluechel and Quigg)

Establishing a conservation corps.

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

Representatives J. King, B. Williams, Sanders and Brough spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3624 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, 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, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Ballard, Barnes, Betzoff, Bond, Cantu, Clayton, Dickie, Fuhrman, Hastings, McDonald, Padden, Prince, Schmidt, Struthers, Vander Stoep, West, Williams J - 17.

Excused: Representative Niemi - 1.

Engrossed Second Substitute Senate Bill No. 3624 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 HOUSE BILL NO. 466, by Committee on Ways & Means (originally sponsored by Representatives McClure, Fisch, Haugen and Egger)

Modifying provisions on the taxation of business inventories.

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

Representatives McClure, Rust, G. Nelson, R. King, Addison, Martinis, Hine, Nealey and Barnes spoke in favor of passage of the bill, and Representatives McDonald and Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 466, and the bill passed the House by the following vote: Yeas, 89; nays, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, 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, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Chandler, Fuhrman, Hastings, Kreidler, McDonald, Schmidt, Williams J - 8.

Excused: Representative Niemi - 1.

Engrossed Substitute House Bill No. 466, having received the 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 Representative Bond.

#### MESSAGE FROM THE SENATE

May 10, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, and the President has appointed the following conferees: Senators Talmadge, Pullen, Rinehart.

Bill Gleason, Assistant Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 139,  
HOUSE BILL NO. 239,  
HOUSE BILL NO. 570,  
HOUSE BILL NO. 1082.

#### MOTION

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

#### SECOND READING

ENGROSSED SENATE BILL NO. 3760, by Senators Vognild, Hurley, Guess and Hughes

Modifying provisions relating to local economic development.

The bill was read the second time.

Mr. Addison moved adoption of the following amendment:

On page 1, beginning on line 28 after "site for" strike all material over to and including the period on page 2, line 4 and insert "manufacturing, processing, research, production, assembly, warehousing, transportation, pollution control, solid waste disposal or energy facilities and such other uses subordinate to and necessary for the previously mentioned facilities, except such other uses may not cover more than five percent of the total area in the industrial park, excluding roads, streets and sidewalks. For purposes of the preceding sentence, the term 'development of land' includes the provision of water, sewage, drainage or similar facilities, or of transportation, power or communication facilities which are incidental to use of the site for the facilities and uses mentioned in the previous sentence. The term 'industrial park' does not include the provision of structures or buildings except in connection with the provision of water, sewage, drainage or similar facilities, or of transportation, power or communication facilities."

Mr. Addison spoke in favor of the amendment, and Representatives Tanner, Barrett and J. King spoke against it.

Mr. Addison spoke again in favor of the amendment, and Mr. J. King again opposed it.

Representatives Lux, Taylor and D. Nelson spoke in favor of the amendment, and Mr. Prince spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to page 1, line 28 of Engrossed Senate Bill No. 3760, and the amendment was not adopted by the following vote: Yeas, 38; nays, 58; absent, 2; excused, 0.

Voting yea: Representatives Addison, Ballard, Betzoff, Brekke, Broback, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Fiske, Fuhrman, Gallagher, Garrett, Hastings, Holland, Jacobsen, Kreidler, Locke, Long, Lux, McDonald, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Rust, Schoon, Smith, Taylor, Tilly, Vander Stoep, West - 38.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Braddock, Brough, Burns, Egger, Ellis, Fisch, Fisher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 58.

Absent: Representatives Bond, Sanders - 2.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Addison:

On page 2, after line 33 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 39.84 RCW a new section to read as follows:

(1) This section shall apply to the issuance of bonds under this chapter. The department of commerce and economic development, or its successor agency, shall adopt written policies to provide for the selection of bond counsel. The policies shall provide for the creation and maintenance of a roster of attorneys who the department believes possess the requisite special expertise and professional standing to provide bond counsel opinions which would be accepted by the underwriters, bondholders and other members of the financial community, and which would be in furtherance of the public interest in obtaining the lowest possible interest rates on the bonds issued under this chapter. Any attorney may apply to have his or her name placed on the roster, but may not be placed on the roster unless the attorney demonstrates to the department's satisfaction that the attorney would issue the kind of opinions required by this section.

(2) Prior to selecting an attorney or attorneys to provide bond counsel services, the issuing entity shall provide all attorneys on the department's roster with a notice of its intentions to select bond counsel and shall invite each of them to submit to the entity his or her fee schedule for providing bond counsel services. The entity shall have wide discretion in selecting the attorney or attorneys it considers to be most appropriate to provide the services, but in the exercise of this discretion the entity shall consider all submitted fee schedules and the public interest in achieving savings in bond counsel fees as well as achieving issuance of bonds on the best possible terms.

(3) This section shall not apply to or affect or impair in any way any decision to select bond counsel made prior to January 1, 1984. This section shall only apply to decisions to select bond counsel made after January 1, 1984."

Renumber any remaining sections consecutively.

## POINT OF ORDER

Mr. J. King: "Mr. Speaker, I would like to challenge this on the basis of scope and object."

## SPEAKER'S RULING

The Speaker: "Mr. King, the Speaker has examined Engrossed Senate Bill 3760 and the amendment. The title is broad and we are dealing with a similar subject matter, still the subject of the bill is only the definition of industrial development facilities, while the object of the amendment is to provide for the selection of bond counsel for all industrial development bonds. The amendment is clearly an attempt to expand the object of the bill. Your point is well taken; the amendment is declared out of order."

The Clerk read the following amendment by Representatives Lux and Addison:

On page 2, after line 33 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 39.84 RCW a new section to read as follows:

(1) This section shall apply to the issuance of bonds under this chapter. The department of commerce and economic development, or its successor agency, shall adopt written policies to provide for the selection of underwriter. The policies shall provide for the creation and maintenance of a roster of underwriters who the department believes possess the requisite special

expertise and professional standing to provide bond marketing services which would be accepted by the bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing bonds at the lowest possible costs. Any underwriter may apply to have its name placed on the roster, but may not be placed on the roster unless the underwriter demonstrates to the department's satisfaction that it would provide the kind of services required by this section.

(2) Whenever an entity authorized to issue bonds under this chapter decides that it needs the services of an underwriter, it shall provide all underwriters on the department's roster with a notice of its intentions and shall invite each of them to submit to the entity an itemization of its fees and other charges for providing underwriting services on the issue. The itemization shall be by categories specified in written policies which shall be adopted by the department of commerce and economic development, or its successor agency. The issuing entity shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the entity shall consider the underwriter's fees and other charges and the public interest both in achieving savings in the total cost of underwriting services and in the issuance of bonds on terms most favorable to the entity.

(3) This section shall not apply to or affect or impair in any way any decision to select an underwriter or underwriters made prior to January 1, 1984. This section shall only apply to decisions to select underwriters made after January 1, 1984."

Renumber any remaining sections consecutively.

With the consent of the House, Mr. Lux withdrew the amendment.

Engrossed Senate Bill No. 3760 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3864, by Committee on Agriculture (originally sponsored by Senator Hansen)

Authorizing increased assessments on soft fruits.

The bill was read the second time.

Mr. Kaiser moved adoption of the following amendments by Representatives Kaiser and Smith:

On page 2, after line 11, add a new section as follows:

"Sec. 2. Section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270 are each amended to read as follows:

The provisions of this chapter relating to licensing shall not apply to persons making casual or isolated sales or for each place of business where gross sales do not exceed five hundred dollars per year, nor to any garden club or charitable nonprofit association conducting not more than three sales per year for not more than four consecutive days each of horticultural plants as defined in RCW 15.13.250 and which are grown by or donated to its members: PROVIDED, That such club or association shall apply to the director for a permit to conduct such sale. A two dollar fee shall be assessed for such permit.

All horticultural plants sold under such a permit issued by the director shall be subject to all the other provisions of this chapter except licensing as set forth herein."

Renumber the remaining sections consecutively.

On page 2, line 19, after "dollars" insert ", except there shall be no license fee for each place of business where gross sales do not exceed five hundred dollars per year"

Representatives Kaiser and Smith spoke in favor of the amendments, and they were adopted.

On motion of Mr. Kaiser, the following amendment by Representatives Kaiser and Smith was adopted:

On page 5, beginning on line 2 strike all material through "thereunder," on line 27.

On motion of Mr. Kaiser, the following amendments to the title were adopted:

On page 1, line 5 of the title after "15.13.280;" insert "amending section 3, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.270;"

On page 1, line 8 of the title after "RCW;" insert "and" and beginning on line 9 of the title after "15.13.330" strike all material through "69.04.398" on line 10

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 Engrossed Substitute Senate Bill No. 3864, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent, 1; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Br kke, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D. Nelson G. Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B. Williams J. Wilson, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Bond - 1.

Engrossed Substitute Senate Bill No. 3864, having received the 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. 983, by Representative Martinis

Relating to motor vehicle excise taxes.

The bill was read the second time. On motion of Mr. Martinis, Substitute House Bill No. 983 was substituted for House Bill No. 983, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 983 was read the second time.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis, Armstrong, Haugen, Holland, Wilson and Betzoff:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 82.44 RCW a new section to read as follows:

(1) An account in the state general fund to be named the drunk driver enforcement impact account is hereby created to assist cities and counties in handling the increased workload placed upon their court administrations, prosecutors, and jails by drunk drivers, and to assist the department of licensing in administrative suspension of drivers' licenses.

(2) The state treasurer shall distribute the revenues deposited in the drunk driver enforcement impact account to cities and counties in accordance with rules adopted by the office of financial management under section 2 of this act, and to the department of licensing to implement sections 3 through 12, chapter ... (ESHB 289), Laws of 1983.

NEW SECTION. Sec. 2. There is added to chapter 46.68 RCW a new section to read as follows:

(1) The office of financial management, in consultation with the traffic safety commission, shall adopt rules for the manner in which the proceeds of the drunk driver enforcement impact account, created by section 1 of this act, shall be distributed to cities and counties for the increased needs of the courts, prosecuting authorities, public defenders, and jails in handling cases involving driving while intoxicated.

(2) The rules adopted by the office of financial management shall include procedures for:

(a) Assuring that the funds distributed are used to supplement, not supplant, local resources;

(b) Conditioning distribution of funds on the use by a local jurisdiction of enforcement techniques that are most effective in that jurisdiction; and

(c) Determining that local jurisdictions are complying with statutory requirements for punishment and treatment of persons convicted of driving while intoxicated.

(3) In making grants from the drunk driver enforcement impact account, the office of financial management shall consider the following:

(a) The number of sentences imposed and treatments completed for driving while intoxicated in the city or county in the immediately preceding fiscal year;

(b) The percentage of change over the corresponding number for the second preceding fiscal year;

(c) The judicial caseload predicted by the administrator for the courts for the current fiscal year;

(d) Increases in financial support provided by cities and counties for enforcement and conviction relating to offenses involving driving while intoxicated; and

(e) The increase in efforts of law enforcement agencies to arrest persons violating laws against driving while intoxicated.

(4) The proposed and final rules of the office of financial management that are required by this section shall, in addition to the distribution required by chapter 34.04 RCW, be submitted to the standing committees on transportation and judiciary of the state senate and house of representatives.

Sec. 3. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional taxes imposed by subsections (2) and (6) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of September, 1983, an additional tax is imposed equal to the taxes payable under subsections (1) ~~((and)),~~ (2), and (6) of this section multiplied by the rate of tax applicable to the periods shown as follows:

July 1 - September 30, 1982	4%
October 1 - June 30, 1983	7%
July 1 - September 30, 1983	3%

(6) From and after September 1, 1984, an additional tax is imposed for the privilege of using in this state any such vehicle, and the annual amount of such additional tax shall be one-tenth of one percent of the fair market value of such vehicle. This additional tax shall not apply to vehicles licensed for a gross weight of ten thousand pounds or more.

Sec. 4. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 12, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund; AND PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(6) shall be credited by the state treasurer to the drunk driver enforcement impact account in the general fund.

Sec. 5. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 13, chapter 35, Laws of 1982 1st ex. sess. and by section 20, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.44.150 are each reenacted and amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020 (5) and (6), 82.44.030, and 82.44-.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020 (5) and (6), 82.44.030, and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in

the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020 (5) and (6). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth: a sum equal to two percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020 (5) and (6), shall be allocable to the county sales and use tax equalization account under RCW 82.14.200; and a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020 (5) and (6), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under RCW 82.14.210.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION, Sec. 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. There is appropriated from the drunk driver enforcement impact account in the general fund to the state treasurer for the biennium ending June 30, 1985, the sum of nine million dollars or so much as may be necessary to carry out the provisions of section 1 of this act. No more than one million two hundred thousand dollars of this appropriation may be used by the department of licensing in implementing sections 3 through 12, chapter ... (ESHB 289), Laws of 1983."

Mr. Halsan moved adoption of the following amendments to the Martinis amendment:

On page 1 of the amendment, line 9, after "drivers," insert "to provide funding so that the state patrol may conduct educational programs in elementary and junior high schools."

On page 1 of the amendment, line 12, after "(2)" insert "The state treasurer shall distribute two million dollars per biennium from the drunk driver enforcement impact account to the state patrol to be used solely for providing educational programs in elementary and junior high schools concerning alcohol and drug abuse and traffic safety.

(3)"

On page 1 of the amendment, line 13, after "account" insert ", other than those revenues distributed under subsection (2) of this section."

On page 1 of the amendment, line 15, after "act" strike "."

On page 2 of the amendment, after line 29, insert the following:

NEW SECTION, Sec. 3. The state patrol, in consultation with the superintendent of public instruction, shall develop a curriculum to implement the educational programs authorized by section 1(2) of this act. The programs shall be given by uniformed officers of the state patrol and shall be implemented no later than January 1, 1984."

Renumber the remaining sections consecutively.

On page 3 of the amendment, line 26, after "shall be" strike "one-tenth of one" and insert "0.125"

On page 8 of the amendment, line 4, after "of" strike "nine" and insert "eleven"

#### POINT OF ORDER

Mr. Martinis: "Mr. Speaker, I'd like a ruling on scope and object on this amendment."

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m. Wednesday, May 11, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**SEVENTEENTH DAY****MORNING SESSION**

House Chamber, Olympia, Wash., Wednesday, May 11, 1983

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 except Representatives Ballard, Chandler, Hastings, J. King, McDonald, G. Nelson, Schmidt, Schoon, Silver, Tilly and West, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Yvette Kraft and Steve Harold. Prayer was offered by The Reverend Timothy Dolan, Minister of the Westminster United Presbyterian 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**

May 10, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 139,  
HOUSE BILL NO. 570,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 10, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3079, and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 10, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3490 and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

May 10, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to REENGROSSED SUBSTITUTE SENATE BILL NO. 3660 and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

**REPORTS OF STANDING COMMITTEES**

May 10, 1983

HB 996 Prime Sponsor, Representative Lux: Relating to savings and loan associations. Reported by Committee on Rules

Referred to Committee on Financial Institutions & Insurance.

May 10, 1983

ESB 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; Silver, Ranking Minority Vice Chair; Allen, Barnes, Barrett, Brough, Crane, R. King, McMullen, Miller, D. Nelson, Powers, Struthers, Sutherland and Tanner.

Absent: Representatives Prince, Ranking Minority Chair; Locke, McDonald and Tanner.

Rereferred to Committee on Ways & Means.

MESSAGE FROM THE SENATE

May 9, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 428 and pass the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

May 7, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 428, modifying certain court procedures, have had the same under consideration and we recommend that the bill pass as follows:

On page 3, after line 5, insert the following:

\*Sec. 4. Section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050 are each amended to read as follows:

Homesteads may consist of lands and tenements with the improvements thereon, as defined in RCW 6.12.010, regardless of area but not exceeding in net value, of both the lands and improvements, the sum of ~~((twenty))~~ twenty-five thousand dollars. The premises thus included in the homestead must be actually intended or used as a home for the owner, and shall not be devoted exclusively to any other purpose.

Sec. 5. Section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190 are each amended to read as follows:

The real estate of any judgment debtor, and such as he may acquire, not exempt by law, shall be held and bound to satisfy any judgment of the district court of the United States rendered in this state, any judgment of the supreme court, court of appeals, or superior court of this state, and any judgment of any justice of the peace rendered in this state, and every such judgment shall be a lien thereupon to commence as hereinafter provided and to run for a period of not to exceed ten years from the day on which such judgment was rendered. As used in this chapter, real estate shall not include the vendor's interest under a real estate contract for judgments rendered after the effective date of this 1983 act. Personal property of the judgment debtor shall be held only from the time it is actually levied upon.

Sec. 6. Section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010 are each amended to read as follows:

At any time within ten years after entry of a judgment for the sum of twenty-five dollars or over upon application by the judgment creditor, such court or judge may, by an order, require the judgment debtor to appear at a specified time and place before the judge granting the order, or a referee appointed by him, to answer concerning the same; and the judge to whom application is made under this chapter may, if it is made to appear to him by the affidavit of the judgment creditor, his agent or attorney that there is danger of the debtor absconding, order the sheriff to arrest the debtor and bring him before the judge granting the order. Upon being brought before the judge he may be ordered to enter into a bond, with sufficient sureties, that he will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof. If the judgment debtor or other persons against whom the special proceedings are instituted has been served with these proceedings and fails to answer or appear, the plaintiff shall be entitled to costs of service, notary fees, and reasonable attorney fees.

Sec. 7. Section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 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 ~~((his))~~ 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;

(5) Reasonable expenses, exclusive of attorneys' fees, incurred in obtaining reports and records, which are admitted into evidence at trial 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) Statutory attorney and witness fees; and

(7) To the extent that the court finds that it was necessary to achieve the successful result, the reasonable expense of the transcription of depositions used at trial: 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.

Sec. 8. Section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020 are each amended to read as follows:

The following personal property shall be exempt from execution and attachment, except as hereinafter specially provided:

(1) All wearing apparel of every person and family, but not to exceed ~~((five hundred))~~ seven hundred fifty dollars in value in furs, jewelry, and personal ornaments for any person.

(2) All private libraries not to exceed ~~((five hundred))~~ one thousand dollars in value, and all family pictures and keepsakes.

(3) To each person or family~~(:);~~:

(a) The person's or family's household goods, appliances, furniture and home and yard equipment, not to exceed one thousand five hundred dollars in value;

(b) Provisions and fuel for the comfortable maintenance of such person or family for three months; and

(c) Other property not to exceed ~~((four))~~ five hundred dollars in value, of which not more than one hundred dollars in value may consist of cash, bank accounts, savings and loan accounts, stocks, bonds, or other securities.

(4) To any person or family, one motor vehicle which is used for personal transportation, not to exceed ~~((seven hundred and fifty))~~ one thousand two hundred dollars in value.

(5) To a farmer, farm trucks, farm stock, farm tools, farm equipment, supplies and seed, not to exceed ~~((one))~~ three thousand ((five hundred)) dollars in value.

(6) To a physician, surgeon, attorney, clergyman, or other professional person, the person's library, office furniture, office equipment and supplies, not to exceed ~~((one))~~ three thousand ((five hundred)) dollars in value.

(7) To any other person, the tools and instruments and materials used to carry on his or her trade for the support of himself or herself or family, not to exceed ~~((one))~~ three thousand ((five hundred)) dollars in value.

The property referred to in the foregoing subsection (3) shall be selected by any adult member of the family on behalf of the family or the person, if present, and in case no adult member of the family or person is present to make the selection, then the sheriff or the director of public safety shall make a selection equal in value to the applicable exemptions above described and he shall return the same as exempt by inventory. Any selection made as above provided shall be prima facie evidence (a) that the property so selected is exempt from execution and attachment, and (b) that the property so selected is not in excess of the values specified for the exemptions. Except as above provided, the exempt property shall be selected by the person claiming the exemption. No person shall be entitled to more than one exemption under the provisions of the foregoing subsections (5), (6) and (7).

For purposes of this section 'value' shall mean the reasonable market value of the article or item at the time of its selection, and shall be of the debtor's interest therein, exclusive of all liens and encumbrances thereon.

Wages, salary, or other compensation regularly paid for personal services rendered by the person claiming the exemption may not be claimed as exempt under the foregoing provisions, but the same may be claimed as exempt in any bankruptcy or insolvency proceeding to the same extent as allowed under the statutes relating to garnishments.

No property shall be exempt under this section from an execution issued upon a judgment for all or any part of the purchase price thereof, or for any tax levied upon such property."

Remember the remaining sections consecutively.

On page 1, line 5 of the title, after "26.09.120;" insert "amending section 24, chapter 64, Laws of 1895 as last amended by section 10, chapter 329, Laws of 1981 and RCW 6.12.050; amending section 1, chapter 60, Laws of 1929 as last amended by section 3, chapter 105, Laws of 1980 and RCW 4.56.190; amending section 1, chapter 133, Laws of 1893 as last amended by section 5, chapter 105, Laws of 1980 and RCW 6.32.010; amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010; amending section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020;"

Signed by Senators Talmadge, Hemstad, Hughes; Representatives Padden, Dellwo, Crane.

#### MOTION

Mr. Dellwo moved that the report of the Free Conference Committee be adopted.

Representatives Dellwo and Padden 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 Engrossed House Bill No. 428 as amended by the Free Conference Committee.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 428 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 79; nays, 2; absent, 6; excused, 11.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Charnley, Clayton, Crame, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Hine, Holland, Jacobsen, Johnson, Kaiser, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Waik, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Heck, King P - 2.

Absent: Representatives Brekke, Burns, Ellis, Isaacson, Nelson D, Van Dyken - 6.

Excused: Representatives Ballard, Chandler, Hastings, King J, McDonald, Nelson G, Schmidt, Schoon, Silver, Tilly, West - 11.

Engrossed House Bill No. 428 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

May 9, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on REENGROSSED SUBSTITUTE SENATE BILL NO. 3817 and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

May 9, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGGROSSED SUBSTITUTE SENATE BILL NO. 3817, restricting body searches by law enforcement agencies, have had the same under consideration and we recommend that the bill pass as follows:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is the intent of the legislature to establish policies regarding the practice of strip searching persons booked into holding, detention, or local correctional facilities. It is the intent of the legislature to restrict the practice of strip searching and body cavity searching persons booked into holding, detention, or local correctional facilities to those situations where such searches are necessary.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 6 of this act.

(1) 'Strip search' means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

(2) 'Body cavity search' means the touching or probing of a person's body cavity, whether or not there is actual penetration of the body cavity.

(3) 'Body cavity' means the stomach or rectum of a person and the vagina of a female person.

(4) 'Law enforcement agency' and 'law enforcement officer' include local departments of corrections created pursuant to RCW 70.48.090(3) and employees thereof.

NEW SECTION, Sec. 3. (1) No person may be subjected to a body cavity search by or at the direction of a law enforcement agency unless a search warrant is issued pursuant to superior court criminal rules.



(2) No law enforcement officer may seek a warrant for a body cavity search without first obtaining specific authorization for the body cavity search from the ranking shift supervisor of the law enforcement authority. Authorization for the body cavity search may be obtained electronically: PROVIDED, That such electronic authorization shall be reduced to writing by the law enforcement officer seeking the authorization and signed by the ranking supervisor as soon as possible thereafter.

(3) Before any body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, where appropriate, must be used to search for and seize any evidence of a crime, contraband, fruits of crime, things otherwise criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed. No body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the law enforcement agency.

(4) A law enforcement officer requesting a body cavity search shall prepare and sign a report regarding the body cavity search. The report shall include:

(a) A copy of the written authorization required under subsection (2) of this section;

(b) A copy of the warrant and any supporting documents required under subsection (1) of this section;

(c) The name and sex of all persons conducting or observing the search;

(d) The time, date, place, and description of the search; and

(e) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the law enforcement agency's records.

**NEW SECTION.** Sec. 4. Nothing in section 3 of this act or this section may be construed as precluding or preventing the administration of medical care to persons requiring immediate medical care or requesting medical care.

**NEW SECTION.** Sec. 5. (1) Persons conducting a strip search shall not touch the person being searched except as reasonably necessary to effectuate the strip search of the person.

(2) Any body cavity search must be performed under sanitary conditions and conducted by a physician, registered nurse, or physician's assistant, licensed to practice in this state, who is trained in the proper medical process and the potential health problems associated with a body cavity search. No health professional authorized by this subsection to conduct a body cavity search shall be held liable in any civil action if the search is conducted in a manner that meets the standards and requirements of RCW 4.24.290 and 7.70.040.

(3) Except as provided in subsection (7) of this section, a strip search or body cavity search, as well as presearch undressing or postsearch dressing, shall occur at a location made private from the observation of persons not physically conducting the search. A strip search or body cavity search shall be performed or observed only by persons of the same sex as the person being searched, except for licensed medical professionals as required by subsection (2) of this section.

(4) Except as provided in subsection (5) of this section, no person may be present or observe during the search unless the person is necessary to conduct the search or to ensure the safety of those persons conducting the search.

(5) Nothing in this section prohibits a person upon whom a body cavity search is to be performed from having a readily available person of his or her choosing present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(6) Section 3 of this act and this section shall not be interpreted as expanding or diminishing the authority of a law enforcement officer with respect to searches incident to arrest or investigatory stop in public.

(7) A strip search of a person housed in a holding, detention, or local correctional facility to search for and seize a weapon may be conducted at other than a private location if there arises a specific threat to institutional security that reasonably requires such a search or if all persons in the facility are being searched for the discovery of weapons or contraband.

**NEW SECTION.** Sec. 6. (1) A person who suffers damage or harm as a result of a violation of section 3, 4, or 5 of this act may bring a civil action to recover actual damages sustained by him or her. The court may, in its discretion, award injunctive and declaratory relief as it deems necessary.

(2) Sections 3, 4, and 5 of this act shall not be construed as limiting any constitutional, common law, or statutory right of any person regarding any action for damages or injunctive relief, or as precluding the prosecution under another provision of law of any law enforcement officer or other person who has violated section 3, 4, or 5 of this act.

**NEW SECTION.** Sec. 7. The corrections standards board shall study the use of strip searches of persons booked into holding, detention, and local correctional facilities. The corrections standards board shall identify those categories of persons booked into holding, detention, and local correctional facilities which the board deems inappropriate to strip search or body cavity search. Minimum criteria to be employed by the board in identifying such categories shall be

federal and state constitutional requirements. The board shall submit its findings and recommendations, together with proposed legislation, to the judiciary committees of the senate and house of representatives before January 1, 1984.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act are each added to chapter 10.79 RCW.

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. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1983.

On page 1, line 1 of the title, after "seizure;" strike the remainder of the title and insert "adding new sections to chapter 10.79 RCW; creating a new section; providing an effective date; and declaring an emergency."

Signed by Senators Talmadge, Fleming, Hemstad; Representatives Locke, Belcher, Tilly.

#### MOTION

Mr. Locke moved that the House adopt the report of the Free Conference Committee.

Representatives Locke and Patrick 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 Reengrossed Substitute Senate Bill No. 3817 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3817 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 84; nays, 0; absent, 3; excused, 11.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 84.

Absent: Representatives Dickie, Isaacson, Van Dyken - 3.

Excused: Representatives Ballard, Chandler, Hastings, King J, McDonald, Nelson G, Schmidt, Schoon, Silver, Tilly, West - 11.

Reengrossed Substitute Senate Bill No. 3817 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.

#### REPORT OF CONFERENCE COMMITTEE

May 5, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 3090, modifying the budget and accounting act, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill.

Signed by Senators Gaspard, Talmadge, Lee; Representatives Grimm, McMullen, Fiske.

## MOTION

On motion of Mr. McMullen, the report of the Conference Committee on Senate Bill No. 3090 was adopted, and the committee was granted the powers of Free Conference.

Representatives Hastings, McDonald and G. Nelson appeared at the bar of the House.

## MESSAGE FROM THE SENATE

May 10, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 74, 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

May 9, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 74, raising limits on local government contracts that may benefit local officers, 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 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030 are each amended and reenacted to read as follows:

No municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein. This section shall not apply in the following cases:

- (1) The furnishing of electrical, water or other utility services by a municipality engaged in the business of furnishing such services, at the same rates and on the same terms as are available to the public generally;
- (2) The designation of public depositaries for municipal funds;
- (3) The publication of legal notices required by law to be published by any municipality, upon competitive bidding or at rates not higher than prescribed by law for members of the general public;
- (4) The designation of a school director as clerk or as both clerk and purchasing agent of a school district;
- (5) The employment of any person by a municipality, other than a county of the first class or higher, a city of the first or second class, an irrigation district encompassing in excess of fifty thousand acres, or a first class school district, for unskilled day labor at wages not exceeding one hundred dollars in any calendar month;
- (6) The letting of any other contract (except a sale or lease as seller or lessor) by a municipality, other than a county of the first class or higher, a city of the first or second class, an irrigation district encompassing in excess of fifty thousand acres, or a first class school district: PROVIDED, That the total volume of business represented by such contract or contracts in which a particular officer is interested, singly or in the aggregate, as measured by the dollar amount of the municipality's liability thereunder, shall not exceed ~~((two))~~ seven hundred fifty dollars in any calendar month: PROVIDED FURTHER, That in the case of a particular officer of a city or town of the third, or fourth class, or a noncharter optional code city, or a member of any county fair board in a county which has not established a county purchasing department pursuant to RCW 36.32.240, the total volume of such contract or contracts authorized in this subsection may exceed ~~((two))~~ seven hundred fifty dollars in any calendar month but shall not exceed ~~((thirty-six hundred))~~ nine thousand dollars in any calendar year: PROVIDED FURTHER, That there shall be public disclosure by having an available list of such purchases or contracts, and if the supplier or contractor is an official of the municipality, he or she shall not vote on the authorization;
- (7) The leasing by a port district as lessor of port district property to a municipal officer or to a contracting party in which a municipal officer may be beneficially interested, if in addition to all other legal requirements, a board of three disinterested appraisers, who shall be appointed from members of the American institute of real estate appraisers by the presiding judge of the superior court in the county where the property is situated, shall find and the court

finds that all terms and conditions of such lease are fair to the port district and are in the public interest:

(8) The letting of any contract for the driving of a school bus in a second class school district: PROVIDED, That the terms of such contract shall be commensurate with the pay plan or collective bargaining agreement operating in the district;

(9) The letting of any contract to the spouse of an officer of a second class school district in which less than two hundred full time equivalent students are enrolled at the start of the school year as defined in RCW 28A.01.020, when such contract is solely for employment as a certificated or classified employee of the school district."

Signed by Senators Thompson, Bauer, Zimmerman; Representatives Moon, Ebersole, Brough.

#### MOTION

On motion of Mr. Moon, the report of the Free Conference Committee was adopted.

#### 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. 74 as amended by the Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 74 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 89; nays, 0; absent, 1; excused, 8.

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, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 89.

Absent: Representative Isaacson - 1.

Excused: Representatives Ballard, Chandler, King J, Schmidt, Schoon, Silver, Tilly, West - 8.

Engrossed House Bill No. 74 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. 83-77, by Representatives Fisher, Ebersole and Wang

WHEREAS, Nursing is the largest health care profession in the United States; and

WHEREAS, The nursing profession is comprised of over 1,400,000 registered and licensed practical staff nurses; and

WHEREAS, The nursing profession is involved in providing quality, preventive and curative health care; and

WHEREAS, The important social contributions of this predominantly female profession remain largely unrecognized;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognize the week beginning May 6, 1983, as "National Recognition Week for Registered and Licensed Practical Nurses" in appreciation of the contributions made within this profession; and

BE IT FURTHER RESOLVED, That the House of Representatives encourage the citizens of Washington to join with it in commemorating this week, and in honoring Washington State nurses.

On motion of Ms. Fisher, the resolution was adopted.

The Speaker (Mr. O'Brien presiding) called on Representative Heck to preside.

HOUSE FLOOR RESOLUTION NO. 83-78, by Representatives Zellinsky and Schmidt

WHEREAS, Bremerton High School and Olympic High School have teams which competed in the State Knowledge Bowl competition; and

WHEREAS, The Knowledge Bowl competition requires the members of competing teams to respond quickly to questions concerning mathematics, science, sports, English, current events, and other subjects; and

WHEREAS, Members of Knowledge Bowl teams are extremely bright and diligent students; and

WHEREAS, The Bremerton High School Knowledge Bowl team placed second in the 1983 Knowledge Bowl competition; and

WHEREAS, The Olympic High School Knowledge Bowl team placed third in the 1983 Knowledge Bowl competition; and

WHEREAS, All members of the Bremerton High School and Olympic High School Knowledge Bowl teams have distinguished themselves and their communities in this statewide competition; and

WHEREAS, Kelly Keenan, Lowell Magnuson, Mike Becker, Debbie Hoag, and Jeff Evenson are members of the Bremerton High School Knowledge Bowl team; and

WHEREAS, Jim Galasyn, Timothy Scollard, Gerald Sullivan, and Christopher Gutjahr are members of the Olympic High School Knowledge Bowl team; and

WHEREAS, Both Bremerton High School and Olympic High School are located in Kitsap County and thus have doubly honored the residents of Kitsap County;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations be extended to the members of the Bremerton High School and Olympic High School Knowledge Bowl teams for their recent accomplishments; and

BE IT FURTHER RESOLVED, That these young people be commended for their efforts; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to all members of the Bremerton High School and Olympic High School Knowledge Bowl teams.

On motion of Mr. Zellinsky, the resolution was adopted.

Representatives G. Nelson, Schoon, Silver, Tilly and West appeared at the bar of the House.

HOUSE FLOOR RESOLUTION NO. 83-81, by Representatives O'Brien, G. Nelson and Sanders

WHEREAS, Glynn Ross has served with dedication and distinction as General Director of the Seattle Opera Association since 1964; and

WHEREAS, Glynn Ross, During this span of his musical and operatic career, devoted his time unselfishly for the development of the opera culture in the area of Seattle and the State of Washington; and

WHEREAS, On one occasion Glynn Ross was named "First Citizen of Seattle" by the Seattle-King County Board of Realtors; and

WHEREAS, Glynn Ross, through his great efforts and uncanny instinct for picking the right singer for each role, brought to the Seattle Opera great geniuses and talents, including such international operatic stars as Joan Sutherland and Beverly Sills; and

WHEREAS, Glynn Ross recognized that an artist desired four things: one, a chance to do something that required the best of his or her abilities; two, the opportunity to grow by singing different roles; three, prestige; and four, adequate compensation; and

WHEREAS, Glynn Ross through this recognition was extremely successful in bringing to the Seattle Opera not only internationally celebrated opera stars, but also other singers who were just emerging into international stardom; and

WHEREAS, Glynn Ross' first season as General Director of the Seattle Opera Company drew an audience of ten thousand; by his third season, the figure had soared to fifty thousand; and in recent years has attracted an audience of more

than sixty thousand for the summer festival featuring Wagner's The Ring of the Nibelungs, which is produced in both German and English; and

WHEREAS, Glynn Ross in his career has produced not only the summer spectacular, Wagner's "Ring," but has staged the whole standard opera repertory, along with world premieres of Carlisle Floyd's Of Mice and Men, Thomas Pasateris' Black Widow and the West Coast premiere of Pasateris' The Seagull; and

WHEREAS, Glynn Ross established a remarkable record of success at the Seattle Opera Company, not only attracting the attention of the whole world to the operas it produced, but also masterfully organizing the creation of unique and outstanding operatic furnishings and scenes; and

WHEREAS, Glynn Ross has left an operatic legacy that will long be remembered in the annals of music in the State of Washington and the Pacific Northwest;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington extends its best wishes to Glynn Ross on his retirement as General Director of the Seattle Opera Association and shares with him the knowledge that thousands of opera patrons from throughout the world enjoyed so many magnificent hours of superb entertainment while attending his productions; and

BE IT FURTHER RESOLVED, That the House of Representatives extend to Glynn Ross its congratulations for a job well done and best wishes for a future that embodies the same kind of success; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Glynn Ross by the Chief Clerk of the House of Representatives.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien, G. Nelson, Miller and Taylor spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-82, by Representatives Betrozoff, Miller, Patrick, Holland and Sanders

WHEREAS, Tom Paur of Redmond, Washington has been named the Small Business Person of the Year for the State of Washington; and

WHEREAS, His award is based on the personal achievement of founding a company in 1969 that has averaged an annual growth of forty-two percent and now employs twenty-three people; and

WHEREAS, His business called "Intergraphics" deals with precision photographic technology for computer microfilm, printed circuit photomasks and computer aided design; and

WHEREAS, Tom Paur has shown great creativity and courage in technological innovation; and

WHEREAS, Tom Paur's contribution to his community through service clubs, community projects, and community festivals has been in the best traditions of American citizenship; and

WHEREAS, Individual initiative and accomplishments such as this deserve proper recognition;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognize and commend Tom Paur of Redmond, Washington for being named the 1983 Small Business Person of the Year for the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Tom Paur of Redmond, Washington.

Mr. Betrozoff moved adoption of the resolution. Representatives Betrozoff and Miller spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. Heck presiding) called on Representative O'Brien to preside.

#### MOTION

Mr. McDonald moved that the Rules Committee be relieved of House Concurrent Resolution No. 11, and that it be placed on the calendar for immediate consideration.

Representatives McDonald and B. Williams spoke in favor of the motion, and Mr. Heck spoke against it.

Mr. McDonald spoke again in favor of the motion.

Representatives Ballard, Chandler, J. King, Schoon, Silver, Tilly and West appeared at the bar of the House.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the Rules Committee be relieved of House Concurrent Resolution No. 11, and that it be placed on the second reading calendar, and the motion was lost by the following vote: Yeas, 43; nays, 54; 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, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Schmidt - 1.

#### MOTION

Mr. Taylor moved that House Floor Resolution No. 83-76 be removed from the table.

#### ROLL CALL

The Clerk called the roll on the motion to remove House Floor Resolution No. 83-76 from the table, and the motion was lost by the following vote: Yeas, 43; nays, 54; 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, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Schmidt - 1.

HOUSE FLOOR RESOLUTION NO. 83-83, by Representatives Belcher and Kreidler

WHEREAS, More than two hundred fifty teams of the brightest students from high schools throughout the State of Washington were involved in this year's Knowledge Bowl competition; and

WHEREAS, All of the students who participated in the competition demonstrated an extraordinary ability to respond quickly to questions concerning history, art, music, literature, math, science, and trivia; and

WHEREAS, The Olympia High School Knowledge Bowl team won the state Knowledge Bowl championship on April 23, 1983, by soundly defeating the twenty-three other teams which had qualified for the state finals; and

WHEREAS, The Olympia team consists of Steve Murray, Dave Lonborg, Charles Larsen, Tony Elsinga, and alternate Mike Tygart; and

WHEREAS, This Olympia team will represent the Olympia community and the entire State of Washington in the national Knowledge Bowl finals held in Dallas, Texas on May twenty-ninth;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the Olympia High School Knowledge Bowl team be congratulated for their success in the state Knowledge Bowl competition; and

BE IT FURTHER RESOLVED, That this Olympia team be wished the best of luck in the national competition held later this month; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to each member of the 1983 Olympia High School Knowledge Bowl team.

Mr. Kreidler moved adoption of the resolution. Representatives Kreidler and Belcher 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.

#### MESSAGE FROM THE SENATE

May 9, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4245, and asks the House for a conference thereon, and the President has appointed the following conferees: Senators Hughes, Haley, Talmadge, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Rust, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 4245.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) announced the appointment of Representatives Rust, Brekke and Hankins as conferees on Substitute Senate Bill No. 4245.

Representative Schmidt appeared at the bar of the House.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 983, by Committee on Transportation (originally sponsored by Representative Martinis)

Modifying provisions on motor vehicle excise taxes.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Point of Order raised by Representative Martinis on the amendments by Representative Halsan to the striking amendment by Representative Martinis and others.

With the consent of the House, Mr. Martinis withdrew the point of order.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Representative Halsan to the Martinis amendment.

Representatives Halsan, Stratton, Miller, Tilly, Powers, Zellinsky and Ballard spoke in favor of the amendments to the amendment, and Representatives Betrozoff, Sommers, Appelwick and Schoon spoke against them.

#### POINT OF INQUIRY

Mr. Halsan yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Halsan, this idea of having a State Patrolman do the instructing in the classes, has that been approved by the Chief of the State Patrol?"

Mr. Halsan: "This was approved by the traffic safety program until 1981 and then it was defunded by the legislature. Perhaps I could, in response to your question, state a little of the history of how that happened. Some of the comments that have been made, perhaps, throw a little bit of a cloud over how this was done. They did conduct traffic safety programs in schools; that was part of the school program. They would come in and do the programs, talk to the kids, show them examples. During the budgeting of 1981, it was stated that the Superintendent of Public Instruction's office had this money for traffic safety and driver education,



and so we wouldn't need that money because it was over there. Apparently everybody agreed that was fine and the SPI's office had the money, and the \$1.8 million that was delegated to the State Patrol for traffic safety education was cut. What happened? Well, after that all we had was driver education and maybe some traffic safety education in the secondary schools, but there has not been a program in the elementary schools that is equivalent to what was done by the State Patrol prior to the defunding of this program. To say that the SPI's office can do it out of the money that they have is not true. They are not doing it and since the State patrol has not had the money since 1981, they have not been doing it. In fact, because the money was taken away from them, they even felt that there was a legislative mandate that wouldn't allow them to put troopers in the classrooms on their off-duty hours, and I've been fighting with the State patrol over that issue. They have conducted it; it will be conducted in the future, but this would fund approximately twenty-four FTE troopers who, in the past, have been very well trained to do this. If anybody doubts that a trooper can talk about what the results of alcohol abuse are, I would submit that the troopers are the best people just for the same reason that the representative from Wenatchee mentioned, they are the ones who pull people out of wrecks; they are the ones who deal with people who are abusing drugs; they can do it. Chief Moloney maybe doesn't like the program, I don't know--that has been mentioned, but we're the policy-makers in this state, and if we feel that this is a valuable program, then it's our right and our ability to implement it."

Representatives Sanders and Holland spoke against the amendments to the amendment, and Ms. Powers spoke again in favor of them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Halsan to the Martinis amendment, and the amendments were adopted by the following vote: Yeas, 64; nays, 34; excused, 0.

Voting yea: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Broback, Brough, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Heck, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, O'Brien, Patrick, Powers, Prince, Ristuben, Sayan, Silver, Smitherman, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, Williams B, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Allen, Appelwick, Belcher, Betzoff, Bond, Braddock, Brekke, Burns, Cantu, Chandler, Clayton, Dickie, Fuhrman, Galloway, Hankins, Hastings, Haugen, Hine, Holland, Nealey, Niemi, Padden, Pruitt, Rust, Sanders, Schmidt, Schoon, Smith, Sommers, Struthers, Veckich, West, Williams J, Wilson - 34.

The Speaker (Mr. O'Brien presiding) declared the House to be recessed until 1:30 p.m.

#### AFTERNOON SESSION

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 J. King, Lewis and Prince, who were excused.

#### SUBSTITUTE HOUSE BILL NO. 983:

The House resumed consideration of the bill on second reading.

The Clerk read the following amendment by Representatives Allen, Miller, Appelwick and Brough to the amendment by Representative Martinis and others:

On page 1, following line 17 insert:

"(3) Any city or county which does not collect fifty percent or more of the fines, forfeitures or infraction penalties assessed for violations of Title 46 RCW or assessed for violations of local motor vehicle laws or ordinances, is ineligible to receive funds from the drunk driver local impact account."

With the consent of the House, Ms. Allen withdrew the amendment to the amendment.

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

On page 8, following line 9 insert a new section as follows:

"NEW SECTION. Sec. 8. there is added to chapter 43.131 RCW a new section to read as follows:

The one-tenth of one percent motor vehicle excise tax imposed under section 3(6) of chapter ...(SHB 983), Laws of 1983, 1st ex. sess., shall terminate on June 30, 1988."

Representatives Martinis and Betzoff spoke in favor of the amendment to the amendment, and it was adopted.

Ms. Powers moved adoption of the following amendments to the amendment:

On page 3, line 26 after "shall be" strike "one-tenth" and insert "one hundred sixty-five thousandths"

On page 4, line 14 after "That" strike "all" and insert "of the"

On page 4, line 14 after "RCW 82.44.020(6)" insert ", seventy-six percent"

On page 4, line 16 after "fund" and before the period insert "and twenty-four percent shall be deposited in the drug and alcohol education account set forth in chapter 28A.05 RCW"

On page 4, following line 16 insert the following new sections:

"NEW SECTION. Sec. 5. There is added to chapter 38A.05 RCW a new section to read as follows:

There is hereby created the drug and alcohol education account in the custody of the state treasurer. The superintendent of public instruction shall deposit all moneys appropriated or otherwise received for drug and alcohol education in the account. Moneys in the account may be spent only for the purposes of section 6 of this act including, but not limited to the training of instructors, the purchase of curriculum materials, and evaluation of the programs. Disbursements of the moneys in the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

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:

All students in the common schools of the state shall, at appropriate grade levels, be given information concerning alcohol, drugs, and other substances impairing or altering the normal functioning of the body. The information may be taught as a unit or integrated into other areas of the curriculum.

Sec. 7. 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 are each amended to read as follows:

All common schools shall give instruction in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar, physiology and hygiene with special reference to ((the effects of alcoholic stimulants and narcotics on the human system)) drug and alcohol abuse and provided under section 2 of this 1983 act, the history of the United States, and such other studies as may be prescribed by rule or regulation of the state board of education. All teachers shall stress the importance of the cultivation of manners, the fundamental principles of honesty, honor, industry and economy, the minimum requisites for good health including the beneficial effect of physical exercise, and the worth of kindness to all living creatures."

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

On page 8, following line 9 insert a new section as follows:

"NEW SECTION. Sec. 8. There is hereby appropriated from the drug and alcohol education account to the superintendent of public instruction the sum of three million dollars, or so much thereof as may be necessary, to carry out the purposes of this act for the 1983-85 biennium."

#### POINT OF ORDER

Ms. Rust: "Mr. Speaker, I would like a ruling on scope and object of this amendment."

#### SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Rust, it appears that this amendment is in order as it extends a program to be funded out of the motor vehicle taxes."

Representatives Powers, Armstrong, Barrett, Rust and Stratton spoke in favor of the amendments to the amendment.

#### MOTION FOR RECONSIDERATION

Mr. Ballard, having voted on the prevailing side, moved that the House now reconsider the vote by which the Halsan amendments to the amendment were adopted.

Representatives Ballard, Betzoff, Struthers and Schoon spoke in favor of the motion, and Representatives Halsan, Martinis, Stratton, Charnley and Tilly spoke against it.

Mr. Ballard spoke again in favor of the motion, and Mr. Halsan again opposed it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the Halsan amendments to the Martinis amendment to Substitute House Bill No. 983, and the motion was lost by the following vote: Yeas, 42; nays, 52; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Betzoff, Bond, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dickie, Fuhrman, Galloway, Hankins, Hastings, Hine, Holland, Isaacson, Johnson, Kaiser, Kreidler, McDonald, Nealey, Niemi, Padden, Pruitt, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Taylor, Van Dyken, Vander Stoep, West, Williams J - 42.

Voting nay: Representatives Armstrong, Barnes, Barrett, Belcher, Braddock, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Jacobsen, King P, King R, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, Nelson G, O'Brien, Patrick, Powers, Ristuben, Sayan, Smitherman, Stratton, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Egger - 1.

Excused: Representatives King J, Lewis, Prince - 3.

The House resumed consideration of the Powers amendments to the amendment.

Representatives Powers, Stratton, Locke, Dickie and Galloway spoke in favor of the amendments, and Representatives Vander Stoep, Wilson, Cantu, Martinis and Barnes spoke against them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Powers to the Martinis amendment to Substitute House Bill No. 983, and the amendments were not adopted by the following vote: Yeas, 45; nays, 47; absent, 3; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Gallagher, Galloway, Garrett, Grimm, Halsan, Jacobsen, Kaiser, King P, King R, Locke, Long, Lux, McClure, McMullen, Miller, Moon, Nelson D, Nelson G, O'Brien, Powers, Ristuben, Sayan, Silver, Smitherman, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Zellinsky, and Mr. Speaker - 45.

Voting nay: Representatives Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ellis, Fisch, Fisher, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kreidler, Martinis, McDonald, Mitchell, Monohon, Nealey, Niemi, Padden, Patrick, Pruitt, Rust, Sanders, Schmidt, Schoon, Smith, Sommers, Struthers, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson - 47.

Absent: Representatives Egger, Heck, Hine - 3.

Excused: Representatives King J, Lewis, Prince - 3.

Ms. Allen moved adoption of the following amendment by Representatives Allen and Miller to the Martinis amendment:

On page 1, following line 17 insert:

"(3) Any city or county which does not collect fifty percent or more of the fines, forfeitures or infraction penalties assessed during the previous calendar year for violations of Title 46 RCW or for violations of local motor vehicle laws or ordinances, other than parking violations, is ineligible to receive funds from the drunk driver local impact account."

Representatives Allen and Miller spoke in favor of the amendment to the amendment, and Representatives Armstrong, P. King, Martinis and Holland spoke against it.

Ms. Allen spoke again in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

Mr. Lux moved adoption of the following amendment to the Martinis amendment:

Strike everything after the enacting clause, and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 82.44 RCW a new section to read as follows:

(1) An account in the state general fund to be named the drunk driver local impact account is hereby created to assist cities and counties in handling the increased workload placed upon their court administrations, prosecutors, and jails by drunk drivers.

(2) The state treasurer shall distribute the revenues deposited in the drunk driver local impact account to cities and counties in accordance with rules adopted by the state traffic safety commission under section 2 of this act.

NEW SECTION. Sec. 2. There is added to chapter 43.59 RCW a new section to read as follows:

The traffic safety commission shall develop rules for the distribution of revenues in the drunk driver local impact account, created by section 1 of this act, to assist cities and counties in handling the increased workload placed upon their courts, prosecutors, and jails by drunk drivers. The rules shall be submitted to the legislative transportation committee for approval before final adoption by the commission. The legislative transportation committee shall periodically monitor the rules for distribution adopted by the commission.

Sec. 3. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional taxes imposed by subsections (2) and (6) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of September, 1983, an additional tax is imposed equal to the taxes payable under subsections (1) ((and)), (2), and (6) of this section multiplied by the rate of tax applicable to the periods shown as follows:

July 1 - September 30, 1982	4%
October 1 - June 30, 1983	7%
July 1 - September 30, 1983	3%

(6) From and after September 1, 1984, an additional tax is imposed for the privilege of using in this state any such vehicle, and the annual amount of such additional tax shall be two-tenths of one percent of the fair market value of such vehicle. This additional tax shall not apply to vehicles with a gross weight of ten thousand pounds or more.

Sec. 4. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 12, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund: AND PROVIDED FURTHER, That one-half of the revenues collected under RCW 82.44.020(6) shall be credited by the state treasurer to the drunk driver local impact account in the general fund and one-half shall be deposited in the uninsured motorists' victim fund created by section 6 of this act.

Sec. 5. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 13, chapter 35, Laws of 1982 1st ex. sess. and by section 20, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.44.150 are each reenacted and amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December,

respectively, except for those payable under RCW 82.44.020 (5) and (6), 82.44.030, and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020 (5) and (6), 82.44.030, and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020 (5) and (6). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to two percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020 (5) and (6), shall be allocable to the county sales and use tax equalization account under RCW 82.14.200; and a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020 (5) and (6), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal of and interest on bonds authorized by RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under RCW 82.14.210.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section

until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

**NEW SECTION, Sec. 6.** The legislature finds that there is a need to provide protection for the victims of uninsured motorists. Too often victims must bear the monetary costs associated with the injuries or death inflicted by an uninsured motorist. Although laws may be created to penalize the uninsured motorists, financial relief for the victim is not assured. Therefore, the legislature hereby creates the uninsured motorists' victim fund. It is intended that the fund compensate victims of motor vehicle accidents caused by uninsured motorists. It is further intended that the fund be a source of last resort when all available insurance or other reasonable means of compensation for the victim have been exhausted. The provisions of this chapter are to be strictly construed. The remedies available under this chapter are not intended to replace available private insurance.

**NEW SECTION, Sec. 7.** There is established, in the office of the state treasurer, a separate fund to be known as the uninsured motorists' victim fund. Revenues deposited to the fund shall be used exclusively for the purposes of this chapter and shall consist of:

- (1) All moneys deposited in the fund under RCW 82.44.110;
- (2) Interest or earnings on all moneys in the fund;
- (3) All moneys recovered in connection with previously paid claims; and
- (4) All moneys received for the fund from any other source.

The fund is subject to the allotment procedures provided under chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund. All moneys in the fund that are not needed for payment of claims of victims, as determined by the department of licensing, shall be invested by the state investment board.

**NEW SECTION, Sec. 8.** The department of licensing shall report expenditures from the uninsured motorists' victim fund to the governor and legislature by June 30th of each year. In addition, the department shall file an annual statement relating to the business and affairs of the fund on a form prescribed by the insurance commissioner.

**NEW SECTION, Sec. 9.** The insurance commissioner has the power of visitation and examination of the affairs of the fund and its management as if the fund were an insurer licensed under Title 48 RCW. The fund shall reimburse the insurance commissioner for the actual costs of any examination performed under this section.

**NEW SECTION, Sec. 10.** The department of licensing shall perform all duties and responsibilities in administering the uninsured motorists' victim fund that are not otherwise delegated under this chapter. In administering the fund, the director may employ the services of an independent adjuster licensed under chapter 48.17 RCW. The director shall adopt rules, issue orders, and take other necessary action to implement and enforce this chapter. The state shall not be liable for the acts or omissions of any independent adjuster who has contracted with the department of licensing under this chapter.

**NEW SECTION, Sec. 11.** Any person who is a resident of this state and who is legally entitled to recover damages from an owner or operator of an uninsured motor vehicle or hit-and-run motor vehicle for bodily injury or death caused by accident that arose out of the ownership, maintenance, or use of the uninsured motor vehicle, may apply for compensation from the fund in a form and manner prescribed by the department of licensing. For the purposes of this chapter, 'uninsured motor vehicle' means a motor vehicle with respect to the ownership, maintenance, or use of which no bodily injury liability bond or insurance policy applies at the time of the accident. The term 'uninsured motor vehicle' does not include:

- (1) A motor vehicle that is insured for less than the limits of liability required to fully compensate the injured victim;
- (2) A motor vehicle owned or operated by a self-insurer, within the meaning of the state financial responsibility law;
- (3) A motor vehicle owned by, and while being operated on behalf of, the United States of America, Canada, a state, a political subdivision of any such government, or any agency of any of the foregoing.

NEW SECTION. Sec. 12. (1) No person is entitled to compensation from the fund if, at the time of the accident:

- (a) The person was operating an uninsured motor vehicle;
  - (b) The person was operating a motor vehicle with an operator's or motor vehicle license or permit that had been suspended, revoked, or denied;
  - (c) The person was involved in the commission of a crime; or
  - (d) The person was covered by a workers' compensation or similar disability law.
- (2) In addition, no person is entitled to compensation from the fund if:
- (a) The person has not exhausted all motor vehicle or liability insurance covering the accident; or
  - (b) The person has not complied with the provisions of this chapter.

NEW SECTION. Sec. 13. (1) Recovery from the fund is limited, exclusive of costs, to ten thousand dollars for bodily injury or death for any one person in any one accident occurring in the United States, its possessions or territories, or Canada.

(2) A right to recovery from the fund is not assignable, and subrogation of the right shall not be allowed.

(3) No amount payable under this fund may be used to satisfy any subrogation right of any person or organization if the exercise of the subrogation right would act to reduce the amounts an applicant is legally entitled to recover, but an award under this fund shall in no event duplicate benefits already received by the applicant.

(4) Any loss payable in accordance with this chapter shall be reduced by any amounts recovered by the victim from any other source.

NEW SECTION. Sec. 14. (1) No judgment against any person or organization alleged to be legally responsible for the bodily injury or death is conclusive, as between the applicant claiming benefits from the fund and the administrator of the fund, of the issues of liability of the person or organization or of the amount of damages to which the applicant is legally entitled.

(2) If any applicant making a claim upon the fund and the department of licensing do not agree that the applicant is legally entitled to recover damages from the owner or operator of an uninsured motor vehicle, or do not agree as to the amount of payment that may be owing under this fund, then the matter or matters upon which the applicant and the department do not agree shall be settled by arbitration. The applicant and the department shall each agree to consider themselves bound and to be bound by any award or decision made by the arbitrators under this section.

(3) The department of licensing shall establish arbitration procedures by rule, and in adopting such rules shall be guided by the arbitration procedures adopted by local courts.

(4) Any amount payable under this chapter shall be paid:

- (a) To the victim;
- (b) To a parent or guardian if the victim is a minor; or
- (c) To a surviving spouse if the victim is deceased; otherwise
- (d) To any person authorized by law to receive the payment, or to a person legally entitled to recover the damages that the payment represents; however, the department of licensing may, at its option, pay any amount due from the fund in accordance with (d) of this subsection.

NEW SECTION. Sec. 15. In the event of payment to an applicant under this fund:

(1) The fund shall be subrogated, to the extent of the payment, to the proceeds of any settlement or judgment that may result from the exercise of any rights of recovery of the applicant against any person or organization legally responsible for the bodily injury or death of which the payment is made;

(2) The applicant shall hold in trust for the benefit of the fund all rights of recovery that the applicant has against any person or organization for damages that are the subject of a claim made under this chapter;

(3) The applicant shall do whatever is proper to secure and shall do nothing to prejudice such rights;

(4) If requested in writing by the department of licensing, the applicant shall take, through any representative designated by the department, such action as may be necessary or appropriate to recover the payment as damages from such person or organization. Such action shall be taken in the name of the applicant. In the event of a recovery, the fund shall be reimbursed out of such recovery for expenses, costs, and attorneys fees incurred by the fund in connection with the action;

(5) The applicant shall execute and deliver to the department of licensing such instruments and papers as may be appropriate to secure the rights and obligations of the applicant and the department established by this section.

NEW SECTION. Sec. 16. (1) No person eligible for compensation under this chapter may apply for recovery from the fund to the department of licensing more than two years after the date of the accident for which the applicant is claiming compensation.

(2) As soon as practicable the applicant shall give to the department of licensing written proof of the claim, under oath if required, including full particulars of the nature and extent of

the injuries, treatment, and other details entering into the determination of the amounts payable under this chapter. The applicant shall submit to examinations under oath by any person designated by the department and subscribe the examinations, as often as may be reasonably required. Proof of the claim shall be made upon forms furnished by the department unless the department has failed to furnish such forms within fifteen days after receiving notice of claim.

(3) The applicant shall submit to physical examinations by physicians selected by the department of licensing when and as often as the department may reasonably require, and the cost of the examinations shall be at the expense of the fund. The applicant, the applicant's legal representative, or the person or persons entitled to sue for the damages sustained by the applicant shall, upon each request from the department, execute authorization to enable the department to obtain medical reports and copies of records.

**NEW SECTION, Sec. 17.** If there are not sufficient moneys in the fund to satisfy an award of compensation under this chapter, awards granted by the department of licensing shall be registered with the state treasurer and shall be paid from the fund in the order of registration when the moneys become available. Awards granted under this chapter are granted as a matter of grace and shall be granted only so long as moneys are available to grant them.

**NEW SECTION, Sec. 18.** (1) Notwithstanding any other penalty or requirement provided for in chapter 46.29 RCW, where the driver's license, permit, or driving privileges of any person, or the registration of a motor vehicle in the person's name, has been suspended, revoked, or denied pursuant to the laws of this state, and the state treasurer has paid from the fund any amount toward the satisfaction of any claim against that person, the suspension, revocation, or denial shall not be removed, nor the driver's license, permit, or driving privileges, or registration restored, nor any new license, permit, or driving privilege issued or granted to or registration be permitted to be made by that person until he or she has repaid in full to the state treasurer the amount so paid from the fund, together with interest at the rate of ten percent per annum from the date of the payment, and has otherwise complied with the financial responsibility law.

(2) The department of licensing may permit payment of the amount the person is indebted to the fund to be paid in installments, and, in such case, the person's driver's license, permit, or driving privilege or registration privileges may be restored and may remain in effect until or unless the person defaults in making any payment required under this section. In the event of a default, the department of licensing shall, upon notice of the default, suspend the person's driver's license, permit, or driving privileges, or registration privilege, until the amount has been paid in full and the additional penalty of two hundred dollars has been paid to the fund.

The department of licensing, in its discretion, may allow a compromise of the amount owed to the fund if the compromise would be in the interests of justice and would benefit the fund. In no case shall a compromise be allowed that is less than twenty percent of the amount paid from the fund.

**NEW SECTION, Sec. 19.** (1) The governor shall appoint five persons to serve in an advisory capacity to the administrator of the uninsured motorists' victim fund. Three persons shall be currently employed in a claims capacity with a domestic casualty insurer and shall be experienced in claims management. Two persons shall be members in good standing of the Washington state bar association, predominantly involved in representing plaintiffs in personal injury actions.

(2) Two persons appointed under this section shall initially serve for one-year terms, and three persons shall serve for two-year terms. Thereafter all appointees shall serve for two-year terms. In the event of a vacancy on the advisory board, the governor shall appoint a person to fill the unexpired term. The governor may remove an appointee for good cause shown.

(3) The advisory board shall advise the administrator of the fund in the operation and management of the fund. The advisory board shall meet at least quarterly to review the operation and management of the fund and may make recommendations to the governor and legislature.

(4) Advisory board members shall be reimbursed by the fund for travel expenses as provided under RCW 43.03.050 and 43.03.060.

(5) The department of licensing shall supply necessary administrative and staff support to the board.

**NEW SECTION, Sec. 20.** Sections 6 through 19 of this act shall constitute a new chapter in Title 46 RCW.

**NEW SECTION, Sec. 21.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION, Sec. 22.** There is appropriated from the drunk driver local impact account in the general fund to the state treasurer for the biennium ending June 30, 1985, the sum of eighteen million dollars or so much as may be necessary to carry out the provisions of section 1 of this act.



NEW SECTION. Sec. 23. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect on July 1, 1983, but the remedies available under sections 6 through 19 of this act shall apply only to accidents occurring on or after October 1, 1984."

Mr. Lux spoke in favor of the amendment to the amendment, and Representatives Wilson, Sanders and Holland spoke against it.

Mr. Lux spoke again in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Mr. Wang moved that the House reconsider the vote by which the amendments by Representative Powers to the Martinis amendment were not adopted.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the Powers amendments to the Martinis striking amendment to Substitute House Bill No. 983, and the motion was lost by the following vote: Yeas, 45; nays, 49; absent, 1; excused, 3.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barrett, Belcher, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, King P, King R, Kreidler, Locke, Long, Lux, McClure, Miller, Monohon, Moon, Nelson D, O'Brien, Padden, Powers, Pruitt, Sayan, Smitherman, Stratton, Sutherland, Tanner, Taylor, Tilly, Todd, Vekich, Wang, Zellinsky, and Mr. Speaker - 45.

Voting nay: Representatives Allen, Ballard, Barnes, Betzoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Holland, Isaacson, Johnson, Kaiser, Martinis, McDonald, McMullen, Mitchell, Nealey, Nelson G, Niemi, Patrick, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Struthers, Van Dyken, Vander Stoep, Walk, West, Williams B, Williams J, Wilson - 49.

Absent: Representative Egger - 1.

Excused: Representatives King J, Lewis, Prince - 3.

The amendment by Representative Martinis and others as amended was adopted.

On motion of Mr. Martinis, the following amendments to the title were adopted: On page 1, line 9 of the title after "82.44.150;" insert "adding a new section to chapter 43.131 RCW;"

On page 1, line 9 of the title strike "43.59 RCW" and insert "46.68 RCW"

On motion of Mr. Halsan, the following amendment to the title was adopted:

On page 1, line 10 of the title after "82.44 RCW;" insert "creating a new section."

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

Representative Prince appeared at the bar of the House.

HOUSE BILL NO. 515, by Representatives Armstrong, McMullen and Crane

Increasing judges' salaries.

The bill was read the second time. On motion of Mr. Heck, Substitute House Bill No. 515 was substituted for House Bill No. 515, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 515 was read the second time.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock, Isaacson, Haugen and Kreidler:

On page 2, beginning on line 18, strike all material down to and including line 29 and insert the following:

"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~~) forty-seven) thousand ((~~seven~~) eight) hundred thirty-two dollars effective ((~~July 1, 1979~~) January 1, 1984).

(2) Each judge of the superior court shall receive an annual salary of ((~~forty-four~~) fifty-one) thousand ((~~seven~~) one) hundred eighty dollars effective ((~~July 1, 1980~~) January 1, 1985).

(3) Each judge of the superior court shall receive an annual salary of fifty-four thousand seven hundred fifty-six dollars effective June 30, 1985."

Mr. Braddock spoke in favor of the amendment, and Representatives Monohon, McMullen and Fiske spoke against it.

Ms. Monohon again opposed the amendment.

#### POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Locke.

Mr. Locke: "Representative Braddock, in your amendment you indicated that the time delay was needed for the counties to adjust in terms of their budgeting process. If that is the case, why the additional six months' delay under subsection (2) to January 1 of 1985 and then the additional six months' delay to June 30 of 1985? I can understand the delay for January 1 of 1984 from the present bill which reads July 1 of 1983, but if the counties are not prepared for it now, surely they will be prepared for it two years from now."

Mr. Braddock: "They would be prepared for it, in that they would know that it was coming. They would not know this year that it is coming in mid year. If this amendment passes, they would know it is coming."

Mr. Locke: "I guess my question, Representative Braddock, is why the six months' delay for the ensuing next two phases of the pay raise?"

Mr. Braddock: "I think it is obvious that it would result in some cost savings."

Representatives Taylor, Padden and Tilly spoke against the amendment, and Mr. Braddock spoke again in favor of it.

The amendment was not adopted.

Mr. B. Williams moved adoption of the following amendment:

On page 3, after line 8, insert the following:

"Sec. 5. Section 2, page 329, Laws of 1890 as last amended by section 1, chapter 189, Laws of 1939 and RCW 2.08.100 are each amended to read as follows:

(1) Pursuant to Article IV, section 13 of the state Constitution, one-half of the salary of each superior court judge shall be paid by the state and the other one-half by the county or counties for which the judge is elected. 'Salary,' as used in this section, includes all direct compensation and any fringe benefits, including employer contributions for social security, medical and dental benefits, life and disability insurance, and retirement plans.

(2) The county auditor of each county shall draw his warrant on the treasurer of such county on the first Monday of each month for the amount of salary due for the previous month ((from such county)) to the judge of the superior court thereof, and said warrant shall be paid by said treasurer out of the salary fund of said county: PROVIDED, That no such warrant shall be issued until the judge who is to receive the same shall have made an affidavit, in the manner provided by law, that no cause in his court remains pending and undecided contrary to the provisions of RCW 2.08.240 and of section 20, Article 4, Constitution of the state of Washington. The state treasurer shall reimburse the county for one-half of the salary of the judge, out of funds appropriated for this purpose.

Sec. 6. Section 3, page 329, Laws of 1890 and RCW 2.08.110 are each amended to read as follows:

Where there is only one judge of the superior court for two or more counties, the auditors thereof, acting together, shall apportion among or between such counties, according to the assessed valuation of their taxable property, the amount of such judge's salary that each county shall pay. The auditor of the county with the greatest assessed valuation shall issue the warrant under RCW 2.08.100 and shall be reimbursed proportionately by the other county or counties.

Sec. 7. Section 9, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.090 are each amended to read as follows:

The total liability, as determined by the actuary, of this system shall be funded as follows:

(1) Every judge shall have deducted from his monthly salary an amount equal to seven and one-half percent of said salary.

(2) For judges of the supreme court and the court of appeals, the state as employer shall contribute an equal amount on a quarterly basis.

(3) The state shall contribute an amount equal to three and three-fourths percent of the salary of each judge of the superior court and each county shall contribute three and three-fourths percent of the salary of each judge of the superior court for that county. Where there is only one judge of the superior court for two or more counties, the county contribution shall be

apportioned between the counties in the manner in which salaries are apportioned under RCW 2.08.110.

(4) The state shall in addition guarantee the solvency of said fund and the legislature shall make biennial appropriations from the general fund of amounts sufficient to guarantee the making of retirement payments as herein provided for if the money in the judicial retirement fund shall become insufficient for that purpose, but such biennial appropriation may be conditioned that sums appropriated may not be expended unless the money in the judicial retirement fund shall become insufficient to meet the retirement payments."

Renumber the sections consecutively.

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

The amendment was not adopted.

Ms. Monohon moved adoption of the following amendment:

On page 1, after line 11 strike everything after the enacting clause and insert:

"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 thousand five hundred dollars effective July 1, 1980, 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) The annual salary specified in subsection (1) of this section shall be adjusted on the dates and by the average amount or percentage adjustment provided by the omnibus state appropriations act for the fiscal biennium ending June 30, 1985, for salaries of classified state employees under the jurisdiction of the state personnel board.

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 thousand one hundred dollars effective July 1, 1980, 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) The annual salary specified in subsection (1) of this section shall be adjusted on the dates and by the average amount or percentage adjustment provided by the omnibus state appropriations act for the fiscal biennium ending June 30, 1985, for salaries of classified state employees under the jurisdiction of the state personnel board.

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)) (1) Each judge of the superior court shall receive an annual salary of forty-four thousand seven hundred dollars effective July 1, 1989.

(2) The annual salary specified in subsection (1) of this section shall be adjusted on the dates and by the average amount or percentage adjustment provided by the omnibus state appropriations act for the fiscal biennium ending June 30, 1985, for salaries of classified state employees under the jurisdiction of the state personnel board.

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 July 1, 1983."

Ms. Monohon spoke in favor of the amendment.

#### POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Locke.

Mr. Locke: "Representative Monohon, I am intrigued by your amendment, and my question is not meant to be unfriendly. My understanding of the House budget is

that the average payraise for state employees turns out be seven percent, but it's really half the salary survey and some will be getting more than seven percent and some less than seven percent. Is it your intent in your amendment to give that average percentage, be it seven percent or what have you, to the judges or to take that same percent of the salary survey and give that to the judges?"

Ms. Monohon: "It's the same percentage. I just used seven percent as a general number. What it works out to, I think, is 8.4%"

Mr. Locke: "So if the state employees are getting half the salary survey, the judges would get the same percentage?"

Ms. Monohon: "That's correct."

Representatives Belcher, Stratton and Locke spoke in favor of the amendment, and Representatives Taylor, McMullen, Fiske and Hastings spoke against 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 Monohon to Substitute House Bill No. 515, and the amendment was not adopted by the following vote: Yeas, 28; nays, 65; absent, 3; excused, 2.

Voting yea: Representatives Addison, Belcher, Betzoff, Braddock, Brøkke, Burns, Cantu, Ebersole, Fisch, Galloway, Halsan, Harugen, Heck, Hine, Kaiser, Kreidler, Locke, Miller, Mitchell, Monohon, Powers, Pruitt, Schoon, Stratton, Sutherland, Todd, Vekich, and Mr. Speaker - 28.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Bond, Broback, Brough, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Fisher, Fiske, Fuhrman, Gallagher, Garrett, Grimm, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, King P, King R, Long, Lux, Martinis, McClure, McDonald, McMullen, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 65.

Absent: Representatives Egger, Ellis, Ristuben - 3.

Excused: Representatives King J, Lewis - 2.

Substitute House Bill No. 515 was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:30 a.m., Thursday, May 12, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**EIGHTEENTH DAY**

**MORNING SESSION**

---

House Chamber, Olympia, Wash., Thursday, May 12, 1983

The House was called to order at 10:30 a.m. by the Speaker.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

**MOTIONS**

On motion of Mr. Heck, the Rules Committee was relieved of HOUSE BILL NO. 52 and HOUSE BILL NO. 1079.

On motion of Mr. Heck, the House was adjourned until 9:00 a.m., Friday, May 13, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## NINETEENTH DAY

## MORNING SESSION

---

House Chamber, Olympia, Wash., Friday, May 13, 1983

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 Representatives Patrick and Rust, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ileen Miller and Mike Mullen. Prayer was offered by The Reverend Timothy Dolan, Minister of the Westminster United Presbyterian Church of Olympia.

Mr. Heck moved that reading of the minutes of the two preceding days be dispensed with and they be ordered to stand approved.

At Mr. McDonald's request, the minutes of the preceding day were read.

## POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "From the reading of the preceding day's minutes, it wasn't clear as to when the House convened, whether a quorum was present or whether a roll call was taken at all, or if, indeed, this was a legal day's proceedings. I guess I would ask for you to rule on whether or not this was a legal day and whether the bills and the motions that were made were appropriate."

## MOTION

On motion of Mr. Heck, the minutes of the preceding day were amended and the motion was amended to read: The Rules Committee was relieved of House Bill No. 52 and House Bill No. 1089.

The motion as amended was carried.

## POINT OF PERSONAL PRIVILEGE

Mr. McDonald: "We went through this drill here today, not to slow down the process, but simply because the proceedings of yesterday were unusual in that a quorum was not called, the roll was not called, a quorum was not present, and some of the things meant to be kind of proforma. I think it's important that in the rush to get through with the process, the budget and everything else, that we don't kind of run over what is an important process simply because if we do not have a quorum, if we do not go through the things we do every day, it could be done in the middle of the night. Not that this legislature would do it, but some future legislature going on this particular precedent could do that and without the people present, and do some great damage, I think, to the parliamentary process and to the institutions of this House. That's the reason for this drill and I hope that is put behind us."

## STATEMENT FOR THE JOURNAL

Today this House acted in a responsible manner by refusing to adopt the minutes of the previous day without first striking reference to motions made before the roll had been called and a quorum declared.

It is hoped by all members of the Republican Caucus that the events of today will lead to a more orderly process and a quicker adjournment *sine die*.

DAN MCDONALD, 48th District.

## MESSAGES FROM THE SENATE

Mr. Speaker:

The President has signed:

May 10, 1983

SUBSTITUTE SENATE BILL NO. 3079,  
 SENATE BILL NO. 3413,  
 SUBSTITUTE SENATE BILL NO. 3490,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 11, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 11, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3624 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

May 11, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on REENGROSSED SUBSTITUTE SENATE BILL NO. 3817, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

May 11, 1983

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 239,

HOUSE BILL NO. 1082,

SUBSTITUTE SENATE BILL NO. 3660.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 12, 1983

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3624,

SUBSTITUTE SENATE BILL NO. 3817,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

ESSCR 120 by Committee on Energy & Utilities (originally sponsored by Senator Williams)

Establishing a joint select committee on telecommunications regulation.

Referred to Committee on Rules.

#### REPORT OF STANDING COMMITTEE

May 11, 1983

HB 996 Prime Sponsor, Representative Lux: Relating to savings and loan associations. 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; Broback, Ranking Minority Vice Chair; Cantu, Dickie, Galloway, Hankins, Johnson, P. King, Kreidler, Monohon, Vekich and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Sanders, Ranking Minority Chair.

Absent: Representatives Ballard, Crane and West.

Passed to Committee on Rules for second reading.

SENATE AMENDMENTS TO HOUSE BILL

May 10, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 251 with the following amendments:

On page 1, beginning on line 6, strike the remainder of the amendment and insert the following:

NEW SECTION, Sec. 1. The legislature finds that:

(1) The unemployment rate in the state of Washington is the highest since the great depression, with a significantly higher rate among Washington youth.

(2) The policy of the state is to conserve and protect its natural and urban resources, scenic beauty, and historical and cultural sites.

(3) It is in the public interest to target employment projects to those activities which have the greatest benefit to the local economy.

(4) There are many unemployed young adults without hope or opportunities for entrance into the labor force who are unable to afford higher education and who create a serious strain on tax revenues in community services.

(5) The severe cutbacks in community and human services funding leave many local community service agencies without the resources to provide necessary services to those in need.

(6) The talent and energy of Washington's unemployed young adults are an untapped resource which should be challenged to meet the serious shortage in community services and promote and conserve the valuable resources of the state.

Therefore, the legislature finds it necessary and in the public interest to enact the Washington youth employment and conservation act. As part of this act, the Washington youth employment exchange is established as an operating program of the employment security department. The legislature desires to facilitate the potential of youth to obtain available job opportunities in both public and private agencies.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Commissioner' means the commissioner of the employment security department.

(2) 'Department' means the employment security department.

(3) 'Enrollees' means those persons who have completed enrollment forms, completed a work agreement, and who have entered into service following the approval of the director of the supervising agency.

(4) 'Exchange' means the Washington youth employment exchange.

(5) 'Work agreement' means the written agreement between the department, the enrollee and the supervising agency under this chapter for a period of up to eighteen months.

(6) 'Supervising agencies' means those private or public agencies which develop and implement full-time service projects in which enrollees agree to participate.

(7) 'Matching funds' means funding that is provided to the employment security department by agencies or individuals as financial support for a portion of the stipend or wage and benefits paid to the enrollee.

(8) 'Financial support' means any thing of value contributed by agencies or individuals to the department for a youth employment project which is reasonably calculated to support directly the development and expansion of a particular program under this chapter and which represents an addition to any financial support previously or customarily provided by the individual or agency. 'Financial support' includes, but is not limited to funds, equipment, facilities, and training.

(9) 'Director' means the individual who shall serve as the director of the exchange.

NEW SECTION, Sec. 3. The Washington youth employment exchange is established within the employment security department. The commissioner shall:

(1) Appoint a director for the exchange and other personnel as necessary to carry out the purposes of this act;

(2) Coordinate youth employment and training efforts under the department's jurisdiction and cooperate with other agencies or departments providing youth services to ensure that funds appropriated for the purposes of this chapter will not be expended to duplicate existing services, but will increase the services of youth to the state;

(3) The employment security department is authorized to place subgrants with other federal, state, and local governmental agencies and private agencies to provide youth employment projects and to increase the numbers of youth employed;

(4) Determine appropriate financial support levels by private business, community groups, foundations, public agencies, and individuals which will provide matching funds for enrollees in service projects under work agreements. The matching funds requirement may be waived for public agencies or reduced for private agencies;



(5) Recruit enrollees who are residents of the state unemployed at the time of application and are at least eighteen years of age but not more than twenty-five years of age;

(6) Recruit supervising agencies to host the enrollees in full-time service activities which shall not exceed six months' duration, which may be extended for an additional six months by mutual consent;

(7) Assist supervising agencies in the development of scholarships and matching funds from private and public agencies, individuals, and foundations in order to support a portion of the enrollee's stipend and benefits;

(8) Develop general employment guidelines for placement of enrollees in supervising agencies to establish appropriate authority for hiring, firing, grievance procedures, and employment standards which are consistent with state and federal law;

(9) Match enrollees with appropriate public agencies and available service projects;

(10) Monitor enrollee activities for compliance with this chapter and compliance with work agreements;

(11) Assist enrollees in transition to employment upon termination from the programs, including such activities as orientation to the labor market, on-the-job training, and placement in the private sector.

NEW SECTION, Sec. 4. The commissioner may select and enroll in the Washington youth employment exchange program any person who is at least eighteen years of age but not more than twenty-five years of age, is a resident of the state, and who is not for medical, legal, or psychological reasons incapable of service. In the selection of enrollees of the exchange, preference shall be given to youths residing in areas, both urban and rural, in which there exists substantial unemployment above the state average. Efforts shall be made to enroll youths who are economically, socially, physically, or educationally disadvantaged. The commissioner may prescribe such additional standards and procedures in consultation with supervising agencies as may be necessary in conformance with this chapter.

NEW SECTION, Sec. 5. The commissioner shall use existing local offices of the employment security department or contract with independent, private nonprofit agencies in a local community to establish the local youth employment exchange program and to insure coverage of the program state-wide. Each local youth employment exchange program shall maintain a list of available youth employment opportunities in the jurisdiction covered by the local office and the appropriate forms or work agreements to enable the youths to apply for employment in private or public supervising agencies.

NEW SECTION, Sec. 6. Placements in the Washington youth employment exchange shall be made in supervising agencies under work agreements as provided under this chapter and shall include those assignments which provide for addressing community needs and conservation problems and will assist the community in economic development efforts. Each work agreement shall:

(1) Demonstrate that the service project is appropriate for the enrollee's interests, skills, and abilities and that the project is designed to meet unmet community needs;

(2) Include a requirement of regular performance evaluation. This shall include clear work performance standards set by the supervising agency and procedures for identifying strengths, recommended improvement areas and conditions for probation or dismissal of the enrollee; and

(3) Include a commitment for partial financial support for the enrollee for a private industry, public agency, community group, or foundation. The commissioner may establish additional standards for the development of placements for enrollees with supervising agencies and assure that the work agreements comply with those standards. This section shall not apply to conservation corps programs established by chapter 43, RCW (chapter ... (2SSB 3624), Laws of 1983).

Agencies of the state may use the youth employment exchange for the purpose of employing youth qualifying under this chapter.

NEW SECTION, Sec. 7. The assignment of enrollees shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Supervising agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of utilizing an enrollee with funds available. In circumstances where substantial efficiencies or a public purpose may result, supervising agencies may utilize enrollees to carry out essential agency work or contractual functions without displacing current employees.

NEW SECTION, Sec. 8. The commissioner shall seek and may accept, on behalf of the youth employment exchange, charitable donations of cash and other assistance including, but not limited to, equipment and materials if the donations are available for appropriate use for the purposes set forth in this chapter.

NEW SECTION, Sec. 9. The commissioner may enter into income-generating projects with public or private organizations to further the purposes of this chapter. Moneys received from contractual projects qualifying under this chapter shall be deposited in the state general fund. This section does not apply to conservation corps programs established by chapter 43, RCW (chapter ... (2SSB 3624), Laws of 1983).

**NEW SECTION.** Sec. 10. All parties entering into work agreements under this chapter shall agree that they will not discriminate in the providing of any service on the basis of race, creed, ethnic origin, sex, age, or political affiliation.

**NEW SECTION.** Sec. 11. Not more than the federal minimum wage or subsistence living allowance, comprehensive medical insurance, and medical aid shall be paid for the enrollees in the youth employment exchange by the commissioner in accordance with the standards and limitations of the appropriation provided for this chapter. The department shall give notice of coverage to the director of labor and industries after enrollment. The department shall not be deemed an employer of an enrollee for any other purpose.

Other provisions of law relating to civil service, hours of work, rate of compensation, sick leave, unemployment compensation, state retirement plans, and vacation leave do not apply to enrollees.

**NEW SECTION.** Sec. 12. The services of enrollees placed with supervising agencies described in chapter 50.44 RCW are exempt from unemployment compensation coverage under RCW 50.44.040(5) and the enrollees shall be so advised by the department.

**NEW SECTION.** Sec. 13. In addition to any other power, duty, or function described by law or rule, the employment security department, through the program established under this chapter, may accept federal or private sector funds and grants and implement such programs relating to community services or employment programs and may enter into contracts respecting such funds or grants. The department may also use funds appropriated for the purposes of this chapter as matching funds for federal or private source funds to accomplish the purposes of this chapter.

**NEW SECTION.** Sec. 14. This chapter shall expire on July 1, 1987, unless extended by law for an additional fixed period of time.

**NEW SECTION.** Sec. 15. The commissioner shall submit a report to the legislature by January 15, 1985, indicating the number of work agreements entered into and the number of young adults enrolled under this act.

**NEW SECTION.** Sec. 16. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

**NEW SECTION.** Sec. 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 14 of this act shall constitute a new chapter in Title 50 RCW.

**NEW SECTION.** Sec. 19. There is hereby appropriated from the general fund to the employment security department for the biennium ending June 30, 1985, the sum of two million dollars, or so much thereof as may be necessary, to carry out the purposes of this act."

On page 1, line 1 of the title, after "conservation," strike the remainder of the title and insert "adding a new chapter to Title 50 RCW; creating new sections; providing an expiration date; and making an appropriation."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Sayan, the House concurred in the Senate amendments to Substitute House Bill No. 251.

#### 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. 251 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 251 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 8; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Burns, Cantu, 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, Martinis, McClure, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor,

Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Clayton, Dickie, Fuhrman, McDonald, Padden, Sanders, West - 8.

Absent: Representatives Betzoff, Monohon, Schoon - 3.

Excused: Representatives Patrick, Rust - 2.

Substitute House Bill No. 251 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

May 9, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1094 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 35.21 RCW a new section to read as follows:

Officials and employees of cities and towns shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion which relate solely to their responsibilities for electrical utilities. This grant of immunity shall not be construed as modifying the liability of the city or town.

NEW SECTION. Sec. 2. There is added to chapter 54.12 RCW a new section to read as follows:

Commissioners and employees of public utility districts shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion which relate solely to their responsibilities for electrical utilities. This grant of immunity shall not be construed as modifying the liability of the public utility district.

NEW SECTION. Sec. 3. There is added to chapter 87.03 RCW a new section to read as follows:

Directors and employees of irrigation districts shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion which relate solely to their responsibilities for electrical utilities. This grant of immunity shall not be construed as modifying the liability of the irrigation district.

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.

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 1 of the title, after "local government;" strike the remainder of the title and insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 54.12 RCW; adding a new section to chapter 87.03 RCW; 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 House Bill No. 1094.

Representatives D. Nelson and Isaacson 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 House Bill No. 1094 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1094 as amended by the Senate, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Betrozoff, Monohon - 2.

Excused: Representatives Patrick, Rust - 2.

Engrossed House Bill No. 1094 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 assumed the Chair.

#### MESSAGE FROM THE SENATE

May 11, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3864, except for the amendments to page 1, line 8 and page 5, line 2 and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Kaiser moved that the House do not recede from its amendments to Engrossed Substitute Senate Bill No. 3864, and ask the Senate for a conference thereon.

Representatives Kaiser, Smith and Moon spoke in favor of the motion, and Mr. Van Dyken spoke against it.

Mr. Kaiser spoke again in favor of the motion, and it was carried.

#### APPOINTMENT OF CONFEREES

The Speaker announced the appointment of Representatives Kaiser, Ellis and Smith as conferees on Engrossed Substitute Senate Bill No. 3864.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO.	43,
HOUSE BILL NO.	74,
SUBSTITUTE HOUSE BILL NO.	278,
HOUSE BILL NO.	428,
SUBSTITUTE SENATE BILL NO.	3079,
SENATE BILL NO.	3413,
SUBSTITUTE SENATE BILL NO.	3490,
SECOND SUBSTITUTE SENATE BILL NO.	3624,
SUBSTITUTE SENATE BILL NO.	3660,
SUBSTITUTE SENATE BILL NO.	3817.

#### SENATE AMENDMENT TO HOUSE BILL

April 27, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 234 with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or so much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds hereinafter named to the designated state agencies and offices for salaries, wages, and other expenses, for capital projects, and for other specified

purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 1985.

**NEW SECTION, Sec. 2. FOR THE TRAFFIC SAFETY COMMISSION**

Highway Safety Fund Appropriation—State	\$	271,672
Highway Safety Fund Appropriation—Federal	\$	5,733,875
Total Appropriation	\$	6,005,547

**NEW SECTION, Sec. 3. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

General Fund—Pilotage Account Appropriation—State	\$	71,900
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The appropriation in this section is appropriated to carry out chapter 88.16 RCW.

**NEW SECTION, Sec. 4. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

Motor Vehicle Fund Appropriation	\$	514,276
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(1) The funds appropriated under this section may not be used for the matching funds program.

(2) The state auditor shall conduct a legal/fiscal audit of the expenditure of funds appropriated under this section to determine if the expenditures are consistent with the conditions and limitations of the motor vehicle fund. The audit shall be submitted to the legislative transportation committee by July 1, 1984. Until such audit is submitted to and approved by the legislative transportation committee, no new activities or projects beyond those actually funded during the 1981-83 biennium are authorized for expenditure from the motor vehicle fund.

**NEW SECTION, Sec. 5. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund Appropriation—State	\$	284,502
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The county road administration board shall monitor expenditures by counties of county road levy revenues and shall report all expenditures of these revenues for other than road construction and maintenance purposes to the legislative transportation committee annually beginning January 1, 1984.

**NEW SECTION, Sec. 6. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund—Rural Arterial Trust Account Appropriation—State	\$	12,500,000
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(1) The appropriation in this section is provided for implementing and administering the program of financial assistance to counties for the construction and improvement of county major and minor collectors in rural areas.

(2) The appropriation in this section is contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

**NEW SECTION, Sec. 7. FOR THE URBAN ARTERIAL BOARD**

Motor Vehicle Fund—Urban Arterial Trust Account Appropriation—State	\$	64,225,900
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The appropriation in this section is provided for implementing and administering the program of financial assistance to cities and counties in urban areas for urban arterial highways, roads, and streets and is subject to the following conditions and limitations:

(1) The appropriation includes \$6,000,000 from the proceeds of the sale of first authorization bonds provided for by RCW 47.26.420 through 47.26.427.

(2) The appropriation includes \$50,000,000 from the proceeds of the sale of Series III Urban Arterial bonds provided for by RCW 47.26.420 through 47.26.427, contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

(3) During the 1983-85 biennium, the urban arterial board shall not authorize any additional projects which in the board's judgment cannot be placed under contract for construction within eighteen months of authorization.

**NEW SECTION, Sec. 8. FOR THE STATE PATROL**

Motor Vehicle Fund—State Patrol Highway Account Appropriation	\$	103,518,024
Highway Safety Fund Appropriation	\$	11,875
Total Appropriation	\$	103,529,899

The appropriations in this section are subject to the following condition or limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

**NEW SECTION, Sec. 9. FOR THE WASHINGTON STATE PATROL**

(1) Provide funds to study the feasibility of co-location in a new facility with the department of emergency services. 'MV, State Patrol Hiwy Acct,' as used in this section, means the state patrol highway account in the motor vehicle fund.

Reappropriation	Appropriation
	118,000
Estimated	Estimated
Costs	Total
Through	Costs
6/30/83	
7/1/85 and	
Thereafter	
5,785,200	5,903,200

MV, State Patrol Hiwy Acct

Project  
Costs  
Through  
6/30/83

Estimated  
Costs  
7/1/85 and  
Thereafter  
5,785,200

Appropriation  
118,000  
Estimated  
Total  
Costs  
5,903,200

(2) To provide minor repairs and improvements to existing facilities.

Reappropriation	Appropriation
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MV, State Patrol Hiwy Acct		262,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	

262,600

(3) To design, construct and equip a new weigh station and truck inspection facility at the southbound I-5 weigh station at Bellingham.

	Reappropriation	Appropriation
MV, State Patrol Hiwy Acct		462,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	

462,700

(4) To provide for maintenance and emergency repair projects to protect equipment and buildings.

	Reappropriation	Appropriation
MV, State Patrol Hiwy Acct		65,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	

65,000

NEW SECTION, Sec. 10. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

Motor Vehicle Fund Appropriation—State ..... \$ 1,628,000

NEW SECTION, Sec. 11. FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Appropriation—State ..... \$ 802

General Fund Appropriation—State ..... \$ 1,771

Motor Vehicle Fund—Puget Sound Capital Construction Account  
Appropriation—State ..... \$ 15,772

Motor Vehicle Fund—Puget Sound Ferry Operations Account  
Appropriation—State ..... \$ 44,575

Motor Vehicle Fund Appropriation—State ..... \$ 336,228

Total Appropriation ..... \$ 399,148

The appropriations in this section are provided for the salaries, wages, and other expenses necessary for the operation of the transportation commission and commission staff.

NEW SECTION, Sec. 12. FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation—State ..... \$ 7,098

General Fund Appropriation—State ..... \$ 15,675

Motor Vehicle Fund—Puget Sound Capital Construction Account  
Appropriation—State ..... \$ 139,599

Motor Vehicle Fund—Puget Sound Ferry Operations Account  
Appropriation—State ..... \$ 394,546

Motor Vehicle Fund Appropriation—State ..... \$ 20,116,112

Total Appropriation ..... \$ 20,673,030

The appropriations in this section are provided for executive management, management services, and costs billed to the department of transportation by other agencies. \$584,000 of the motor vehicle fund—state appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION, Sec. 13. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P

Motor Vehicle Fund Appropriation—State ..... \$ 12,558,638

The appropriation in this section is provided for the management and support of the highway programs, for any necessary increase in stores, for necessary pit and stockpile sites and write-off of obsolete stores, pits, and stockpiles. \$300,000 of the appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION, Sec. 14. FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D

Motor Vehicle Fund Appropriation—State ..... \$ 19,621,769

The appropriation in this section is provided for the improvement and construction of buildings and other highway plant construction, for management and support of the highway construction programs, and for administrative support necessary to support cities and counties in obtaining federal aid. \$1,600,000 of the appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION, Sec. 15. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State .....	\$	462,000
General Fund Appropriation—Federal .....	\$	5,448,000
General Fund Appropriation—Local .....	\$	198,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State .....	\$	2,852,000
Motor Vehicle Fund Appropriation—Federal .....	\$	10,085,000
Total Public Transportation and Planning Appropriation .....	\$	19,045,000

The appropriations in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

NEW SECTION, Sec. 16. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

General Fund Appropriation—State .....	\$	200,000
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The reappropriation in this section is provided for the completion of studies authorized and funded by the consent order between Chevron USA and the United States department of energy.

NEW SECTION, Sec. 17. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM W

Motor Vehicle Fund—Puget Sound Reserve Account Appropriation—State .....	\$	4,057,207
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State .....	\$	45,000,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State .....	\$	42,113,000
Motor Vehicle Fund—Puget Sound Capital Construction Account—Appropriation—Federal .....	\$	4,000,000
Total Appropriation .....	\$	95,170,207

The appropriations in this section are provided for the management and support of the marine transportation division of the department of transportation and for the operation, maintenance, and capital improvements of the Washington state ferry system. \$15,265,000 of the motor vehicle fund—Puget Sound capital construction account—state appropriation is contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature. The appropriations are subject to the following conditions and limitations:

(1) The Puget Sound reserve account appropriation is provided to carry out RCW 47.60.420.

(2) The Puget Sound ferry operations account appropriation is provided for the operation and maintenance of the Washington state ferries, supplementing revenues available from the Washington state ferry system. The Puget Sound ferry operations account appropriation includes \$22,400,000 transferred from the Puget Sound capital construction account in accordance with RCW 47.60.505. Upon enactment of Substitute House Bill No. 235, the amount transferred from the Puget Sound capital construction account shall be \$17,700,000.

(3) The Puget Sound capital construction account appropriation is provided for improving the Washington state ferry system, including, but not limited to, vessel acquisition, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriation of state funds from the Puget Sound capital construction account contains \$27,600,000 of the proceeds from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation. \$5,600,000 of these bond proceeds are contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

(4) The department of transportation may transfer any appropriation contained in this section, subject to the prior approval of the transportation commission.

(5) Effective May 1, 1983, the tolls on the Hood Canal bridge shall be reduced to \$2.00 for an automobile, pickup, van, or motor home licensed under 8,000 pounds gross weight. A book of twenty tickets for a one-way crossing by these vehicles shall be \$32.00. A book of ten tickets for one-way crossing by these vehicles available only to senior citizen purchasers of sixty-five years of age or older shall be \$16.00. The commission shall establish a thirty-day period within which all ticket books previously issued shall be redeemable.

NEW SECTION, Sec. 18. FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F

General Fund—Aeronautics Account Appropriation—State .....	\$	1,786,000
General Fund—Aeronautics Account Appropriation—Federal .....	\$	95,500
Total Appropriation .....	\$	1,881,500

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. \$584,000 of the general fund aeronautics account—state appropriation is contingent upon the enactment of Senate Bill No. 3211 during the 1983 session of the legislature.

**NEW SECTION. Sec. 19. FOR THE DEPARTMENT OF TRANSPORTATION—SEARCH AND RESCUE—PROGRAM F**

General Fund—Search and Rescue Account Appropriation—

State .....	\$	111,000
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The appropriation in this section is provided for directing and conducting searches for missing, downed, overdue, or presumed downed general aviation aircraft; for safety and education activities necessary to insure safety of persons operating or using aircraft; and for the Washington wing civil air patrol in accordance with RCW 47.68.370.

**NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M**

Motor Vehicle Fund Appropriation—State .....	\$	150,294,367
Motor Vehicle Fund Appropriation—Local .....	\$	3,119,000
Total Appropriation .....	\$	153,413,367

The appropriations in this section are for the maintenance and operations of state highways, maintenance and operations of highway plants, and associated management and support.

**NEW SECTION. Sec. 21. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A**

Motor Vehicle Fund Appropriation—State .....	\$	106,100,000
Motor Vehicle Fund Appropriation—Federal and Local .....	\$	118,700,000
Total Appropriation .....	\$	224,800,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category 'A' under RCW 47.05.030. \$45,100,000 of the motor vehicle fund—state appropriation is contingent upon enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

**NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B**

Motor Vehicle Fund Appropriation—State .....	\$	46,400,000
Motor Vehicle Fund Appropriation—Federal and Local .....	\$	428,400,000
Total Appropriation .....	\$	474,800,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects on the interstate system designated as category 'B' under RCW 47.05.030.

The motor vehicle fund state appropriation will be funded with the proceeds of the sale of bonds authorized in RCW 47.10.790 and 47.10.801: PROVIDED, That the transportation commission may authorized the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

Sec. 23. Section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10.802 are each amended to read as follows: -

Upon request being made by the transportation commission, the state finance committee shall supervise and provide for the issuance, sale, and retirement of the bonds authorized by RCW 47.10.801 in accordance with chapter 39.42 RCW. The amount of such bonds issued and sold under RCW 47.10.801 through 47.10.809 in any biennium may not exceed the amount of a specific appropriation therefor. Such bonds may be sold from time to time in such amounts as may be necessary for the orderly progress of the state highway improvements specified in RCW 47.10.801. The amount of bonds issued and sold under RCW 47.10.801(1)(a) in any biennium shall not, except as provided in that section, exceed the amount required to match federal-aid interstate funds (~~apportioned~~) available to the state of Washington (~~under 23 U.S.C. Sec. 104 and available for obligation~~). The transportation commission shall give notice of its intent to sell bonds to the legislative transportation committee (~~at least forty-five days~~) before requesting the state finance committee to issue and sell bonds authorized by RCW 47.10.801(1)(a).

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C**

Motor Vehicle Fund Appropriation—State .....	\$	132,000,000
Motor Vehicle Fund Appropriation—Local .....	\$	900,000
Total Appropriation .....	\$	132,900,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category 'C' under RCW 47.05.030.

The motor vehicle fund state appropriation will be funded with the proceeds from the sale of bonds authorized in RCW 47.10.801: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues



available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

\$32,000,000 of the motor vehicle fund—state appropriation is contingent upon enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

**NEW SECTION, Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R**

Motor Vehicle Fund Appropriation—State .....	\$	1,638,578
Motor Vehicle Fund Appropriation—Federal and Local .....	\$	129,629,300
Total Appropriation .....	\$	131,267,878

The appropriations in this section are provided for the County-City Program—Program R. The appropriations are subject to the following conditions and limitations:

(1) The appropriations contain \$497,578 of state funds and \$89,553,342 of federal and local funds for reimbursable expenditures for the location, design, right of way, and construction on city streets and county roads and other nonstate highways, including the unexpended balance of state funds from the sale of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951, chapter 311, Laws of 1955, and chapter 121, Laws of 1965, for reimbursable expenditures on cooperative projects authorized by state and/or federal laws, and for expenditures through federal emergency relief acts.

(2) The appropriations contain \$241,000 of state funds and \$1,259,000 of local funds for reimbursable expenditures for maintenance on city streets, county roads, and other nonstate highways and for expenditures in accordance with RCW 47.56.720.

(3) The appropriations contain \$900,000 of state funds for the guarantee, pursuant to RCW 47.56.712, for the payment of principal of and interest on the Spokane River toll bridge revenue refunding bonds as the bonds become due, but only to the extent that net revenues from the operation of the bridge are insufficient therefor.

(4) The appropriations contain \$8,353,958 of local funds for miscellaneous sales and services to others.

(5) The appropriations contain \$463,000 of local funds for the ongoing maintenance of the east half of the Hood Canal bridge.

(6) Appropriation of \$30,000,000 federal funds for the construction of the West Seattle bridge and for federal-aid secondary funds is contained in this section.

**NEW SECTION, Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION**

General Fund Appropriation—Federal .....	\$	1,200,000
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The appropriation in this section is provided for supportive services to on-the-job training programs for minority construction workers and for minority contractors' training programs: PROVIDED, That this appropriation shall be fully reimbursable from federal funds.

**NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION**

Motor Vehicle Fund—RV Account Appropriation Transfer—State: For transfer to the Motor Vehicle Fund .....	\$	369,072
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The appropriation transfer in this section is provided for the construction and maintenance of recreation vehicle sanitary disposal systems at rest areas on the state highway system. This appropriation is part of the motor vehicle fund construction and maintenance appropriations.

Sec. 28, Section 4, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.041 are each amended to read as follows:

The executive head of the department of transportation shall be the secretary of transportation, who shall be appointed by the transportation commission, and shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The secretary shall be an ex officio member of the commission without a vote. The secretary shall be the chief executive officer of the commission and be responsible ((only)) to it, and shall be guided by policies established by it. The secretary shall serve until removed by the commission, but only for incapacity, incompetence, neglect of duty, malfeasance in office, or failure to carry out the commission's policies. Before a motion for dismissal shall be acted on by the commission, the secretary shall be granted a hearing on formal written charges before the full commission. An action by the commission to remove the secretary shall be final.

Sec. 29, Section 6, chapter 151, Laws of 1977 ex. sess. as amended by section 1, chapter 59, Laws of 1981 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. ~~((Such proposal shall include the cost of such staff as the commission deems necessary to fulfill its responsibilities in an independent manner. The budget proposal shall provide for planners, policy analysts, legal counsel, consultants, and technical and clerical personnel as needed, who shall be commission employees, shall be~~

~~responsible to the commission and shall have no employment relation or affiliation with the department or the legislature.))~~

Each member of the commission shall receive compensation of sixty dollars per day for each day actually spent in the performance of duties, and 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. 30. Section 10, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.101 are each amended to read as follows:

The secretary shall have the authority and it shall be his or her duty, subject to policy guidance from the commission:

(1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;

(2) To organize the department as he or she may deem necessary to carry out the work and responsibilities of the department effectively;

(3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any powers, duties, and functions to them or any officer or employee of the department as deemed necessary to administer the department efficiently;

(4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;

(5) To adopt all department rules (~~which~~) ~~that~~ are subject to the adoption procedures contained in the state administrative procedure act, except rules subject to adoption by the commission pursuant to statute;

(6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;

(7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To execute and implement the biennial operating budget for the operation of the department in accordance with chapter 43.88 RCW and with legislative appropriation and, in such manner as prescribed therein, to make and report to the commission and the legislature deviations from the planned biennial category A highway construction program necessary to adjust to unexpected delays or other unanticipated circumstances.

(9) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

Sec. 31. Section 7, chapter 173, Laws of 1963 as last amended by section 7, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.070 are each amended to read as follows:

~~((+))~~ The transportation commission shall approve and present to the governor and to the legislature prior to its convening, a recommended budget for the ensuing biennium. The biennial budget shall include details of proposed expenditures, and performance and public service criteria for construction, maintenance, and planning activities in consonance with the comprehensive six-year program and financial plan adopted under provisions of RCW 44.40-.070 and 47.05.040 ~~((as now or hereafter amended))~~.

~~((2)) Prior to October 1st of each odd-numbered year, the transportation commission shall prepare and adopt, and may thereafter revise from time to time, a biennial operating budget for all of its activities in conformity with legislative appropriations.))~~

**NEW SECTION.** Sec. 32. The motor vehicle fund revenues are received at a relatively even flow throughout the year. Expenditures exceed the revenue during the accelerated summer and fall highway construction season, creating a negative cash balance during the heavy construction season. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements.

**NEW SECTION.** Sec. 33. The department of transportation may, after consultation with the legislative transportation committee, transfer any motor vehicle fund appropriations contained in sections 12 through 14 of this act into sections 20, 21, and 24 of this act, and the motor vehicle fund appropriation contained in section 20 of this act may be transferred to sections 21 and 24 of this act for expenditure.

**NEW SECTION.** Sec. 34. It is the intent of the legislature that the amounts assumed in this act for all revolving funds for services provided by other agencies shall not be exceeded without the prior approval of the legislative transportation committee and the department of transportation.

**NEW SECTION.** Sec. 35. The legislature recognizes the economic importance to the state of attracting new environmentally suitable industrial development, and that the availability of transportation services is a significant factor in attracting such industries. The transportation commission and the department of transportation shall consider these unique circumstances in determining priorities for capital expenditures.

**NEW SECTION.** Sec. 36. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 37. 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

Mr. Martinis moved that the House do concur in the Senate amendment to Substitute House Bill No. 234.

Representatives Martinis and 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 the final passage of Substitute House Bill No. 234 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 234 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 28; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Chandler, Charnley, Clayton, Crane, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Hankins, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King R, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Tanner, Tilly, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 66.

Voting nay: Representatives Barnes, Bond, Burns, Cantu, Dellwo, Dickie, Ebersole, Fiske, Fuhrman, Garrett, Halsan, Hastings, Haugen, Heck, Kaiser, King P, Kreidler, Long, Moon, Nelson G, Padden, Sommers, Stratton, Sutherland, Taylor, Vander Stoep, West, and Mr. Speaker - 28.

Absent: Representatives Berozoff, Monohon - 2.

Excused: Representatives Patrick, Rust - 2.

Substitute House Bill No. 234 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Patrick appeared at the bar of the House.

#### MESSAGE FROM THE SENATE

May 11, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 3090 and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 11, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 3090, modifying the budget and accounting act, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill pass:

On page 3, beginning on line 23 insert:

**NEW SECTION.** Sec. 2. There is added to chapter 43.88 RCW a new section to read as follows:

Prior to January 15 of each year, each state agency shall separately itemize and submit to the secretary of the senate and chief clerk of the house any expenditures required to be made by the agency under any federal court order. The secretary and chief clerk shall transmit this information to the appropriate standing committees. In each instance, the legislature shall review the expenditures mandated by the federal court order with a view to determining whether the program affected by the court order should be continued or eliminated and funds for the program either appropriated or not appropriated accordingly.

NEW SECTION. Sec. 3. There is added to chapter 43.88 RCW a new section to read as follows:

The optional budget appendix containing a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes shall be no more detailed than the required budget document setting forth a proposal 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."

Renumber the remaining sections consecutively.

On page 3, line 29 after "immediately" insert ", except section 2 of this act which shall take effect July 1, 1983"

On page 3, line 29 after "immediately." insert "This section shall not apply to section 2 of this act."

On page 1, line 3 after "43.88.110;" insert "adding new sections to chapter 43.88 RCW;"

On page 1, line 4 of the title after "RCW 43.88.113;" insert "providing an effective date;"

Signed by Senators Gaspard, Talmadge, Lee; Representatives Grimm, McMullen, Fiske.

#### MOTION

On motion of Mr. McMullen, the report of the Free Conference Committee was adopted.

#### 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 Senate Bill No. 3090 as amended by Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3090 as amended by Free Conference Committee, 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, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crame, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Berozoff - 1.

Excused: Representative Rust - 1.

Senate Bill No. 3090 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

May 10, 1983

Mr. Speaker:

The Senate did not adopt the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 3858, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Moon, the House asked the Senate for a conference on Engrossed Senate Bill No. 3858.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Moon, Charnley and Van Dyken as conferees on Engrossed Senate Bill No. 3858.

## SECOND READING

On motion of Mr. Heck, House Bill No. 1079 and House Bill No. 52 were placed at the top of today's second reading calendar.

On motion of Mr. Heck, House Bill No. 693 was placed on the second reading calendar for immediate consideration.

HOUSE BILL NO. 693, by Representatives D. Nelson, Allen, Miller, Charnley, Rust, Burns, Jacobsen, Kreidler, Appelwick, Brekke and Hine

Permitting excess moneys in the institutional long-term loan fund to be used for locally administered financial aid programs.

The bill was read the second time. On motion of Ms. Sommers, Second Substitute House Bill No. 693 was substituted for House Bill No. 693, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 693 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 Sommers, Hine, Barnes, Struthers, D. Nelson, Locke and Jacobsen spoke in favor of passage of the bill, and Representatives Vander Stoep, Isaacson, Fiske, Addison and B. Williams spoke against it.

Mr. Barnes spoke again 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 the final passage of Second Substitute House Bill No. 693, and the bill passed the House by the following vote: Yeas, 61; nays, 35; absent, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McDonald, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Sanders, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Addison, Ballard, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 35.

Absent: Representative Betrozoff - 1.

Excused: Representative Rust - 1.

Second Substitute House Bill No. 693, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3173, by Committee on Commerce & Labor (originally sponsored by Senators McManus, Hemstad, Talmadge, Bottiger, Zimmerman, Lee and Deccio)

Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 15th Day, 1st ex. sess., May 9, 1983.)

The Speaker stated the question before the House to be the point of order raised by Representative Taylor.

## SPEAKER'S RULING

The Speaker: "Substitute Senate Bill No. 3173 is very similar to Senate Bill 3760 which this body acted on the other day with no objections. It was considered when we determined our revenue levels, thus I feel it is a bill necessary to implement the revenue and budget."

## POINT OF ORDER

Mr. Addison: "Mr. speaker, there is no revenue and no expenditure in this bill. If it was, it would be, on its face, unconstitutional."

The speaker: "The Speaker has made his ruling."

Mr. Addison moved adoption of the following amendments by Representatives Addison and Lux:

On page 1, line 27 following "home," insert "and"

On page 1, line 27 strike "and retirement community"

Representatives Addison, Lux, D. Nelson, Brekke and Vekich spoke in favor of the amendments, and Representatives Mitchell, Barrett, J. King, Ballard and Haugen 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 Representatives Addison and Lux to Substitute Senate Bill No. 3173, and the amendments were adopted by the following vote: Yeas, 51; nays, 45; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Barnes, Belcher, Betrozoff, Bond, Brekke, Broback, Burns, Cantu, Charnley, Dickie, Ebersole, Fisch, Fuhrman, Galloway, Garrett, Hastings, Holland, Jacobsen, Johnson, Kreidler, Lewis, Locke, Long, Lux, McDonald, Miller, Moon, Nealey, Nelson D, Niemi, Padden, Patrick, Powers, Prince, Pruitt, Sanders, Sayan, Schoon, Silver, Sommers, Tanner, Taylor, Todd, Vander Stoep, Vekich, Wang, West, Williams J - 51.

Voting nay: Representatives Appelwick, Ballard, Barrett, Braddock, Brough, Chandler, Clayton, Crane, Dellwo, Egger, Ellis, Fisher, Fiske, Gallagher, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Kaiser, King J, King P, King R, McClure, McMullen, Mitchell, Monohon, Nelson G, O'Brien, Ristuben, Schmidt, Smith, Smitherman, Stratton, Struthers, Sutherland, Tilly, Van Dyken, Walk, Williams B, Wilson, Zellinsky, and Mr. Speaker - 45.

Absent: Representative Martinis - 1.

Excused: Representative Rust - 1.

## MOTION FOR RECONSIDERATION

Mr. Tanner moved that the House immediately reconsider the vote by which the amendments by Representatives Addison and Lux were adopted.

Representatives Tanner, Van Dyken, Haugen, Wilson, Barrett and J. King spoke in favor of the motion, and Representatives Addison, Padden, Lux and Brekke spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendments by Representatives Addison and Lux to Substitute Senate Bill No. 3173 were adopted, and the motion was lost by the following vote: Yeas, 48; nays, 48; absent, 1; excused, 1.

Voting yea: Representatives Allen, Appelwick, Barnes, Barrett, Braddock, Brough, Charnley, Crane, Egger, Ellis, Fisher, Gallagher, Halsan, Hankins, Haugen, Heck, Hine, Johnson, Kaiser, King J, King P, King R, McClure, McMullen, Miller, Mitchell, Monohon, Nelson G, O'Brien, Powers, Prince, Ristuben, Sayan, Schmidt, Silver, Smitherman, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vekich, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 48.

Voting nay: Representatives Addison, Armstrong, Ballard, Belcher, Betrozoff, Bond, Brekke, Broback, Burns, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Fisch, Fiske, Fuhrman, Galloway, Garrett, Grimm, Hastings, Holland, Isaacson, Jacobsen, Kreidler, Lewis, Locke, Long, Lux, McDonald, Moon, Nealey, Nelson D, Niemi, Padden, Patrick, Pruitt, Sanders, Schoon, Smith, Sommers, Taylor, Todd, Vander Stoep, Walk, Wang, West - 48.

Absent: Representative Martinis - 1.

Excused: Representative Rust - 1.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Addison:

On page 3, after line 2 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 39.84 RCW a new section to read as follows:

(1) This section shall apply to the issuance of bonds under this chapter. The department of commerce and economic development, or its successor agency, shall adopt written policies to provide for the selection of underwriter. The policies shall provide for the creation and maintenance of a roster of underwriters who the department believes possess the requisite special expertise and professional standing to provide bond marketing services which would be accepted by the bondholders and other members of the financial community, and which would be in furtherance of the public interest in marketing bonds at the lowest possible costs. Any underwriter may apply to have its name placed on the roster, but may not be placed on the roster unless the underwriter demonstrates to the department's satisfaction that it would provide the kind of services required by this section.

(2) Whenever an entity authorized to issue bonds under this chapter decides that it needs the services of an underwriter, it shall provide all underwriters on the department's roster with a notice of its intentions and shall invite each of them to submit to the entity an itemization of its fees and other charges for providing underwriting services on the issue. The itemization shall be by categories specified in written policies which shall be adopted by the department of commerce and economic development, or its successor agency. The issuing entity shall have wide discretion in selecting the underwriter it considers to be most appropriate to provide the services, but in the exercise of this discretion the entity shall consider the underwriter's fees and other charges and the public interest both in achieving savings in the total cost of underwriting services and in the issuance of bonds on terms most favorable to the entity.

(3) This section shall not apply to or affect or impair in any way any decision to select an underwriter or underwriters made prior to January 1, 1984. This section shall only apply to decisions to select underwriters made after January 1, 1984."

Renumber the remaining sections consecutively.

#### POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I challenge the scope and object of this amendment and ask you to make a ruling."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined the bill and the amendment. The object of the bill is the definition of industrial development revenue bonds. The amendment is concerned with the listing and competitive selection of underwriters for revenue bonds. Obviously, the amendment attempts to change the narrow object of SSB 3173, thus it is out of order. Your point is well taken, Representative Barrett."

Substitute Senate Bill No. 3173 as amended by the House was passed to Committee on Rules for third reading.

#### MOTION

On motion of Mr. Heck, the House was 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 Bond and Silver, who were excused.

#### MESSAGE FROM THE SENATE

May 12, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 and asks the House for a conference thereon. The President has appointed the following conferees: Senators Vognild, Sellar, Williams, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. Appelwick, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3434.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Niemi, Appelwick and Barrett as conferees on Engrossed Substitute Senate Bill No. 3434.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3244, by Committee on Ways & Means (originally sponsored by Senators Thompson, Jones, Bauer, Bluechel, Fuller, Granlund and Bender - by Governor Spellman request)

Modifying provisions on excise taxes.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 12th Day, 1st Ex. sess., May 6, 1983.)

Ms. Sommers moved adoption of the committee amendment. Representatives Sommers and Tilly spoke in favor of the committee amendment, and Representative Moon spoke against it.

Ms. Sommers spoke again in favor of the committee amendment, and Mr. Moon again opposed it.

The committee amendment was adopted.

Mr. Lux moved adoption of the following amendment:

On page 3, after line 14 insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 36.32 RCW a new section to read as follows:

Any county may impose a business and occupation tax on any bank located within the county, which has more than five percent of its shares of voting or nonvoting stock, or more than five percent of all or substantially all of its assets, owned by an out-of-state bank holding company as defined under RCW 30.04.230. Revenues from this tax may only be used to fund law enforcement, prosecutorial, court, treatment, and incarceration costs related to the consumption of alcoholic beverages, including drunk driving."

Mr. Lux spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Padden.

Mr. Padden: "Representative Lux, this is an imaginative and creative proposal. I was wondering, just to be informed on this, if you could indicate what institutions this might affect in the State of Washington if this amendment is adopted?"

Mr. Lux: "It might affect SeaFirst, for instance, if everything works out the way we read in the papers. It could affect First Interstate to some degree. I'm not sure because we don't get all the information we should on what conditions of the banks are and how much stock is owned by whom. This is one of the things we are requesting now and hope we will have a lot more information before the end of the year. It would affect a very few banks at this time and, hopefully this would deter any further out-of-state intervention into our banking system."

Representatives Taylor, Sommers, Sanders and Tilly spoke against the amendment.

The amendment was not adopted.

The Speaker 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 and Silver.

On motion of Mr. Heck, the absent members were excused, and the House proceeded with business under the Call of the House.

## MOTIONS

Mr. Heck moved that the House immediately consider House Bill No. 1079 on second reading.

The motion was carried.

Mr. G. Nelson moved that the rules be suspended, the amendment by Representative Grimm striking everything after the enacting clause be adopted and the amended bill be placed on final passage.

Mr. G. Nelson spoke in favor of the motion, and Mr. Heck spoke against it.

The motion was lost.

HOUSE BILL NO. 1079, by Representative Grimm

Relating to the budget.

The bill 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. A budget is hereby adopted and, subject to the provisions set forth in the following sections, the amounts appropriated in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are authorized to be disbursed for salaries, wages, and other expenses of the 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.

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PART I

GENERAL GOVERNMENT

NEW SECTION, Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation . . . . . \$ 22,400,000

The appropriation in this section is subject to the following conditions and limitations: \$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.

NEW SECTION, Sec. 102. FOR THE SENATE

General Fund Appropriation ..... \$ 20,086,000

The appropriation in this section is subject to the following conditions and limitations: \$185,000 of 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.

**NEW SECTION, Sec. 103. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation ..... \$ 1,387,000

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. If Substitute House Bill No. 635 is enacted before July 1, 1983, the amount provided in this subsection shall lapse.

(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.

**NEW SECTION, Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

General Fund Appropriation ..... \$ 1,530,000

**NEW SECTION, Sec. 105. FOR THE OFFICE OF THE STATE ACTUARY**

General Fund Appropriation ..... \$ 347,000

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 is provided solely for costs associated with the search for a new state actuary.

**NEW SECTION, Sec. 106. FOR THE STATUTE LAW COMMITTEE**

General Fund Appropriation ..... \$ 5,120,000

**NEW SECTION, Sec. 107. FOR THE SUPREME COURT**

General Fund Appropriation ..... \$ 7,126,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,378,000

Total Appropriation ..... \$ 8,504,000

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.

**NEW SECTION, Sec. 108. FOR THE LAW LIBRARY**

General Fund Appropriation ..... \$ 2,036,000

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.

**NEW SECTION, Sec. 109. FOR THE COURT OF APPEALS**

General Fund Appropriation ..... \$ 9,030,000

**NEW SECTION, Sec. 110. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation ..... \$ 21,555,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,310,000

Total Appropriation ..... \$ 22,865,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,524,000 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 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.

**NEW SECTION, Sec. 111. FOR THE JUDICIAL QUALIFICATIONS COMMISSION**

General Fund Appropriation ..... \$ 426,000

**NEW SECTION, Sec. 112. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation ..... \$ 3,441,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$154,000 is provided solely for mansion maintenance and no other moneys may be expended for this purpose.

(2) A maximum of \$209,000 may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims, and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$3,078,000 may be spent for executive operations.

**NEW SECTION, Sec. 113. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation .....	\$	249,000
<b>NEW SECTION, Sec. 114. FOR THE SECRETARY OF STATE</b>		
General Fund Appropriation .....	\$	4,942,000
General Fund—Archives and Records Management Account Appropriation .....	\$	1,310,000
Total Appropriation .....	\$	6,252,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$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.

(2) \$920,000 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.

**NEW SECTION, Sec. 115. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	124,000
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**NEW SECTION, Sec. 116. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation .....	\$	124,000
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**NEW SECTION, Sec. 117. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund Appropriation .....	\$	124,000
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**NEW SECTION, Sec. 118. FOR THE STATE TREASURER**

Motor Vehicle Fund Appropriation .....	\$	41,000
State Treasurer's Service Fund Appropriation .....	\$	6,417,000
Total Appropriation .....	\$	6,458,000

**NEW SECTION, Sec. 119. FOR THE STATE AUDITOR**

General Fund Appropriation—State .....	\$	512,000
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

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) The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

**NEW SECTION, Sec. 120. FOR THE ATTORNEY GENERAL**

General Fund Appropriation .....	\$	4,288,000
Legal Services Revolving Fund Appropriation .....	\$	25,683,000
Total Appropriation .....	\$	29,971,000

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) \$313,000 of the general fund appropriation is provided solely for the criminal litigation unit.

**NEW SECTION, Sec. 121. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State .....	\$	11,436,000
General Fund Appropriation—Federal .....	\$	50,000
Medical Aid Fund Appropriation—State .....	\$	100,000
Data Processing Revolving Fund Appropriation .....	\$	1,368,000
Total Appropriation .....	\$	12,954,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If House Bill No. 784 is not enacted before July 1, 1983, then the general fund—state appropriation shall be increased by \$277,000.

(2) 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) The director of financial management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.

(4) \$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.

(5) \$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.

(6) 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.

**NEW SECTION. Sec. 122. FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL**

General Fund Appropriation ..... \$ 804,000

**NEW SECTION. Sec. 123. FOR THE STATE INVESTMENT BOARD**

General Fund—State Investment Board Expense Account Appropriation ..... \$ 1,275,000

**NEW SECTION. Sec. 124. FOR THE DEPARTMENT OF PERSONNEL OR SUCCESSOR AGENCY**

Department of Personnel Service Fund Appropriation ..... \$ 8,558,000

State Employees' Insurance Fund Appropriation ..... \$ 1,541,000

Total Appropriation ..... \$ 10,099,000

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.

**NEW SECTION. Sec. 125. FOR THE PERSONNEL APPEALS BOARD**

Department of Personnel Service Fund Appropriation ..... \$ 779,000

**NEW SECTION. Sec. 126. FOR THE DATA PROCESSING AUTHORITY**

Data Processing Revolving Fund Appropriation ..... \$ 877,000

The appropriation in this section is subject to the following conditions and limitations: The data processing authority shall develop and implement with the office of financial management an equitable billing structure to insure that all state agencies, as defined in RCW 43.88-.020, pay a proportionate share of the data processing authority's operational costs.

**NEW SECTION. Sec. 127. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation ..... \$ 43,090,000

General Fund—State Timber Tax Reserve Account Appropriation ..... \$ 2,851,000

Motor Vehicle Fund Appropriation ..... \$ 115,000

Total Appropriation ..... \$ 46,056,000

The appropriations in this section are subject to the following conditions and limitations: If House Bill No. 784 is not enacted before July 1, 1983, then the general fund—state appropriation shall be increased by \$200,000.

**NEW SECTION. Sec. 128. FOR THE BOARD OF TAX APPEALS**

General Fund Appropriation ..... \$ 999,000

**NEW SECTION. Sec. 129. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation—State ..... \$ 6,038,000

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

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.

<u>NEW SECTION, Sec. 130. FOR THE INSURANCE COMMISSIONER</u>	
General Fund Appropriation .....	\$ 7,902,000
<u>NEW SECTION, Sec. 131. FOR THE PUBLIC DISCLOSURE COMMISSION</u>	
General Fund Appropriation .....	\$ 976,000
<u>NEW SECTION, Sec. 132. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS</u>	
Department of Retirement Systems Expense Fund Appropriation .....	\$ 10,458,000
<u>NEW SECTION, Sec. 133. FOR THE MUNICIPAL RESEARCH COUNCIL</u>	
General Fund Appropriation .....	\$ 1,495,000
<u>NEW SECTION, Sec. 134. FOR THE BOARD OF ACCOUNTANCY</u>	
General Fund Appropriation .....	\$ 294,000
General Fund—Certified Public Accountant Examination Account	
Appropriation .....	\$ 351,000
Total Appropriation .....	\$ 645,000

The appropriations in this section are subject to the following conditions and limitations: If Substitute House Bill No. 646 is not enacted before July 1, 1983, the general fund appropriation shall be increased by \$317,000.

<u>NEW SECTION, Sec. 135. FOR THE BOXING COMMISSION</u>	
General Fund Appropriation .....	\$ 73,000
<u>NEW SECTION, Sec. 136. FOR THE CEMETERY BOARD</u>	
General Fund—Cemetery Account Appropriation .....	\$ 74,000
<u>NEW SECTION, Sec. 137. FOR THE HORSE RACING COMMISSION</u>	
Horse Racing Commission Fund Appropriation .....	\$ 2,836,000

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.

<u>NEW SECTION, Sec. 138. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM</u>	
Liquor Revolving Fund Appropriation .....	\$ 14,491,000
<u>NEW SECTION, Sec. 139. FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM</u>	
Liquor Revolving Fund Appropriation .....	\$ 70,397,000

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. 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.

<u>NEW SECTION, Sec. 140. FOR THE PHARMACY BOARD</u>	
General Fund Appropriation .....	\$ 1,072,000
<u>NEW SECTION, Sec. 141. FOR THE UTILITIES AND TRANSPORTATION COMMISSION</u>	
Public Service Revolving Fund Appropriation—State .....	\$ 17,351,000
Public Service Revolving Fund Appropriation—Federal .....	\$ 452,000
Grade Crossing Protective Fund Appropriation .....	\$ 516,000
Total Appropriation .....	\$ 18,319,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$320,000 of the grade crossing protective fund appropriation is provided solely for obligations incurred in previous biennia.

(2) Not more than \$110,000 may be expended for an additional attorney general for increased workload in utility rate requests.

(3) \$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.

(4) \$150,000 of the public service revolving fund—state appropriation is provided solely for a joint select legislative committee study on telecommunications regulation. The committee's activities shall include but not be limited to the consequences of changes in the telecommunications industry, including the AT&T divestiture.

NEW SECTION, Sec. 142. FOR THE BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund Appropriation	\$ 163,000
<u>NEW SECTION, Sec. 143. FOR THE DEPARTMENT OF EMERGENCY SERVICES</u>	
General Fund Appropriation—State	\$ 766,000
General Fund Appropriation—Federal	\$ 3,862,000
Total Appropriation	\$ 4,628,000
<u>NEW SECTION, Sec. 144. FOR THE MILITARY DEPARTMENT</u>	
General Fund Appropriation—State	\$ 6,931,000
General Fund Appropriation—Federal	\$ 1,723,000
Total Appropriation	\$ 8,654,000
<u>NEW SECTION, Sec. 145. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION</u>	
General Fund Appropriation	\$ 1,422,000
<u>NEW SECTION, Sec. 146. FOR THE PRESIDENTIAL ELECTORS</u>	
General Fund Appropriation	\$ 1,000
<u>NEW SECTION, Sec. 147. FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT</u>	
General Fund Appropriation—State	\$ 4,708,000
General Fund Appropriation—Federal	\$ 53,649,000
Total Appropriation	\$ 58,357,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) The appropriations in this section are for expenditure in fiscal year 1985.
- (2) Not more than \$437,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.
- (3) \$292,000 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.
- (4) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

NEW SECTION, Sec. 148. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Fund Appropriation . . . . . \$ 7,019,000

NEW SECTION, Sec. 149. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund Appropriation . . . . . \$ 768,000

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.

PART II  
HUMAN RESOURCES

NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF CORRECTIONS

(1) Appropriations made by this act to the department of corrections shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of corrections shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives.

(2) COMMUNITY SERVICES

(a) There is appropriated for the continuation and expansion of the treatment alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane, and Yakima counties from the General Fund . . . . . \$ 2,153,000

The appropriation in this subsection (2)(a) is subject to the following conditions and limitations: \$38,000 is provided solely for the current Pierce county and Snohomish county treatment alternatives to street crime programs to implement the expansion program.

(b) There is appropriated 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, from the General Fund . . . . . \$ 25,658,000

The appropriation in this subsection (2)(b) is subject to the following conditions and limitations: \$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.

(c) There is appropriated for intensive parole from the General Fund . . . . . \$ 4,054,000

(d) There is appropriated to contract with nonprofit corporations to provide diversion programs and operate and/or contract for work training release for convicted felons from the General Fund . . . . . \$ 17,188,000

The appropriation in this subsection (2)(d) is subject to the following conditions and limitations: \$236,000 is provided solely for community diversion programs.

(e) There is appropriated to operate the Geiger community work release facility for convicted felons from the General Fund . . . . . \$ 4,026,000

(f) There is appropriated for support of the state director's office of community services from the General Fund . . . . . \$ 877,000



(3) 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) 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.

(b) \$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 sentence. Such programs may include facilities for both residential and outpatient treatment.

(c) 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.

(4) ADMINISTRATION

General Fund Appropriation .....	\$	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.

(5) INSTITUTIONAL INDUSTRIES

General Fund Appropriation .....	\$	5,463,000
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(6) The appropriations in subsections (1), (2), (3), (4), and (5) of this section are made solely for those purposes and no transfer shall be made among said subsections.

NEW SECTION, Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(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.

NEW SECTION, Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State .....	\$	25,444,000
General Fund Appropriation—Federal .....	\$	54,000
Total Appropriation .....	\$	25,498,000

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 be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	40,008,000
General Fund Appropriation—Federal .....	\$	788,000
Total Appropriation .....	\$	40,796,000

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 ..... \$ 2,207,000

(4) 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 in or among said subsections.

NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State .....	\$	85,128,000
General Fund Appropriation—Federal .....	\$	14,095,000
General Fund Appropriation—Local .....	\$	264,000
Total Appropriation .....	\$	99,487,000

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, 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) Vendor rate adjustments for fee-for-service providers shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	107,845,000
General Fund Appropriation—Federal .....	\$	3,493,000
Total Appropriation .....	\$	111,338,000

(3) PROGRAM SUPPORT

General Fund Appropriation—State .....	\$	2,854,000
General Fund Appropriation—Federal .....	\$	584,000
General Fund Appropriation—Local .....	\$	14,000
Total Appropriation .....	\$	3,452,000

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal ..... \$ 38,000

(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.

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State .....	\$	51,390,000
General Fund Appropriation—Federal .....	\$	41,765,000
Total Appropriation .....	\$	93,155,000

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.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$ 100,012,000
General Fund Appropriation—Federal .....	\$ 62,045,000
Total Appropriation .....	\$ 162,057,000

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) \$40,686,000 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
General Fund Appropriation—Federal .....	\$ 864,000
Total Appropriation .....	\$ 4,606,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State .....	\$ 911,000
General Fund Appropriation—Federal .....	\$ 1,152,000
Total Appropriation .....	\$ 2,063,000

(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.

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES

General Fund Appropriation—State .....	\$ 217,084,000
General Fund Appropriation—Federal .....	\$ 211,708,000
Total Appropriation .....	\$ 428,792,000

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. These services shall be provided in the least restrictive and cost-effective manner appropriate for individual clients.

(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 and chapter 74.46 RCW. If Substitute Senate Bill No. 3780 fails 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.

(4) \$86,236,000, 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 of social and health services shall report to the legislature by December 1, 1983, regarding the client impact of revisions to the chore service program as a result of the 1983 amendments to RCW 74.08.541.

(e) \$30,577,000, of which \$11,318,000 is from the general fund—state appropriation, is provided for the services outlined in subsections (e) (i) through (v) of this section and shall be initially allotted as follows:

(i) \$18,668,000 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, of which \$5,941,000 is from the general fund—state appropriation, for the administration of long-term care services is provided solely in the following amounts:

(a) \$2,618,000, of which \$1,755,000 is from the general fund—state appropriation, is provided solely for the bureau on aging and adult services.

(b) \$8,107,000, of which \$4,186,000 is from the general fund—state appropriation, is provided solely for the bureau of nursing home affairs.

**NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$	359,127,000
General Fund Appropriation—Federal .....	\$	314,381,000
Total Appropriation .....	\$	673,508,000

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.

(2) The department of social and health services shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b)

the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

(3) 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) \$25,536,000, of which \$12,768,000 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. 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) \$2,982,000 of the general fund—state appropriation is provided solely for general assistance to pregnant women.

(6) 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) 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) 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.

(c) \$25,536,000, of which \$12,768,000 is from the general fund—state appropriation, for the aid to families with dependent children—employable program.

(d) \$32,361,000 from 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 from 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 from 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.

**NEW SECTION, Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM**

General Fund Appropriation—State	\$	84,142,000
General Fund Appropriation—Federal	\$	23,736,000
General Fund Appropriation—Local	\$	91,000
Total Appropriation	\$	107,969,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall establish a vendor rate over and above the regular child day-care rate for therapeutic day-care provided to abused or neglected children under the age of five years. A maximum of \$360,000 of moneys appropriated and allotted for child-care payment may be expended for therapeutic day care.

(2) Vendor rate adjustments for fee-for-service providers shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) \$1,185,000 from the general fund—state appropriation is provided solely for home-based social services to families with children in foster care or at risk of foster care because of family problems rather than child behavior problems.

(4) The appropriations in this section shall be initially allotted as follows:

(a) \$1,119,000 of the general fund—state appropriation for the victims of domestic violence program.

(b) \$41,808,000, of which \$35,840,000 is from the general fund—state appropriation, for foster care payments.

(c) \$8,684,000, of which \$7,201,000 is from the general fund—state appropriation, for child-care payments.

(d) \$4,664,000, of which \$3,507,000 is from the general fund—state appropriation, for adoption support.

(e) \$3,198,000, of which \$1,548,000 is from the general fund—state appropriation, for family reconciliation services.

(f) \$7,910,000, of which \$6,600,000 is from the general fund—state appropriation, for interim care.

(g) \$15,220,000, of which \$12,199,000 is from the general fund—state appropriation, for alcoholism grants.

(h) \$4,768,000, of which \$4,249,000 is from the general fund—state appropriation, for detoxification.

(i) \$9,005,000, of which \$4,025,000 is from the general fund—state appropriation, for substance abuse grants.

(j) \$7,854,000 of the general fund—state appropriation for congregate care for alcohol and substance abuse clients.

(k) \$3,739,000 of the general fund—federal appropriation for refugee services.

**NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
MEDICAL ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$ 358,388,000
General Fund Appropriation—Federal .....	\$ 231,464,000
Total Appropriation .....	\$ 589,852,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$13,356,000, of which \$6,678,000 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. 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 be 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. In addition, these efforts shall be supported through directives to the hospital commission to pursue aggressive rate review of hospital services to ensure control of rising hospital costs and efficient and economic delivery of hospital health care services. Hospital inflation rates reflected for inpatient hospital services are 7.5% in fiscal year 1984 and 7.5% in fiscal year 1985.

(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.

(5) The department of social and health services 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 of social and health services shall establish by rule a system to insure that the appropriations in this section are not expended to cover persons who are already covered by private or 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.

**NEW SECTION, Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$ 38,988,000
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

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 for fee-for-service providers shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
 VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State . . . . . \$ 14,051,000  
 General Fund Appropriation—Federal . . . . . \$ 25,602,000  
 Total Appropriation . . . . . \$ 39,653,000

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 general assistance clients. 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 for fee-for-service providers shall be 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

**NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
 ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State . . . . . \$ 55,494,000  
 General Fund Appropriation—Federal . . . . . \$ 41,060,000  
 General Fund—Institutional Impact Account Appropriation . . . . . \$ 75,000  
 Total Appropriation . . . . . \$ 96,629,000

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.

**NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
 COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State . . . . . \$ 135,516,000  
 General Fund Appropriation—Federal . . . . . \$ 140,640,000  
 General Fund Appropriation—Local . . . . . \$ 100,000  
 Total Appropriation . . . . . \$ 276,256,000

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 from 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.

**NEW SECTION, Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REVENUE COLLECTIONS PROGRAM**

General Fund Appropriation—State	\$	11,867,000
General Fund Appropriation—Federal	\$	23,094,000
Total Appropriation	\$	34,961,000

**NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS**

General Fund Appropriation—State	\$	31,857,000
General Fund Appropriation—Federal	\$	16,875,000
General Fund Appropriation—Local	\$	66,000
Total Appropriation	\$	48,798,000

The appropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are for services and supplies not in excess of the unexpended balances of the 1981-1983 appropriations for such purposes.

**NEW SECTION, Sec. 216. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State	\$	15,840,000
General Fund Appropriation—Federal	\$	2,237,000
General Fund Appropriation—Local	\$	3,336,000
Total Appropriation	\$	21,413,000

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 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.

**NEW SECTION, Sec. 217. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State	\$	2,735,000
General Fund Appropriation—Federal	\$	53,568,000
Total Appropriation	\$	56,303,000

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) Not more than \$419,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$65,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ... (SSB 3035), Laws of 1983.

(4) \$292,000 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) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

**NEW SECTION, Sec. 218. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State	\$	2,968,000
General Fund Appropriation—Federal	\$	941,000
Total Appropriation	\$	3,909,000

**NEW SECTION, Sec. 219. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund—Crime Victims Compensation Account Appropriation	\$	266,000
Accident Fund Appropriation	\$	2,674,000
Medical Aid Fund Appropriation	\$	3,064,000
Total Appropriation	\$	6,004,000

The appropriations in this section are subject to the following conditions and limitations: \$12,000 from the accident fund appropriation is provided solely for an independent revalidation of the cost allocation study completed during the 1981-83 biennium. This revalidation cost study shall be transmitted to the legislature upon completion.

**NEW SECTION, Sec. 220. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation	\$	6,054,000
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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.

**NEW SECTION, Sec. 221. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State	\$	5,770,000
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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

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) \$50,000 of the accident fund appropriation and \$50,000 of the medical aid fund appropriation are provided solely 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 funds may be expended for this study. The department shall report to the legislature on the findings of the study by January 15, 1984.

**NEW SECTION, Sec. 222. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation	\$	2,975,000
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**NEW SECTION, Sec. 223. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State	\$	357,000
General Fund—Hospital Commission Account Appropriation	\$	1,086,000
Total Appropriation	\$	1,443,000

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, 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.

**NEW SECTION, Sec. 224. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State	\$	2,054,000
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	\$	251,443,000

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.

**NEW SECTION, Sec. 225. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State	\$	1,682,000
General Fund Appropriation—Federal	\$	3,415,000
Total Appropriation	\$	5,097,000

The appropriations in this section are subject to the following conditions and limitations:

The commission 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.

**NEW SECTION, Sec. 226. FOR THE CORRECTIONS STANDARDS BOARD**

General Fund Appropriation—State	\$	512,000
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General Fund—Local Jail Improvement and Construction Account		
Appropriation	\$	113,124,000
Total Appropriation	\$	113,636,000
<u>NEW SECTION, Sec. 227. FOR THE SENTENCING GUIDELINES COMMISSION</u>		
General Fund Appropriation	\$	551,000

## PART III

## NATURAL RESOURCES

NEW SECTION, Sec. 301. FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	1,104,000
General Fund Appropriation—Federal	\$	13,032,000
General Fund Appropriation—Private/Local	\$	60,000
Total Appropriation	\$	14,196,000

NEW SECTION, Sec. 302. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation—State	\$	76,000
General Fund Appropriation—Private/Local	\$	67,000
Total Appropriation	\$	143,000

NEW SECTION, Sec. 303. FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	20,497,000
General Fund Appropriation—Federal	\$	9,910,000
Game Fund Appropriation—State	\$	76,000
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: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	1,051,000
General Fund—State and Local Improvements Revolving Account: 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
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)	\$	67,591,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Reappropriation (Referendum 39)	\$	265,858,000
Total Reappropriation	\$	360,717,000
Total New Appropriation	\$	137,850,000
Total Appropriation	\$	498,567,000

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 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 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 thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section.

(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) 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.

(7) \$985,000 of the general fund—state appropriation is provided solely for grants to activated air pollution control authorities.

(8) \$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.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (SSB 3156), Laws of 1983.

(10) \$76,000 of the game fund—state appropriation and \$76,000 of the general fund—federal appropriation are provided solely for operation of the Padilla Bay estuarine sanctuary.

(11) \$1,600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

NEW SECTION. Sec. 304. FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation .....	\$ 712,000
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NEW SECTION. Sec. 305. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

General Fund Appropriation—Private/Local .....	\$ 3,473,000
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NEW SECTION. Sec. 306. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State .....	\$ 28,127,000
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—Outdoor Recreation Account Appropriation .....	\$ 152,000
General Fund—Snowmobile Account Appropriation .....	\$ 681,000
Motor Vehicle Fund Appropriation .....	\$ 800,000
<b>Total Appropriation .....</b>	<b>\$ 38,176,000</b>

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) \$800,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

NEW SECTION. Sec. 307. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State .....	\$ 307,000
General Fund Appropriation—Federal .....	\$ 907,000
<b>Total Appropriation .....</b>	<b>\$ 1,214,000</b>

NEW SECTION. Sec. 308. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

General Fund—Outdoor Recreation Account Appropriation .....	\$ 16,022,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$1,520,000 may be expended for administration.

(2) No grant from the proceeds of general obligation bond sales may be made without matching federal moneys.

(3) A maximum of \$86,000 shall be used by the committee to contract with the department of natural resources, or others, for the preparation of a comprehensive guide to public parks and recreational sites within Washington as required by RCW 43.99.142. Such guide shall coordinate site data of all state and federal agencies providing public recreational facilities in the

state: PROVIDED, That the guide shall be sold for an amount sufficient to cover the costs involved, and to reimburse the outdoor recreation account.

**NEW SECTION, Sec. 309. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation ..... \$ 3,086,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is 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.

**NEW SECTION, Sec. 310. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State ..... \$ 38,714,000

General Fund Appropriation—Federal ..... \$ 6,580,000

General Fund Appropriation—Private/Local ..... \$ 2,083,000

Total Appropriation ..... \$ 47,377,000

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, is provided solely for enhancement of the marine fish program.

(2) \$109,000 of the general fund—state appropriation is provided solely for the enhancement of the shellfish program.

(3) \$495,000 of the general fund—state appropriation is provided solely for additional salmon production.

(4) \$700,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

**NEW SECTION, Sec. 311. FOR THE DEPARTMENT OF GAME**

General Fund—ORV (Off-Road Vehicle) Account Appropriation ..... \$ 159,000

Game Fund Appropriation—State ..... \$ 34,820,000

Game Fund Appropriation—Federal ..... \$ 12,124,000

Game Fund Appropriation—Private/Local ..... \$ 1,318,000

Game Fund—Special Wildlife Account Appropriation ..... \$ 250,000

Total Appropriation ..... \$ 48,671,000

The appropriations in this section are subject to the following conditions and limitations: If House Bill No. 105 is enacted before July 1, 1983, the game fund—state appropriation shall be reduced by \$352,000.

**NEW SECTION, Sec. 312. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State ..... \$ 27,047,000

General Fund Appropriation—Federal ..... \$ 451,000

General Fund—ORV (Off-Road Vehicle) Account Appropriation ..... \$ 2,096,000

General Fund—Forest Development Account Appropriation ..... \$ 10,279,000

General Fund—Survey and Maps Account Appropriation ..... \$ 671,000

General Fund—Landowner Contingency Forest Fire Suppression

Account Appropriation ..... \$ 1,539,000

General Fund—Resource Management Cost Account Appropria-

tion ..... \$ 60,785,000

Total Appropriation ..... \$ 102,868,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$145,000 is provided solely for the department of natural resources to vacate the first floor of the public lands building.

(2) \$1,200,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

**NEW SECTION, Sec. 313. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State ..... \$ 10,163,000

General Fund Appropriation—Federal ..... \$ 615,000

General Fund—Feed and Fertilizer Account Appropriation ..... \$ 17,000

Fertilizer, Agricultural, Mineral and Lime Fund Appropriation ..... \$ 362,000

Commercial Feed Fund Appropriation—State ..... \$ 363,000

Commercial Feed Fund Appropriation—Federal ..... \$ 13,000

Seed Fund Appropriation ..... \$ 1,029,000

Nursery Inspection Fund Appropriation ..... \$ 346,000

Total Appropriation ..... \$ 12,908,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$156,000 of the general fund—state appropriation is provided solely to enhance the pesticide field investigations.

(2) \$60,000 of the general fund—state appropriation is provided solely to enhance consumer services within the agricultural development program.

(3) \$104,000 of the general fund—state appropriation is provided solely for a food bank coordinator and related costs.

(4) \$350,000 of the general fund—state appropriation is provided solely to establish a marketing program for the Washington wine industry.

(5) \$700,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_\_ (2SSB 3624), Laws of 1983.

<u>NEW SECTION, Sec. 314. FOR THE WASHINGTON CENTENNIAL COMMISSION</u>	
General Fund Appropriation .....	\$ 226,000
<u>NEW SECTION, Sec. 315. FOR THE CONSERVATION COMMISSION</u>	
General Fund Appropriation .....	\$ 300,000

PART IV  
TRANSPORTATION

<u>NEW SECTION, Sec. 401. FOR THE STATE PATROL</u>	
General Fund Appropriation—State .....	\$ 11,487,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,400,000 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) \$600,000 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.

<u>NEW SECTION, Sec. 402. FOR THE DEPARTMENT OF LICENSING</u>	
General Fund Appropriation .....	\$ 12,077,000
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 .....	\$ 36,582,000
Highway Safety Fund—Motorcycle Safety Education Account Appropriation .....	\$ 237,000
Motor Vehicle Fund Appropriation .....	\$ 34,693,000
Total Appropriation .....	\$ 89,527,000

The appropriations in this section are subject to the following conditions and limitations: \$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.

PART V  
EDUCATION

<u>NEW SECTION, Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)</u>	
General Fund Appropriation—State .....	\$ 13,381,000
General Fund Appropriation—Federal .....	\$ 6,540,000
General Fund—Traffic Safety Education Account Appropriation .....	\$ 460,000
Total Appropriation .....	\$ 20,381,000

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.

<u>NEW SECTION, Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985</u>	
General Fund Appropriation .....	\$ 2,912,752,000

The appropriation in this section is subject to the following conditions and limitations:

(1) For purposes of this act and RCW 28A.58.095, the superintendent of public instruction shall ensure that no district provides salary and compensation increases in excess of the amount and/or percentage specified in this act for the 1984-85 school year: PROVIDED, That for the 1983-84 and 1984-85 school years, 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 when applied to the district's respective basic education allocation, 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 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 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 outside the basic education formula as follows:

(a) A maximum of \$620,000 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 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 \$4,658,000 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.

(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.

**NEW SECTION. Sec. 503. SALARY AND COMPENSATION DEFINITIONS**

For purposes of sections 504 through 517 of this act, the following definitions apply:

(1) 'State-supported staff' means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), skill centers (program 45), handicapped (program 21), vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

(2) 'Incremental fringe benefits' means 7.0% for certificated staff and 14.0% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and, with respect to classified staff, retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

(3) 'LEAP Document 5' means the computer tabulation of 1982-83 derived base salaries for basic education certificated staff and 1982-83 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 5, 1983, at 15:57 hours.

**NEW SECTION. Sec. 504. DETERMINATION OF STAFF MIX FACTOR AND CERTIFICATED BASE SALARY.** For purposes of determining the 1983-84, and 1984-85 school year staff mix factor and certificated base salary by district, the following definitions apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) Skill centers (program 45);
- (d) General instructional support (program 94);
- (e) General support (program 97).

(2) The 1982-83 certificated base salary to be used for basic education allocation purposes shall be that specified in LEAP Document 5.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1983-84, and 1984-85 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

**NEW SECTION. Sec. 505. DETERMINATION OF CLASSIFIED SALARIES.** The 1982-83 basic education average classified salary to be used for basic education allocation purposes shall be as specified for each district in LEAP Document 5 and shall be for the total number of such full time equivalent staff in the following programs:

- (1) Basic education (program 00);
- (2) Secondary vocational education (program 30);
- (3) Skill centers (program 45);
- (4) General instructional support (program 94);
- (5) General support (program 97).

**NEW SECTION. Sec. 506. 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 502 (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 502 (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 502 (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 502 (2) (a) through (d) of this act.

**NEW SECTION. Sec. 507. 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 502 (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 502 (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 502 (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 502 (4) (a) through (c) of this act.

**NEW SECTION, Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES**

General Fund Appropriation ..... \$ 77,778,000

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 \$31,913,000 shall be distributed for insurance benefit increases for state-supported staff as defined in section 503(1) of this act at a rate of \$22 per month per full time equivalent staff unit in the 1983-84 school year and an additional \$11 per month in the 1984-85 school year.

(4) A maximum of \$9,703,000 shall be distributed for a 7% salary increase for state-supported basic education classified staff, as defined in section 503(1) of this act, effective January 1, 1985, as applied to the LEAP Document 5 1982-83 classified salary for each district. With respect to the remaining state-supported staff of a district as defined in section 503(1) of this act, the superintendent shall distribute a 7% salary increase effective January 1, 1985, using the pertinent program average salary for such staff.

(5) A maximum of \$36,162,000 shall be distributed for incremental fringe benefits as defined in section 503(2) of this act and a salary increase of \$1,214 per state-supported certificated full time equivalent staff unit effective January 1, 1985, over the remaining months of the 1984-85 school year.

(6) 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.

(b) Districts may grant increases in insurance benefits to achieve a rate of \$159 per individual employee in the 1983-84 school year and \$170 in the 1984-85 school year. For districts having rates greater than \$159 per individual employee in 1982-83, any increase granted in 1983-84 shall constitute salary increase. For districts having rates greater than \$170 per individual employee in the 1983-84 school year, any increase granted in the 1984-85 school year shall constitute salary increase.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments pursuant to LEAP Document 1.

(7) 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.

**NEW SECTION, Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—CLASSIFIED STAFF INCREMENTS**

General Fund Appropriation ..... \$ 400,000

The appropriation in this section is subject to the following conditions and limitations:

(1) 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 (2) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(2) The superintendent of public instruction shall distribute the funds appropriated by this section to each district in accordance with its particular 1983-84 complement of staff.



**NEW SECTION.** Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation ..... \$ 168,874,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$73,362,000 of the appropriation contained in this section 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.

**NEW SECTION.** Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation ..... \$ 53,586,000

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, not including salary and insurance benefit increases.

(2) Not more than \$619,000 of this appropriation may be expended for adult education.

**NEW SECTION.** Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State ..... \$ 6,000,000

General Fund Appropriation—Federal ..... \$ 60,611,000

Total Appropriation ..... \$ 66,611,000

**NEW SECTION.** Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State ..... \$ 271,088,000

General Fund Appropriation—Federal ..... \$ 27,641,000

Total Appropriation ..... \$ 298,729,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$125,586,000 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 years 1983-84 and 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.

**NEW SECTION.** Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRAFFIC SAFETY PROGRAM

General Fund—Traffic Safety Education Account Appropriation ..... \$ 17,141,000

The appropriation in this section is subject to the following conditions and limitations: Not more than \$446,000 may be expended for traffic safety education coordinators.

**NEW SECTION.** Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State ..... \$ 4,807,000

State Funding Sources ..... \$ 3,664,000

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	\$610,000
E.S.D. No. 105	\$584,000	\$292,000
E.S.D. No. 112	\$491,000	\$492,000
E.S.D. No. 113	\$524,000	\$525,000
E.S.D. No. 114	\$451,000	\$226,000
E.S.D. No. 121	\$429,000	\$430,000
E.S.D. No. 123	\$569,000	\$285,000
E.S.D. No. 171	\$696,000	\$349,000
E.S.D. No. 189	\$454,000	\$455,000
Total	\$4,807,000	\$3,664,000

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 502 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).

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL NEEDS

General Fund Appropriation—State .....	\$ 45,957,000
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The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$27,328,000 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 of \$28,632,000 shall be distributed as follows:
  - (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) A maximum of \$12,900,000 may be distributed for the remaining months of the 1982-83 school year.

(5) The funds allocated by subsection (3) of this section may be expended by school districts for support 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) 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) Salary and benefit increases are included in the funds allocated by this section.

NEW SECTION. Sec. 517. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State .....	\$ 20,857,000
General Fund Appropriation—Federal .....	\$ 5,450,000
Total Appropriation .....	\$ 26,307,000

The appropriation in this section is subject to the following conditions and limitations: Not more than \$3,355,783 shall be expended for support of basic education programs for juveniles confined in county detention centers.

NEW SECTION. Sec. 518. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES

General Fund Appropriation—Federal .....	\$ 93,956,000
(1) Education Consolidation and Improvement Act of 1981 .....	\$ 90,483,000
(2) Education of Indian Children .....	\$ 367,000
(3) Adult Basic Education .....	\$ 3,106,000

NEW SECTION. Sec. 519. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR 1982-83 SCHOOL YEAR SALARY INCREASES

General Fund Appropriation .....	\$ 500,000
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The appropriation in this section is subject to the following conditions and limitations: \$500,000 shall be distributed to eligible school districts on the same basis as \$451,000 was distributed under section 74(10), chapter 50, Laws of 1982 1st ex. sess. (uncodified).

NEW SECTION. Sec. 520. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENCUMBRANCE OF FEDERAL GRANTS

General Fund Appropriation—Federal .....	\$ 27,380,000
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NEW SECTION. Sec. 521. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation .....	\$ 1,100,000
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NEW SECTION. Sec. 522. HIGHER EDUCATION

The appropriations in sections 523 through 529 of this act are subject to the following conditions and limitations:

(1) The community colleges shall not expand ungraded offerings above the level estimated for 1981-82 by the legislative evaluation and accountability program committee.

(2) No funds may be used for the inauguration or operation of any new degree program until the program has been reviewed and favorably recommended by the council for postsecondary education.

(3) Eastern Washington University shall not expand its enrollment or offerings in Spokane prior to completion of a study of Spokane area public higher education responsibilities and needs by the office of financial management.

(4) As used in sections 523 through 529 of this act:

(a) 'Comparable cost' has the meaning used in the calculation of table 2 of the Washington state higher education enrollment forecasts published by the office of financial management in January, 1983.

(b) 'Regular academic year enrollments' excludes summer school enrollments except for the community colleges.

(5) The state board shall review and modify its allocation methods for enrollments to recognize any recent change in student demand and needs. In determining demand and needs, the state board shall consider the needs of new industries, with special reference to the semiconductor industry, and any other state economic growth that community college education can enhance in rural as well as metropolitan areas. In addition, reallocation of student enrollments that would maximize the highest quality educational offerings shall be considered. The state board shall report on its allocation method to the ways and means committees of the respective houses by September 1, 1983.

(6) Eastern Washington University, Central Washington University, The Evergreen State College and the state board for community college education shall expend up to \$25,000 each to conduct a program review in the manner of the recently completed review done by Western Washington University. The results of these reviews shall be reported to the ways and means committees of the respective houses by November 1, 1983.

NEW SECTION, Sec. 523. 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 Whatcom, Big Bend, Peninsula, Olympia Technical, Wenatchee Valley, Centralia, Lower Columbia, Walla Walla, Skagit Valley and Grays Harbor 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 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. Faculty full time equivalent entitlements for direct instructional 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 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. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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.

(6) \$116,272,807 is appropriated from the general fund for general university purposes, including plant maintenance, institutional support, state board operations, and instruction.

(7) The appropriations in this section are subject to the following conditions and limitations: The community college system shall maximize enrollment opportunities for vocational students.

NEW SECTION, Sec. 524. 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.

(4) \$164,374,272 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$3,137 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional 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) \$65,387,000 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. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$165,558,728 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.

**NEW SECTION. Sec. 525. FOR WASHINGTON STATE UNIVERSITY**

(1) \$81,821,896 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,620 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional 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) \$31,692,000 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. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$114,064,104 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 526(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.

**NEW SECTION. Sec. 526. FOR EASTERN WASHINGTON UNIVERSITY**

(1) \$33,943,063 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,414 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional 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 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. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$21,270,937 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.

(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.

**NEW SECTION. Sec. 527. FOR CENTRAL WASHINGTON UNIVERSITY**

(1) \$27,731,185 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,381 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional 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 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. 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 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) \$17,379,815 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.

(5) \$646,000 is appropriated from the general fund for equipment.

NEW SECTION, Sec. 528. FOR THE EVERGREEN STATE COLLEGE

(1) \$10,894,439 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,573 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional 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 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. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of 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) \$10,136,561 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.

(5) \$579,000 is appropriated from the general fund for equipment.

NEW SECTION, Sec. 529. FOR WESTERN WASHINGTON UNIVERSITY

(1) \$36,630,222 is appropriated from the general fund for instruction. Average basic direct instructional resource per comparable cost student shall not be less than \$2,188 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional 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 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. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$18,906,778 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.

(5) \$1,590,000 is appropriated from the general fund for equipment.

NEW SECTION, Sec. 530. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State .....	\$	27,471,000
General Fund Appropriation—Federal .....	\$	3,526,000
State Educational Grant Appropriation .....	\$	40,000
Total Appropriation .....	\$	31,037,000

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.

NEW SECTION, Sec. 531. FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State .....	\$	1,880,000
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General Fund Appropriation—Federal .....	\$	21,279,000
Total Appropriation .....	\$	23,159,000

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 on 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.

**NEW SECTION. Sec. 532. FOR THE HIGHER EDUCATION PERSONNEL BOARD OR SUCCESSOR AGENCY**

Higher Education Personnel Board Service Fund Appropriation .....	\$	1,309,000
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**NEW SECTION. Sec. 533. FOR THE STATE LIBRARY**

General Fund Appropriation—State .....	\$	7,447,000
General Fund Appropriation—Federal .....	\$	2,297,000
General Fund Appropriation—Private/Local .....	\$	99,000
Washington Library Network Computer System Revolving Fund Appropriation—Private/Local .....	\$	7,771,000
Total Appropriation .....	\$	17,614,000

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.

**NEW SECTION. Sec. 534. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State .....	\$	2,742,000
General Fund Appropriation—Federal .....	\$	800,000
Total Appropriation .....	\$	3,542,000

**NEW SECTION. Sec. 535. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	561,000
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**NEW SECTION. Sec. 536. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

General Fund Appropriation .....	\$	471,000
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**NEW SECTION. Sec. 537. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION**

General Fund Appropriation .....	\$	450,000
General Fund—State Capitol Historical Association Museum Account Appropriation .....	\$	90,000
Total Appropriation .....	\$	540,000

**NEW SECTION. Sec. 538. FOR THE TEMPORARY COMMITTEE ON EDUCATION POLICY,**

**STRUCTURE AND MANAGEMENT**

General Fund Appropriation—State .....	\$	600,000
General Fund Appropriation—Private/Local .....	\$	34,000
Total Appropriation .....	\$	634,000

**PART VI**

**SPECIAL APPROPRIATIONS**

**NEW SECTION. Sec. 601. FOR THE GOVERNOR—EMERGENCY FUND**

General Fund Appropriation .....	\$	2,000,000
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**NEW SECTION. Sec. 602. FOR THE STATE TREASURER—TRANSFERS**

General Fund—Criminal Justice Training Account Appropriation: For transfer: (1) To the Institutional Impact Account, an amount up to \$946,000, and (2) to the Crime Victims Compensation Account, an amount up to \$1,924,000, according to schedules provided by the office of financial management .....	\$	2,870,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1983, through June 30, 1985 .....	\$	6,427,322
State Treasurer's Service Fund Appropriation: For transfer to the gen- eral fund on or before July 20, 1985, an amount up to \$11,450,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1986, for credit to the fiscal year in which earned .....	\$	11,450,000
General Fund Appropriation: For transfer to the Tort Claims Revolving Fund to pay tort claim settlements for the department of correc- tions in the Berry case and for the commission for the blind in the Engles case .....	\$	529,000
Perpetual Maintenance Account Appropriation: For transfer to the Site Closure Account as authorized by the director of financial man- agement for low-level nuclear waste site closure purposes .....	\$	1,000,000

**NEW SECTION, Sec. 603. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—TRANSFERS**

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund .....	\$	12,000
Motor Vehicle Fund—State Patrol Highway Account Appropriation: For transfer to the Department of Retirement Systems Expense Fund .....	\$	51,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund .....	\$	2,998,000

**NEW SECTION, Sec. 604. FOR BELATED CLAIMS**

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund .....

(2) The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1985, except as otherwise noted. To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Criminal Justice Training Account .....	\$	49,590
General Fund—ORV (Off-Road Vehicle) Account .....	\$	141
General Fund—Snowmobile Account .....	\$	2,027
General fund—Institutional Impact Account .....	\$	13,400
General Fund—Hospital Commission Account .....	\$	134
General Fund—State Timber Tax Reserve Account .....	\$	168
General Fund—Professional Engineers' Account .....	\$	6,063
General Fund—Real Estate Commission Account .....	\$	1,028
General Fund—Capital Building Construction Account .....	\$	1,046
General Fund—Motor Transport Account .....	\$	74,404
General Fund—Resource Management Cost Account .....	\$	1,728
General Fund—Litter Control Account .....	\$	18
General Fund—Traffic Safety Education Account .....	\$	379
General Fund—L.I.R. Waste Disposal Account .....	\$	11,079
General Fund—State Building Construction Account .....	\$	2,860
General Fund—Outdoor Recreation Account .....	\$	7,876
General Fund L.I.R. Water Supply Facilities Account .....	\$	1,715
General Fund—L.I.R. Account—Public Recreation Facilities .....	\$	3,173
Electrical License Fund .....	\$	4,489
State Game Fund .....	\$	15,414
Highway Safety Fund .....	\$	20,897
Motor Vehicle Fund .....	\$	55,381
Public Service Revolving Fund .....	\$	5,488
State Treasurer's Service Fund .....	\$	25,108
Legal Services Revolving Fund .....	\$	822
General Administration Facilities and Services Revolving Fund .....	\$	615
Liquor Revolving Fund .....	\$	15,589
Accident Fund .....	\$	11,904
Medical Aid Fund .....	\$	16,629
Plumbing Certificate Fund .....	\$	147
Washington Library Network Computer System Revolving Fund .....	\$	23
Pressure System Safety Fund .....	\$	13
Total Appropriation .....	\$	349,348

**NEW SECTION, Sec. 605. 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) Michael Dittman, et al.; Payment of judgment in Dittman v. Western Washington University, United States District Court, Western District of Washington, Cause No. C-79-1189V .....	\$	46,000
(2) Spokane Arcades, Inc., et al.; Payment of judgment in Spokane Arcades v. Ray, United States District Court, Eastern District of Washington, Cause No. C-77-353 .....	\$	15,440
(3) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States Court of Appeals, 9th Circuit, Cause Nos. 79-4643, 79-4655, 79-4676, 79-4740, 79-4801, and 79-4802 .....	\$	49,929
(4) Ray Beller, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund .....	\$	1,000

(5) Dean C. Farrans, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund .....	\$	13,971.49
(6) King County, Settlement of King County v. State, King County Superior Court Cause No. 83-2-02342-4: PROVIDED, That the director of financial management shall draw up a separate voucher to be presigned by the prosecuting attorney of King County prior to the release of the warrant, which voucher shall state: 'By acceptance of this amount, King County releases the state of Washington and all political subdivisions thereof, and their agents, from the claims set forth in King County v. State, King County Superior Court Cause No. 83-2-02342-4.' .....	\$	37,995
(7) Jerry P. Huntley, Payment of judgment in Washington v. Huntley, Snohomish County Superior Court No. 80-1-00076-9 .....	\$	31,100
(8) United Nursing Homes, Inc. et al.; Payment to be disbursed in accordance with settlement judgment in United Nursing Homes, Inc. v. Thompson, Superior Court for Thurston County, Cause No. 80-2-01170-4 .....	\$	1,663,355
<u>NEW SECTION, Sec. 606. FOR THE STATE TREASURER—STATE REVENUES FOR</u>		

## DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution .....	\$	4,672,212
General Fund Appropriation for refund of deferred property tax .....	\$	313,000
General Fund Appropriation for public utility district excise tax distribution .....	\$	22,038,408
General Fund Appropriation for prosecuting attorneys' salaries .....	\$	1,680,453
General Fund Appropriation for motor vehicle excise tax distribution .....	\$	37,458,038
General Fund Appropriation for local mass transit assistance .....	\$	124,194,643
General Fund Appropriation for camper and travel trailer excise tax distribution .....	\$	1,509,071
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	\$	653,749
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution .....	\$	20,624,310
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution .....	\$	204,721,141
Liquor Revolving Fund Appropriation for liquor profits distribution .....	\$	51,000,000
General Fund—State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties .....	\$	15,920,000
General Fund—State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties .....	\$	14,750,000
General Fund—Municipal Sales and Use Tax Equalization Account Appropriation .....	\$	20,169,962
General Fund—County Sales and Use Tax Equalization Account Appropriation .....	\$	6,779,819
Total Appropriation .....	\$	526,484,806

NEW SECTION, Sec. 607. 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
Total Appropriation .....	\$	16,333,000
<u>NEW SECTION, Sec. 608. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST</u>		
Loan Principal and Interest Fund Appropriation .....	\$	40,500,000
Fisheries Bond Redemption Fund 1977 Appropriation .....	\$	3,565,497
Salmon Enhancement Bond Redemption Fund 1977 Appropriation .....	\$	4,240,466
Higher Education Refunding Bond Redemption Fund 1977 Appropriation .....	\$	8,778,253
Fire Service Training Center Bond Retirement Fund 1977 Appropriation .....	\$	1,641,000
Highway Bond Retirement Fund Appropriation .....	\$	124,040,434
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation .....	\$	238,000
Higher Education Bond Redemption Fund 1977 Appropriation .....	\$	6,489,282
Ferry Bond Retirement Fund 1977 Appropriation .....	\$	27,329,487
Emergency Water Projects Bond Retirement Fund 1977 Appropriation .....	\$	2,582,560



General Administration Building Bond Redemption Fund Appropriation .....	\$	602,425
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation .....	\$	642,900
Public School Building Bond Redemption Fund 1965 Appropriation .....	\$	2,468,360
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation .....	\$	3,196,170
Spokane River Toll Bridge Account Appropriation .....	\$	883,763
Public School Building Bond Redemption Fund 1963 Appropriation .....	\$	8,817,239
Higher Education Bond Retirement Fund 1979 Appropriation .....	\$	23,378,935
State General Obligation Bond Retirement Fund 1979 Appropriation .....	\$	144,440,039
Fisheries Bond Redemption Fund 1976 Appropriation .....	\$	764,596
State Building Bond Redemption Fund 1967 Appropriation .....	\$	656,310
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation .....	\$	16,102,085
Common School Building Bond Redemption Fund 1967 Appropriation .....	\$	6,863,935
Outdoor Recreation Bond Redemption Fund 1967 Appropriation .....	\$	6,239,010
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation .....	\$	3,949,873
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation .....	\$	10,108,978
State Building and Parking Bond Redemption Fund 1969 Appropriation .....	\$	2,454,980
Waste Disposal Facilities Bond Redemption Fund Appropriation .....	\$	57,317,854
Water Supply Facilities Bond Redemption Fund Appropriation .....	\$	11,995,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation .....	\$	3,720,331
Recreation Improvements Bond Redemption Fund Appropriation .....	\$	5,998,465
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation .....	\$	7,497,928
State Building Authority Bond Redemption Fund Appropriation .....	\$	9,660,830
Office-Laboratory Facilities Bond Redemption Fund Appropriation .....	\$	270,870
University of Washington Hospital Bond Retirement Fund 1975 Appropriation .....	\$	1,156,976
Washington State University Bond Redemption Fund 1977 Appropriation .....	\$	561,675
Higher Education Bond Redemption Fund 1975 Appropriation .....	\$	2,165,125
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,845,698
State Building Bond Retirement Fund 1975 Appropriation .....	\$	1,363,500
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,279,878
Social and Health Services Bond Redemption Fund 1976 Appropriation .....	\$	9,486,418
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	379,058
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,499,105
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,208,500
Total Appropriation .....	\$	581,381,788

**NEW SECTION. Sec. 609. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—RETIREMENT SYSTEM CONTRIBUTIONS**

General Fund Appropriation .....	\$	506,450,000
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The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$800,000 may be expended from the general fund appropriation for contributions to the judicial retirement system.
- (2) A maximum of \$550,000 may be expended from the general fund appropriation for contributions to the judges' retirement system.
- (3) A maximum of \$192,600,000 may be expended from the general fund appropriation for contributions to the law enforcement officers' and fire fighters' retirement system.
- (4) A maximum of \$312,500,000 may be expended from the general fund appropriation for contributions to the teachers' retirement system.

**NEW SECTION. Sec. 610. FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES**

(1) There is appropriated for the four-year institutions of higher education from the General Fund .....	\$	16,253,000
(2) There is appropriated for the community college system from the General Fund .....	\$	8,959,000
(3) There is appropriated for the department of corrections from the General Fund .....	\$	6,388,000
(4) There is appropriated for the department of social and health services from the:		
General Fund—State .....	\$	13,484,000
General Fund—Federal .....	\$	6,652,000

(5) There is appropriated for other state agencies from the:

General Fund—State .....	\$	7,890,000
General Fund—Federal .....	\$	1,631,000

(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase Revolving Fund .....

	\$	23,346,000
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(7) The appropriations in this section are provided solely for salary increases effective January 1, 1985, and insurance benefit contribution increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). Salary increases and insurance benefit increases granted under this section for each employee shall be funded from the same sources and in the same proportions as the sources funding the employee's salary.

(8) Funds are provided in this section for salary increases for higher education classified employees and for state personnel board classified and exempt employees to implement one-half of the salary range increases adopted by the higher education and state personnel boards resulting from the 1982 salary survey (catch-up results). If the implementation of one-half of the salary range increase results in a fractional range, the next higher range shall be used in computing the increase.

Funds are provided in this section for salary increases averaging 3.6% for medical residents and graduate assistants of the four-year institutions of higher education.

Funds are provided in this section for salary increases averaging 5.2% for faculty and administrative exempt employees of the four-year institutions of higher education which include increments and merit/market increases. Such merit/market increases averaging 1.6% are to be granted solely on the basis of formal merit evaluation procedures which may take into account critical market disparities in teaching disciplines.

Funds are provided in this section for salary increases averaging 5.2% for faculty and administrative exempt employees of the community college system which include increments and merit/market increases.

The council for postsecondary education shall report to the governor and the legislature on the implementation of all merit/market increases no later than February 15, 1985.

Excluding the regional university and college faculty resource equalization moneys under sections 527 through 529 of this act, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education may not receive from any fund source any salary increases greater than that provided in this section.

(9) The state's maximum contribution for employee insurance benefits shall be increased from \$137 per month per eligible employee to \$159 per month per eligible employee effective July 1, 1983, and to \$170 per month per eligible employee effective July 1, 1984. It is the intent of the legislature to ensure maintenance of existing employee insurance benefit levels throughout the 1983-85 biennium through implementation of cost saving measures during the 1984 legislative session. Any moneys resulting from favorable claims experience, cost containment, cost reductions, coordination of benefits, self-funding, or any other cost efficiencies shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1983 act.

(10) To facilitate payment of state employee salary increases and insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient amounts 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.

NEW SECTION. Sec. 611. FOR THE GOVERNOR—SALARY INCREASES

General Fund Appropriation .....	\$	685,000
Special Fund Salary Increase Revolving Fund Appropriation .....	\$	825,000
Department of Personnel Service Fund Appropriation .....	\$	14,000
Higher Education Personnel Board Service Fund Appropriation .....	\$	6,000
Total Appropriation .....	\$	1,530,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state personnel board and the higher education personnel board shall develop a plan for effecting a salary increase of \$100 a year for all classes and employees indexed to salary survey benchmark classes or occupational groups averaging eight or more salary ranges below the comparable worth salary practice line as measured in the 1982 Comparable Worth Study. Such plan shall be implemented on July 1, 1984.

(2) To facilitate payment of state employee salary increases from special funds, the state treasurer is directed to transfer sufficient amounts from each special fund to the special fund salary increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(3) The state personnel board and the higher education personnel board shall conduct additional point evaluations as necessary.

PART VII  
MISCELLANEOUS

NEW SECTION. Sec. 701. No appropriations in this act may be used for payment of contributions to the public employees' retirement system in excess of amounts necessary to offset the cost of benefits earned during the fiscal biennium ending June 30, 1985. The director of the department of retirement systems shall establish contribution rates under chapter 41.40 RCW consistent with this section.

NEW SECTION. Sec. 702. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess., the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1983.

NEW SECTION. Sec. 703. Whenever allocations are made from the governor's emergency fund appropriation to an agency which is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION. Sec. 704. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 705. Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(1) 'Provided solely' means that the specified amount may be spent only for the specified purpose. Unless otherwise stated in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall lapse.

(2) 'Lapse' means the termination of authority to spend an appropriation or portion of an appropriation.

(3) 'FTE' means full time equivalent.

NEW SECTION. Sec. 706. 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. 707. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Ms. Brekke, the following amendments to the Grimm amendment were adopted:

On page 32, line 7 strike "general" and insert "income"

On page 32, line 8 after "clients" insert "who are not severely disabled"

Mr. Smitherman moved adoption of the following amendments by Representatives Smitherman, Ballard, Zellinsky, Halsan and Tilly to the Grimm amendment:

On page 44, line 8 of the amendment strike "3,086,000" and insert "5,586,000"

On page 44, line 10 of the amendment after "limitations:" insert "(1)" and begin a new paragraph

On page 44, after line 15 of the amendment insert the following:

"(2) \$2,500,000 of the general fund--state appropriation is provided solely for the promotion of tourism. Any expenditures during the fiscal year ending June 30, 1984, shall be matched by moneys or in kind contributions from the private sector in the amount of fifty percent of the expenditure. Expenditures during the fiscal year ending June 30, 1984, shall not exceed one million five hundred thousand dollars. During the fiscal year ending June 30, 1985, the matching funds requirement shall be one hundred percent."

Mr. Smitherman spoke in favor of the amendments to the amendment, and Mr. J. King spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Smitherman and others to page 44 of the Grimm amendment to House Bill No. 1079, and the amendments were adopted by the following vote: Yeas, 65; nays, 31; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fuhrman, Gallagher, Garrett, Halsan, Hankins, Hastings, Holland, Isaacson,

Jacobsen, Johnson, Kaiser, King P. Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson G. O'Brien, Patrick, Powers, Prince, Ristuben, Sanders, Schmidt, Schoon, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J, Wilson, Zellinsky - 65.

Voting nay: Representatives Appelwick, Braddock, Brekke, Burns, Charnley, Fisher, Fiske, Galloway, Grimm, Haugen, Heck, Hine, King J, King R, Locke, Lux, Moon, Nelson D, Niemi, Padden, Pruitt, Rust, Sayan, Sommers, Sutherland, Todd, Vekich, Walk, Wang, West, and Mr. Speaker - 31.

Excused: Representatives Bond, Silver - 2.

On motion of Mr. J. King, the following amendments by Representatives J. King and Hankins to the Grimm amendment were adopted:

On page 47, line 30 after "limitations:" begin a new paragraph and insert "(1)"

On page 48, after line 3 insert the following:

"(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 examinations committee shall be reimbursed pursuant to RCW 43.03.050."

Ms. Powers moved adoption of the following amendments by Representatives Powers, Jacobsen, Burns, Dellwo, D. Nelson and Prince to the Grimm amendment:

On page 79, line 15 strike "16,253,000" and insert "17,817,000"

On page 79, line 17 strike "\$8,959,000" and insert "\$9,957,000"

On page 80, line 20 strike "5.2%" and insert "6.7%"

On page 80, line 22 strike "1.6%" and insert "3.1%"

On page 80, line 27 strike "5.2%" and insert "6.7%"

Ms. Powers spoke in favor of the amendments, and Mr. Grimm opposed them.

The amendments were adopted.

The Grimm amendment as amended was adopted.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 1 of the title after "budget" and before the period insert "; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1983, and ending June 30, 1985; 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.

Mr. Grimm spoke in favor of passage of the bill, and Mr. Cantu spoke against it.

Mr. Heck demanded an oral roll call vote and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1079, and the bill passed the House by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representatives Bond, Silver - 2.

Engrossed House Bill No. 1079, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Heck, Engrossed House Bill No. 1079 was ordered immediately transmitted to the Senate.

## SENATE AMENDMENT TO HOUSE BILL

May 9, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 55 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A capital budget is hereby adopted and, subject to the provisions set forth in this act, 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.

## INDEX

Arts Commission, sec. 903  
 Central Washington University, secs. 835-851  
 Commerce and Economic Development Department, sec. 901  
 Community College Education Board, secs. 859-882  
 Corrections Department, secs. 228-244  
 Eastern Washington University, secs. 826-834  
 Ecology Department, secs. 301-318  
 Education, State Board of, sec. 883  
 Emergency Services Department, sec. 141  
 Employment Security Department, sec. 245  
 Evergreen State College, secs. 852-856  
 Fisheries Department, secs. 501-549  
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 Parks and Recreation Commission, secs. 401-449  
 Secretary of State, secs. 131-134  
 Social and Health Services Department, secs. 201-227  
     Departmental Capital Services (Headquarters), secs. 201-208  
     Developmental Disabilities, secs. 214-219  
     Juvenile Rehabilitation, secs. 209-213  
     Mental Health, secs. 220-227  
 State Treasurer, sec. 902  
 University of Washington, secs. 814-825  
 Veterans Affairs Department, sec. 244  
 Vocational Education Commission, sec. 884  
 Washington State University, secs. 815-825  
 Western Washington State University, secs. 857-858

NEW SECTION. Sec. 2. As used in this act, the following phrases have the following meanings:

'GF, Cap Bldg Constr Acct' means General Fund—Capital Building Construction Account;  
 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;  
 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;  
 'GF, ORA' means General Fund—Outdoor Recreation Account;  
 'GF, Sal Enhmt Constr Acct' means General Fund—Salmon Enhancement Construction Account;  
 'GF, For Dev Acct' means General Fund—Forest Development Account;  
 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;  
 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—  
 Department of Social and Health Services Facilities;  
 'GF, DSHS Constr Acct' means General Fund—State Social and Health Services Construction Account;  
 'GF, CEP & RI Acct' means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;  
 'GF, Fire Trng Constr Acct' means General Fund—Fire Training Construction Account;  
 'GF, WSU Bldg Acct' means General Fund—Washington State University Building Account;  
 'GF, St H Ed Constr Acct' means General Fund—State Higher Education Construction Account;  
 'GF, EWU Cap Proj Acct' means General Fund—Eastern Washington University Capital Projects Account;  
 'GF, TESC Cap Proj Acct' means General Fund—The Evergreen State College Capital Projects Account;

'GF, Com Col Cap Impvmt Acct' means General Fund—Community College Capital Improvement Account;

'GF, Com Col Cap Proj Acct' means General Fund—Community College Capital Projects Account;

'GF, Com Col Cap Constr Acct' means General Fund—1975 Community College Capital Construction Account;

'GF, CWU Cap Proj Acct' means General Fund—Central Washington University Capital Projects Account;

'GF, UW Bldg Acct' means General Fund—University of Washington Building Account;

'GF, St Bldg Auth Constr Acct' means General Fund—State Building Authority Construction Account;

'GF, WWU Cap Proj Acct' means General Fund—Western Washington University Capital Projects Account;

'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;

'GF, Hndcp Fac Constr Acct' means General Fund—Handicapped Facilities Construction Account;

'GF, LIRA, Waste Disp Fac' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;

'GF, State Emerg Water Proj Rev' means General Fund—Emergency Water Project Revolving Account—State;

'GF, LIRA, Waste Fac 1980' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities 1980;

'GF, LIRA, Water Sup Fac' means General Fund—State and Local Improvement Revolving Account—Water Supply Facilities;

'GF, LIRA' means General Fund—State and Local Improvement Revolving Account;

'GF, LIRA, Public Rec Fac' means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;

'GF, PNW Fest Fac Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account;

'GF, Cultural Fac Constr Acct' means General Fund—Cultural Facilities Construction Account;

'GF, H Ed Constr Acct' means General Fund—Higher Education Construction Account 1979;

'MV, State Patrol Hiwy Acct' means Motor Vehicle Fund—State Patrol Highway Account.

The words 'capital improvements' or 'capital projects' used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

PART I  
GENERAL GOVERNMENT

NEW SECTION, Sec. 101. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To conduct an energy audit program of all state-owned buildings.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct	3,971,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,620,900		6,592,500

NEW SECTION, Sec. 102. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To complete the house office building basement alteration and ground floor hearing rooms remodel.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	40,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
960,000		1,000,000

NEW SECTION, Sec. 103. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for emergency repair projects on the Capitol campus, including the old capitol, and Capitol Lake.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		216,000
GF, Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/83	7/1/85 and Thereafter	Costs
		288,000

NEW SECTION. Sec. 104. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To undertake three nondeferrable repair projects on the capitol campus.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		24,000
GF, Cap Purch & Dev Acct		576,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		600,000

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide for unanticipated repairs and improvements on the capitol campus.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		216,000
GF, Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		288,000

NEW SECTION. Sec. 106. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To implement three minor improvement projects on the capitol campus.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		72,000
GF, Cap Purch & Dev Acct		5,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		77,000

NEW SECTION. Sec. 107. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To repair existing campus elevators, escalators, and other conveyance systems.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		106,000
GF, Cap Purch & Dev Acct		87,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,022,000

NEW SECTION. Sec. 108. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To replace and maintain the roofs on capitol campus buildings.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		298,000
GF, Cap Purch & Dev Acct		60,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		358,000

NEW SECTION. Sec. 109. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To study repair and improve the water distribution system.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		175,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		581,500

NEW SECTION. Sec. 110. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide a fire and water damage protection system for the state library.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		399,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/83	7/1/85 and Thereafter	Costs	
			399,000
<u>NEW SECTION.</u> Sec. 111. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To replace the water chiller at the employment security building.			
		Reappropriation	Appropriation
GF. Cap Purch & Dev Acct			500,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		500,000
<u>NEW SECTION.</u> Sec. 112. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To clean and repair the exterior walls of the Temple of Justice.			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct			165,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		165,000
<u>NEW SECTION.</u> Sec. 113. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To provide improvements for handicapped access.			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct			34,000
GF. Cap Purch & Dev Acct			259,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		886,000
			1,179,000
<u>NEW SECTION.</u> Sec. 114. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To convert industrial space vacated by the state printer in the general administration building to office space for the state auditor and the state treasurer, and to renovate vacated computer space in the state treasurer's office.			
		Reappropriation	Appropriation
GF. State Bldg Constr Acct			4,863,400
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		4,863,400
<u>NEW SECTION.</u> Sec. 115. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To provide for the installation of energy conservation measures in various capitol campus buildings.			
		Reappropriation	Appropriation
GF. Cap Bldg Constr Acct			510,000
GF. Cap Purch & Dev Acct			368,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		1,435,000
			2,313,000
<u>NEW SECTION.</u> Sec. 116. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To correct leaks in the capitol campus garage.			
		Reappropriation	Appropriation
GF. Cap Purch & Dev Acct			362,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/85 and	Costs	
6/30/83	Thereafter		362,000
<u>NEW SECTION.</u> Sec. 117. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION			
To effect critical repairs at the northern state multiservice center.			
		Reappropriation	Appropriation
GF. State Bldg Constr Acct			100,000
Project	Estimated	Estimated	
Costs	Costs	Total	



Through 6/30/83	7/1/85 and Thereafter 3,768,800	Costs 3,868,800
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NEW SECTION, Sec. 118. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For Northern State Hospital repairs.

GF, State Bldg Constr Acct	Reappropriation 150,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,925,000		2,075,000

NEW SECTION, Sec. 119. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For campus electrical repairs.

GF, Cap Bldg Constr Acct	Reappropriation 700,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
4,494,000		5,194,000

NEW SECTION, Sec. 120. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For capitol campus electrical energy conservation.

GF, Cap Bldg Constr Acct	Reappropriation 100,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
368,000		468,000

NEW SECTION, Sec. 121. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For powerhouse equipment modifications and replacement.

GF, Cap Bldg Constr Acct	Reappropriation 200,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
787,000		987,000

NEW SECTION, Sec. 122. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For alterations to a portion of the state modular office building at airustrial park for the  
state printer.

GF, State Bldg Constr Acct	Reappropriation 1,040,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
389,300		1,429,300

NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To rehabilitate Capitol Lake.

GF, Cap Bldg Constr Acct	Reappropriation 1,400,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
763,000		2,163,000

NEW SECTION, Sec. 124. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For Office Building No. 2 window drip cap installation.

GF, Cap Bldg Constr Acct	Reappropriation 106,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		106,000

NEW SECTION, Sec. 125. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

For alteration of the basement and ground floor of the general administration building for use as office space: design only.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct	435,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
15,000	5,050,000	5,500,000

NEW SECTION, Sec. 126. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For elevator/escalator repair and replacement.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct	350,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
500,000		850,000

NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
For the acquisition of the McNeil Island complex including Gertrude and Pitt Islands.

	Reappropriation	Appropriation
GF. State Bldg Constr Acct		8,800,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		8,800,000

NEW SECTION, Sec. 128. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for alterations to the Public Lands Building for two ground level floor senate hearing rooms and support spaces. Includes funds not to exceed \$284,000 for department of natural resources office modifications and relocation of department of natural resources functions.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		849,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		849,000

NEW SECTION, Sec. 129. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide for Phase II House Office Building remodel.

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		1,452,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,452,000

NEW SECTION, Sec. 130. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Plan, design, construct, furnish, and landscape a multitheatre international performing arts facility in south King County.

	Reappropriation	Appropriation
GF. PHW Frst Fac Constr Acct	5,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		5,000,000

NEW SECTION, Sec. 131. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Provide funds to the Department of General Administration for a study to determine the feasibility and cost of constructing a bridge to McNeil Island across Pitt Passage.

	Reappropriation	Appropriation
GF. State Bldg Constr Acct		100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		100,000

NEW SECTION, Sec. 132. FOR THE SECRETARY OF STATE

For renovation of the central Washington regional archives in Ellensburg.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct			25,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
32,000			57,000

NEW SECTION, Sec. 133. FOR THE SECRETARY OF STATE

Renovate regional archives in King County.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct			48,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
14,000			62,000

NEW SECTION, Sec. 134. FOR THE SECRETARY OF STATE

Remodel existing space in the archives and records center in Olympia for a conservation laboratory.

		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct			37,800
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			37,800

NEW SECTION, Sec. 135. FOR THE SECRETARY OF STATE

Renovations to radar tower for records storage purposes in Blaine.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct			37,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			37,000

NEW SECTION, Sec. 136. FOR THE MILITARY DEPARTMENT

Provide for minor renovation and energy conservation projects.

		Reappropriation	Appropriation
GF, State Bldg Constr Acct			875,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			875,000

NEW SECTION, Sec. 137. FOR THE MILITARY DEPARTMENT

To construct and equip maintenance shop—Fort Lewis.

		Reappropriation	Appropriation
General Fund, Federal			1,438,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	268,000		1,706,000

NEW SECTION, Sec. 138. FOR THE MILITARY DEPARTMENT

To construct and equip maintenance shop—Ephrata armory.

		Reappropriation	Appropriation
General Fund, Federal			193,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	35,000		228,000

NEW SECTION, Sec. 139. FOR THE MILITARY DEPARTMENT

Construct and equip a 200-man armory—Vancouver barracks.

		Reappropriation	Appropriation
General Fund, Federal			78,000

GF, State Bldg Constr Acct		39,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter	2,004,000	
			2,121,000
<u>NEW SECTION, Sec. 140. FOR THE MILITARY DEPARTMENT</u>			
Acquire and equip a 200-man armory—South King County.			
	Reappropriation		Appropriation
General Fund, Federal		14,000	
GF, State Bldg Constr Acct		123,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter	1,853,000	
2,000			1,992,000
<u>NEW SECTION, Sec. 141. FOR THE MILITARY DEPARTMENT</u>			
Complete exterior renovation and engineering study on total building renovation—Tacoma Armory.			
	Reappropriation		Appropriation
GF, State Bldg Constr Acct			120,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter	2,555,700	
			2,675,700
<u>NEW SECTION, Sec. 142. FOR THE DEPARTMENT OF EMERGENCY SERVICES</u>			
Study to determine location and design of an emergency services command center.			
	Reappropriation		Appropriation
GF, Cap Bldg Constr Acct			31,000
General Fund, Federal			6,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			37,000

PART II  
HUMAN RESOURCES

NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)  
Repairs and improvements—State-wide.

	Reappropriation		Appropriation
GF, DSHS Constr Acct		783,200	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,216,800			2,000,000
<u>NEW SECTION, Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)</u>			
(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).			
	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

NEW SECTION, Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

The department of social and health services is authorized to allocate \$1,650,000 in Referendum 29 funds to the City of Seattle for the Downtown Seattle Special Residence for the Mentally Ill. The City of Seattle must submit an application by December 31, 1983, and must receive department approval by March 31, 1984, or the amount authorized shall lapse.

	Reappropriation	Appropriation
GF, LIRA, DSHS Fac		1,650,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,650,000

**NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Comply with section 504 relating to handicapped access to facilities.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
366,085	180,000	556,085

**NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Construct and equip a new state public health laboratory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	675,000	10,163,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
440,900		11,279,000

**NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Establish and implement energy conservation program—DSHS institutions.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	750,000	1,174,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
690,000		2,614,900

**NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Develop project plans for major current and backlog facility deficiencies.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	90,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
201,239		291,239

**NEW SECTION, Sec. 208. 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		2,637,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,637,600

**NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION**

Renovate kitchen, dining room, and administration building and construct new commissary—Naselle Youth Camp.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	60,000	

Project Costs Through 6/30/83 1,867,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,927,500
<b>NEW SECTION, Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</b>		
Upgrade facilities including vocational and educational buildings—Green Hill School.		
	Reappropriation 365,000	Appropriation
GF, DSHS Constr Acct		
Project Costs Through 6/30/83 1,435,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,800,000
<b>NEW SECTION, Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</b>		
Repair and replace roofs—Echo Glen Children's Center.		
	Reappropriation	Appropriation
		1,231,700
GF, DSHS Constr Acct		
Project Costs Through 6/30/83 209,200	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  1,440,900
<b>NEW SECTION, Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</b>		
Repair utilities—Maple Lane.		
	Reappropriation	Appropriation
		609,100
GF, DSHS Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  609,100
<b>NEW SECTION, Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION</b>		
Repair utilities—Green Hill School.		
	Reappropriation	Appropriation
		307,000
GF, DSHS Constr Acct		
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  307,000
<b>NEW SECTION, Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</b>		
Renovate Douglas Hall, renovate or construct infirmary, renovate habilitation center, make utility and site improvements, demolish old buildings on north campus, design through working drawings for Phase IV—Lakeland Village.		
	Reappropriation 4,824,500	Appropriation
GF, DSHS Constr Acct		
Project Costs Through 6/30/83 17,119,700	Estimated Costs 7/1/85 and Thereafter 1,425,500	Estimated Total Costs  23,369,700
<b>NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</b>		
Construct and equip nine residential units, renovate skilled nursing center and health center, renovate kitchen, improve facilities and site, design through working drawings for Phase IV—Rainier School.		
	Reappropriation 9,174,800	Appropriation
GF, DSHS Constr Acct		
Project Costs Through	Estimated Costs 7/1/85 and	Estimated Total Costs

6/30/83	Thereafter	
22,956,200		32,131,000
<u>NEW SECTION, Sec. 216. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</u>		
Renovate and equip the main building, Phase III—Yakima Valley School.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	328,300	6,031,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
7,882,300		14,242,100
<u>NEW SECTION, Sec. 217. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</u>		
Repair and upgrade utilities, and fire and safety improvements, Phase IV—Fircrest.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	75,000	1,615,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,805,300		5,495,300
<u>NEW SECTION, Sec. 218. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</u>		
Repair or replace roof—Interlake.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		345,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		345,900
<u>NEW SECTION, Sec. 219. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES</u>		
Construct and equip two additional 16-bed residential units—Complete Phase II—Frances Haddon Morgan.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		2,612,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,167,000	3,500,000	7,279,500
<u>NEW SECTION, Sec. 220. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</u>		
Fire and safety improvements—Western State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		289,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		289,000
<u>NEW SECTION, Sec. 221. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</u>		
Repair cottages—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
<u>NEW SECTION, Sec. 222. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</u>		
Completion of design, construction, and equipping 225-bed facility for the nonoffender population—Western State Hospital.		

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,113,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
19,630,000	550,000	21,293,000
<u>NEW SECTION.</u> Sec. 223. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR		
<u>MENTAL HEALTH</u>		
Completion of health, safety, facility, utility and roofing improvements—Western State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	838,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,493,000		2,331,000
<u>NEW SECTION.</u> Sec. 224. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR		
<u>MENTAL HEALTH</u>		
Completion of design, construction, and equipping 130-bed facility for nonoffender population—Eastern State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
11,985,000		12,035,000
<u>NEW SECTION.</u> Sec. 225. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR		
<u>MENTAL HEALTH</u>		
Install emergency generator—Western State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		655,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		655,700
<u>NEW SECTION.</u> Sec. 226. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR		
<u>MENTAL HEALTH</u>		
Renovate wards—Eastern State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		502,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	10,791,600	11,293,900
<u>NEW SECTION.</u> Sec. 227. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR		
<u>MENTAL HEALTH</u>		
Renovate wards—Western State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		377,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	16,096,800	16,473,900
<u>NEW SECTION.</u> Sec. 228. FOR THE DEPARTMENT OF CORRECTIONS		
Cover current obligations related to design, site planning, and land acquisition for a 500-bed medium security corrections center at Grandview. New contracts or other expenditure obligations relative to construction of this project are to be deferred.		
	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	
830,000		2,330,000
<b>NEW SECTION, Sec. 229. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Renovate heating and ventilation system—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	395,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
105,000		500,000
<b>NEW SECTION, Sec. 230. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Construct 500-bed medium security corrections center on the grounds of the Monroe Reformatory.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	12,970,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
20,892,300		33,862,300
<b>NEW SECTION, Sec. 231. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Repair facilities and utilities—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,667,406		2,667,406
<b>NEW SECTION, Sec. 232. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Construct a 500-bed medium security corrections center—Clallam Bay.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	7,148,400	33,247,305
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,601,600		42,997,305
<b>NEW SECTION, Sec. 233. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Continue to upgrade utilities, living units, and security capabilities—Phase II, Washington State Penitentiary.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	14,000,000	6,480,784
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,907,492		33,388,276
<b>NEW SECTION, Sec. 234. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Upgrade security, housing units, utilities, services, and inmate movement—Phase II, Washington State Reformatory.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	146,500	17,017,050
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
576,900		17,740,450
<b>NEW SECTION, Sec. 235. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Provide facilities for 600 additional inmates—Washington Corrections Center, Shelton.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		21,400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		21,400,000

NEW SECTION. Sec. 236. FOR THE DEPARTMENT OF CORRECTIONS  
Emergency and unanticipated projects.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		337,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		337,000

NEW SECTION. Sec. 237. FOR THE DEPARTMENT OF CORRECTIONS  
Renovation, repair, construction of small projects—state-wide.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,943,203
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,943,203

NEW SECTION. Sec. 238. FOR THE DEPARTMENT OF CORRECTIONS  
Improve water quality—Washington State Reformatory.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		668,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		668,300

NEW SECTION. Sec. 239. FOR THE DEPARTMENT OF CORRECTIONS  
Renovate farm housing and provide 200 additional beds—McNeil Island.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		871,165
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		871,165

NEW SECTION. Sec. 240. FOR THE DEPARTMENT OF CORRECTIONS  
Improve capability to handle mentally disturbed inmates—Washington Corrections Center.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		319,954
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		319,954

NEW SECTION. Sec. 241. FOR THE DEPARTMENT OF CORRECTIONS  
Construct maximum security inmate living units—Purdy Treatment Center for Women.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		5,161,095
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		5,161,095

NEW SECTION. Sec. 242. FOR THE DEPARTMENT OF CORRECTIONS  
Install bag house to comply with the air pollution control board's air quality emissions standards—Washington Corrections Center.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,424,496
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,424,496

NEW SECTION. Sec. 243. FOR THE DEPARTMENT OF CORRECTIONS  
Replace old, small-capacity passenger ferry boat with larger-capacity boat—McNeil Island.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		335,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		335,000

NEW SECTION. Sec. 244. FOR THE DEPARTMENT OF CORRECTIONS

Completion of repair and improvement of utilities and facilities—Omnibus.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	200,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,400,000		1,600,000

NEW SECTION. Sec. 245. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Repair and improve facilities at the Soldiers' Home and Veterans' Home.

	Reappropriation	Appropriation
GF, CEP & RI Acct	334,000	255,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
710,900		1,299,900

NEW SECTION. Sec. 246. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Acquire land and construct an office building in Walla Walla.

	Reappropriation	Appropriation
Unemployment Compensation		
Administration Fund—Federal	545,000	246,250
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		791,250

NEW SECTION. Sec. 247. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Repair and improve facilities at the Buckner rehabilitation center.

	Reappropriation	Appropriation
Medical Aid Fund		209,234
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		209,234

PART III

DEPARTMENT OF ECOLOGY

NEW SECTION. Sec. 301. FOR THE DEPARTMENT OF ECOLOGY

Acquire property and construct building at Padilla Bay.

	Reappropriation	Appropriation
GF, Federal	300,000	
GF, ORA—State	500,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
896,000		1,696,000

NEW SECTION. Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

Drilling of test observation wells in Island County.

	Reappropriation	Appropriation
GF, State Emerg Water Proj Rev	480,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		480,000

NEW SECTION. Sec. 303. FOR THE DEPARTMENT OF ECOLOGY

Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.

Reappropriation	Appropriation
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GF, LIRA, Waste Disp Fac		77,100	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
35,700			112,800
<u>NEW SECTION, Sec. 304. FOR THE DEPARTMENT OF ECOLOGY</u>			
To construct waste disposal facilities at Dash Point, Riverside, and Sacajawea State Parks.			
	Reappropriation		Appropriation
GF, LIRA, Waste Disp Fac		181,200	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
564,800			746,000
<u>NEW SECTION, Sec. 305. FOR THE DEPARTMENT OF ECOLOGY</u>			
To construct water supply facilities at Sacajawea State Park.			
	Reappropriation		Appropriation
GF, LIRA		124,900	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
95,100			220,000
<u>NEW SECTION, Sec. 306. FOR THE DEPARTMENT OF ECOLOGY</u>			
Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.			
	Reappropriation		Appropriation
GF, LIRA Waste Fac 1980		91,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
36,100			127,100
<u>NEW SECTION, Sec. 307. FOR THE DEPARTMENT OF ECOLOGY</u>			
Provide facilities in twenty-seven parks for the disposal of marine sewage from Porta-Potties.			
	Reappropriation		Appropriation
GF, LIRA, Waste Fac 1980		104,800	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			104,800
<u>NEW SECTION, Sec. 308. FOR THE DEPARTMENT OF ECOLOGY</u>			
Renovate primary and secondary water distribution system—Larrabee State Park.			
	Reappropriation		Appropriation
GF, LIRA, Water Sup Fac		43,600	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			43,600
<u>NEW SECTION, Sec. 309. FOR THE DEPARTMENT OF ECOLOGY</u>			
Provide water service connection for fire protection and public use—Saint Edward State Park.			
	Reappropriation		Appropriation
GF, LIRA, Water Sup Fac		220,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			220,000
<u>NEW SECTION, Sec. 310. FOR THE DEPARTMENT OF ECOLOGY</u>			
Provide for water system improvements—Sun Lakes State Park.			
	Reappropriation		Appropriation
GF, LIRA, Water Sup Fac		35,000	
Project	Estimated		Estimated

Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
48,600		83,600

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF ECOLOGY  
Extend water system—Jones Island.

GF. LIRA—Water Supply	Reappropriation	Appropriation
Project	48,300	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		48,300

NEW SECTION. Sec. 312. FOR THE DEPARTMENT OF ECOLOGY  
Extend water system—Blake Island.

GF. LIRA—Water Supply	Reappropriation	Appropriation
Project	87,700	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		87,700

NEW SECTION. Sec. 313. FOR THE DEPARTMENT OF ECOLOGY  
Improve sewage lagoon—Brooks Memorial State Park, Klickitat County.

GF. LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		92,700
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		92,700

NEW SECTION. Sec. 314. FOR THE DEPARTMENT OF ECOLOGY

Provide funds for sewage treatment facility expansion—Moran State Park, San Juan County.

GF. LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		78,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		78,000

NEW SECTION. Sec. 315. FOR THE DEPARTMENT OF ECOLOGY

Connect Ocean City State Park's existing sewer system to Ocean Shores municipal sewer system—Grays Harbor County.

GF. LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		120,400
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		120,400

NEW SECTION. Sec. 316. FOR THE DEPARTMENT OF ECOLOGY

Repair and remodel sewage system—Sun Lakes State Park, Grant County.

GF. LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		312,700
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		312,700

NEW SECTION. Sec. 317. FOR THE DEPARTMENT OF ECOLOGY

Renovate sewage system—Ilwaco State Park, Kitsap County.

GF. LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		38,800
Costs	Estimated	Estimated
Through	Costs	Total
	7/1/85 and	Costs

	6/30/83	Thereafter	38,800
<u>NEW SECTION.</u> Sec. 318. FOR THE DEPARTMENT OF ECOLOGY			
Renovate sewage system—Pacific Beach State Park, Grays Harbor County.			
		Reappropriation	Appropriation
GF. LIRA. Waste Fac 1980			26,300
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		26,300

## PART IV

## STATE PARKS AND RECREATION COMMISSION

NEW SECTION. Sec. 401. FOR THE STATE PARKS AND RECREATION COMMISSION  
Whatcom County Trails.

		Reappropriation	Appropriation
GF. ORA—State		30,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		30,000

NEW SECTION. Sec. 402. FOR THE STATE PARKS AND RECREATION COMMISSION  
Acquire access to ocean beach (Griffiths Friday)—Copalis.

		Reappropriation	Appropriation
GF. ORA—State		105,000	
GF. ORA—Federal		105,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		210,000

NEW SECTION. Sec. 403. FOR THE STATE PARKS AND RECREATION COMMISSION  
Develop facilities—Fort Canby.

		Reappropriation	Appropriation
GF. ORA—State		44,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		88,000
44,000			

NEW SECTION. Sec. 404. FOR THE STATE PARKS AND RECREATION COMMISSION  
Develop facilities—Spencer Spit.

		Reappropriation	Appropriation
GF. ORA—State		85,000	
GF. ORA—Federal		85,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		638,000
468,000			

NEW SECTION. Sec. 405. FOR THE STATE PARKS AND RECREATION COMMISSION  
Acquire land—Squak Mountain.

		Reappropriation	Appropriation
GF. ORA—State		39,000	
GF. ORA—Federal		39,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		78,000

NEW SECTION. Sec. 406. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate facilities—Camp Wooten.

		Reappropriation	Appropriation
GF. ORA—State		20,700	
GF. ORA—Federal		20,700	
Project	Estimated		Estimated
Costs	Costs		Total

Through 6/30/83 67,600	7/1/85 and Thereafter	Costs  109,000
<u>NEW SECTION. Sec. 407. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Develop facilities—Clallam Spit.		
	Reappropriation	Appropriation
GF, ORA—State	88,500	
GF, ORA—Federal	88,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,000		179,000
<u>NEW SECTION. Sec. 408. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Acquire recreational sites—Beards Hollow and Penrose.		
	Reappropriation	Appropriation
GF, ORA—State	58,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
8,281,400		8,340,300
<u>NEW SECTION. Sec. 409. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Continue to acquire approximately 350 to 400 acres and 1.5 miles of riverfront—Green River Gorge.		
	Reappropriation	Appropriation
GF, ORA—State	296,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,400,000		5,696,000
<u>NEW SECTION. Sec. 410. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Acquire approximately 152 acres adjacent to Yakima Sportsman State Park.		
	Reappropriation	Appropriation
GF, ORA—State	150,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		150,000
<u>NEW SECTION. Sec. 411. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Repair and replace timber breakwater—Fort Worden.		
	Reappropriation	Appropriation
GF, ORA—State	22,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
171,200		193,800
<u>NEW SECTION. Sec. 412. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Renovate car-top boat launch ramp and turnaround—Polholes.		
	Reappropriation	Appropriation
GF, ORA—State	7,600	
GF, ORA—Federal	7,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
15,300		30,500
<u>NEW SECTION. Sec. 413. FOR THE STATE PARKS AND RECREATION COMMISSION</u> Expand boat moorage—Deception Pass.		
	Reappropriation	Appropriation
GF, ORA—State	25,600	
GF, ORA—Federal	25,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter	51,200
<u>NEW SECTION, Sec. 414. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Renovate campground and day-use area—Riverside.</u>			
		Reappropriation	Appropriation
GF. ORA—State		106,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
194,000			300,000
<u>NEW SECTION, Sec. 415. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Begin trail system development—Mt. Spokane.</u>			
		Reappropriation	Appropriation
GF. ORA—State		53,200	
GF. ORA—Federal		53,200	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
93,600			200,000
<u>NEW SECTION, Sec. 416. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Construct small bathhouse and kitchen—Fort Worden.</u>			
		Reappropriation	Appropriation
GF. ORA—State		89,900	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
89,900			179,800
<u>NEW SECTION, Sec. 417. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Renovate concession area—Twenty-Five Mile Creek.</u>			
		Reappropriation	Appropriation
GF. ORA—State		129,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
139,000			268,000
<u>NEW SECTION, Sec. 418. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Renovate day-use area—Saltwater.</u>			
		Reappropriation	Appropriation
GF. ORA—State		87,700	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
27,800			115,500
<u>NEW SECTION, Sec. 419. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Renovate campground area—Larrabee.</u>			
		Reappropriation	Appropriation
GF. ORA—State		68,600	
GF. ORA—Federal		68,600	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			137,200
<u>NEW SECTION, Sec. 420. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
<u>Renovate day-use area—Wenberg.</u>			
		Reappropriation	Appropriation
GF. ORA—State		98,400	
GF. ORA—Federal		35,700	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			134,100



NEW SECTION. Sec. 421. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Renovate boat moorage areas: Squaxin Island, Mystery Bay, Jarrell Cove, Penrose Point,  
 Blake Island, and Cornet Bay.

	Reappropriation	Appropriation
GF, ORA---State	139,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
292,800		432,300

NEW SECTION. Sec. 422. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Begin phased restoration of day-use buildings---Millersylvania.

	Reappropriation	Appropriation
GF, ORA---State	96,000	
GF, ORA---Federal	73,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,900		249,300

NEW SECTION. Sec. 423. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Renovate 25 campsites---Birch Bay.

	Reappropriation	Appropriation
GF, ORA---State	45,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,600		125,300

NEW SECTION. Sec. 424. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Install rock riprap---Fort Casey.

	Reappropriation	Appropriation
GF, ORA---State	26,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
26,000		52,000

NEW SECTION. Sec. 425. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Acquire portions of riverbank on the Green River.

	Reappropriation	Appropriation
GF, ORA---State	151,500	
GF, ORA---Federal	155,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
443,300		750,000

NEW SECTION. Sec. 426. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Provide emergency funds---State-wide.

	Reappropriation	Appropriation
GF, LIRA, Pub Rec Fac	400,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	950,000	1,350,000

NEW SECTION. Sec. 427. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Insulate ceilings and walls---Fort Warden.

	Reappropriation	Appropriation
GF, LIRA, Pub Rec Fac	255,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	255,200	510,400

NEW SECTION. Sec. 428. FOR THE STATE PARKS AND RECREATION COMMISSION  
 Install 7,500 feet of underground cable---Fort Flagler.

GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation
Project		53,800
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		53,800
<u>NEW SECTION, Sec. 429. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Renovate kitchen/dining hall; paint entire structure, provide sidewalks for handicap access—Deception Pass (Cornet Bay).		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation
Project		69,800
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		69,800
<u>NEW SECTION, Sec. 430. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Insulate and install storm windows and weather stripping—State-wide.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation
Project		71,600
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
150,000	Thereafter	
		221,600
<u>NEW SECTION, Sec. 431. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Provide insulation blankets for all hot water tanks—State-wide.		
GF, LIRA, Pub Rec Fac	Reappropriation	Appropriation
Project		11,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		11,000
<u>NEW SECTION, Sec. 432. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Construct residence, provide underground utilities and landscape—Spencer Split.		
GF, LIRA, Public Rec Fac	Reappropriation	Appropriation
Project		86,700
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		86,700
<u>NEW SECTION, Sec. 433. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Replace shop buildings at five sites.		
GF, LIRA, Public Rec Fac	Reappropriation	Appropriation
Project		164,200
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		164,200
<u>NEW SECTION, Sec. 434. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Provide a water treatment system to remove sulfur odor from park's water supply—Kopachuck.		
GF, ORA	Reappropriation	Appropriation
Project		4,700
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		4,700
<u>NEW SECTION, Sec. 435. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Provide a water treatment system to remove the sulfur odor from the park's water supply—South Whidbey.		
GF, ORA	Reappropriation	Appropriation
		14,000

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  14,000
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NEW SECTION. Sec. 436. FOR THE STATE PARKS AND RECREATION COMMISSION

Develop a new water source to replace existing surface reservoir system—Fort Columbia.

GF. ORA	Reappropriation	Appropriation 42,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  42,000

NEW SECTION. Sec. 437. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide a new eight-inch well and a 10,000 gallon reservoir—Brooks Memorial.

GF. ORA	Reappropriation	Appropriation 39,600
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  39,600

NEW SECTION. Sec. 438. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide a new well and pump—Millersylvania.

GF. ORA	Reappropriation	Appropriation 13,100
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  13,100

NEW SECTION. Sec. 439. FOR THE STATE PARKS AND RECREATION COMMISSION

Develop a deep well water source to replace existing shallow well—Ocean City.

GF. ORA	Reappropriation	Appropriation 9,800
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  9,800

NEW SECTION. Sec. 440. FOR THE STATE PARKS AND RECREATION COMMISSION

Staged acquisition for the Green River Gorge Conservation Area.

GF. LIRA. ORA—State	Reappropriation	Appropriation 250,000
GF. LIRA. ORA—Federal		250,000
Project Costs Through 6/30/83 4,200,000	Estimated Costs 7/1/85 and Thereafter 500,000	Estimated Total Costs  5,200,000

NEW SECTION. Sec. 441. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide for complete assessment of the stability of Lake Sylvia dam and for minor repairs.

GF. ORA	Reappropriation	Appropriation 21,500
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs  21,500

NEW SECTION. Sec. 442. FOR THE STATE PARKS AND RECREATION COMMISSION

Provide chain link fence along railroad right-of-way to provide safety for visitors—Larrabee.

GF. LIRA. ORA—State	Reappropriation	Appropriation 42,500
Project Costs	Estimated Costs	Estimated Total

Through 6/30/83	7/1/85 and Thereafter	Costs
		42,500
<u>NEW SECTION, Sec. 443. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Planning and engineering costs for handicapped accessibility—State-wide.		
	Reappropriation	Appropriation
GF, ORA—State		112,700
GF, ORA—Federal		112,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		225,400
<u>NEW SECTION, Sec. 444. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Replace mooring floats, repair boat ramp, grounding floats and pilings—Beacon Rock.		
	Reappropriation	Appropriation
GF, ORA—State		38,400
GF, ORA—Federal		38,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		76,800
<u>NEW SECTION, Sec. 445. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Replace breakwater, ramps, floats and piling; replace hinged ramp, three floats and piling—Ilahaee.		
	Reappropriation	Appropriation
GF, ORA—State		90,400
GF, ORA—Federal		90,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		180,800
<u>NEW SECTION, Sec. 446. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Develop two-way paved access road—Fort Ward.		
	Reappropriation	Appropriation
GF, ORA—State		84,800
GF, ORA—Federal		84,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		169,600
<u>NEW SECTION, Sec. 447. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Replace existing moorage buoys—Blake Island.		
	Reappropriation	Appropriation
GF, ORA—State		15,300
GF, ORA—Federal		15,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		30,600
<u>NEW SECTION, Sec. 448. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Renovate boat launch and provide new floats—Wenberg.		
	Reappropriation	Appropriation
GF, ORA—State		28,500
GF, ORA—Federal		28,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		57,000
<u>NEW SECTION, Sec. 449. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Provide for 100-car parking lot, security lighting, gates and signs, interior building maintenance and repair, and a new furnace for the swimming pool—St. Edward.		

GF, ORA		Reappropriation	Appropriation
			500,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	297,000		797,000

**NEW SECTION, Sec. 450. FOR THE STATE PARKS AND RECREATION COMMISSION**

Add gravel to 90-car parking lot, relocate 200 feet of existing equestrian trail, and develop hiking trail---Bridle Trails.

GF, ORA---STATE		Reappropriation	Appropriation
GF, ORA---Federal			49,100
			49,100
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			98,200

**PART V**

**DEPARTMENT OF FISHERIES**

**NEW SECTION, Sec. 501. FOR THE DEPARTMENT OF FISHERIES**

The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state and that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, it is the intent of section 501 of this act to direct the director, department of fisheries, to undertake and implement projects, including the administrative costs thereof, which will create employment opportunities for those unemployed as a result of the depressed timber and fishing industries and which:

- (1) Enhance the natural salmon stocks in those rivers and streams which determine the ocean salmon quota and which, therefore, control the harvest opportunities for commercial and recreational ocean salmon fisheries;
- (2) Improve the streams and rivers of this state which are important to the success of the natural stocks of salmon;
- (3) Enhance the maximum utilization of existing salmon stocks; and
- (4) Develop mini-modular mobile hatchery complexes on rehabilitated rivers and streams.

The director shall submit quarterly reports, beginning October 1, 1983, to the chairmen of the ways and means committees of the house of representatives and the senate containing:

- (a) The projects initiated;
- (b) The projects completed;
- (c) The unduplicated counts of unemployed persons gaining employment because of this program;
- (d) Department FTE involved; and
- (e) Administrative costs.

GF, Sal Enhmt Constr Acct		Reappropriation	Appropriation
		5,000,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	17,716,700		22,716,700

**NEW SECTION, Sec. 502. FOR THE DEPARTMENT OF FISHERIES**

Pollution abatement and pond cleaning projects to ensure compliance with various water quality standards.

GF, Fish Cap Proj Acct		Reappropriation	Appropriation
		280,800	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	3,718,100		3,998,900

**NEW SECTION, Sec. 503. FOR THE DEPARTMENT OF FISHERIES**

Handicapped access projects at various facilities.

GF, Fish Cap Proj Acct		Reappropriation	Appropriation
		83,300	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs

	6/30/83	Thereafter	
	681.100		764.400
<u>NEW SECTION, Sec. 504. FOR THE DEPARTMENT OF FISHERIES</u>			
To provide necessary replacements and alterations to the various hatcheries to maintain current production.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		576,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,913,300			2,489,300
<u>NEW SECTION, Sec. 505. FOR THE DEPARTMENT OF FISHERIES</u>			
To complete projects that will improve the operation and production efficiencies at various existing facilities.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		96,600	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,289,400			1,386,000
<u>NEW SECTION, Sec. 506. FOR THE DEPARTMENT OF FISHERIES</u>			
To replace and increase the power of auxiliary generators at various hatcheries.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		180,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
300,200			480,200
<u>NEW SECTION, Sec. 507. FOR THE DEPARTMENT OF FISHERIES</u>			
To riprap the banks and remove gravel deposits in Jordan Creek.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		410,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
30,000			440,000
<u>NEW SECTION, Sec. 508. FOR THE DEPARTMENT OF FISHERIES</u>			
To replace auxiliary hatchery fuel tanks.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		72,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
72,400			144,400
<u>NEW SECTION, Sec. 509. FOR THE DEPARTMENT OF FISHERIES</u>			
To replace Green River hatchery mud pumps and complete work in the channel of Soos Creek.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		4,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
87,200			91,200
<u>NEW SECTION, Sec. 510. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct holding and spawning separation facilities at the Skagit hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		310,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
30,800			340,800

NEW SECTION. Sec. 511. 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	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
69,500		439,500

NEW SECTION. Sec. 512. FOR THE DEPARTMENT OF FISHERIES

To construct an incubation structure, drill wells, and install pipe to George Adams hatchery for chum fry.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	382,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
10,100		392,800

NEW SECTION. Sec. 513. FOR THE DEPARTMENT OF FISHERIES

To replace the existing vertical intake pickets with an inclined picket intake at the Sunset Falls fishway.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	35,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
98,400		133,400

NEW SECTION. Sec. 514. FOR THE DEPARTMENT OF FISHERIES

To riprap Soos Creek at the Green River hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	27,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
12,000		39,500

NEW SECTION. Sec. 515. FOR THE DEPARTMENT OF FISHERIES

To provide isolated storage building or approved cabinet facilities for the storage of flammable materials at the primary hatchery locations.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	33,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
22,400		56,200

NEW SECTION. Sec. 516. FOR THE DEPARTMENT OF FISHERIES

To revise the Skagit hatchery water intake system.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	161,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		161,900

NEW SECTION. Sec. 517. 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	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,200		178,500

NEW SECTION. Sec. 518. FOR THE DEPARTMENT OF FISHERIES

To construct metal-pole storage buildings.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	37,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
414,100		451,100

NEW SECTION, Sec. 519. FOR THE DEPARTMENT OF FISHERIES

To drill a well and replace toilets at the Garrison hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	29,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
325,000		354,400

NEW SECTION, Sec. 520. FOR THE DEPARTMENT OF FISHERIES

To install incubators and improve the water supply at the Skykomish hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	43,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
363,200		406,200

NEW SECTION, Sec. 521. FOR THE DEPARTMENT OF FISHERIES

To construct weirs on streams for the enhancement of egg production.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	75,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
885,900		960,900

NEW SECTION, Sec. 522. FOR THE DEPARTMENT OF FISHERIES

To construct divider picket walls in the adult pond at the Soleduck hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	32,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
238,200		270,200

NEW SECTION, Sec. 523. FOR THE DEPARTMENT OF FISHERIES

To replace damaged or missing gabions at the Soleduck hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	45,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,100		47,100

NEW SECTION, Sec. 524. FOR THE DEPARTMENT OF FISHERIES

To purchase and install net pens at Squaxin Island.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	8,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
192,000		200,000

NEW SECTION, Sec. 525. FOR THE DEPARTMENT OF FISHERIES

To renovate and make improvements for health and safety code compliance.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	181,900	190,400
Project	Estimated	Estimated
Costs	Costs	Total



Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,413,900	1,000,000	2,786,200

NEW SECTION, Sec. 526. FOR THE DEPARTMENT OF FISHERIES  
Improvements to conserve energy.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		115,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	200,000	315,000

NEW SECTION, Sec. 527. FOR THE DEPARTMENT OF FISHERIES  
To renovate two Nemah and one Issaquah hatchery residences.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		95,400
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		95,400

NEW SECTION, Sec. 528. FOR THE DEPARTMENT OF FISHERIES  
Renovations and improvements to the Skykomish settling ponds.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		110,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		110,800

NEW SECTION, Sec. 529. FOR THE DEPARTMENT OF FISHERIES  
Minor replacement and alteration projects to sustain and improve hatchery operations.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		193,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		193,000

NEW SECTION, Sec. 530. FOR THE DEPARTMENT OF FISHERIES  
To renovate and increase the Willapa fish food freezer and provide additional freezer capacity at Minler Creek.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		269,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		269,100

NEW SECTION, Sec. 531. FOR THE DEPARTMENT OF FISHERIES  
To renovate the growth pond at Point Whitney.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		84,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		84,300

NEW SECTION, Sec. 532. FOR THE DEPARTMENT OF FISHERIES  
To remodel the Montesano regional coastal field office.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		60,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		60,500

NEW SECTION, Sec. 533. FOR THE DEPARTMENT OF FISHERIES

To supplement the Green River sand separator with a mechanical water filtration system.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		175,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		175,700

NEW SECTION, Sec. 534. FOR THE DEPARTMENT OF FISHERIES

To install a mechanical water filter system at Puyallup.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		117,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		117,100

NEW SECTION, Sec. 535. FOR THE DEPARTMENT OF FISHERIES

To renovate the Samish and Puyallup adult holding ponds.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		513,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		513,600

NEW SECTION, Sec. 536. FOR THE DEPARTMENT OF FISHERIES

To construct a concrete settling pond at Naselle.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		75,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		75,000

NEW SECTION, Sec. 537. FOR THE DEPARTMENT OF FISHERIES

To install intruder detection systems at four hatcheries.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		120,000

NEW SECTION, Sec. 538. FOR THE DEPARTMENT OF FISHERIES

To drill two wells, develop a water supply system, and replace the egg incubator trays at Minter Creek.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		325,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		325,000

NEW SECTION, Sec. 539. FOR THE DEPARTMENT OF FISHERIES

To construct a public fishing pier and reef on the Tacoma waterfront.

	Reappropriation	Appropriation
GF, ORA—State		375,000
GF, ORA—Federal		375,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
127,000		877,000

NEW SECTION, Sec. 540. FOR THE DEPARTMENT OF FISHERIES

To acquire and develop property on Oakland Bay.

	Reappropriation	Appropriation
GF, ORA—State		14,000

GF, ORA—Federal		7,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
102,800			123,800
<u>NEW SECTION, Sec. 541. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct pedestrian access walkways at Westport.			
	Reappropriation		Appropriation
GF, ORA—State		84,000	
GF, ORA—Federal		84,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
40,000			208,000
<u>NEW SECTION, Sec. 542. FOR THE DEPARTMENT OF FISHERIES</u>			
To redevelop the Boston Harbor public boat launch.			
	Reappropriation		Appropriation
GF, ORA		50,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
44,400			94,400
<u>NEW SECTION, Sec. 543. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct a recreational fishing area at the east end of the Hood Canal bridge.			
	Reappropriation		Appropriation
GF, ORA		360,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
20,000			380,000
<u>NEW SECTION, Sec. 544. FOR THE DEPARTMENT OF FISHERIES</u>			
To enhance the Frye Cove beach to create hardshell clam beds.			
	Reappropriation		Appropriation
GF, ORA		35,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
10,500			45,500
<u>NEW SECTION, Sec. 545. FOR THE DEPARTMENT OF FISHERIES</u>			
To enhance the Bywater Bay beach to create hardshell clam beds.			
	Reappropriation		Appropriation
GF, ORA		20,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
8,000			28,000
<u>NEW SECTION, Sec. 546. FOR THE DEPARTMENT OF FISHERIES</u>			
To redevelop the public boat access facility at Pillar Point.			
	Reappropriation		Appropriation
GF, ORA		159,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
4,400			163,400
<u>NEW SECTION, Sec. 547. FOR THE DEPARTMENT OF FISHERIES</u>			
To construct shelters on the Elliott Bay fishing pier.			
	Reappropriation		Appropriation
GF, ORA—State		49,000	
GF, ORA—Federal		45,000	
Project	Estimated		Estimated
Costs	Costs		Total

Through 6/30/83	7/1/85 and Thereafter	Costs
		94,000
<b>NEW SECTION. Sec. 548. FOR THE DEPARTMENT OF FISHERIES</b>		
To construct artificial reefs in Puget Sound and Hood Canal.		
	Reappropriation	Appropriation
GF, ORA—State	50,000	75,000
GF, ORA—Federal		75,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
50,000	200,000	450,000
<b>NEW SECTION. Sec. 549. FOR THE DEPARTMENT OF FISHERIES</b>		
To partially renovate the Snow Creek public boat launch.		
	Reappropriation	Appropriation
GF, ORA—State		72,500
GF, ORA—Federal		72,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	150,000	295,000
PART VI		
DEPARTMENT OF GAME		
<b>NEW SECTION. Sec. 601. FOR THE DEPARTMENT OF GAME</b>		
Relocate Seattle regional office.		
	Reappropriation	Appropriation
Game Fund	316,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,044,000		1,360,000
<b>NEW SECTION. Sec. 602. FOR THE DEPARTMENT OF GAME</b>		
Relocate engineering shop and storage facilities.		
	Reappropriation	Appropriation
Game Fund	719,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
277,000		996,700
<b>NEW SECTION. Sec. 603. FOR THE DEPARTMENT OF GAME</b>		
Complete construction of public access—Wenas Lake, Yakima County.		
	Reappropriation	Appropriation
GF, ORA—State	43,000	
Game Fund	27,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
27,000		97,000
<b>NEW SECTION. Sec. 604. FOR THE DEPARTMENT OF GAME</b>		
Redevelop public access facilities—Snake River, Asotin County.		
	Reappropriation	Appropriation
GF, ORA—State	125,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,000		142,000
<b>NEW SECTION. Sec. 605. FOR THE DEPARTMENT OF GAME</b>		
Provide a float for fishing and boating—Clear Lake, Thurston County.		
	Reappropriation	Appropriation
GF, ORA—State	22,000	
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/83 41,000	7/1/85 and Thereafter	Costs  63,000
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NEW SECTION, Sec. 606. FOR THE DEPARTMENT OF GAME

Construct boating facilities, interpretive facilities, trails, and water control structure—  
Tennant Lake H.M.A., Whatcom County.

GF, ORA—State	Reappropriation	Appropriation
Project	186,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,000	Thereafter	187,000

NEW SECTION, Sec. 607. FOR THE DEPARTMENT OF GAME

Rebuild fishing dock and provide parking and sanitary facilities—Mercer Island, King County.

GF, ORA—State	Reappropriation	Appropriation
Project	58,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,000	Thereafter	59,000

NEW SECTION, Sec. 608. FOR THE DEPARTMENT OF GAME

Construct public access facilities—Klickitat River.

GF, ORA—State	Reappropriation	Appropriation
Project	64,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,000	Thereafter	65,000

NEW SECTION, Sec. 609. FOR THE DEPARTMENT OF GAME

Construct public access facilities—Lake Washington, King County.

GF, ORA—State	Reappropriation	Appropriation
Project	33,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,000	Thereafter	34,000

NEW SECTION, Sec. 610. FOR THE DEPARTMENT OF GAME

Repair three dikes—Skagit Wildlife Recreation Area.

Game Fund—State	Reappropriation	Appropriation
Project	299,300	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
52,700	Thereafter	352,000

NEW SECTION, Sec. 611. FOR THE DEPARTMENT OF GAME

Redevelop and construct boat launching facilities at Fazon Lake and Badger Lake.

GF, ORA—State	Reappropriation	Appropriation
Project	106,200	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
390,800	Thereafter	497,000

NEW SECTION, Sec. 612. FOR THE DEPARTMENT OF GAME

Construct new residence and upgrade domestic water supply—Ringold Rearing Pond.

Game Fund—Federal	Reappropriation	Appropriation
Project	33,500	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
85,500	Thereafter	119,000

NEW SECTION. Sec. 613. FOR THE DEPARTMENT OF GAME

Repair or replace fish screens at lake outlets preventing out migration of planted trout.

	Reappropriation	Appropriation
Game Fund—State	33,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
37,500		71,000

NEW SECTION. Sec. 614. FOR THE DEPARTMENT OF GAME

Complete acquisition of thirty-five acres in three parcels of cooperative project with Whatcom County, Tennant Lake Wildlife Recreation Area.

	Reappropriation	Appropriation
GF, ORA—State	153,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		153,000

NEW SECTION. Sec. 615. FOR THE DEPARTMENT OF GAME

Emergency repairs and replacements.

	Reappropriation	Appropriation
Game Fund		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	400,000	600,000

NEW SECTION. Sec. 616. FOR THE DEPARTMENT OF GAME

Facility maintenance and general repair.

	Reappropriation	Appropriation
Game Fund—State		316,000
Game Fund—Federal		35,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	1,000,000	1,351,000

NEW SECTION. Sec. 617. FOR THE DEPARTMENT OF GAME

Preplanning and design for capital projects.

	Reappropriation	Appropriation
Game Fund		32,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
20,000	100,000	152,000

NEW SECTION. Sec. 618. FOR THE DEPARTMENT OF GAME

Replace toilets at public access areas.

	Reappropriation	Appropriation
Game Fund		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
200,000	200,000	600,000

NEW SECTION. Sec. 619. FOR THE DEPARTMENT OF GAME

Construct and maintain boundary and big game drift fences state-wide.

	Reappropriation	Appropriation
Game Fund—State		150,000
Game Fund—Federal		261,200
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	900,000	1,311,200

NEW SECTION. Sec. 620. FOR THE DEPARTMENT OF GAME

Construct concrete broodstock ponds, spawning building, roads, and fencing—South Tacoma hatchery.

		Reappropriation	Appropriation
Game Fund			120,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		180,000	300,000

NEW SECTION, Sec. 621. FOR THE DEPARTMENT OF GAME

Relocate or rebuild Bogachiel residence to avoid flooding—Clallam County.

		Reappropriation	Appropriation
Game Fund			68,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			68,000

NEW SECTION, Sec. 622. FOR THE DEPARTMENT OF GAME

Reconstruct water supply to Ringgold rearing ponds—Franklin County.

		Reappropriation	Appropriation
Game Fund—Federal			70,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		100,000	170,000

NEW SECTION, Sec. 623. FOR THE DEPARTMENT OF GAME

Acquire property to replace lost habitat—Snake River and tributaries, several sites.

		Reappropriation	Appropriation
Game Fund—Federal			11,223,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			11,223,000

NEW SECTION, Sec. 624. FOR THE DEPARTMENT OF GAME

Acquire approximately 491 acres near the Yakima River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			618,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			618,000

NEW SECTION, Sec. 625. FOR THE DEPARTMENT OF GAME

Acquire approximately 2.8 acres along Skokomish River for a public fishing site. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			9,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			9,000

NEW SECTION, Sec. 626. FOR THE DEPARTMENT OF GAME

Acquire Hedl property, approximately 1,500 acres, Asotin County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game fund			300,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			300,000

NEW SECTION, Sec. 627. FOR THE DEPARTMENT OF GAME

Acquire approximately 578 acres along the Okanogan River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	350,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			350,000

NEW SECTION, Sec. 628. FOR THE DEPARTMENT OF GAME

Acquire approximately 250 acres, Pipestone Canyon—Okanogan County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	132,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			132,000

NEW SECTION, Sec. 629. FOR THE DEPARTMENT OF GAME

Acquire approximately 2,000 acres for big game winter range—Yakima County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	132,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			132,000

NEW SECTION, Sec. 630. FOR THE DEPARTMENT OF GAME

Acquire approximately 41.4 acres for Band-tailed Pigeon site—Skagit County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	98,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			98,000

NEW SECTION, Sec. 631. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres of water fowl habitat—Snohomish and Island Counties. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	435,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			435,000

NEW SECTION, Sec. 632. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres for public use—Chehalis Valley, Grays Harbor County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

Game Fund		Reappropriation	Appropriation
	Project	Estimated	500,000
	Costs	Costs	Estimated
	Through	7/1/85 and	Total
	6/30/83	Thereafter	Costs
			500,000

NEW SECTION, Sec. 633. FOR THE DEPARTMENT OF GAME

Acquire access to stream bank—Mitigation for Wells dam, Okanogan County.



Game Fund—Game Special Wildlife Account	Reappropriation	Appropriation
Project	Estimated	62,900
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		62,900

NEW SECTION, Sec. 634. FOR THE DEPARTMENT OF GAME  
I-82 land acquisition in Yakima County—Phase II.

GF, ORA—State	Reappropriation	Appropriation
GF, ORA—Federal		106,000
Project	Estimated	106,000
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
138,000		350,000

NEW SECTION, Sec. 635. FOR THE DEPARTMENT OF GAME  
Construct public access facilities—I-82, Yakima County.

GF, ORA—State	Reappropriation	Appropriation
GF, ORA—Federal		206,500
Project	Estimated	206,500
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		413,000

NEW SECTION, Sec. 636. FOR THE DEPARTMENT OF GAME  
Acquire five acres on Mineral Lake for public access—Lewis County.

GF, ORA—State	Reappropriation	Appropriation
GF, ORA—Federal		32,500
Project	Estimated	32,500
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		65,000

NEW SECTION, Sec. 637. FOR THE DEPARTMENT OF GAME  
Acquire public access—Cottage Lake, King County.

GF, ORA—State	Reappropriation	Appropriation
GF, ORA—Federal		34,000
Project	Estimated	34,000
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		68,000

NEW SECTION, Sec. 638. FOR THE DEPARTMENT OF GAME  
Construct public access facilities—Kress Lake, Cowlitz County.

GF, ORA—State	Reappropriation	Appropriation
GF, ORA—Federal		20,900
Project	Estimated	20,900
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		41,800

NEW SECTION, Sec. 639. FOR THE DEPARTMENT OF GAME  
Redevelop access areas—Aeneas Valley, Okanogan County.

GF, ORA—State	Reappropriation	Appropriation
GF, ORA—Federal		53,100
Project	Estimated	53,100
Costs	Costs	Estimated
Through	7/1/85 and	Total
6/30/83	Thereafter	Costs
		106,200

NEW SECTION, Sec. 640. FOR THE DEPARTMENT OF GAME

Redevelop access areas—Amber Lake, Spokane County.

		Reappropriation	Appropriation
GF, ORA—State			42,000
GF, ORA—Federal			42,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		84,000

NEW SECTION, Sec. 641. FOR THE DEPARTMENT OF GAME

Acquire access to department property on Fern Lake—Kitsap County.

		Reappropriation	Appropriation
GF, ORA—State			23,500
GF, ORA—Federal			23,500
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		47,000

NEW SECTION, Sec. 642. FOR THE DEPARTMENT OF GAME

Construct facilities on Big and Little Green Lakes—Okanogan County.

		Reappropriation	Appropriation
GF, ORA—State			46,600
GF, ORA—Federal			46,600
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		93,200

NEW SECTION, Sec. 643. FOR THE DEPARTMENT OF GAME

Construct public access—Stillaguamish River, Snohomish County.

		Reappropriation	Appropriation
GF, ORA—State			33,500
GF, ORA—Federal			33,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		67,000

NEW SECTION, Sec. 644. FOR THE DEPARTMENT OF GAME

Redevelop public access—Diamond Lake, Pend Oreille County.

		Reappropriation	Appropriation
GF, ORA—State			26,700
GF, ORA—Federal			26,700
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		53,400

NEW SECTION, Sec. 645. FOR THE DEPARTMENT OF GAME

Construct public access—Munn Lake, Thurston County.

		Reappropriation	Appropriation
GF, ORA—State			24,000
GF, ORA—Federal			24,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		48,000

NEW SECTION, Sec. 646. FOR THE DEPARTMENT OF GAME

Redevelop public access—Jamison Lake, Douglas County.

		Reappropriation	Appropriation
GF, ORA—State			141,200
GF, ORA—Federal			141,200
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs

6/30/83

Thereafter

282,400

PART VII

DEPARTMENT OF NATURAL RESOURCES

NEW SECTION. Sec. 701. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve the Cedar Creek and Sherman Valley roads.

	Reappropriation	Appropriation
General Fund—ORV Account	80,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
395,000		475,000

NEW SECTION. Sec. 702. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads, trails, and other recreation projects.

	Reappropriation	Appropriation
GF, ORV	374,700	
GF, ORA—State	234,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,261,700		5,871,000

NEW SECTION. Sec. 703. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare sites for commercial lease—State-wide.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	1,364,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,141,300		3,506,000

NEW SECTION. Sec. 704. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads and trails—State-wide.

	Reappropriation	Appropriation
General Fund—ORV Account	101,300	
GF, ORA	143,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		245,200

NEW SECTION. Sec. 705. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve roads and bridges.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	205,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
724,000		929,000

NEW SECTION. Sec. 706. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare lands for income-producing agricultural leases by developing irrigation facilities.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	1,781,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,117,700		4,899,400

NEW SECTION. Sec. 707. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct road access system to a large block of state-owned timber lands—

Cavanaugh Block.

	Reappropriation	Appropriation
GF, For Dev Acct	380,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter		475,000
	95,000			
<u>NEW SECTION. Sec. 708. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Construct bridge and access road to state timber lands—McDonald Mainline.				
		Reappropriation	Appropriation	
GF. Res Mgmt Cost Acct		40,000		
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	
6/30/83		Thereafter		
100,000				140,000
<u>NEW SECTION. Sec. 709. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Increase seedling quality and production, Forest Nursery.				
		Reappropriation	Appropriation	
GF. Res Mgmt Cost Acct		90,000		
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	
6/30/83		Thereafter		
220,000				310,000
<u>NEW SECTION. Sec. 710. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Replace a forty-five year-old condemned bridge—Snohomish County.				
		Reappropriation	Appropriation	
GF. Res Mgmt Cost Acct			561,100	
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	
6/30/83		Thereafter		
				561,100
<u>NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Acquire rights of way for land management.				
		Reappropriation	Appropriation	
GF. For Dev Acct			532,000	
GF. Res Mgmt Cost Acct			798,000	
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	
6/30/83		Thereafter		
1,986,000		4,900,000		8,216,000
<u>NEW SECTION. Sec. 712. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Purchase land for resource management, Natural Resources Land Bank.				
		Reappropriation	Appropriation	
GF. For Dev Acct			3,000,000	
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	
6/30/83		Thereafter		
3,000,000		3,000,000		9,000,000
<u>NEW SECTION. Sec. 713. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Construct and improve roads and bridges—State-wide.				
		Reappropriation	Appropriation	
GF. Res Mgmt Cost Acct			319,400	
GF. For Dev Acct			9,400	
General Fund—ORV Account			424,700	
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	
6/30/83		Thereafter		
				753,500
<u>NEW SECTION. Sec. 714. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>				
Develop a rock pit to produce gravel for roadbeds, Tiger Mountain rock pit—King County.				
		Reappropriation	Appropriation	
GF. Res Mgmt Cost Acct			114,700	
GF. For Dev Acct			114,700	
Project		Estimated	Estimated	
Costs		Costs	Total	
Through		7/1/85 and	Costs	

6/30/83	Thereafter		229,400
<u>NEW SECTION, Sec. 715. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Prepare site for commercial lease by developing water, sewer, streets, and drainage— Bucklin Hill—Silverdale—Kitsap County.			
GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project	Estimated		642,600
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
17,000			659,600
<u>NEW SECTION, Sec. 716. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Prepare land for exchange—Kennewick 16 U.L.I.D.—Benton County.			
GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project	Estimated		150,000
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
	186,600		336,600
<u>NEW SECTION, Sec. 717. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Prepare land for planned unit development and develop a sewer system—Ilahaee U.L.I.D.—Kitsap County.			
GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project	Estimated		281,800
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
17,000			298,800
<u>NEW SECTION, Sec. 718. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Improve lands for commercial development, construction of frontage roads—Kennewick 16—Benton County.			
GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project	Estimated	233,200	
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			233,200
<u>NEW SECTION, Sec. 719. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Construct and improve campsites, roads, parking, trails, and other recreation projects— State-wide.			
General Fund—ORV Account		Reappropriation	Appropriation
Project	Estimated		468,000
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			468,000
<u>NEW SECTION, Sec. 720. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Remove derelict structures, replace heating systems, and dredge dock areas—State- wide.			
GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project	Estimated		89,500
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
			89,500
<u>NEW SECTION, Sec. 721. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Provide culvert and other materials for honor camp road maintenance—State-wide.			
GF, Res Mgmt Cost Acct		Reappropriation	Appropriation
Project	Estimated		187,000
Costs	Costs		Estimated
Through	7/1/85 and		Total
	Thereafter		Costs

	6/30/83	Thereafter	187,000
<u>NEW SECTION, Sec. 722. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Acquisition of Milwaukee Railroad right of way, and a study of the potential use of this property.			
		Reappropriation	Appropriation
GF. ORA		250,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			250,000
<u>NEW SECTION, Sec. 723. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Miscellaneous building projects—State-wide.			
		Reappropriation	Appropriation
GF. For Dev Acct			93,700
GF. Res Mgmt Cost Acct			206,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		74,900	374,600
<u>NEW SECTION, Sec. 724. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Fuel facility projects—State-wide.			
		Reappropriation	Appropriation
GF. For Dev Acct			49,400
GF. Res Mgmt Cost Acct			108,800
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		68,800	227,000
<u>NEW SECTION, Sec. 725. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Nursery projects.			
		Reappropriation	Appropriation
GF. For Dev Acct			83,000
GF. Res Mgmt Cost Acct			193,600
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		415,000	691,600
<u>NEW SECTION, Sec. 726. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Prepare land for commercial lease—Water, sewer, streets, and utilities—Pasco 16 Phase I U.L.I.D.—Franklin County.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			200,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	50,000	811,200	1,061,200
<u>NEW SECTION, Sec. 727. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>			
Provide irrigation for development of state land, install pumps and mainlines—State-wide.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			1,891,900
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		157,900	2,049,800
PART VIII			
EDUCATION			
<u>NEW SECTION, Sec. 801. FOR THE UNIVERSITY OF WASHINGTON</u>			
To renovate and remodel E and F wings, complete E court, and provide fire safety improvements for the health sciences building.			

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	200,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
3,742,000	Thereafter	
		3,942,000

NEW SECTION, Sec. 802. FOR THE UNIVERSITY OF WASHINGTON

To construct and equip and/or purchase an existing facility for a consolidated hospital laundry facility.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	4,190,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
483,000	Thereafter	
		4,673,000

NEW SECTION, Sec. 803. FOR THE UNIVERSITY OF WASHINGTON

To acquire land, construct and equip a hospital general services facility.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	278,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,340,000	Thereafter	
		1,618,000

NEW SECTION, Sec. 804. FOR THE UNIVERSITY OF WASHINGTON

To construct and equip a building to house the institute of marine sciences.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	300,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
4,577,000	Thereafter	
		4,877,000

NEW SECTION, Sec. 805. FOR THE UNIVERSITY OF WASHINGTON

To provide for the expansion, renovation and equipping of the University hospital.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	38,025,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
7,200,000	Thereafter	
		45,225,000

NEW SECTION, Sec. 806. FOR THE UNIVERSITY OF WASHINGTON

To bring BB tower Health Sciences, RR wing Health Sciences, Atmospheric Sciences, Condon, Padelford and Harborview Halls into compliance with the Seattle high-rise fire safety code requirements.

GF, UW Bldg Acct	Reappropriation	Appropriation
		1,350,000
GF, St H Ed Constr Acct		1,400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,750,000

NEW SECTION, Sec. 807. FOR THE UNIVERSITY OF WASHINGTON

To construct a hazardous waste handling facility on the J wing loading dock of the Health Sciences Building.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project		484,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		484,000

NEW SECTION, Sec. 808. FOR THE UNIVERSITY OF WASHINGTON

To extend the emergency electrical power system to the west campus.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		355,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		355,000

NEW SECTION. Sec. 809. FOR THE UNIVERSITY OF WASHINGTON  
To provide general repairs and improvements for safety and ventilation.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000

NEW SECTION. Sec. 810. FOR THE UNIVERSITY OF WASHINGTON  
To provide for minor repairs and improvements and real estate contract payments.

	Reappropriation	Appropriation
GF, UW Bldg Acct		553,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	12,637,000	13,190,000

NEW SECTION. Sec. 811. FOR THE UNIVERSITY OF WASHINGTON  
To replace instructional and support equipment and the purchase of high technology equipment.

	Reappropriation	Appropriation
GF, UW Bldg Acct		3,660,000
GF, H Ed Constr Acct		309,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,969,000

NEW SECTION. Sec. 812. FOR THE UNIVERSITY OF WASHINGTON  
Various projects to improve energy conservation and reduce operating costs.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	3,180,000	3,330,000

NEW SECTION. Sec. 813. FOR THE UNIVERSITY OF WASHINGTON  
To fund additional working drawings, renovation and construction for the ceramic engineering program at Roberts Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct		4,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,050,000	10,050,000

NEW SECTION. Sec. 814. FOR THE UNIVERSITY OF WASHINGTON  
To fund work on the power plant.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	190,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		190,000

NEW SECTION. Sec. 815. FOR WASHINGTON STATE UNIVERSITY  
To complete the construction of an animal holding facility for the College of Veterinary Medicine.



	Reappropriation	Appropriation
GF, H Ed Constr Acct	681,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,337,000		2,018,000

**NEW SECTION, Sec. 816. FOR WASHINGTON STATE UNIVERSITY**  
 To complete omnibus minor capital improvement projects.

	Reappropriation	Appropriation
GF, WSU Bldg Acct	2,580,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,159,000		5,739,000

**NEW SECTION, Sec. 817. FOR WASHINGTON STATE UNIVERSITY**  
 To complete Phase II of the Fulmer Hall renovation for the chemistry department.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	578,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,804,000		2,382,000

**NEW SECTION, Sec. 818. FOR WASHINGTON STATE UNIVERSITY**  
 To complete the design, renovation, and equipping of College Hall for the Anthropology Department.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	2,362,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,567,000		3,929,000

**NEW SECTION, Sec. 819. FOR WASHINGTON STATE UNIVERSITY**  
 To complete the planning, construction, and equipping of the joint treatment plant with the City of Pullman.

	Reappropriation	Appropriation
GF, WSU Bldg Acct	807,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,000		837,000

**NEW SECTION, Sec. 820. FOR WASHINGTON STATE UNIVERSITY**  
 To complete the design, renovation, and equipping of Science Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	3,899,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
338,000		4,237,000

**NEW SECTION, Sec. 821. FOR WASHINGTON STATE UNIVERSITY**  
 To design, construct, and equip a new facility for the department of electrical engineering and a portion of the department of mechanical engineering.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		13,776,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
100,000		13,876,000

**NEW SECTION, Sec. 822. FOR WASHINGTON STATE UNIVERSITY**  
 To design a new facility for the department of chemistry, the energy institute, and the biological chemistry institute.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,061,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	19,138,000	20,199,000

**NEW SECTION, Sec. 823. FOR WASHINGTON STATE UNIVERSITY**

To provide for minor alterations, renovations, and improvements.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		3,308,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	13,346,000	16,654,000

**NEW SECTION, Sec. 824. FOR WASHINGTON STATE UNIVERSITY**

To renovate Fulmer Hall Phase III including expansion and replacement of major portions of the service and utility systems.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,856,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,000	2,705,000	4,566,000

**NEW SECTION, Sec. 825. FOR WASHINGTON STATE UNIVERSITY**

To design the remodeling of McCoy Hall for the department of veterinary clinical medicine and surgery. The appropriation is contingent upon the receipt of \$1,448,000 in federal funds.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		160,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		160,000

**NEW SECTION, Sec. 826. FOR EASTERN WASHINGTON UNIVERSITY**

The funds provided in sections 827 through 834 are subject to the following conditions and limitations:

(1) Not more than \$389,000 of the amount provided in section 828 may be used solely for payment on the lease of the Spokane facility and in that event only with the prior approval of the director, office of financial management.

(2) No other funds may be used for any other purpose or purposes at or on such Spokane facility without the prior and specific approval of the director, office of financial management.

**NEW SECTION, Sec. 827. FOR EASTERN WASHINGTON UNIVERSITY**

Minor capital improvements and energy conservation projects—Omnibus.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	260,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,065,000		1,325,000

**NEW SECTION, Sec. 828. FOR EASTERN WASHINGTON UNIVERSITY**

Provide for minor capital improvements and a one-year lease for the Spokane Center: PROVIDED, That not more than \$389,000 may be expended in connection with the Spokane Center and said amount solely for payment of a one-year lease.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct		1,766,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	6,559,200	8,325,200

**NEW SECTION, Sec. 829. FOR EASTERN WASHINGTON UNIVERSITY**

Complete the design, renovation, and equipping of the manual arts building and Sutton Hall.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	4,781.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
450.000		5,231.000

NEW SECTION, Sec. 830. FOR EASTERN WASHINGTON UNIVERSITY  
Continue work on Martin Hall.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	70.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		70.000

NEW SECTION, Sec. 831. FOR EASTERN WASHINGTON UNIVERSITY  
Provide planning and design funds through working drawings for the remodeling of and addition to the science building.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	400.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
8,134.200		8,534.200

NEW SECTION, Sec. 832. FOR EASTERN WASHINGTON UNIVERSITY  
To replace instructional and support equipment.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	125.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
275.000		400.000

NEW SECTION, Sec. 833. FOR EASTERN WASHINGTON UNIVERSITY  
Handicap access.

	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	50.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		50,000

NEW SECTION, Sec. 834. FOR EASTERN WASHINGTON UNIVERSITY  
To complete the construction of HPERA fieldhouse.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	25.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,432.000		2,457.000

NEW SECTION, Sec. 835. FOR CENTRAL WASHINGTON UNIVERSITY  
Complete the modifications of existing campus buildings to comply with handicapped access standards.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	140.350	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
446,000		586,350

NEW SECTION, Sec. 836. FOR CENTRAL WASHINGTON UNIVERSITY  
Complete the removal of asbestos from places of public occupancy.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	86.000	
Project	Estimated	Estimated

Costs Through 6/30/83 140,000	Costs 7/1/85 and Thereafter	Total Costs  226,000
<u>NEW SECTION, Sec. 837. FOR CENTRAL WASHINGTON UNIVERSITY</u> Provide computer equipment and systems.		
GF, CWU Cap Proj Acct Project Costs Through 6/30/83 671,266	Reappropriation 27,900  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  699,166
<u>NEW SECTION, Sec. 838. FOR CENTRAL WASHINGTON UNIVERSITY</u> Provide for utilities improvements.		
GF, CWU Cap Proj Acct Project Costs Through 6/30/83 692,426	Reappropriation 198,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  890,426
<u>NEW SECTION, Sec. 839. FOR CENTRAL WASHINGTON UNIVERSITY</u> Provide for minor capital improvements and land acquisition to upgrade university build- ings and facilities.		
GF, CWU Cap Proj Acct Project Costs Through 6/30/83 2,430,000	Reappropriation 235,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  2,665,000
<u>NEW SECTION, Sec. 840. FOR CENTRAL WASHINGTON UNIVERSITY</u> Complete renovation and remodeling, including the addition of a multiform theatre and associated components and the remodeling of Wildcat Shop for computer services.		
GF, H Ed Constr Acct Project Costs Through 6/30/83 3,474,000	Reappropriation 22,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  3,496,000
<u>NEW SECTION, Sec. 841. FOR CENTRAL WASHINGTON UNIVERSITY</u> Provide for minor capital improvements.		
GF, CWU Cap Proj Acct Project Costs Through 6/30/83 552,800	Reappropriation 354,200  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  907,000
<u>NEW SECTION, Sec. 842. FOR CENTRAL WASHINGTON UNIVERSITY</u> Complete the improvement, extension, and modification of the underground utilities and services.		
GF, CWU Cap Proj Acct Project Costs Through 6/30/83 30,000	Reappropriation 240,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  270,000
<u>NEW SECTION, Sec. 843. FOR CENTRAL WASHINGTON UNIVERSITY</u> Complete the installation of energy economizers, monitoring equipment, fuel atomizers, and insulation.		
GF, CWU Cap Proj Acct Project Costs	Reappropriation 310,000  Estimated Costs	Appropriation  Estimated Total

Through 6/30/83 225,000	7/1/85 and Thereafter	Costs  535,000
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NEW SECTION. Sec. 844. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the expansion of the control system throughout the campus to achieve energy savings.

GF, CWU Cap Proj Acct	Reappropriation 866,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
234,000		1,100,000

NEW SECTION. Sec. 845. FOR CENTRAL WASHINGTON UNIVERSITY

Improve campus utilities.

GF, CWU Cap Proj Acct	Reappropriation 233,900	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		233,900

NEW SECTION. Sec. 846. FOR CENTRAL WASHINGTON UNIVERSITY

Omnibus projects to renovate and remodel campus facilities.

GF, CWU Cap Proj Acct	Reappropriation 317,125	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,475		334,600

NEW SECTION. Sec. 847. FOR CENTRAL WASHINGTON UNIVERSITY

Restore and remodel Barge Hall for student services and administration.

GF, CWU Cap Proj Acct	Reappropriation 4,528	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
525,472	5,708,200	6,238,200

NEW SECTION. Sec. 848. FOR CENTRAL WASHINGTON UNIVERSITY

Construct and equip computer applications laboratory—Hogue Technology Building and renovate Hebel Building.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation 946,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		946,500

NEW SECTION. Sec. 849. FOR CENTRAL WASHINGTON UNIVERSITY

Upgrade the existing computer hardware.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation 475,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		475,000

NEW SECTION. Sec. 850. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for additional staff space—Computer center.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation 182,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		182,800

NEW SECTION. Sec. 851. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for the physical improvement of buildings and facilities—Omnibus.

		Reappropriation	Appropriation
GF, CWU Cap Proj Acct			1,509,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	1,776,500		3,285,500

NEW SECTION. Sec. 852. FOR CENTRAL WASHINGTON UNIVERSITY

Replace the roofing membrane on Bouillon Hall.

		Reappropriation	Appropriation
GF, CWU Cap Proj Acct			515,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			515,000

NEW SECTION. Sec. 853. FOR THE EVERGREEN STATE COLLEGE

Modifications to bring buildings into code compliance.

		Reappropriation	Appropriation
GF, TESC Cap Proj Acct			152,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	35,700		187,700

NEW SECTION. Sec. 854. FOR THE EVERGREEN STATE COLLEGE

Roof repairs to three buildings.

		Reappropriation	Appropriation
GF, St H Ed Constr Acct			381,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	16,000		397,000

NEW SECTION. Sec. 855. FOR THE EVERGREEN STATE COLLEGE

Minor capital projects—Omnibus.

		Reappropriation	Appropriation
GF, TESC Cap Proj Acct			50,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	685,200		735,200

NEW SECTION. Sec. 856. FOR THE EVERGREEN STATE COLLEGE

Instructional equipment replacement.

		Reappropriation	Appropriation
GF, TESC Cap Proj Acct		120,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
205,000			325,000

NEW SECTION. Sec. 857. FOR THE EVERGREEN STATE COLLEGE

Modifications and improvements to buildings to reduce energy consumption.

		Reappropriation	Appropriation
GF, TESC Cap Proj Acct			117,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	330,300		447,300

NEW SECTION. Sec. 858. FOR WESTERN WASHINGTON UNIVERSITY

Minor capital improvements—Omnibus.

		Reappropriation	Appropriation
GF, WWU Cap Proj Acct		950,000	1,833,000
Project	Estimated		Estimated

	Costs Through 6/30/83 473,000	Costs 7/1/85 and Thereafter 6,202,000	Total Costs 9,458,000
<u>NEW SECTION, Sec. 859. FOR WESTERN WASHINGTON UNIVERSITY</u> For the South Academic Building.			
GF, WWU Cap Proj Acct		Reappropriation 150,000	Appropriation
	Project Costs Through 6/30/83 5,981,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 6,131,000
<u>NEW SECTION, Sec. 860. FOR WESTERN WASHINGTON UNIVERSITY</u> Design an addition to and remodel the existing arts technology building.			
GF, WWU Cap Proj Acct		Reappropriation	Appropriation 572,000
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 9,401,000	Estimated Total Costs 9,973,000
<u>NEW SECTION, Sec. 861. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> SCCC Main parking facility.			
GF, St H Ed Constr Acct		Reappropriation 332,000	Appropriation
	Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 332,000
<u>NEW SECTION, Sec. 862. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for section 504 handicapped access building modifications.			
GF, St H Ed Constr Acct		Reappropriation 151,998	Appropriation
	Project Costs Through 6/30/83 726,976	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 878,974
<u>NEW SECTION, Sec. 863. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for emergency repairs at various campuses.			
GF, St H Ed Constr Acct		Reappropriation 563,100	Appropriation
	Project Costs Through 6/30/83 1,690,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 2,253,100
<u>NEW SECTION, Sec. 864. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Reappropriation for nondeferrable repair projects at various campuses.			
GF, St H Ed Constr Acct		Reappropriation 196,859	Appropriation
	Project Costs Through 6/30/83 2,744,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 2,940,859
<u>NEW SECTION, Sec. 865. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u> Nondeferrable projects			
GF, St H Ed Constr Acct		Reappropriation 107,521	Appropriation
	Project Costs Through 6/30/83 2,866,479	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 2,974,000
<u>NEW SECTION, Sec. 866. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			

Reappropriation to modify facilities for code compliance at various campuses.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	43,876	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
409,000		452,876

NEW SECTION, Sec. 867. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriations for minor repair and improvement projects at twenty campuses.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	62,982	
GF, Com Col Cap Constr Acct	630,408	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,854,426		2,547,816

NEW SECTION, Sec. 868. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for vocational facility at Lower Columbia college.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	235,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
258,000		493,000

NEW SECTION, Sec. 869. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriations for projects approved in prior biennia.

	Reappropriation	Appropriation
GF, Com Col Cap Impvmt Acct	38,144	
GF, Com Col Cap Proj Acct	81,566	
GF, Com Col Cap Constr Acct	185,984	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
6,490,969		6,796,663

NEW SECTION, Sec. 870. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for two minor improvement projects at two campuses.

	Reappropriation	Appropriation
GF, Com Col Cap Impvmt Acct	107,405	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
59,000		166,405

NEW SECTION, Sec. 871. FOR THE STATE BOARD FOR COMMUNITY COLLEGES  
Code requirement repairs at Bellevue and Centralia Community College.

	Reappropriation	Appropriation
GF, H Ed Constr Acct	57,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		57,000

NEW SECTION, Sec. 872. FOR THE STATE BOARD FOR COMMUNITY COLLEGES  
Heat system repairs at Clark College.

	Reappropriation	Appropriation
GF, 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. 873. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
Reappropriation for minor repair and improvement projects at four campuses.



	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	21,439	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
41,000		62,439

**NEW SECTION, Sec. 874. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 Reappropriation for remodeling and minor improvement funds allocated to the districts.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	689,002	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,500,000		2,189,002

**NEW SECTION, Sec. 875. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 Reappropriation of emergency funds allocated by the state board for community college education.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	79,627	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
400,000		479,627

**NEW SECTION, Sec. 876. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 Reappropriation for minor improvements at various campuses.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	443,141	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
836,000		1,279,141

**NEW SECTION, Sec. 877. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 Reappropriation for six minor improvement projects at five campuses.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	141,503	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
512,497		654,000

**NEW SECTION, Sec. 878. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board for community college education.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	2,900,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,900,000

**NEW SECTION, Sec. 879. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 To provide for unforeseen emergency capital repairs, to be administered by the state board for community college education.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct	500,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000

**NEW SECTION, Sec. 880. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
 To provide for repair or replacement of roofs at Lower Columbia, Olympic, Skagit Valley, Everett, Seattle Central, Spokane, Clark, Edmonds, Grays Harbor, and Wenatchee Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		2,050,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,050,600

**NEW SECTION. Sec. 881. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide funding for repair or replacement of electrical system components at Everett, Lower Columbia, Skagit Valley, Wenatchee, and the Whidbey branch of Skagit Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		707,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		707,500

**NEW SECTION. Sec. 882. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To provide for repair of buildings, mechanical systems, and fixed equipment at Fort Steilacoom, Columbia Basin, Olympic, Everett, and the Whidbey branch of Skagit Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		734,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		734,600

**NEW SECTION. Sec. 883. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

For repair or replacement of elements for heating/ventilating/air-conditioning systems at Fort Steilacoom, Lower Columbia, South Seattle, Wenatchee, and Skagit Valley Colleges.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		1,091,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,091,900

**NEW SECTION. Sec. 884. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

To fund payments toward the purchase from the department of natural resources the land upon which Grays Harbor, Highline, and Green River Colleges are located.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		25,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		25,000

**NEW SECTION. Sec. 885. FOR THE STATE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION**

To provide for planning, construction, modernization, and demolition of public school facilities: PROVIDED, That a maximum of \$115,400,000 may be disbursed during the 1983-85 biennium: PROVIDED FURTHER, That a maximum of \$910,000 may be expended by the Superintendent of Public Instruction for costs of administering this program.

	Reappropriation	Appropriation
Common school construction fund	50,000,000	123,900,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
185,492,000		359,392,000

**NEW SECTION. Sec. 886. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

To plan, design, and construct a fire service training center, to include a marine fire training structure.

	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	5,600,000	
Project	Estimated	Estimated

Costs  
Through  
6/30/83  
1,353,000

Costs  
7/1/85 and  
Thereafter

Total  
Costs  
  
6,953,000

PART IX  
MISCELLANEOUS

**NEW SECTION. Sec. 901. 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 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		35,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		35,000,000

**NEW SECTION. Sec. 902. STATE TREASURER—REAPPROPRIATION OF BOND PROCEEDS**

To repay advances made in anticipation of receipt of bond proceeds.

GF, H Ed Constr Acct	9,104,000
GF, St H Ed Constr Acct	1,431,000
GF, State Bldg Constr Acct	1,689,000
GF, ORA	5,076,000

**NEW SECTION. Sec. 903. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

One-half of one percent of moneys appropriated in this act shall be spent as provided in RCW 28A.58.055, 28B.10\_\_\_\_ (section 9, chapter \_\_\_\_, Laws of 1983 (Engrossed House Bill No. 867)), or 43.17.200.

**NEW SECTION. Sec. 904.** To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION. Sec. 905.** Prior to expending any funds appropriated under Section 127 of this act to study the feasibility and costs of constructing a bridge to McNeil Island across Pitt Passage, the Department of General Administration shall first investigate and utilize the finding of existing studies on the subject.

**NEW SECTION. Sec. 906.** Reappropriations shall be limited to the unexpended balances remaining June 30, 1983, in the current appropriation for each project.

**NEW SECTION. Sec. 907.** If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with any moneys available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

**NEW SECTION. Sec. 908.** Notwithstanding any other provisions of law, for the 1983-85 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment has been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. The state board for community college education need not accumulate any specific balance in the community college capital projects account in anticipation of transfers to reimburse the general fund.

**NEW SECTION. Sec. 909.** Any capital improvements or capital project involving construction or major expansion of a state office facility, including district headquarters, detachment offices, and off-campus faculty offices, shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION. Sec. 910.** The governor, through the director of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers

may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

NEW SECTION, Sec. 911. To effectively, efficiently, and economically carry out the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds two hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management and the legislative auditor no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management and the legislative budget committee the reason for the delay and indicate the new start and/or completion date(s). The legislative auditor shall review these filings and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay.

NEW SECTION, Sec. 912. 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. 913. 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, 1983." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Grimm, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 55, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Grimm, Braddock and Fiske as conferees on Engrossed Substitute House Bill No. 55.

#### 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 10:00 a.m., Saturday, May 14, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, May 14, 1983

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 Bond, Clayton, Fiske, Fuhrman, Hankins, Padden, Silver and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Monica Perea and Damon Danieli. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

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

## MESSAGES FROM THE SENATE

May 13, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3750,  
REENGROSSED SENATE BILL NO. 3909,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

May 13, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 43,  
HOUSE BILL NO. 74,  
SUBSTITUTE HOUSE BILL NO. 278,  
HOUSE BILL NO. 428,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 13, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, and the President has appointed the following members as conferees: Senators McDermott, Lee, Thompson.

Bill Gleason, Assistant Secretary.

May 13, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 3090 and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

May 13, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 3858. The President has appointed the following conferees: Senators Thompson, Benitz, Woody.

Sidney R. Snyder, Secretary.

May 13, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3864. The President has appointed the following conferees: Senators Hansen, Zimmerman, Goltz.

Sidney R. Snyder, Secretary.

May 13, 1983

Mr. Speaker:

The Senate has appointed Senator Benitz to replace Senator Zimmerman as conferee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3864.

Bill Gleason, Assistant Secretary.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## INTRODUCTIONS AND FIRST READING

ESB 3750 by Senators Bauer, Benitz, Hayner, Fuller, Zimmerman, Barr, Warnke, Deccio, Conner, McManus, Peterson, Craswell, Hemstad, Woody, Quigg, Jones, Guess, Owen and Hansen

Extending the timber tax and providing a credit.

Referred to Committee on Ways &amp; Means.

REESB 3909 by Senator McDermott

Relating to revenue and taxation.

Referred to Committee on Ways &amp; Means.

## MOTIONS

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

On motion of Mr. Heck, HOUSE BILL NO. 1004 was rereferred from Committee on Rules to Committee on Energy & Utilities.

## MOTION

On motion of Mr. Heck, the House was adjourned until 10:30 a.m., Monday, May 16, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-SECOND DAY

### MORNING SESSION

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House Chamber, Olympia, Wash., Monday, May 16, 1983

The House was called to order at 10:30 a.m. by the Speaker (Mr. Kreidler presiding). The Clerk called the roll and all members were present except Representatives Ballard, Bond, Hastings, Isaacson, McMullen, G. Nelson, Sutherland and Van Dyken, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kelli Kreidler and Sean Valley. Prayer was offered by The Reverend Maurice Hæhlen, Retired Minister of the United Churches of Olympia.

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

### MESSAGE FROM THE SENATE

May 16, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3090,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### MOTION

On motion of Mr. Heck, the House was 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, Bond, Isaacson, McMullen, Sutherland and Van Dyken, who were excused.

### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 234,

SUBSTITUTE HOUSE BILL NO. 251,

HOUSE BILL NO. 1094,

SENATE BILL NO. 3090.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

### MOTION

On motion of Mr. Heck, the House was recessed until 7:00 p.m.

### EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker.

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, Johnson, G. Nelson and Van Dyken.

On motion of Mr. Heck, the absent members were excused, and the House proceeded with business under the Call of the House.

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

### SECOND READING

HOUSE BILL NO. 52, by Representatives Grimm and Cantu (by Governor Spellman request)

Modifying taxes ('83-'85 Biennium).

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 52 was substituted for House Bill No. 52, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 52 was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230 are each amended to read as follows:

Upon every person engaging within this state in business as an extractor; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, extracted for sale or for commercial or industrial use, multiplied by the rate of (~~forty-four one-hundredths of one~~) .506 percent;

The measure of the tax is the value of the products, including byproducts, so extracted, regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 2. Section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240 are each amended to read as follows:

Upon every person except persons taxable under subsections (2), (3), (4), (5), (7), (8), or (9) of RCW 82.04.260 engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of (~~forty-four one-hundredths of one~~) .506 percent.

The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 3. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of (~~forty-four one-hundredths of one~~) .506 percent; PROVIDED, That as to such persons making sales at retail in border counties as defined in RCW 82.04.... (section 3, chapter 7, Laws of 1983), other than retail sales of telephone services as defined in section 23 of this 1983 act, the rate of such tax with respect to such sales in border counties shall be .581 percent. For the purposes of this section, where a retail sale occurs shall be determined under RCW 82.14.020.

Sec. 4. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of (~~two~~) 1.55 percent (~~(until and including June 30, 1983, and one percent thereafter)~~).

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction; PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission; AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 5. Section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal



to the gross proceeds derived from such sales multiplied by the rate of (~~one one hundredth of one~~) .012 percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of (~~one eighth of one~~) .144 percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of (~~one quarter of one~~) .288 percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of (~~one eighth of one~~) .144 percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of (~~three tenths of one~~) .345 percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of (~~forty four one hundredths of one~~) .506 percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of (~~thirty three one hundredths of one~~) .380 percent.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of (~~twenty five one hundredths of one~~) .288 percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of (~~twenty five one hundredths of one~~) .288 percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of (~~twenty five one hundredths of one~~) .288 percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of (~~thirty three one hundredths of one~~) .380 percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of (~~thirty three one hundredths of one~~) .380 percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to

such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460.

Sec. 6. Section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsections (1) or (8) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of ~~((forty-four one-hundredths of one))~~ .506 percent.

(2) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property, owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying ~~((forty-four one-hundredths of one))~~ .506 percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

Sec. 7. Section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 132, Laws of 1983 and RCW 82.04.280 are each amended to read as follows:

Upon every person engaging within this state in the business of: (1) Printing, and of publishing newspapers, periodicals or magazines; (2) building, repairing or improving any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used, primarily for foot or vehicular traffic including mass transportation vehicles of any kind and including any readjustment, reconstruction or relocation of the facilities of any public, private or cooperatively owned utility or railroad in the course of such building, repairing or improving, the cost of which readjustment, reconstruction, or relocation, is the responsibility of the public authority whose street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle is being built, repaired or improved; (3) extracting for hire or processing for hire; (4) operating a cold storage warehouse, but not including the rental of cold storage lockers; (5) representing and performing services for fire or casualty insurance companies as an independent resident managing general agent licensed under the provisions of RCW 48.05.310; (6) radio and television broadcasting, excluding network, national and regional advertising computed as a standard deduction based on the national average thereof as annually reported by the Federal Communications Commission, or in lieu thereof by itemization by the individual broadcasting station, and excluding that portion of revenue represented by the out-of-state audience computed as a ratio to the station's total audience as measured by the 100 micro-volt signal strength and delivery by wire, if any; (7) engaging in activities which bring a person within the definition of consumer contained in RCW 82.04.190(6), as now or hereafter amended; as to such persons, the amount of tax on such business shall be equal to the gross income of the business multiplied by the rate of ~~((forty-four one hundredths of one))~~ .506 percent.

As used in this section, 'cold storage warehouse' means a storage warehouse used to store fresh and/or frozen perishable fruits or vegetables, meat, seafood, dairy products, or fowl, or any combination thereof, at a desired temperature to maintain the quality of the product for orderly marketing.

Sec. 8. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((two))~~ 1.55 percent ~~((anti and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That as to insurance agents, insurance brokers, and insurance solicitors, the amount of tax on account of activities

licensed under chapter 48.17 RCW shall be equal to the gross income of such business multiplied by the rate of 1.15 percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a 'sale at retail' or a 'sale at wholesale.' The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 9. Section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983.))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ four percent of the taxes payable under subsections (1) ((and)), (2), and (4) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 10. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per

kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section ~~((for April, 1982, through June, 1983))~~.

Sec. 11. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section ~~((for April, 1982, through June, 1983))~~.

Sec. 12. 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 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 13. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to 'strong beer' as defined in this title.

Sec. 14. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ fourteen percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, 'spirits,' 'strong beer,' and 'package' shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 15. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020 are each amended to read as follows:

~~((+))~~ There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((+))~~ (1) Railroad, express, railroad car, water distribution, light and power, ~~((telephone))~~ and telegraph businesses: ~~((Three and six tenths))~~ 3.852 percent;

~~((b))~~ (2) Gas distribution business: ~~((Three and six tenths))~~ 3.852 percent;

~~((c))~~ (3) Urban transportation business: ~~((Six tenths of one))~~ .642 percent;

~~((d))~~ (4) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: ~~((Six tenths of one))~~ .642 percent;

~~((e))~~ (5) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: ~~((One and eight tenths of one))~~ 1.926 percent.

~~((2))~~ ~~From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section:))~~

Sec. 16. Section 82.16.030, chapter 15, Laws of 1961 as amended by section 6, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((a)), (b), (c), (d), and (e))~~ (1), (2), (3), (4), and (5) of RCW 82.16.020~~((+))~~, shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 17. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

~~((+))~~ There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of ~~((eight and one-half))~~ ten mills per cigarette. For purposes of this chapter and RCW 28A.47.440, 'possession' shall mean both ~~((a))~~: (1) Physical possession by the purchaser; and ~~((b))~~ (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

~~((2))~~ ~~From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section, RCW 82.24.025, and 28A.47.440:))~~

Sec. 18. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

~~((t))~~ From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of ~~((forty-five))~~ 48.15 percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor ~~((a))~~: (1) Brings, or causes to be brought, into this state from without the state tobacco products for sale~~((b))~~; (2) makes, manufactures, or fabricates tobacco products in this state for sale in this state~~((c))~~; or ~~((e))~~ (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

~~((f))~~ From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section:)

Sec. 19. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter . . . . (SHB 233), Laws of 1983 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the commercial possession of food fish, shellfish, and anadromous game fish as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of food fish, shellfish, and anadromous game fish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the food fish, shellfish (except oysters), or anadromous game fish are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish, shellfish, or anadromous game fish. If the food fish, shellfish, or anadromous game fish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish, shellfish, or anadromous game fish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish, shellfish, and anadromous game fish as follows:

(a) Chinook, coho, and chum salmon and anadromous game fish: ~~((Five))~~ 5.35 percent.

(b) Pink and sockeye salmon: ~~((Three))~~ 3.21 percent.

(c) Other food fish and shellfish, except oysters: ~~((Two))~~ 2.14 percent.

(d) Oysters: ~~((Seven one hundredths of one))~~ .075 percent.

~~((f))~~ From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (4) of this section:)

Sec. 20. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

~~((t))~~ There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of ~~((twelve))~~ 12.84 percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

~~((f))~~ From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section:)

Sec. 21. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise tax shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) ~~((From and after the first day of July, 1982, until and including the thirtieth day of September, 1983:))~~ An additional tax is imposed equal to seven percent of the taxes payable under subsections (1) and (2) of this section ~~((multiplied by the rate of tax applicable to the periods shown as follows)): PROVIDED, That from and after the first day of July, 1983, until and including the thirtieth day of September, 1983, the rate of such additional tax shall be ten percent.~~

<del>((July 1 - September 30, 1982</del>	<del>4%</del>
<del>October 1 - June 30, 1983</del>	<del>7%</del>
<del>July 1 - September 30, 1983</del>	<del>3%)</del>

Sec. 22. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

~~((+))~~ There is imposed an excise tax upon each sale of real property at the rate of ~~((one))~~ 1.07 percent of the selling price.

~~((2))~~ ~~From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section:))~~

NEW SECTION. Sec. 23. There is added to chapter 82.04 RCW a new section to read as follows:

(1) 'Competitive telephone service' means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) 'Network telephone service' means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. 'Network telephone service' includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. 'Network telephone service' does not include the providing of competitive telephone service, the providing of cable television service, or the providing of broadcast services by radio or television stations.

(3) 'Telephone service' means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) 'Telephone business' means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 24. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) 'Sale at retail' or 'retail sale' means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a 'sale at retail' or 'retail sale' even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities

when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects, except those services rendered by kennels and stables; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term 'janitorial services' shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term 'janitorial services' does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a 'sale at retail' or 'retail sale' even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made (~~for personal business or professional services~~), including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, (~~received~~) for services rendered to consumers by persons engaging in the following business activities(~~;~~):

(a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows, amusement parks, gymnasiums, noncoin-operated games and game parlors, riding stables, and others;

(b) Abstract, title insurance and escrow businesses;

(c) Credit bureau businesses;

(d) Automobile parking and storage garage businesses;

(e) Beauty shops and spas, barber shops, health and fitness establishments, massage parlors, tattoo parlors, saunas, hot-tubs, and baths;

(f) Cablevision, closed circuit, and similar television service businesses; and

(g) Kennel and stable businesses.

(4) The term shall also include the sale of or charge made for admission by entertainment businesses including but not limited to motion picture theatres, dance halls, dance performances, theatre performances, musical performances, concerts, recitals, commercial sports, sports and recreation establishments, circuses, exhibitions, fairs, aquariums, galleries, museums, and others, but not including nonprofit organizations.

(5) The term shall also include the sale of or charge made by businesses other than nonprofit organizations for instruction, lessons, or classes for consumers in bowling, bridge, golf, judo, karate, exercise, yoga, parachuting, flying, swimming, skiing, riding, and similar recreational pursuits, but not cultural or educational pursuits such as music, art, or dance (unless offered primarily for health or fitness purposes).

(6) As used in subsections (4) and (5) of this section, 'nonprofit organizations' means federal, state, and local governmental entities, public schools, private schools approved by the state board of education, colleges, universities, and nonprofit organizations exempt from federal tax under section 501(c)(3) and (4) of the federal internal revenue code, as in effect on April 1, 1983.

(7) The term shall also include the renting or leasing of tangible personal property to consumers.

(8) The term shall also include the providing of (~~competitive~~) telephone service, as defined in (~~RCW 62-16-010~~) section 23 of this 1983 act, to consumers.

(9) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or



trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(10) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 25. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

'Sale at wholesale' or 'wholesale sale' means any sale of tangible personal property, or any sale of a service enumerated in RCW 82.04.050 (3), (5), or (8), which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term 'real or personal property' as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 26. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

'Consumer' means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of ((his)) the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any service enumerated in RCW 82.04.050 (3), (5), or (8), other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of 'consumer';

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 27. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 28. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of a service enumerated in RCW 82.04.050 (2), (3), (5), or (8), was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 29. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of:

(a) Network telephone service, other than toll service, to residential customers.  
(b) Network telephone service which is paid for by inserting coins in coin-operated telephones.

(2) As used in this section:

(a) 'Network telephone service' has the meaning given in section 23 of this act.  
(b) 'Residential customer' means an individual subscribing to a residential class of telephone service.

(c) 'Toll service' does not include customer access line charges for access to a toll calling network.

Sec. 30. Section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080 are each amended to read as follows:

The department of revenue may authorize a seller to pay the tax levied under this chapter upon retail sales of tangible personal property or services made through vending machines and similar devices or where sales are made under conditions of business such as to render impracticable the collection of the tax as a separate item and waive collection of the tax from the customer.

Where sales are made by receipt of a coin or coins dropped into a receptacle that results in delivery of the merchandise in single purchases of smaller value than the minimum sale upon which a one cent tax may be collected from the purchaser, according to the schedule provided by the department under authority of RCW 82.08.060, and where the design of the sales device is such that multiple sales of items are not possible or cannot be detected so as practically to assess a tax, in such a case the selling price for the purposes of the tax imposed under RCW 82.08.020 shall be sixty percent of the gross receipts of the vending machine

through which such sales are made. No such authority shall be granted except upon application to the department and unless the department, after hearing, finds that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided.

The department, by regulation, may provide that the applicant, under this section, furnish a proper bond sufficient to secure the payment of the tax.

Sec. 31. Section 82.08.090, chapter 15, Laws of 1961 as amended by section 49, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.090 are each amended to read as follows:

In the case of installment sales and leases of personal property or services, the department of revenue, by regulation, may provide for the collection of taxes upon the installments of the purchase price, or amount of rental, as of the time the same fall due.

Sec. 32. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of (~~the performance of personal business or professional~~) services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of (~~competitive~~) telephone service, as defined in (~~RCW 82.16.010~~) section 23 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the (~~primary~~) telephone or other instrument through which the (~~competitive~~) telephone service is rendered;

(6) 'City' means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) 'Taxable event' shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) 'Treasurer or other legal depository' shall mean the treasurer or legal depository of a county or city.

Sec. 33. Section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within (~~the number of~~) twenty-five days (~~specified in the following table~~) after the end of the month in which the taxable activities occur.

(For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15)

(2) (~~A monthly taxpayer may elect to remit an estimated amount of the tax due for each month on or before the due date set forth in subsection (1) of this section. The estimated amount of tax remitted shall be at least the greater of ninety percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year. Each taxpayer filing an estimated return shall file a separate quarterly return on the last day of the month after the end of each calendar quarter. Each quarterly return shall be on forms prescribed by the department, include such information as the department may require to correctly determine tax liability during the quarter, and be accompanied by a remittance of the balance of the tax actually due for the quarter.~~)

(3)) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

((4)) (3) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability.

Sec. 34, Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 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 for sale or for commercial or industrial use multiplied by the ((appropriate)) rate ((as follows:

~~For timber harvested between October 1, 1974 and June 30, 1983, inclusive;))~~ 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. 35. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Railroad business' means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) 'Express business' means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

(3) 'Railroad car business' means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) 'Water distribution business' means the business of operating a plant or system for the distribution of water for hire or sale.

(5) 'Light and power business' means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

(6) ~~((Telephone business' means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. Telephone business' does not include the providing of competitive telephone service, nor the providing of cable television service.~~

(7)) 'Telegraph business' means the business of affording telegraphic communication for hire.

((8)) (7) 'Gas distribution business' means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

((9)) (8) 'Motor transportation business' means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That 'motor transportation business' shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

((+10)) (9) 'Urban transportation business' means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

((+11)) (10) 'Public service business' means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), and (9) ~~(-and (+10))~~ or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone businesses as defined in section 23 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf businesses.

((+12)) (11) 'Tugboat business' means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((13))~~ (12) 'Gross income' means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

~~((14))~~ (13) The meaning attributed, in chapter 82.04 RCW, to the term 'tax year,' 'person,' 'value proceeding or accruing,' 'business,' 'engaging in business,' 'in this state,' 'within this state,' 'cash discount' and 'successor' shall apply equally in the provisions of this chapter.

~~((15) 'Competitive telephone service' means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.))~~

Sec. 36. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; except that any city with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 37. Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 38. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act.

Sec. 39. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act.

Sec. 40. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax)) section 23 of this 1983 act,

shall not impose the fee or tax on network telephone service, as defined in section 23 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 41. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax))~~ section 23 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 23 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 42. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ~~((telephone,))~~ or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 23 of this 1983 act, except that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 43. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 44. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price: PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price: PROVIDED FURTHER, That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 23 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 45. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Aircraft' means any weight-carrying device or structure for navigation of the air~~((;))~~ which is designed to be supported by the air~~((; but which is heavier than air))~~;

(2) 'Director' means the director of licensing; ~~((and))~~

(3) 'Person' includes a firm, partnership or corporation;

(4) 'Small multi-engine fixed wing' means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and

(5) 'Large multi-engine fixed wing' means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 46. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) The amount of the tax imposed by this chapter for each calendar year shall be ~~((fifteen))~~ dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft.

irrespective of make, type, year of manufacture or any other type of classification: PROVIDED: That the calendar year)) as follows:

<u>Type of aircraft</u>	<u>Registration fee</u>
<u>Single engine fixed wing</u>	<u>\$ 50</u>
<u>Small multi-engine fixed wing</u>	<u>65</u>
<u>Large multi-engine fixed wing</u>	<u>80</u>
<u>Turboprop multi-engine fixed wing</u>	<u>100</u>
<u>Turbojet multi-engine fixed wing</u>	<u>125</u>
<u>Helicopter</u>	<u>75</u>
<u>Sailplane</u>	<u>20</u>
<u>Lighter than air</u>	<u>20</u>
<u>Home built</u>	<u>20</u>

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED ((FURTHER), That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 47. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 44 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price(~~(- PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price; PROVIDED FURTHER, That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 23 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price)).~~

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 48. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 3 of this 1983 act and RCW 82.04.250 are each amended to read as follows:

Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of .506 percent(~~(- PROVIDED, That as to such persons making sales at retail in border counties as defined in RCW 82.04.... (section 3, chapter 7, Laws of 1983 as now or hereafter amended), the rate of such tax with respect to such sales in border counties shall be .581 percent. For the purposes of this section, where a retail sale occurs shall be determined under RCW 82.14.020)).~~

Sec. 49. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ten days in ~~((the month in which the tax is payable))~~ July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year ~~((which includes the month preceding the month in which such due date falls)).~~

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 50. Section 33, chapter 7, Laws of 1983 and RCW 82.32..... 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.

Sec. 51. Section 7, chapter 98, Laws of 1980 as amended by section 7, chapter . . . . (SHB 233), Laws of 1983 and RCW 82.27.070 are each amended to read as follows:

All taxes collected by the department of revenue under this chapter shall be deposited in the state general fund (~~(except for the excise tax on anadromous game fish, which shall be deposited in the game fund)~~).

NEW SECTION. Sec. 52. There is added to chapter 82.01 RCW a new section to read as follows:

(1) Beginning in January, 1984, and in January of every even-numbered year thereafter, the department of revenue shall submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing shall include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or part of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program.

(2) The department of revenue shall prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

(3) The department of revenue shall present the listing to the ways and means committees of each house in public hearings.

(4) Beginning in January, 1984, and every four years thereafter, the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house shall hold public hearings and take appropriate action on the recommendations submitted by the governor.

(5) As used in this section, 'tax exemption' means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate.

NEW SECTION. Sec. 53. The following acts or parts of acts are each repealed:

(1) Section 31, chapter 35, Laws of 1982 1st ex. sess., section 1, chapter 14, Laws of 1982 2nd ex. sess., section 8, chapter 7, Laws of 1983 and RCW 82.02.030;

(2) Section 32, chapter 35, Laws of 1982 1st ex. sess. (uncodified);

(3) Section 3, chapter 9, Laws of 1983 and RCW 82.04. . . .;

(4) Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess., section 1, chapter 324, Laws of 1977 ex. sess., section 2, chapter 35, Laws of 1982 1st ex. sess., section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; and

(5) Section 10, chapter 172, Laws of 1981 and RCW 82.04.265.

NEW SECTION. Sec. 54. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION. Sec. 55. 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. 56. (1) This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect July 1, 1983, except that: (a) Sections 45 and 46 of this act shall take effect January 1, 1984; (b) sections 47 and 48 of this act shall take effect as provided in subsection (2) of this section; and (c) section 33 of this act shall take effect April 1, 1985, and shall be effective in respect to taxable activities occurring on and after April 1, 1985.

(2) Sections 47 and 48 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(a) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(b) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final."

Ms. Silver moved adoption of the following amendments to the Grimm amendment:

On page 1, line 11 strike ".506" and insert ".471"

On page 1, line 24 strike ".506" and insert ".471"

On page 2, line 8 strike ".506" and insert ".471"

On page 2, line 22 strike ".155" and insert ".107"

On page 3, line 9 strike ".012" and insert ".011"

On page 3, line 15 strike ".144" and insert ".134"

On page 3, line 20 strike ".288" and insert ".268"

On page 3, line 26 strike ".144" and insert ".134"

On page 3, line 32 strike ".345" and insert ".321"

On page 4, line 2 strike ".506" and insert ".471"

On page 4, line 8 strike ".380" and insert ".353"

On page 4, line 14 strike ".288" and insert ".268"

On page 4, line 19 strike ".288" and insert ".268"

On page 4, line 24 strike ".288" and insert ".268"

On page 4, line 32 strike ".380" and insert ".353"

On page 5, line 2 strike ".380" and insert ".353"

On page 6, line 9 strike ".506" and insert ".471"

On page 6, line 21 strike ".506" and insert ".471"

On page 7, line 35 strike ".506" and insert ".471"

On page 8, line 13 strike ".1.55" and insert ".1.07"

On page 8, beginning on line 14 after "thereafter))" strike all material through "percent" on line 18

On page 43, line 19 strike ".506" and insert ".471"

Representatives Silver, Schoon, Padden and McDonald 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 Silver to the Grimm amendment to Substitute House Bill No. 52, and the amendments were not adopted by the following vote: Yeas, 41; nays, 53; excused, 4.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hamkins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Bond, Johnson, Nelson G, Van Dyken - 4.

Mr. G. Nelson appeared at the bar of the House.

Mr. Vander Stoep moved adoption of the following amendments by Representatives Vander Stoep and Hastings to the Grimm amendment:

On page 2 of the amendment, after line 3, strike all material down through line 15 and insert the following:

"Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of ~~((forty-four one-hundredths of one))~~ .506 percent."

On page 41 of the amendment, after line 2, strike all of section 44 and insert the following:

"Sec. 44. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price(~~(-PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price))~~).

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020."

On page 42 of the amendment, after line 30, strike all of sections 47 and 48 and insert the following:

"Sec. 47. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04... (section 3 ~~((of this 1983 act))~~), chapter 9, Laws of 1983), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250(~~(-PROVIDED, That such tax shall be levied and collected~~

from such persons making sales at retail in border counties in an amount equal to thirty-two percent multiplied by the tax payable under the provisions of RCW 82.04.250)).

To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth."

Renumber the sections consecutively and correct internal references accordingly.

On page 46 of the amendment, line 4, after "1983" insert ", section 47 of this 1983 act"

On page 46 of the amendment, after line 15, strike all of section 56 and insert the following:

"NEW SECTION. Sec. 56. 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, 1983, except that: (1) Sections 44 and 47 of this act shall take effect June 1, 1983; (2) sections 45 and 46 of this act shall take effect January 1, 1984; and (3) section 33 of this act shall take effect April 1, 1985, and shall be effective in respect to taxable activities occurring on and after April 1, 1985."

Representatives Vander Stoep, Hastings, B. Williams, Addison, Taylor and Egger spoke in favor of the amendments, and Representatives Rust and Tanner spoke against them.

Ms. Rust again opposed the amendments, and Mr. Vander Stoep spoke again in favor of them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Vander Stoep and Hastings to the Grimm amendment to Substitute House Bill No. 52, and the amendments were not adopted by the following vote: Yeas, 42; nays, 53; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

Ms. Rust moved adoption of the following amendments to the Grimm amendment:

On page 2, beginning on line 9 of the amendment, after "percent" delete all material through "82.14.020" on line 15

On page 41, beginning on line 8 of the amendment, after "price" delete all material through "price" on line 13 and insert "(~~PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price~~)"

On page 42, beginning on line 31 of the amendment, delete all material through "82.14.020)." on page 43, line 24

Renumber the sections consecutively and correct any internal references accordingly.

Ms. Rust spoke in favor of the amendments to the amendment.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr. Addison.

Mr. Addison: "Representative Rust, I'm trying to figure out how this amendment differs from the last. Does this just bring the sales tax into conformity with the rest of the state?"

Ms. Rust: "This part does."

Mr. Addison: "How about the B&O tax? Is that also brought into conformity?"

Ms. Rust: "I believe so."

Mr. Addison: "Where in the amendment would it do that?"

Ms. Rust: "The amendment on page 42, line 31. The intent of the amendment was that it would deal with the B&O, too."

Representatives Addison and Tanner spoke against the amendments.

#### POINT OF ORDER

Mr. Tilly: "Mr. Speaker, I believe that this amendment doesn't do as the maker would like it to do. The bill, on page 42, section 47, actually repeals the present differences in the border counties, and by taking that section out, you would still have that differential in there. I'd like the attorney to give us a ruling on that."

#### SPEAKER'S RULING

The Speaker: "Representative Tilly, we are carrying the amendment as it is written."

#### POINT OF INQUIRY

Mr. Tilly asked Ms. Rust to yield to question and she refused to yield.

Representatives Barrett, Brekke and Hastings spoke against the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Rust to the Grimm amendment to Substitute House Bill No. 52, and the amendments were not adopted by the following vote: Yeas, 25; nays, 70; excused, 3.

Voting yea: Representatives Addison, Appelwick, Belcher, Burns, Crane, Ebersole, Gallagher, Garrett, Halsan, Haugen, Jacobsen, Kaiser, Lux, McClure, McMullen, Niemi, O'Brien, Pruitt, Rust, Sanders, Sayan, Smitherman, Vekich, Zellinsky, and Mr. Speaker - 25.

Voting nay: Representatives Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Dellwo, Dickie, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Galloway, Grimm, Hankins, Hastings, Heck, Hine, Holland, Isaacson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Martinis, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Padden, Patrick, Powers, Prince, Ristuben, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson - 70.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

#### MOTION FOR RECONSIDERATION

Mr. Egger, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendments by Representatives Vander Stoep and Hastings failed to be adopted.

Representatives Vander Stoep and Barrett spoke in favor of the motion, and Mr. Tanner spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendments by Representatives Vander Stoep and Hastings to the Grimm amendment failed to be adopted, and the motion was carried by the following vote: Yeas, 48; nays, 47; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King P, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, 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, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 47.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

The Speaker stated the question before the House to be reconsideration of the amendments by Representatives Vander Stoep and Hastings to the Grimm amendment.

Mr. Hastings spoke in favor of the amendments.

## ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendments by Representatives Vander Stoep and Hastings to the Grimm amendment to Substitute House Bill No. 52, and the amendments were adopted by the following vote: Yeas, 52; nays, 43; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Egger, Fiske, Fuhrman, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, King P. Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 52.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Heck, Hine, Kaiser, King J, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 43.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

Ms. Rust moved adoption of the following amendment to the Grimm amendment:

On page 45, after line 28 of the amendment, insert the following:

"Sec. 53. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~(he)~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar~~(s))~~. The department may in its discretion designate independent agents for the issuance of permits, including retailers, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due."

## POINT OF ORDER

Mr. McDonald: "Mr. Speaker, I wonder if you would rule in accordance with Rule 12(D), the amendment must be germane. I've looked at House Bill 82, which is on the second reading calendar, and this amendment is word for word of that bill. According to Rule 12(D), '...no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.'"

## SPEAKER'S RULING

The Speaker: "Representative McDonald, if you would look on that portion of the amendment beginning on line 7, following 'permit' and the part which is underlined, and compare it with House Bill 82, page 2, line 4, you will see that they are different."

Mr. McDonald: "Mr. Speaker, if you look in the book before us, that is exactly the way it was passed out of committee and it is before us in that form."

The Speaker: "Representative McDonald, since the amendment you are addressing has not been adopted by this body, the issue is different."

Ms. Rust spoke in favor of the amendment to the amendment, and Representatives Struthers and Tilly spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Rust to the Grimm amendment, and the amendment was not adopted by the following vote: Yeas, 47; nays, 48; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 47.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Kaiser, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Williams B, Williams J, Wilson - 48.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

Ms. Rust moved adoption of the following amendment to the Grimm amendment:

On page 46, line 7 insert the following:

"Sec. 54. Section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050 are each amended to read as follows:

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the department pursuant to the provisions of RCW 82.08.060. The tax required by this chapter, to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the department, and any seller who appropriates or converts the tax collected to his own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a gross misdemeanor.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of his own acts or the result of acts or conditions beyond his control, he shall, nevertheless, be personally liable to the state for the amount of the tax.

The amount of tax, until paid by the buyer to the seller or to the department, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor. The tax required by this chapter to be collected by the seller shall be stated separately from the selling price (~~and for purposes of determining the tax due from the buyer to the seller and from the seller to the department~~), unless the seller elects to include the tax in the selling price and clearly informs the purchaser that the tax is included, and the price list, advertisements, sales document, contract, or other agreement between the parties sets forth the current tax rate. If the seller does not so elect, it shall be conclusively presumed that the selling price quoted in any price list, advertisement, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter.

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten percent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the department; and all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32 RCW, the fifteenth day of the month following the tax period in which the purchase was made shall be considered as the due date of the tax.

Sec. 55. Section 82.08.120, chapter 15, Laws of 1961 as amended by section 51, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.120 are each amended to read as follows:

Whoever, excepting as expressly authorized by this chapter, refunds, remits, or rebates to a buyer, either directly or indirectly and by whatever means, all or any part of the tax levied by this chapter, or makes in any form of advertising, verbal or otherwise, any statements which

might infer that he is absorbing the tax or paying the tax for the buyer (~~by an adjustment of prices or at a price including the tax, or~~) in any (~~other~~) manner whatsoever shall be guilty of a misdemeanor; PROVIDED, That this section shall not be construed to require the seller to state the tax imposed under this chapter separately from the selling price if the buyer is informed as required under RCW 82.08.050. The violation of this section by any person holding a license granted by the state or any political subdivision thereof shall be sufficient grounds for the cancellation of the license of such person upon written notification by the department of revenue to the proper officer of the department granting the license that such person has violated the provisions of this section. Before any license shall be canceled hereunder, the licensee shall be entitled to a hearing before the department granting the license under such regulations as the department may prescribe."

Renumber the sections consecutively and correct any internal references accordingly.

Representatives Rust, Galloway, Egger and Martinis spoke in favor of the amendment to the amendment, and Representatives Addison and Brekke spoke against it.

#### POINT OF INQUIRY

Ms. Rust yielded to question by Mr Tilly.

Mr. Tilly: "Representative Rust, one question I have in carrying out the intent of this amendment is: Is there any penalty that the Department of Revenue could assess toward the retailers if they didn't quite dot all the i's and cross all the t's in this language?"

Ms. Rust: "I think the same penalty would apply to any retailer who doesn't obey the law and doesn't collect the taxes in the manner they are supposed to do. I think this is pretty specific. '...unless the seller elects to include the tax in the selling price and clearly informs the purchaser that the tax is included....' If they don't do that then they would be disobeying the tax laws, the revenue code, just as any other retailer."

Mr. Tilly: "Do the words 'clearly inform'--we'll say John's sporting goods store, or Earl's tractor business, would put a sign in the window or behind the counter saying the prices includes sales tax, or in a restaurant or coffee shop--would that be adequate to 'clearly inform' the retail trade?"

Ms. Rust: "It says '...and the price list, advertisements, sales document, contract, or other agreement between the parties sets forth the current tax rate.' I think it would have to be on every menu, every advertisement--this is particularly for advertisements--of what the tax is."

Mr. Tilly spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Rust to page 46 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was adopted by the following vote: Yeas, 69; nays, 26; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barrett, Belcher, Betrozoff, Braddock, Burns, Charnley, Crane, Delwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Addison, Allen, Barnes, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Jacobsen, Kaiser, Lewis, Long, McDonald, Nealey, Nelson D, Nelson G, Padden, Sanders, Smith, Stratton, Struthers, Taylor - 26.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

Mr. Smitherman moved adoption of the following amendments to the Grimm amendment:

On page 4, line 8 strike ".380" and insert ".125"

On page 4, line 8 after "percent" insert "effective July 1, 1984"

Representatives Smitherman and Hastings spoke in favor of the amendments, and Ms. Rust spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Smitherman to the Grimm amendment to Substitute House Bill No. 52, and the amendments to the amendment were 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, Dickie, Egger, Ellis, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Holland, Isaacson, King R, Lewis, Long, McDonald, Miller, Mitchell, Nedley, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Tanner, Taylor, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Bond, Johnson, Van Dyken - 3.

Representative Van Dyken appeared at the bar of the House.

Mr. Ballard moved adoption of the following amendments to the Grimm amendment:

On page 20, after line 17, strike all material down through line 30 on page 24 and insert the following:

"Sec. 24. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) 'Sale at retail' or 'retail sale' means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in (~~RCW 82.16.010~~) section 23 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a 'sale at retail' or 'retail sale' even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, reprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term 'janitorial services' shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term 'janitorial services' does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or



charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a 'sale at retail' or 'retail sale' even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made for personal business or professional services, including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities: (a) amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.

(4) The term shall also include the renting or leasing of tangible personal property to consumers.

(5) The term shall also include the providing of ((competitive)) telephone service as defined in ((RCW 82.16.010)) section 23 of this 1983 act.

(6) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(7) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority."

On page 24, line 35, strike ", (5), or (8)" and insert "and (5)"

On page 25, line 29, strike ", (5), or (8)" and insert "and (5)"

On page 28, line 12, strike ", (5), or (8)" and insert "or (5)"

Representatives Ballard, Tilly, Isaacson, Patrick and Dickie spoke in favor of the amendments to the amendment, and Representatives Haugen, Grimm and Powers spoke against them.

Representatives Haugen and Ballard spoke again in favor of the amendments, and Mr. Grimm again opposed them.

#### POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Grimm, in looking through the section that now imposes the sales tax on a number of services, section 24, page 23, if a family has an existing contract--for example, a one-year contract for cable television where they send in the envelope every month for that cable service, or, as another example, they have already had a contract for such things as flying lessons, which are included in this, and might take two years, or they have a term contract, a three-year contract, for such things as the concert hall, or something like that they

are now going to be using for some organization--would the sales tax apply to those contracts that are in force today?"

Mr. Grimm: "If the transactions occurred prior to the effective date of this act, in other words July 1, 1983, the sales tax would not apply. There would be no impairment of existing contractual obligations if that transaction has occurred prior to the effective date; the sales tax would not apply."

Mr. G. Nelson: "Just for clarification: In paying--as an example, you get a bundle of envelopes and the envelopes are sent in each month during the calendar year, would the envelope that I am now going to be sending on July 1, 1983 have to include the sales tax because of that cable television service to be rendered in July of 1983?"

Mr. Grimm: "I believe in that instance that it would because the transaction would be the service that would not otherwise be received unless payment was made. In that instance the sales tax would apply."

Mr. Grimm spoke against the amendments to the amendment, and Representatives Smitherman and Long spoke in favor of them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Ballard to the Grimm amendment to Substitute House Bill No. 52, and the amendments to the amendment were not adopted by the following vote: Yeas, 44; nays, 52; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, King P. Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, 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 R. Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Bond, Johnson - 2.

#### MOTION FOR RECONSIDERATION

Mr. Braddock, having voted on the prevailing side, moved that the House now reconsider the vote by which the Rust amendment to page 45 of the Grimm amendment was not adopted.

Mr. Isaacson spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Rust amendment to page 45 of the Grimm amendment failed to be adopted, and the motion was carried by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J. King P. King R. Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Egger, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G. Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representatives Bond, Johnson - 2.

The Speaker stated the question before the House to be the reconsideration of the amendment by Representative Rust to page 45 of the Grimm amendment.

Representatives Tilly, Struthers and Vander Stoep spoke against the amendment to the amendment, and Ms. Rust spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendment by Representative Rust to page 45 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was adopted by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Charnley, Clayton, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Nelson D, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Brekke, Broback, Brough, Cantu, Chandler, Dickie, Fiske, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Excused: Representatives Bond, Johnson - 2.

#### POINT OF PERSONAL PRIVILEGE

Mr. Taylor: "Mr. Speaker, the hour is now about eleven minutes until three. We're acting on one of the most important measures that we will act on this session at all, and for the welfare of this body, it's obvious that people are tired, minds are being changed, we could advise the other body, both parties did, we've been working on it at three in the morning and I think it's wrong for us to be here. I earnestly ask the Speaker to use his office to lift the Call of the House, adjourn this session in order that we can continue this tomorrow and be somewhere near efficiency. I submit to you that this is ridiculous."

The Clerk read the following amendments by Representative Smitherman to the Grimm amendment:

On page 23 strike all material in line 3 and "riding stables," in line 4.

On page 23, line 10 after "baths" strike ":" and insert ":

On page 23, line 11 strike all material from and including "(f)" through "1983," on line 33. Renumber the remaining subsections and correct internal references accordingly.

With the consent of the House, Mr. Smitherman withdrew the amendments.

#### MOTION FOR RECONSIDERATION

Mr. Clayton moved that the House now reconsider the vote by which the Smitherman amendments to page 4 of the Grimm amendment failed to be adopted.

Representatives Smitherman, G. Nelson and Struthers spoke in favor of the motion, and Representatives Martinis, Smith and Wang spoke against it.

Mr. Smitherman 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 Smitherman amendments to page 4 of the Grimm amendment to Substitute House Bill No. 52 failed to be adopted, and the motion was lost by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, King R, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 47.

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, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Bond, Johnson - 2.

The Speaker called on Mr. Heck to preside.

Mr. Barnes moved adoption of the following amendment to the Grimm amendment:

On page 23, strike lines 11 and 12.

Renumber the remaining subsections consecutively.

Representatives Barnes and G. Nelson spoke in favor of the amendment, and Mr. Grimm spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 23 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was not adopted by the following vote: Yeas, 46; nays, 50; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Excused: Representatives Bond, Johnson - 2.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis, Halsan and Betrozoff to the Grimm amendment:

On page 31, line 32 strike all of section 34 and renumber the remaining sections consecutively.

Representatives Martinis, Grimm, Betrozoff, Halsan and Hastings spoke in favor of the amendment to the amendment, and Representatives Sayan, Hine, Vekich, Sommers and Appelwick spoke against it.

Mr. Martinis spoke again in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Martinis and others to page 31 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was adopted by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Garrett, Halsan, Hankins, Hastings, Haugen, Holland, Isaacson, Kaiser, King J, King R, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 55.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Grimm, Heck, Hine, Jacobsen, King P, Kreidler, Locke, Lux, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Sommers, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 41.

Excused: Representatives Bond, Johnson - 2.

Mr. Halsan moved adoption of the following amendment by Representatives Halsan, Vander Stoep and Martinis to the Grimm amendment:

On page 45, after line 28, insert the following:

**NEW SECTION.** Sec. 53. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any freshwater fish product whatsoever, including eggs, meat, or other substances obtained from freshwater fish.

**NEW SECTION.** Sec. 54. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of feed, seed, fertilizer, and spray materials by persons for the purpose of producing for sale any freshwater fish product whatsoever, including eggs, meat, or other substances obtained from freshwater fish."

Renumber the sections consecutively and correct internal references accordingly.

Mr. Halsan spoke in favor of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Halsan and others to page 45 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was not adopted by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Gallagher, Halsan, Hankins, Hastings, Holland, Isaacson, King R. Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 45.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Saryan, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Johnson - 2.

#### MOTION FOR RECONSIDERATION

Mr. Vander Stoep moved that the House now reconsider the vote by which the amendment by Representative Halsan and others to page 45 of the Grimm amendment was not adopted.

Mr. Vander Stoep 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 amendment by Representative Halsan and others to page 45 of the Grimm amendment to Substitute House Bill No. 52 failed to be adopted, and the motion was lost by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Halsan, Hankins, Hastings, Holland, Isaacson, King R. Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, 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, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Saryan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Excused: Representatives Bond, Johnson - 2.

Mr. Lux moved adoption of the following amendment to the Grimm amendment:

On page 45, after line 33, insert the following:

\*Sec. 49, Section 9, chapter 259, Laws of 1971 ex. sess. as last amended by section 2, chapter 183, Laws of 1977 ex. sess. and RCW 48.32A.090 are each amended to read as follows:

(1) The association shall issue to each insurer paying an assessment under this chapter certificates of contribution, in appropriate form and terms as prescribed or approved by the commissioner, for the amounts so paid into the respective funds. All outstanding certificates against a particular fund shall be of equal dignity and priority without reference to amounts or dates of issue.

(2) An outstanding certificate of contribution shall be shown by the insurer in its financial statements as an admitted asset for such amount and period of time as the commissioner may approve: PROVIDED, That unless a longer period has been allowed by the commissioner the insurer shall in any event at its option have the right to so show a certificate of contribution as an admitted asset at percentages of original face amount for calendar years as follows:

100% for the calendar year of issuance;

90% for the first calendar year after the year of issuance;

80% for the second calendar year after the year of issuance;

70% for the third calendar year after the year of issuance;

60% for the fourth calendar year after the year of issuance;

50% for the fifth calendar year after the year of issuance;

40% for the sixth calendar year after the year of issuance;

30% for the seventh calendar year after the year of issuance;

20% for the eighth calendar year after the year of issuance;

10% for the ninth calendar year after the year of issuance; and

0% for the tenth and subsequent calendar years after the year of issuance.

Notwithstanding the foregoing, if the value of a certificate of contribution is or becomes less than one thousand dollars, the entire amount may be written off by the insurer in that year.

(3) ~~(The insurer shall offset the amount written off by it in a calendar year under subsection (2) of this section against its premium tax liability to this state accrued with respect to business transacted in such year.~~

~~(4) Any sums recovered by the association representing sums which have theretofore been written off by contributing insurers and offset against premium taxes as provided in subsection (3) of this section, shall be paid by the association to the commissioner and by him deposited with the state treasurer for credit to the general fund of the state of Washington.~~

~~(5)) No distribution to stockholders, if any, of a liquidating insurer shall be made unless and until the total amount of assessments levied by the association with respect to such insurer have been fully recovered by the association.~~

**NEW SECTION.** Sec. 50. Section 49 of this act shall be effective as to and shall govern the payment of all taxes due for calendar year 1983 and thereafter.

**NEW SECTION.** Sec. 51. Section 11, chapter 109, Laws of 1975-'76 2nd ex. sess., section 1, chapter 183, Laws of 1977 ex. sess. and RCW 48.32.145 are each repealed.

This repeal governs the payment of all taxes due for calendar year 1983 and thereafter.

**NEW SECTION.** Sec. 52. There is added to chapter 48.14 RCW a new section to read as follows:

Of all insurance premium taxes collected under RCW 48.14.020, one-half of one percent shall be paid into the state general fund for use by the insurance commissioner for general administrative and regulatory purposes and one-half of one percent shall be paid into the state general fund for use by the state fire marshal for administration and operation of the arson investigation program."

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

Mr. Lux spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. O'Brien.

Mr. O'Brien: "Representative Lux, under this guaranty fund, if an insurance company goes bankrupt--if your amendment is adopted--what would happen to an insurance company that went into bankruptcy and the policyholders were going to suffer because of the lack of funds to take care of the obligations?"

Mr. Lux: "Representative O'Brien, the same thing would happen that happened before 1975. The guaranty fund that was established in 1971 whereby all of the insurance companies have pledged, in accordance with their premiums, to pay an amount to make the policyholders whole. That's determined by court; it's a proceeding that is set forth in the law in RCW 48.31."

Mr. O'Brien: "How many insurance companies have benefited by this fund in the past ten years?"

Mr. Lux: "Representative O'Brien, we're getting more specific on this, but we do know that since the sixties, twenty-five life insurance companies and thirty-four casualty companies have gone broke in the state of Washington. These are not necessarily in-state companies, but these are out-of-state companies that have been admitted to do business in the state of Washington."

Mr. O'Brien: "Isn't this the purpose of the fund, to aid the policy holders when these insurance companies go into receivership?"

Mr. Lux: "Absolutely."

Mr. O'Brien: "Then what are you doing? Are you trying to abolish the fund?"

Mr. Lux: "Representative O'Brien, if you would listen and read the amendment, the fund has been place since 1971. The offset has been in place since 1975. It appears that what you are trying to do is keep the taxpayers in the State of Washington continuing to pay for defunct insurance companies. That's not the purpose of the fund. The fund is set up so the insurance companies that do business in the State of Washington take care of their own. It's a pure review arrangement. This is in lieu of the fact that banks are federally controlled and there is an FDIC. There's

a fund for depositors. In the insurance industry there is absolutely no federal control. These people are outside of the anti-trust system. There's absolutely no control on this except by the Insurance Commissioner in the state. I think we should return to the guaranty fund as it was in 1971, '72, '73 and '74."

Representatives O'Brien, Sanders and Smitherman spoke against the amendment, and Mr. Moon spoke in favor of it.

Mr. Lux spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Wang, Representative Sutherland was excused from the Call of the House.

Mr. R. King moved adoption of the following amendment by Representatives R. King, G. Nelson, Martinis, Zellinsky, Miller, Smitherman and Wilson to the Grimm amendment:

On page 46, after line 31 of the amendment, insert the following:

**NEW SECTION.** Sec. 57. It is the policy of the state and the purpose of this chapter to improve boating safety, to make uniform laws affecting the registration and licensing of watercraft, to provide that authorized persons, governmental agencies, and law enforcement authorities have access to convenient, expeditious, and accurate identification of registered and legal ownership of watercraft, and to achieve a higher degree of reciprocity, cooperation, and assistance among the several states in accordance with the applicable federal boating and safety legislation and United States coast guard regulations.

**NEW SECTION.** Sec. 58. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Vessel' includes every description of watercraft, other than a seaplane, used or capable of being used as a means of transportation on the water, and includes all boats except those specifically exempted by this chapter.

(2) 'Powered vessel' means any motorboat, auxiliary powered sailboat, or other vessel designed in whole or in part for the conveyance of persons on water and propelled by inboard or outboard combustion, steam, or electric machinery.

(3) 'Documented vessel' means a vessel which has or is required to have a valid marine document as a vessel of the United States.

(4) 'Use' means operate, navigate, or employ.

(5) 'Manufacturer' means any person engaged in the manufacture, construction, or assembly of vessels subject to registration and titling under this chapter.

(6) 'Owner' means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles that person to such possession.

(7) 'Dealer' means any person, partnership, association, or corporation engaged in the business of buying, selling, exchanging, offering, brokering, leasing with an option to purchase, auctioning, soliciting, or advertising the sale of new or used vessels subject to registration and titling under this chapter. The term 'dealer' does not include:

(a) Receivers, trustees, administrators, executors, guardians, or other persons appointed by, or acting under a judgment or order of any court;

(b) Public officers while performing their official duties;

(c) Employees of dealers who are engaged in the specific performance of their duties as employees; or

(d) Any person engaged in an isolated sale of a vessel of which the person is the owner.

(8) 'Commission' means the state parks and recreation commission.

(9) 'Department' means the department of licensing.

(10) 'Waters of this state' means any waters within the territorial jurisdiction of the state.

(11) 'Operate' means to navigate or otherwise use a vessel for transportation.

(12) 'Operator' means the person who operates or has charge of the navigation or use of a vessel.

(13) 'Decal' means any device used for the purpose of identifying a vessel validly registered under this act.

**NEW SECTION.** Sec. 59. It is unlawful for any person to own or operate a vessel on any waters of the state unless the vessel properly displays a number for which a valid certificate of registration is carried on board the vessel. Certificates of registration shall be issued annually in accordance with the provisions of this chapter in the name of the registered owner. Identification of the legal owner of vessels subject to this chapter shall be evidenced by a certificate of title issued under this chapter.

**NEW SECTION.** Sec. 60. (1) Any person charged with the enforcement of this chapter may request for inspection the certificate of registration from any vessel owner or operator to ascertain that the vessel is currently registered. Refusal to provide such certificate for inspection upon the request of any person charged with enforcement of this chapter constitutes a violation

of this chapter and subjects the person requested to produce such document to the penalties provided by section 73(1) of this act.

(2) All law enforcement officers have the authority to enforce this chapter within their respective jurisdictions.

(3) Violations of section 59 of this act are subject to the following penalties:

(a) A fine of not more than one hundred dollars for the first violation;

(b) A fine of two hundred dollars per vessel for the second violation; and

(c) A fine of four hundred dollars per vessel for the third and successive violations.

(4) Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

**NEW SECTION.** Sec. 61. For the purpose of expeditiously identifying vessel owners, any official of a marina or moorage facility, public or private, in which a vessel is moored, parked, or anchored shall be granted prompt access to vessel owner identification records administered by the department under this chapter.

**NEW SECTION.** Sec. 62. Section 59 of this act does not apply to vessels:

(1) In commercial service which are required to have valid marine documents as vessels of the United States or foreign vessels registered for commercial service;

(2) 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;

(3) Owned by the United States or a state or subdivision of a state, clearly identifiable as such, and not used for recreational purposes;

(4) Used exclusively as a ship's lifeboat for lifesaving purposes or vessel tender;

(5) Being operated under a valid temporary certificate of registration which is carried on board;

(6) Whose primary mode of propulsion is human power;

(7) 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;

(8) Which are temporarily in this state undergoing repair or alteration; or

(9) Amphibious vehicles with valid licenses or permits issued under chapter 46.09 or 46.16 RCW.

**NEW SECTION.** Sec. 63. No local authority may enact any regulation governing the equipment of vessels, their licensing, or their registration differing from the provisions of this chapter. Except as limited by this chapter, the operation of vessels on waters of this state remains subject to the jurisdiction of local authorities to adopt and enforce local regulations.

**NEW SECTION.** Sec. 64. The commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with the intent of this chapter and with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section and section 71 of this act;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

**NEW SECTION.** Sec. 65. The department shall:

(1) Provide for the issuance of vessel registrations and certificates of title and may appoint agents for collecting fees and issuing registration numbers and decals. Fees for vessel registrations and titles collected by the department shall be deposited in the general fund;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with the intent of this chapter and with United States coast guard regulations, standards, and precedents, as needed for the efficient administration of the titling, registration, and fee collection requirements of this chapter; and

(3) Implement an effective program for the provision of registration numbers, certificates of registration, and certificates of title for vessels subject to this chapter. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may



be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

**NEW SECTION.** Sec. 66. On or before June 30, 1983, application for a vessel registration for the fiscal year beginning July 1, 1983, shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department and shall be accompanied by the vessel registration fee required under section 68 of this act. Any fees required for licensing agents under RCW 46.01.140 are in addition to the annual registration fee.

An owner of a vessel covered by a current certificate of registration issued pursuant to federal law may continue to operate such vessel in this state under that current federal registration until January 31, 1984. The provisions of this chapter, however, shall apply to all such vessels after January 31, 1984, and the registration fee imposed under section 68 of this act shall be assessed as if such vessels had been required to be registered on July 1, 1983.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be affixed to the vessel in a manner prescribed by the department. A valid decal affixed as prescribed indicates compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods as provided for in RCW 46.16.225. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable in a manner prescribed by the department upon payment of the vessel registration fee. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration. The application shall be accompanied by a transfer fee of five dollars.

**NEW SECTION.** Sec. 67. (1) All certificates of registration and all titles and licenses required by this chapter shall be issued by or under the authority of the department by whatever method it finds most efficient and economical as specified in section 65 of this act.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership. Failure to apply for a new certificate of title within fifteen days results in the penalties prescribed in section 60(3) of this act.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

**NEW SECTION.** Sec. 68. (1) The fees for obtaining an identification number and certificate of registration under this chapter are as follows:

(a) Powered vessels less than sixteen feet in length, ten dollars for each three-year period. Notwithstanding any other provisions of this chapter, the registration period for powered vessels less than sixteen feet in length is three years;

(b) Vessels sixteen feet or more in length but less than twenty feet, twenty-five dollars per year;

(c) Vessels twenty feet or more in length but less than twenty-six feet, forty dollars per year; and

(d) Vessels twenty-six feet or more in length, fifty-five dollars plus five dollars for each foot or part of a foot in excess of twenty-six feet in length, per year.

Length is determined by means of a straight line measurement of the overall length from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins or boomkins, rudders, outboard motor brackets, and similar fittings or attachments are not included in the measurement.

(2) The fee for applying for and obtaining a certificate of title is five dollars.

(3) Owners of vessels used for commercial fishing purposes and which are not required to have a valid marine document as a vessel of the United States shall pay an annual registration fee of five dollars for each vessel.

**NEW SECTION.** Sec. 69. (1) Any county may, by ordinance or resolution, impose a tax upon the privilege of using a vessel registered under this chapter which is moored or stored in the county if the population of the unincorporated areas of the county together with the population

of the cities which are parties to an interlocal agreement pursuant to chapter 39.34 RCW equal or exceed two-thirds of the total population of the county. The annual amount of the tax shall be up to fifty cents per foot per calendar year or part thereof.

(2) The tax imposed under this section is due and payable at the time of registration of a vessel.

(3) The moneys collected under this section shall be collected by the county jurisdiction and shall be distributed by such county monthly to the county and the municipalities within its boundaries in proportion to these moneys collected for vessels registered from the unincorporated area and each municipality within the county. Moneys collected under this section shall be deposited in the current expense funds of the counties and cities.

**NEW SECTION.** Sec. 70. (1) Each manufacturer or dealer of vessels required to be registered in this state shall register with the department in the manner and upon forms prescribed by the department. Upon receipt of such application for registration and the registration fee provided in subsection (2) of this section, the dealer or manufacturer shall be registered and a registration number assigned.

(2) The registration fee for manufacturers or dealers is fifty dollars per year. The fee covers all vessels owned by the manufacturer or dealer for sale and not rented on a regular commercial basis by the dealer.

(3) The operator of a boat livery holding five or more powered vessels which are each under sixteen feet in length and available for hire shall pay an annual registration fee of five dollars plus one dollar for each such vessel instead of the individual vessel registration fees otherwise required by this chapter.

(4) Section 59 of this act does not apply to any dealer or employee or prospective customer of the dealer with respect to any vessel covered by the dealer's registration number and used for a business purpose of the dealer, such as demonstration, testing, or making repairs.

**NEW SECTION.** Sec. 71. (1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

**NEW SECTION.** Sec. 72. (1) No person may use any vessel to which this chapter applies unless the vessel complies with the requirements of this chapter and the applicable standards and rules promulgated thereunder.

(2) No person may use any vessel to which this chapter applies:

(a) In a negligent manner so as to endanger the life, limb, or property of any person; or

(b) While under the influence of alcohol, narcotic drugs, hallucinogens, or other controlled substances.

**NEW SECTION.** Sec. 73. (1) A violation of section 72(2) or section 60(1) of this act is punishable by a fine of not less than fifty nor more than five hundred dollars or imprisonment not to exceed six months, or by both such fine and imprisonment. Except as otherwise provided, violations of this chapter are punishable by a fine of not more than two hundred fifty dollars.

(2) Any person convicted of a violation of section 72(2) of this act may, at the court's discretion, be denied the privilege of operating a vessel in this state for a period of up to one year. A person operating a vessel subject to this chapter during the period of denial set by the court shall be punished by a fine of not less than one hundred nor more than five hundred dollars or imprisonment not to exceed six months, or by both such fine and imprisonment.

**NEW SECTION.** Sec. 74. All fines collected from violators of section 72 of this act shall, after subtraction of court costs and administrative fees for collection of such fines, be distributed as follows: Fifty percent shall be sent to the state treasurer to be deposited in the state general fund and fifty percent shall be credited to the current expense fund of the jurisdiction in which the offense occurred.

**NEW SECTION.** Sec. 75. This chapter may be known and cited as the boating registration and safety act of 1983.

Sec. 76. Section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are ~~((exempt))~~ exempted by section 62(1) of this 1983 act from ((excise tax under subsections (8) and (9) of section 16)) the registration fees imposed by section

68 of this 1983 act shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

NEW SECTION, Sec. 77. There shall be allowed a credit against any fees due for a vessel under section 68 of this act for 1983 for any property taxes paid for the vessel for 1983 and any excise taxes paid for the vessel in 1983 under chapter 7, Laws of 1983.

NEW SECTION, Sec. 78. The following acts or parts of acts are each repealed:

- (1) Section 9, chapter 7, Laws of 1983 and RCW 82.--.---
- (2) Section 10, chapter 7, Laws of 1983 and RCW 82.--.---
- (3) Section 11, chapter 7, Laws of 1983 and RCW 82.--.---
- (4) Section 12, chapter 7, Laws of 1983 and RCW 82.--.---
- (5) Section 13, chapter 7, Laws of 1983 and RCW 82.--.---
- (6) Section 14, chapter 7, Laws of 1983 and RCW 88.--.---
- (7) Section 15, chapter 7, Laws of 1983 and RCW 88.--.---
- (8) Section 16, chapter 7, Laws of 1983 and RCW 88.--.---
- (9) Section 17, chapter 7, Laws of 1983 and RCW 88.--.---
- (10) Section 18, chapter 7, Laws of 1983 and RCW 88.--.---
- (11) Section 19, chapter 7, Laws of 1983 and RCW 88.--.---
- (12) Section 20, chapter 7, Laws of 1983 and RCW 88.--.---
- (13) Section 21, chapter 7, Laws of 1983 and RCW 88.--.---
- (14) Section 22, chapter 7, Laws of 1983 and RCW 88.--.---
- (15) Section 25, chapter 7, Laws of 1983 and RCW --.---
- (16) Section 26, chapter 7, Laws of 1983 (uncodified); and
- (17) Section 36, chapter 7, Laws of 1983 (uncodified).

NEW SECTION, Sec. 79. Sections 57 through 75 of this act shall constitute a new chapter in Title 88 RCW.

NEW SECTION, Sec. 80. There is appropriated from the general fund to the department of licensing for the remainder of the 1981-83 biennium the sum of two hundred fifty-five thousand dollars or so much thereof as may be necessary to implement the registration and titling provisions of sections 57 through 75 of this act.\*

Renumber the sections consecutively and correct any internal references accordingly.

Representatives R. King and Miller 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 R. King and others to page 46 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was adopted by the following vote: Yeas, 51; nays, 44; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King R. Lewis, Long, Martinis, McDonald, McMullen, Miller, Mitchell, Nealey, Nelson G, Patrick, Powers, Prince, Sanders, Schmidt, Schoon, Silver, Smitherman, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Voting nay: Representatives Appelwick, Armstrong, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, McClure, Monohon, Moon, Nelson D, Niemi, O'Brien, Padden, Pruiitt, Ristuben, Rust, Sayan, Smith, Sommers, Stratton, Todd, Vekich, Walk, Wang, and Mr. Speaker - 44.

Excused: Representatives Bond, Johnson, Sutherland - 3.

On motion of Mr. Struthers, the following amendment to the Grimm amendment was adopted:

On page 46, line 24 after the period insert "The tax imposed by section 44 of this 1983 act which applies to sales of telephone service as defined in section 23 of this 1983 act, shall apply to telephone service for bills dated on and after July 1, 1983, regardless of whether some or all of such telephone service is rendered prior to July 1, 1983."

Mr. Tilly moved adoption of the following amendment to the Grimm amendment:

On page 46, following line 31 insert:

"NEW SECTION, Sec. 57. This act shall expire June 30, 1985."

Representatives Tilly, Cantu, McDonald and Padden spoke in favor of the amendment, and Mr. Grimm opposed 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 page 46 of the Grimm amendment to Substitute House Bill No. 52, and the amendment to the amendment was not adopted by the following vote: Yeas, 46; nays, 49; excused, 3.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 46.

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, Martinis, McClure, McMullen, Monohon, Moon, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 49.

Excused: Representatives Bond, Johnson, Sutherland - 3.

The Clerk read the following amendment by Representative Clayton to the amendment:

On page 3, line 15 strike ".144" and insert ".380"

With the consent of the House, Mr. Clayton withdrew the amendment to the amendment.

On motion of Mr. Appelwick, the following amendment to the Grimm amendment was adopted:

On page 45, after line 28 insert the following new section:

**\*NEW SECTION, Sec. 53.** No act, law or bill shall be passed by either the house of representatives or the senate of the state of Washington which creates or expands any exemption from any tax levied by the state of Washington unless the tax exemption created or expanded is the sole, specific subject matter of the act, law or bill. No act, law or bill passed by the house of representatives or the senate of the state of Washington which creates or expands any exemption from any tax levied by the state of Washington shall become effective within ninety days after the adjournment of the session in which it was enacted into law. Notwithstanding any other provision of this section, any act, law or bill creating a new tax may include exemptions from that tax in the act, law or bill creating the tax."

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

Mr. Van Dyken moved adoption of the following amendments to the Grimm amendment:

On page 46, following line 11 insert:

**\*NEW SECTION, Sec. 55.** Unless the context clearly requires otherwise, the definitions of RCW 79.01.1332 apply throughout section 56 of this act.

**NEW SECTION, Sec. 56.** (1) Subsections (2), (3), (4), and (5) of this section apply only to defaults by purchasers of a state timber sale contract entered into between January 1, 1978, and July 1, 1980, or any Lincoln day blowdown sales contracts purchased in 1980:

- (a) If the default is approved by the department under subsection (2) of this section;
- (b) If the default is after the effective date of this section;
- (c) If the department received application from the purchaser in writing within thirty days of the effective date of this section;

- (d) If the purchaser has not defaulted on any contract under RCW 79.01.1335; and
- (e) Limited to a total number of sales having a cumulative volume remaining under contract of not more than fifteen million board feet of timber. Such volume of each sale shall be determined by utilizing the original cruise estimates.

(2) The department shall approve applications for default under subsection (1) of this section if the purchaser supplies evidence indicating:

- (a) Financial hardship on the part of the purchaser; or
- (b) The purchaser was not aware of the availability of default under RCW 79.01.1335.

(3) Any purchaser defaulting on a contract under subsection (1) of this section shall not be refunded any cash moneys paid to the department or any other moneys expended as a result of the contract, including, but not limited to, cash deposits, extension fees, bond deposits, or interest charges. That purchaser shall also be charged a fee of twenty-five hundred dollars for the administrative costs of reselling the timber.

(4) The purchaser shall receive a credit from the department for the value of any road work completed. The value of the roadwork shall be the value of the percentage of roadwork completed based on the original appraisal for the entire roadwork on the sale as determined by the department of natural resources. Additional credits shall not be allowed on the

defaulted contract and additional damages, fees, or penalties shall not be assessed by the department against the purchaser.

(5) The credit for roadwork completed shall be used, at the choice of the purchaser of state timber, as an off-setting dollar amount of up to one-half of the price of stumpage being purchased, or as an off setting dollar amount of up to one-half of any cash security deposits required on a contract for the purchase of state timber, or as an off-setting dollar amount of up to one-half for any extension fee due on a contract for the purchase of state timber.

(6) Defaults by a purchaser on sales not falling within the provisions of subsection (1) of this section shall be governed by the applicable provisions of state law, rules, and timber sale contracts in existence prior to the effective date of this act.

(7) If a timber sale contract otherwise eligible for default under this section is in default, it may be extended by paying the extension fee at the rate provided under the contract of sale from the date of the expiration of the contract, or from the date of the last extension, to the date of application for default under this section.

(8) The commissioner shall adopt rules as necessary for the administration of this section. However, the failure to adopt such rules shall not prevent the immediate implementation of this section.

**NEW SECTION.** Sec. 57. Sections 55 and 56 of this act shall expire sixty days after the effective date of these sections. However, the expiration shall not modify or terminate any rights or obligations created by these sections prior to their expiration."

Remember the remaining sections consecutively.

On page 46, line 24 following "1985" insert "; and (d) sections 55 through 57 shall take effect immediately"

#### POINT OF ORDER

Mr. Wang: "I ask the Speaker to rule whether or not this amendment falls within the scope and object of the bill."

#### SPEAKER'S RULING (MR. HECK PRESIDING)

The Speaker (Mr. Heck presiding): "The Speaker has examined SHB 52, the Grimm amendment, and the floor amendment by Representative Van Dyken. An omnibus revenue package is by its nature a broad bill, but this amendment has no relation to the general revenue bill. It deals with timber sales' default. The amendment is beyond the object of the bill. Your point is well taken, Representative Wang."

The Speaker resumed the Chair.

Mr. Tanner moved adoption of the following amendment by Representatives Tanner, Martinis and Garrett to the Grimm amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230 are each amended to read as follows:

Upon every person engaging within this state in business as an extractor: as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, extracted for sale or for commercial or industrial use, multiplied by the rate of (~~forty-four one-hundredths of one~~) .484 percent:

The measure of the tax is the value of the products, including byproducts, so extracted, regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 2. Section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240 are each amended to read as follows:

Upon every person except persons taxable under subsections (2), (3), (4), (5), (7), (8), or (9) of RCW 82.04.260 engaging within this state in business as a manufacturer: as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of (~~forty-four one-hundredths of one~~) .484 percent.

The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 3. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of (~~forty-four one-hundredths of one~~) .484 percent: PROVIDED, That as to such persons making sales at retail in border counties as defined in RCW 82.04.... (section 3, chapter 7, Laws of 1983), other than retail sales of telephone services as defined in section 23 of this 1983 act, the

rate of such tax with respect to such sales in border counties shall be .581 percent. For the purposes of this section, where a retail sale occurs shall be determined under RCW 82.14.020.

Sec. 4. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((two))~~ 1.50 percent ~~((until and including June 30, 1983, and one percent thereafter)).~~

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 5. Section 16, chapter 10, Laws of 1982 as amended by section 1, chapter 13, Laws of 1982 2nd ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of ~~((one one-hundredth of one))~~ .011 percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of ~~((one-eighth of one))~~ .138 percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of ~~((one-quarter of one))~~ .275 percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of ~~((one-eighth of one))~~ .138 percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of ~~((three-tenths of one))~~ .33 percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of ~~((forty-four one-hundredths of one))~~ .484 percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of ~~((thirty-three one-hundredths of one))~~ .363 percent.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of ~~((twenty-five one-hundredths of one))~~ .275 percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of ~~((twenty-five one-hundredths of one))~~ .275 percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of ~~((twenty-five one-hundredths of one))~~ .275 percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of ~~((thirty-three one-hundredths of one))~~ .363 percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of ~~((thirty-three one hundredths of one))~~ 36.3 percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460.

Sec. 6. Section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsections (1) or (8) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of ~~((forty-four one hundredths of one))~~ 48.4 percent.

(2) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property, owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying ~~((forty-four one hundredths of one))~~ 48.4 percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

Sec. 7. Section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 132, Laws of 1983 and RCW 82.04.280 are each amended to read as follows:

Upon every person engaging within this state in the business of: (1) Printing, and of publishing newspapers, periodicals or magazines; (2) building, repairing or improving any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used, primarily for foot or vehicular traffic including mass transportation vehicles of any kind and including any readjustment, reconstruction or relocation of the facilities of any public, private or cooperatively owned utility or railroad in the course of such building, repairing or improving, the cost of which readjustment, reconstruction, or relocation, is the responsibility of the public authority whose street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle is being built, repaired or improved; (3) extracting for hire or processing for hire; (4) operating a cold storage warehouse, but not including the rental of cold storage lockers; (5) representing and performing services for fire or

casualty insurance companies as an independent resident managing general agent licensed under the provisions of RCW 48.05.310; (6) radio and television broadcasting, excluding network, national and regional advertising computed as a standard deduction based on the national average thereof as annually reported by the Federal Communications Commission, or in lieu thereof by itemization by the individual broadcasting station, and excluding that portion of revenue represented by the out-of-state audience computed as a ratio to the station's total audience as measured by the 100 micro-volt signal strength and delivery by wire, if any; (7) engaging in activities which bring a person within the definition of consumer contained in RCW 82.04.190(6), as now or hereafter amended; as to such persons, the amount of tax on such business shall be equal to the gross income of the business multiplied by the rate of ~~((forty-four one hundredths of one))~~ .484 percent.

As used in this section, 'cold storage warehouse' means a storage warehouse used to store fresh and/or frozen perishable fruits or vegetables, meat, seafood, dairy products, or fowl, or any combination thereof, at a desired temperature to maintain the quality of the product for orderly marketing.

Sec. 8. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of ~~((two))~~ 1.50 percent ~~((until and including June 30, 1983, and one percent thereafter))~~; PROVIDED, That as to insurance agents, insurance brokers, and insurance solicitors, the amount of tax on account of activities licensed under chapter 48.17 RCW shall be equal to the gross income of such business multiplied by the rate of 1.10 percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a 'sale at retail' or a 'sale at wholesale.' The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 9. Section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.630 multiplied by))~~ four percent of the taxes payable under subsections (1) ~~((and)), (2), and (4))~~ of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and



recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 10. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) An additional tax is imposed equal to ~~((the rate specified in RCW 82-02-030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section ~~((for April, 1982; through June, 1983)).~~

Sec. 11. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) An additional tax is imposed equal to ~~((the rate specified in RCW 82-02-030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section ~~((for April, 1982; through June, 1983)).~~

Sec. 12. 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 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82-02-030 multiplied~~

by)) seven percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 13. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to 'strong beer' as defined in this title.

Sec. 14. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ fourteen percent of the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, 'spirits,' 'strong beer,' and 'package' shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 15. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020 are each amended to read as follows:

~~((H))~~ There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((a))~~ (1) Railroad, express, railroad car, water distribution, light and power, ~~((telephone))~~ and telegraph businesses: ~~((Three and six tenths))~~ 3.852 percent;

~~((b))~~ (2) Gas distribution business: ~~((Three and six tenths))~~ 3.852 percent;

~~((c))~~ (3) Urban transportation business: ~~((Six tenths of one))~~ .642 percent;

~~((d))~~ (4) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: ~~((Six tenths of one))~~ .642 percent;

~~((e))~~ (5) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: ~~((One and eight tenths of one))~~ 1.926 percent.

~~((2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.))~~

Sec. 16. Section 82.16.030, chapter 15, Laws of 1961 as amended by section 6, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((a), (b), (c), (d), and (e))~~ (1), (2), (3), (4), and (5) of RCW 82.16.020~~((1))~~, shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 17. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

~~((1))~~ There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of ~~((eight and one-half))~~ ten mills per cigarette. For purposes of this chapter and RCW 28A.47.440, 'possession' shall mean both ~~((a))~~: (1) Physical possession by the purchaser; and ~~((b))~~ (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

~~((2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section. RCW 82.24.025, and 28A.47.440.))~~

Sec. 18. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

~~((1))~~ From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of ~~((forty-five))~~ 48.15 percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor ~~((a))~~: (1) Brings, or causes to be brought, into this state from without the state tobacco products for sale ~~((b))~~; (2) makes, manufactures, or fabricates tobacco products in this state for sale in this state ~~((c))~~; or ~~((e))~~ (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

~~((2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.))~~

Sec. 19. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter . . . . (SHB 233), Laws of 1983 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the commercial possession of food fish, shellfish, and anadromous game fish as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of food fish, shellfish, and anadromous game fish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the food fish, shellfish (except oysters), or anadromous game fish are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish, shellfish, or anadromous game fish. If the food fish, shellfish, or anadromous game fish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish, shellfish, or anadromous game fish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish, shellfish, and anadromous game fish as follows:

- (a) Chinook, coho, and chum salmon and anadromous game fish: ~~((Five))~~ 5.35 percent.
- (b) Pink and sockeye salmon: ~~((Three))~~ 3.21 percent.
- (c) Other food fish and shellfish, except oysters: ~~((Two))~~ 2.14 percent.
- (d) Oysters: ~~((Seven one-hundredths of one))~~ .075 percent.

~~((5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (4) of this section.))~~

Sec. 20. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

~~((1))~~ There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold

interest on and after January 1, 1976, at a rate of ~~((twelve))~~ 12.84 percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

~~((2)) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.))~~

Sec. 21. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise tax shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

~~(5) (From and after the first day of July, 1982, until and including the thirtieth day of September, 1983.)) An additional tax is imposed equal to seven percent of the taxes payable under subsections (1) and (2) of this section ((multiplied by the rate of tax applicable to the periods shown as follows)): PROVIDED, That from and after the first day of July, 1983, until and including the thirtieth day of September, 1983, the rate of such additional tax shall be ten percent.~~

~~(July 1 - September 30, 1982 \_\_\_\_\_ 4%~~

~~October 1 - June 30, 1983 \_\_\_\_\_ 7%~~

~~July 1 - September 30, 1983 \_\_\_\_\_ 3%))~~

Sec. 22. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

~~((1)) There is imposed an excise tax upon each sale of real property at the rate of ((one)) 1.07 percent of the selling price.~~

~~((2)) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.))~~

NEW SECTION. Sec. 23. There is added to chapter 82.04 RCW a new section to read as follows:

(1) 'Competitive telephone service' means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) 'Network telephone service' means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. 'Network telephone service' includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. 'Network telephone service' does not include the providing of competitive telephone service, the providing of cable television service, or the providing of broadcast services by radio or television stations.

(3) 'Telephone service' means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) 'Telephone business' means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 24. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) 'Sale at retail' or 'retail sale' means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or

(b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in ((RCW-82-16-010)) section 23 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a 'sale at retail' or 'retail sale' even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects, except those services rendered by kennels and stables; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term 'janitorial services' shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term 'janitorial services' does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a 'sale at retail' or 'retail sale' even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made ((~~for personal business or professional services~~)), including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, ((~~received~~)) for services rendered to consumers by persons engaging in the following business activities((:)):

(a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows, amusement parks, gymnasiums, games and game parlors, riding stables, and others:

(b) Abstract, title insurance and escrow businesses;

(c) Credit bureau businesses;

(d) Automobile parking and storage garage businesses;

(e) Beauty shops and spas, barber shops, health and fitness establishments, massage parlors, tattoo parlors, saunas, hot-tubs, and baths;

(f) Cablevision, closed circuit, and similar television service businesses; and

(g) Kennel and stable businesses.

(4) The term shall also include the sale of or charge made for admission by entertainment businesses including but not limited to motion picture theatres, dance halls, dance performances, theatre performances, musical performances, concerts, recitals, commercial sports, sports and recreation establishments, circuses, exhibitions, fairs, aquariums, galleries, museums, and others.

(5) The term shall also include the sale of or charge made by businesses for instruction, lessons, or classes for consumers in bowling, bridge, golf, judo, karate, exercise, yoga, parachuting, flying, swimming, skiing, riding, and similar recreational pursuits, but not cultural or educational pursuits such as music, art, or dance (unless offered primarily for health or fitness purposes).

(6) The term shall also include the renting or leasing of tangible personal property to consumers.

(7) The term shall also include the providing of (~~competitive~~) telephone service, as defined in (~~RCW 62.16.010~~) section 23 of this 1983 act, to consumers.

(8) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(9) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

Sec. 25. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

'Sale at wholesale' or 'wholesale sale' means any sale of tangible personal property, or any sale of a service enumerated in RCW 82.04.050 (3), (5), or (7), which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term 'real or personal property' as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 26. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190 are each amended to read as follows:

'Consumer' means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of (~~his~~) the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any service enumerated in RCW 82.04.050 (3), (5), or (7), other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when

such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility:

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of 'consumer';

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 27. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 28. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of a service enumerated in RCW 82.04.050 (2), (3), (5), or (7), was not a sale at retail shall be upon the person who made it.

NEW SECTION. Sec. 29. There is added to chapter 82.08 RCW a new section to read as follows:

- (1) The tax levied by RCW 82.08.020 shall not apply to sales of:
- (a) Network telephone service, other than toll service, to residential customers.
  - (b) Network telephone service which is paid for by inserting coins in coin-operated telephones.
- (2) As used in this section:
- (a) 'Network telephone service' has the meaning given in section 23 of this act.
  - (b) 'Residential customer' means an individual subscribing to a residential class of telephone service.

(c) 'Toll service' does not include customer access line charges for access to a toll calling network.

Sec. 30. Section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080 are each amended to read as follows:

The department of revenue may authorize a seller to pay the tax levied under this chapter upon retail sales of tangible personal property or services made through vending machines and similar devices or where sales are made under conditions of business such as to render impracticable the collection of the tax as a separate item and waive collection of the tax from the customer.

Where sales are made by receipt of a coin or coins dropped into a receptacle that results in delivery of the merchandise in single purchases of smaller value than the minimum sale upon which a one cent tax may be collected from the purchaser, according to the schedule provided by the department under authority of RCW 82.08.060, and where the design of the sales device is such that multiple sales of items are not possible or cannot be detected so as practically to assess a tax, in such a case the selling price for the purposes of the tax imposed under RCW 82.08.020 shall be sixty percent of the gross receipts of the vending machine through which such sales are made. No such authority shall be granted except upon application to the department and unless the department, after hearing, finds that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided.

The department, by regulation, may provide that the applicant, under this section, furnish a proper bond sufficient to secure the payment of the tax.

Sec. 31. Section 82.08.090, chapter 15, Laws of 1961 as amended by section 49, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.090 are each amended to read as follows:

In the case of installment sales and leases of personal property or services, the department of revenue, by regulation, may provide for the collection of taxes upon the installments of the purchase price, or amount of rental, as of the time the same fall due.

Sec. 32. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of ~~((the performance of personal business or professional))~~ services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of ~~((competitive))~~ telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the ~~((primary))~~ telephone or other instrument through which the ~~((competitive))~~ telephone service is rendered;

(6) 'City' means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) 'Taxable event' shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) 'Treasurer or other legal depository' shall mean the treasurer or legal depository of a county or city.

Sec. 33. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Railroad business' means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) 'Express business' means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.



(3) 'Railroad car business' means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) 'Water distribution business' means the business of operating a plant or system for the distribution of water for hire or sale.

(5) 'Light and power business' means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

(6) ~~((Telephone business' means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. Telephone business' does not include the providing of competitive telephone service, nor the providing of cable television service.~~

(7) 'Telegraph business' means the business of affording telegraphic communication for hire.

~~((8))~~ (7) 'Gas distribution business' means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

~~((9))~~ (8) 'Motor transportation business' means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That 'motor transportation business' shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((10))~~ (9) 'Urban transportation business' means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((11))~~ (10) 'Public service business' means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), and (9) ~~(and (10))~~ or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone businesses as defined in section 23 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf businesses.

~~((12))~~ (11) 'Tugboat business' means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((13))~~ (12) 'Gross income' means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

~~((14))~~ (13) The meaning attributed, in chapter 82.04 RCW, to the term 'tax year,' 'person,' 'value proceeding or accruing,' 'business,' 'engaging in business,' 'in this state,' 'within this state,' 'cash discount' and 'successor' shall apply equally in the provisions of this chapter.

~~((15)) Competitive telephone service' means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.)~~

Sec. 34. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; except that any city

with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 35. Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 36. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act.

Sec. 37. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act.

Sec. 38. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax))~~ section 23 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 23 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 39. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from toll telephone services subject to the fee or tax))~~ section 23 of this 1983 act, shall not impose the fee or tax on network telephone service, as defined in section 23 of this 1983 act, the rates for which are contained in tariffs filed with the federal communications commission.

Sec. 40. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ~~((telephone))~~ or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 23 of this 1983 act, except that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 41. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 23 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 42. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and two-tenths percent of the selling price: PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price: PROVIDED FURTHER, That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 23 of this 1983 act, in all counties in an amount equal to six and two-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 43. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Aircraft' means any weight-carrying device or structure for navigation of the air~~((:))~~ which is designed to be supported by the air~~((-but which is heavier than air))~~;

(2) 'Director' means the director of licensing; ~~((and))~~

(3) 'Person' includes a firm, partnership or corporation;

(4) 'Small multi-engine fixed wing' means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and

(5) 'Large multi-engine fixed wing' means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 44. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) The amount of the tax imposed by this chapter for each calendar year shall be ~~((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification: PROVIDED, That the calendar year))~~ as follows:

	<u>Registration</u>
<u>Type of aircraft</u>	<u>fee</u>
<u>Single engine fixed wing</u>	<u>\$ 50</u>
<u>Small multi-engine fixed wing</u>	<u>65</u>
<u>Large multi-engine fixed wing</u>	<u>80</u>
<u>Turboprop multi-engine fixed wing</u>	<u>100</u>
<u>Turbojet multi-engine fixed wing</u>	<u>125</u>
<u>Helicopter</u>	<u>75</u>
<u>Sailplane</u>	<u>20</u>
<u>Lighter than air</u>	<u>20</u>
<u>Home built</u>	<u>20</u>

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED ((FURTHER)), That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 45. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 43 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and two-tenths percent of the selling price~~((PROVIDED: That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price. PROVIDED FURTHER: That such tax shall be levied and collected on each retail sale of telephone services, as defined in section 23 of this 1983 act, in all counties in an amount equal to six and five-tenths percent of the selling price))~~.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 46. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 3 of this 1983 act and RCW 82.04.250 are each amended to read as follows:

Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of .484 percent~~((PROVIDED: That as to such persons making sales at retail in border counties as defined in RCW 82.04.... (section 3, chapter 7, Laws of 1983 as now or hereafter amended), the rate of such tax with respect to such sales in border counties shall be .581 percent. For the purposes of this section, where a retail sale occurs shall be determined under RCW 82.14.020))~~.

Sec. 47. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ~~((ten))~~ eighteen days in ~~((the month in which the tax is payable))~~ July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year ~~((which includes the month preceding the month in which such due date falls))~~.

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 48. Section 33, chapter 7, Laws of 1983 and RCW 82.32. .... 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.

Sec. 49. Section 7, chapter 98, Laws of 1980 as amended by section 7, chapter .... (SHB 233), Laws of 1983 and RCW 82.27.070 are each amended to read as follows:

All taxes collected by the department of revenue under this chapter shall be deposited in the state general fund ~~((except for the excise tax on anadromous game fish, which shall be deposited in the game fund))~~.

NEW SECTION, Sec. 50. There is added to chapter 82.01 RCW a new section to read as follows:

(1) Beginning in January, 1984, and in January of every even-numbered year thereafter, the department of revenue shall submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing shall include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or part of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program.

(2) The department of revenue shall prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

(3) The department of revenue shall present the listing to the ways and means committees of each house in public hearings.

(4) Beginning in January, 1984, and every four years thereafter, the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house shall hold public hearings and take appropriate action on the recommendations submitted by the governor.

(5) As used in this section, 'tax exemption' means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate.

**NEW SECTION.** Sec. 51. The following acts or parts of acts are each repealed:

(1) Section 31, chapter 35, Laws of 1982 1st ex. sess., section 1, chapter 14, Laws of 1982 2nd ex. sess., section 8, chapter 7, Laws of 1983 and RCW 82.02.030;

(2) Section 32, chapter 35, Laws of 1982 1st ex. sess. (unmodified);

(3) Section 3, chapter 9, Laws of 1983 and RCW 82.04....;

(4) Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess., section 1, chapter 324, Laws of 1977 ex. sess., section 2, chapter 35, Laws of 1982 1st ex. sess., section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; and

(5) Section 10, chapter 172, Laws of 1981 and RCW 82.04.265.

**NEW SECTION.** Sec. 52. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

**NEW SECTION.** Sec. 53. 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. 54. (1) This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect July 1, 1983, except that: (a) Sections 43 and 44 of this act shall take effect January 1, 1984; and (b) sections 45 and 46 of this act shall take effect as provided in subsection (2) of this section.

(2) Sections 45 and 46 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(a) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(b) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final."

Mr. Tanner spoke in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be the amendment by Representative Grimm to the title of the bill.

On motion of Mr. Grimm, the following amendments to the title amendment were adopted:

On page 48, line 31 of the title amendment following "82.32.045" strike all language through "84.33.071;" on line 33

On page 49 of the title amendment, line 15 after "82.48.030;" strike all material down through "82.04.250;" on line 19 and insert "amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901;" and on line 35 after "1983" insert ", section 46 of this 1983 act"

On page 49, line 24 of the title amendment after "82.27.070;" insert "amending section 82.08.050, chapter 15, Laws of 1961 as last amended by section 7, chapter 299, Laws of 1971 ex. sess. and RCW 82.08.050; amending section 82.08.120, chapter 15, Laws of 1961 as amended by section 51, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.120;"

On page 49, line 24 of the title amendment, after "82.27.070;" delete all material through "a new section" on line 26 and insert "amending section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080; adding a new section to chapter 82.01 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new chapter to Title 88 RCW; creating new sections; repealing section 9, chapter 7, Laws of 1983 and RCW 82.---,---; repealing section 10, chapter 7, Laws of 1983 and RCW 82.---,---; repealing section 11, chapter 7, Laws of 1983 and RCW 82.---,---; repealing section 12, chapter 7, Laws of 1983 and RCW 82.---,---; repealing section 13, chapter 7, Laws of 1983 and RCW 82.---,---; repealing section 14, chapter 7, Laws of 1983 and RCW 88.---,---; repealing section 15, chapter 7, Laws of 1983 and RCW 88.---,---; repealing section 16, chapter 7, Laws of 1983 and RCW 88.---,---; repealing section 17, chapter 7, Laws of 1983 and RCW 88.---,---; repealing section 18, chapter 7, Laws of 1983 and RCW 88.---,---; repealing

section 19, chapter 7, Laws of 1983 and RCW 88.--,---; repealing section 20, chapter 7, Laws of 1983 and RCW 88.--,---; repealing section 21, chapter 7, Laws of 1983 and RCW 88.--,---; repealing section 22, chapter 7, Laws of 1983 and RCW 88.--,---; repealing section 25, chapter 7, Laws of 1983 and RCW --,--,---; repealing section 26, chapter 7, Laws of 1983 (uncodified); repealing section 36, chapter 7, Laws of 1983 (uncodified);"

On page 49, line 26 of the title amendment after "creating" strike "a new section" and insert "new sections"

On page 49, line 35 of the title amendment, after "82.04.2901;" insert "prescribing penalties; making an appropriation;"

The title amendment as amended was adopted.

Substitute House Bill No. 52 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. Heck demanded an oral roll call vote and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 52, and the bill failed to pass the House by the following vote: Yeas, 35; nays, 60; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisher, Gallagher, Galloway, Grimm, Halsan, Haugen, Hine, Kaiser, King J, King R, Kreidler, Locke, McClure, McMullen, Monohon, Nelson D, Niemi, Powers, Pruitt, Sayan, Todd, Vekich, Walk, Wang, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brekke, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fisch, Fiske, Fuhrman, Garrett, Hankins, Hastings, Heck, Holland, Isaacson, Jacobsen, King P, Lewis, Long, Lux, Martinis, McDonald, Miller, Mitchell, Moon, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 60.

Excused: Representatives Bond, Johnson, Sutherland - 3.

Engrossed Substitute House Bill No. 52, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Heck, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 52 failed to pass the House.

#### 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 3:00 p.m., Tuesday, May 17, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-THIRD DAY

## AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, May 17, 1983

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 Representatives Bond, Kaiser, Sayan and Sutherland, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dolores Chiechi and Todd Buckley. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

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

## MESSAGE FROM THE SENATE

May 17, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 234,  
SUBSTITUTE HOUSE BILL NO. 251,  
HOUSE BILL NO. 1094,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## POINT OF PERSONAL PRIVILEGE

Mr. Broback: "Ya know des is a special day today. Ve've been here all night almost, end last night det Italian lawyer from Seattle amost stode de show. Those Italians you've got to watch dem, furst de got Columbus over here, but de only trouble vas det he vas going to put up a sign and say 'I got here furst, but he din't know how to spell it. Vell, I got yust a couple tings I vant to pass on here. Furst uv all, I got an avard here det I'm gonna give to de President av des club here and it say 'Official Snoose Award,' and it's de Uff Da Club, and goes to Vayne Ehlers, Speaker, and it says like diss: 'Know ye by des presents det Vayne Ehlers, Speaker, is hereby designated president end grand viking av de Uff Da Club, chapter located in des halls here. De President shall have de sole responsibility end privilege in maintaining discipline over all and any visitors in dese premises, including the checking de breath av any said visitors for signs of indulgence in brennevin, snoose and lutefiske.' Vell, it goes on here and it's signed vit an official signature by Oley Bull end Geral Fjord. Now I'm going have the Kueen of Camano Island Snoose Club, she's gonna present dis to de Speaker up der. One more ting, I got a special package here det de lobbyist sent up--der is a snoose lobbyist you know--end he vant dis to go to de Sepaker end said 'Dis is for de Speaker and is from de boys in de Tird House.'

"Ya, vell I got you on de horn, Mr. Talker, I gotta couple udder tings to tell ya. Ah, you know det Halsan vas coming out av de store vone day and he run into Nelson, end Nelson says 'Ver you ben?' and Halsan says 'Oh, I ben here shopping.' End Nelson says 'I see you got a bag der. Vat you got in it?' End Nelson says 'I bet you I can tell you vat you got en de bag.' Halsan says 'Nah, yu can't do det you ain't that smart.' 'Oh yea, I'm pretty smart, I lead de Republicans here, you know, you gotta stay von step ahead av dem all de time.' And he says, 'I bet you got a lutefiske in der.' and Halsan says, 'Yea, dets pretty smart.' And Nelson says, 'Ya, end I betcha I can tell how many you got en der.' 'Vell, I ain't any dingbat lawyer,' he says, 'you ain't gonna fool me.' and he says, 'You mean if you tell me how many I got en here I have to give you both av dem?' And Nelson says, 'Ya, ve're gonna play fair and skware,' and he says, 'I'm gonna tell you vat you got en de bag and you gonna give me, if I guess de right amount, you gonna give me vat

you got.' Halsan thought for a minute and he said, 'Vell, you gonna do it.' End he said, 'You got vive.' And Halsan said 'I got you det time, you missed it by two.'

#### MOTION

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-85, by Representatives Smitherman, G. Nelson, Hastings, Tilly, Isaacson, Halsan, Vekich, Broback, Haugen, D. Nelson, Sommers, Appelwick, Armstrong, Ristuben, Jacobsen and Brekke

WHEREAS, Syttende Mai, Norway's Independence Day, is celebrated on May 17; and

WHEREAS, Syttende Mai commemorates the signing of Norway's independence from Denmark in 1814, an event which has been paralleled to the signing of the United States' Declaration of Independence from England; and

WHEREAS, Over the years many persons emigrated from Norway to the United States, bringing portions of their rich culture and traditions to this country; and

WHEREAS, Norwegians have both assimilated into and enriched the American way of life; and

WHEREAS, Many persons of Norwegian ancestry who will celebrate Syttende Mai are residents of the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the House of Representatives join with the people of the State of Washington and the people of Norway in commemorating Norwegian Independence Day.

Mr. Smitherman moved adoption of the resolution. Representatives Smitherman, G. Nelson and Haugen spoke in favor of the resolution, and it was adopted.

#### MOTION

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

#### REPORTS OF STANDING COMMITTEES

May 16, 1983

HB 51 Prime Sponsor, Representative Grimm: Providing post-retirement adjustments for public retirement 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; Cantu, Ranking Minority Chair; Addison, Appelwick, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Sommers, Vice Chair; Bond, Braddock and McDonald.

On motion of Mr. Heck, the rules were suspended, and House Bill No. 51 was placed at the top of the second reading calendar.

May 16, 1983

ESSB 3226 Prime Sponsor, Committee on Ways & Means: Modifying provisions on retirement from public service. Reported by 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 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. 2. 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. 3. 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. 4. 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. 5. Section 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090 are each amended to read as follows:

Retirement of a member for service shall be made by the board as follows:

(1) Any member having five or more years of service and having attained the age of fifty years shall be eligible for a service retirement allowance and shall be retired upon his written request effective the first day following the date upon which the member is separated from service.

(2) Any member having five or more years of service, who terminates his employment with any employer, may leave his contributions in the fund. Any employee who so elects, upon attaining age fifty, shall be eligible to apply for and receive a service retirement allowance

based on his years of service, commencing on the first day following his attainment of age fifty. This section shall also apply to a person who rendered service as a law enforcement officer or fire fighter, as those terms are defined in RCW 41.26.030, on or after July 1, 1969, but who was not employed as a law enforcement officer or fire fighter on March 1, 1970, by reason of his having been elected to a public office. Any member selecting this optional vesting with less than twenty years of service shall not be covered by the provisions of RCW 41.26.150, and his survivors shall not be entitled to the benefits of RCW 41.26.160 unless his death occurs after he has attained the age of fifty years. Those members selecting this optional vesting with twenty or more years service shall not be covered by the provisions of RCW 41.26.150 until the attainment of the age of fifty years: PROVIDED, That a member selecting this option, with less than twenty years of service credit, who shall die prior to attaining the age of fifty years, shall have paid from the Washington law enforcement officers' and fire fighters' retirement fund, to such member's surviving spouse, if any, otherwise to such beneficiary as the member shall have designated in writing, or if no such designation has been made, to the personal representative of his estate, a lump sum which is equal to the amount of such member's accumulated contributions plus accrued interest: PROVIDED FURTHER, That if the vested member has twenty or more years of service credit the surviving spouse or children shall then become eligible for the benefits of RCW 41.26.160 regardless of his age at the time of his death, to the exclusion of the lump sum amount provided by this subsection.

~~((3)) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty and may not thereafter be employed as a law enforcement officer or fire fighter: PROVIDED, That for any member who is elected or appointed to the office of sheriff, chief of police, or fire chief, his election or appointment shall be considered as a waiver of the age sixty provision for retirement and nonemployment for whatever number of years remain in his present term of office and any succeeding periods for which he may be so elected or appointed: PROVIDED FURTHER, That the provisions of this subsection shall not apply to any member who is employed as a law enforcement officer or fire fighter on March 1, 1970:))~~

Sec. 6. Section 43.43.250, chapter 8, Laws of 1965 as last amended by section 26, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.250 are each amended to read as follows:

~~((1)) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty: PROVIDED, That the requirement to retire at age sixty shall not apply to a member serving as chief of the Washington state patrol:~~

~~((2)) Any member who has completed twenty-five years of credited service or has attained the age of fifty-five may apply to retire as provided in RCW 43.43.260, by completing and submitting an application form to the department, setting forth at what time the member desires to be retired.~~

Sec. 7. 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. 8. 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. 9. 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. 10. 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 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.

NEW SECTION. Sec. 11. There is added to chapter 41.40 RCW a new section to read as follows:

(1) A person who established service credit under chapter 41.44 RCW and who became a member of the retirement system governed by this chapter prior to the effective date of this act is:

(a) Entitled to transfer any service currently credited under chapter 41.44 RCW to service credit under this chapter as though it had been earned under this chapter; and

(b) Entitled to reestablish any service originally earned under chapter 41.44 RCW but which was destroyed by withdrawal under chapter 41.44 RCW upon payment of the amount withdrawn plus interest from the date of withdrawal until the date of restoration at a rate to be set by the director. The restoration shall be completed within one year of the effective date of this act or within one year of reemployment if not employed by an employer on the effective date of this act. Credit for the reestablished service shall be given as though earned in the system governed by this chapter.

(2) The department is authorized to recompute the benefit of any retiree in accordance with this section if the recomputation results in a larger benefit and shall pay the additional amount retroactively to the date of retirement.

(3) Persons affected by this section shall have the benefit provided by this section or the benefit provided by chapters 41.44 and 41.40 RCW as they existed prior to the effective date of this act, whichever is larger.

Sec. 12. 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 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Retirement system' means the 'Washington law enforcement officers' and fire fighters' retirement system' provided herein.

(2) (a) 'Employer' for persons who establish membership in the retirement system on or before September 30, 1977, means the legislative authority of any city, town, county or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter, any authorized association of such municipalities, and, except for the purposes of RCW 41.26.150, any labor guild, association, or organization, which represents the fire fighters or law enforcement officers of at least seven cities of over 20,000 population and the membership of each local lodge or division of which is composed of at least sixty percent law enforcement officers or fire fighters as defined in this chapter.

(b) 'Employer' for persons who establish membership in the retirement system on or after October 1, 1977, means the legislative authority of any city, town, county, or district or the elected officials of any municipal corporation that employs any law enforcement officer and/or fire fighter.

(3) 'Law enforcement officer' means any person who is serving on a full time, fully compensated basis as a county sheriff or deputy sheriff, including sheriffs or deputy sheriffs serving under a different title pursuant to a county charter, city police officer, or town marshal or deputy marshal, with the following qualifications:

(a) No person who is serving in a position that is basically clerical or secretarial in nature, and who is not commissioned shall be considered a law enforcement officer;

(b) Only those deputy sheriffs, including those serving under a different title pursuant to county charter, who have successfully completed a civil service examination for deputy sheriff or the equivalent position, where a different title is used, and those persons serving in unclassified positions authorized by RCW 41.14.070 except a private secretary will be considered law enforcement officers;

(c) Only such full time commissioned law enforcement personnel as have been appointed to offices, positions, or ranks in the police department which have been specifically created or otherwise expressly provided for and designated by city charter provision or by ordinance enacted by the legislative body of the city shall be considered city police officers; and

(d) The term 'law enforcement officer' also includes the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended) if such individual has five years previous membership in the retirement system established in chapter 41.20 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply.

(4) 'Fire fighter' means:

(a) any person who is serving on a full time, fully compensated basis as a member of a fire department of an employer and who is serving in a position which requires passing a civil service examination for fire fighter, or fireman if this title is used by the department, and who is actively employed as such;

(b) anyone who is actively employed as a full time fire fighter where the fire department does not have a civil service examination;

(c) supervisory fire fighter personnel;

(d) any full time executive secretary of an association of fire protection districts authorized under chapter 52.08 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(e) the executive secretary of a labor guild, association or organization (which is an employer under RCW 41.26.030(2) as now or hereafter amended), if such individual has five years previous membership in a retirement system established in chapter 41.16 or 41.18 RCW: PROVIDED, That for persons who establish membership in the retirement system on or after October 1, 1977, the provisions of this subparagraph shall not apply;

(f) any person who is serving on a full time, fully compensated basis for an employer, as a fire dispatcher, in a department in which, on March 1, 1970, a dispatcher was required to have passed a civil service examination for fireman or fire fighter; and

(g) any person who on March 1, 1970, was employed on a full time, fully compensated basis by an employer, and who on May 21, 1971 was making retirement contributions under the provisions of chapter 41.16 or 41.18 RCW.

(5) 'Retirement board' means the Washington public employees' retirement system board established in chapter 41.40 RCW, including two members of the retirement system and two employer representatives as provided for in RCW 41.26.050. The retirement board shall be called the Washington law enforcement officers' and fire fighters' retirement board and may enter in legal relationships in that name. Any legal relationships entered into in that name prior to the adoption of this 1972 amendatory act are hereby ratified.

(6) 'Surviving spouse' means the surviving widow or widower of a member. The word shall not include the divorced spouse of a member.

(7) 'Child' or 'children' whenever used in this chapter means every natural born child and stepchild where that relationship was in existence prior to the date benefits are payable under this chapter, posthumous child, child legally adopted or made a legal ward of a member prior to the date benefits are payable under this chapter, and illegitimate child legitimized prior to the date any benefits are payable under this chapter, all while unmarried, and either under the age of eighteen years or mentally or physically handicapped as determined by the retirement board except a handicapped person in the full time care of a state institution. A person shall also be deemed to be a child up to and including the age of twenty years and eleven months while attending any high school, college, or vocational or other educational institution accredited, licensed, or approved by the state, in which it is located, including the summer vacation months and all other normal and regular vacation periods at the particular educational institution after which the child returns to school.

(8) 'Member' means any fire fighter, law enforcement officer, or other person as would apply under subsections (3) or (4) of this section whose membership is transferred to the Washington law enforcement officers' and fire fighters' retirement system on or after March 1, 1970, and every law enforcement officer and fire fighter who is employed in that capacity on or after such date.

(9) 'Retirement fund' means the 'Washington law enforcement officers' and fire fighters' retirement system fund' as provided for herein.

(10) 'Employee' means any law enforcement officer or fire fighter as defined in subsections (3) and (4) above.

(11) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance, disability allowance, death benefit, or any other benefit described herein.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(12) (a) 'Final average salary' for persons who establish membership in the retirement system on or before September 30, 1977, means (i) for a member holding the same position or rank for a minimum of twelve months preceding the date of retirement, the basic salary

attached to such same position or rank at time of retirement; (ii) for any other member, including a civil service member who has not served a minimum of twelve months in the same position or rank preceding the date of retirement, the average of the greatest basic salaries payable to such member during any consecutive twenty-four month period within such member's last ten years of service for which service credit is allowed, computed by dividing the total basic salaries payable to such member during the selected twenty-four month period by twenty-four; (iii) in the case of disability of any member, the basic salary payable to such member at the time of disability retirement; (iv) in the case of a member who hereafter vests pursuant to RCW 41.26.090, the basic salary payable to such member at the time of vesting.

(b) 'Final average salary' for persons who establish membership in the retirement system on or after October 1, 1977, means the monthly average of the member's basic salary for the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized unpaid leaves of absence may not be used in the calculation of final average salary.

(13) (a) 'Basic salary' for persons who establish membership in the retirement system on or before September 30, 1977, means the basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages, upon which pension or retirement benefits will be computed and upon which employer contributions and salary deductions will be based.

(b) 'Basic salary' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b) and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That in any year in which a member serves in the legislature the member shall have the option of having such member's basic salary be the greater of:

(i) the basic salary the member would have received had such member not served in the legislature; or

(ii) such member's actual basic salary received for nonlegislative public employment and legislative service combined. Any additional contributions to the retirement system required because basic salary under subparagraph (i) of this subsection is greater than basic salary under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(14) (a) 'Service' for persons who establish membership in the retirement system on or before September 30, 1977, means all periods of employment for an employer as a fire fighter or law enforcement officer, for which compensation is paid, together with periods of suspension not exceeding thirty days in duration. For the purposes of this chapter service shall also include service in the armed forces of the United States as provided in RCW 41.26.190. Credit shall be allowed for all months of service rendered by a member from and after the member's initial commencement of employment as a fire fighter or law enforcement officer, during which the member worked for seventy or more hours, or was on disability leave or disability retirement. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. In addition to the foregoing, for members retiring after May 21, 1971 who were employed under the coverage of a prior pension act before March 1, 1970, 'service' shall include (i) such military service not exceeding five years as was creditable to the member as of March 1, 1970, under the member's particular prior pension act, and (ii) such other periods of service as were then creditable to a particular member under the provisions of RCW 41.18.165, 41.20.160 or 41.20.170. However, in no event shall credit be allowed for any service rendered prior to March 1, 1970, where the member at the time of rendition of such service was employed in a position covered by a prior pension act, unless such service, at the time credit is claimed therefor, is also creditable under the provisions of such prior act: PROVIDED, That if such member's prior service is not creditable due to the withdrawal of his contributions plus accrued interest thereon from a prior pension system, such member shall be credited with such prior service, as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to that which was withdrawn from the prior system by such member, as a law enforcement officer or fire fighter: PROVIDED FURTHER, That if such member's prior service is not creditable because, although employed in a position covered by a prior pension act, such member had not yet become a member of the pension system governed by such act, such member shall be credited with such prior service as a law enforcement officer or fire fighter, by paying to the Washington law enforcement officers' and fire fighters' retirement system, on or before March 1, 1975, an amount which is equal to the employer's contributions which would have been required under the prior act when such service was rendered if the member had been a member of such system during such period: AND PROVIDED FURTHER, That where a member is employed by two employers at the same

time, he shall only be credited with service to one such employer for any month during which he rendered such dual service.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which basic salary is earned for ninety or more hours per calendar month.

Members of the retirement system who are elected or appointed to a state elective position may elect to continue to be members of this retirement system.

Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

If a member receives basic salary from two or more employers during any calendar month, the individual shall receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

(15) 'Accumulated contributions' means the employee's contributions made by a member plus accrued interest credited thereon.

(16) 'Actuarial reserve' means a method of financing a pension or retirement plan wherein reserves are accumulated as the liabilities for benefit payments are incurred in order that sufficient funds will be available on the date of retirement of each member to pay the member's future benefits during the period of retirement.

(17) 'Actuarial valuation' means a mathematical determination of the financial condition of a retirement plan. It includes the computation of the present monetary value of benefits payable to present members, and the present monetary value of future employer and employee contributions, giving effect to mortality among active and retired members and also to the rates of disability, retirement, withdrawal from service, salary and interest earned on investments.

(18) 'Disability board' means either the county disability board or the city disability board established in RCW 41.26.110 for persons who establish membership in the retirement system on or before September 30, 1977.

(19) 'Disability leave' means the period of six months or any portion thereof during which a member is on leave at an allowance equal to the member's full salary prior to the commencement of disability retirement. The definition contained in this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(20) 'Disability retirement' for persons who establish membership in the retirement system on or before September 30, 1977, means the period following termination of a member's disability leave, during which the member is in receipt of a disability retirement allowance.

(21) 'Position' means the employment held at any particular time, which may or may not be the same as civil service rank.

(22) 'Medical services' for persons who establish membership in the retirement system on or before September 30, 1977, shall include the following as minimum services to be provided. Reasonable charges for these services shall be paid in accordance with RCW 41.26.150.

(a) Hospital expenses: These are the charges made by a hospital, in its own behalf, for

(i) Board and room not to exceed semiprivate room rate unless private room is required by the attending physician due to the condition of the patient.

(ii) Necessary hospital services, other than board and room, furnished by the hospital.

(b) Other medical expenses: The following charges are considered 'other medical expenses', provided that they have not been considered as 'hospital expenses':

(i) The fees of the following:

(A) A physician or surgeon licensed under the provisions of chapter 18.71 RCW;

(B) An osteopath licensed under the provisions of chapter 18.57 RCW;

(C) A chiropractor licensed under the provisions of chapter 18.25 RCW;

(D) A psychologist licensed under chapter 18.83 RCW.

(ii) The charges of a registered graduate nurse other than a nurse who ordinarily resides in the member's home, or is a member of the family of either the member or the member's spouse.

(iii) The charges for the following medical services and supplies:

(A) Drugs and medicines upon a physician's prescription;

(B) Diagnostic x-ray and laboratory examinations;

(C) X-ray, radium, and radioactive isotopes therapy;

(D) Anesthesia and oxygen;

(E) Rental of iron lung and other durable medical and surgical equipment;

(F) Artificial limbs and eyes, and casts, splints, and trusses;

(G) Professional ambulance service when used to transport the member to or from a hospital when he is injured by an accident or stricken by a disease;

(H) Dental charges incurred by a member who sustains an accidental injury to his teeth and who commences treatment by a legally licensed dentist within ninety days after the accident;

(I) Nursing home confinement or hospital extended care facility;

(J) Physical therapy by a registered physical therapist;



(K) Blood transfusions, including the cost of blood and blood plasma not replaced by voluntary donors;

(L) An optometrist licensed under the provisions of chapter 18.53 RCW.

(23) 'Regular interest' means such rate as the director may determine.

(24) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(25) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(26) 'Director' means the director of the department.

(27) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).

(28) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

NEW SECTION. Sec. 13. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Consolidated employer' means the new organizational element formed to perform some governmental function or service for two or more political subdivisions at least one of which is a first class city having its own retirement system. The new organization may be an element of county government or city government or of some other existing political subdivision, or it may be, or be a part of, a newly formed political subdivision.

(2) 'New hiree' means someone hired by the consolidated employer who:

(a) Was not employed by any of the combining elements or their political subdivisions at the time of consolidation; or

(b) Was employed by one of the combining elements or their political subdivisions but did not become an employee of the consolidated employer within one year of the date on which the consolidated employer became a legal entity.

NEW SECTION. Sec. 14. This chapter governs the retirement program for individuals whose employment status is altered when two or more political subdivisions enter into an agreement to provide for consolidation of a function of government, the function is to be performed either by one of the participating subdivisions or by a newly created subdivision, and the employees of the participating subdivisions are enrolled as members of more than one Washington public retirement system.

NEW SECTION. Sec. 15. All new hirees by the consolidated entity shall become members of the retirement system to which the consolidated employer belonged prior to the consolidation if the employer is a member of a retirement system. If the employer is not a member of a retirement system, the new hirees shall not have a retirement program until the employer joins a retirement system.

NEW SECTION. Sec. 16. If the consolidated employer was an employer-member of one of the state retirement systems prior to consolidation:

(1) The employees of the consolidated employer who were active members of a state retirement system prior to the consolidation shall continue to be members of that system.

(2) Employees who were members of a city public retirement system prior to the consolidation may exercise one of the following options:

(a) Remain an active member of the city public retirement system while employed by the consolidated employer; or

(b) Establish membership in the retirement system provided by chapter 41.40 RCW and either separate and withdraw from the city public system or, if eligible, separate and vest with the city system.

Only prospective periods of qualifying service with a Washington public retirement system may be established under this section.

NEW SECTION. Sec. 17. If the consolidated employer was an employer-member of a city public retirement system prior to the consolidation:

(1) The employees of the consolidated employer who were members of a city public retirement system prior to the consolidation shall continue to be members of that system.

(2) Employees of the consolidated employer who were members of the retirement system provided by chapter 41.40 RCW may exercise one of the following options:

(a) Remain an active member of the system provided by chapter 41.40 RCW; or

(b) Establish membership in the retirement system provided by the city public retirement system and either separate and withdraw from the system provided by chapter 41.40 RCW or, if eligible, separate and vest with that system.

Only prospective periods of qualifying service with a Washington public retirement system may be established under this section.

NEW SECTION. Sec. 18. The following general rules apply in consolidated situations under this chapter:

(1) If the consolidated employer is a member of a retirement system, all employees, otherwise eligible, shall be members of a retirement system.

(2) No employee may be an active member of more than one Washington public retirement system as a consequence of employment by the consolidated employer.

(3) Any person employed by the consolidated employer within one year of the date of activation of the consolidated entity shall be entitled to the options provided in sections 16 and 17 of this act if he or she was an active member of a Washington public retirement system at the time of employment by the consolidated entity.

(4) An employee who is not retired at the time of employment by the consolidated employer may not elect to retire from any Washington public retirement system until he or she has separated from service with the consolidated employer.

(5) No member of any retirement system may become entitled to any benefits or rights under any Washington public retirement system as a result of this chapter except such rights of membership as are covered in this chapter.

(6) This chapter shall be effective retroactive to December 31, 1981, and all time periods specified in this chapter shall run from the dates indicated or December 31, 1981, whichever is the later.

(7) Consolidated employers are required to comply with the laws and rules of any Washington public retirement system whose active members they employ.

(8) Entry into membership granted under this chapter does not constitute a waiver of any other law or rule of any Washington public retirement system including and not limited to eligibility standards for service credit or benefits.

NEW SECTION. Sec. 19. An employee electing under section 16(2)(a) or 17(2)(a) of this act shall have the right to change positions within the structure of the consolidated employer without affecting the employee retirement membership.

NEW SECTION. Sec. 20. It is not the purpose of this chapter to provide relief to any Washington public retirement system or its sponsors when consolidations result in financial injury to any such system. These issues are properly addressed in the negotiations between the interested parties when the consolidation is being planned and executed.

NEW SECTION. Sec. 21. This chapter does not apply to any consolidation which includes any members of retirement systems established by chapter 41.18, 41.20, or 41.26 RCW.

NEW SECTION. Sec. 22. Sections 13 through 21 of this act shall constitute a new chapter in Title 41 RCW.

NEW SECTION. Sec. 23. There is appropriated from the general fund to the public employees' retirement fund for the biennium ending June 30, 1985, the sum of two hundred ten thousand dollars, or so much thereof as may be necessary, for costs resulting from section 11 of this act.

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.

NEW SECTION. Sec. 25. 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 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 9, chapter 209, Laws of 1969 ex. sess. as last amended by section 22, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.090; amending section 43.43.250, chapter 8, Laws of 1965 as last amended by section 26, chapter 52, Laws of 1982 1st ex. sess. and RCW 43.43.250; 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 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 256, Laws of 1981 and RCW 41.26.030; adding a new section to chapter 41.40 RCW; adding a new chapter to Title 41 RCW; making an appropriation; and declaring an emergency."

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond, Braddock and McDonald.

Passed to Committee on Rules for second reading.

May 16, 1983

ESSB 3780 Prime Sponsor, Committee on Ways & Means: Modifying provisions relating to nursing homes. Reported by 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 177, Laws of 1980 and RCW 74.46.040 are each amended to read as follows:

(1) Not later than March 31, 1982, and each year thereafter, each contractor shall submit to the department an annual cost report, and such financial statements as are required by this chapter, for the period from January 1st through December 31st of the preceding year.

(2) Not later than one hundred twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.

(3) Two extensions of not more than thirty days each (~~after March 31st~~) may be granted by the department upon receipt of a written request setting forth the circumstances which prohibit the contractor from compliance with (~~such~~) a report due date; except, that the secretary shall establish the grounds for extension in rule and regulation. Such request must be received by the department at least ten days prior to the due date.

~~((3) Not later than one hundred and twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and such financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.))~~

Sec. 2. Section 6, chapter 177, Laws of 1980 and RCW 74.46.060 are each amended to read as follows:

(1) Cost reports shall be prepared in a standard manner and form, as determined (~~pursuant to RCW 74.46.070~~) by the department, which shall provide for financial statements, an itemized list of allowable costs, and a preliminary settlement report. Costs reported shall be determined in accordance with generally accepted accounting principles, the provisions of this chapter, and such additional rules and regulations as are established by the secretary.

(2) All financial statements of a contractor must be prepared in accordance with generally accepted accounting principles, (~~such additional regulatory requirements developed pursuant to RCW 74.46.070~~) the provisions of this chapter, and such additional rules and regulations as are established by the secretary.

(3) The records shall be maintained on the accrual method of accounting and agree with or be reconcilable to the cost report and the financial statements.

Sec. 3. Section 8, chapter 177, Laws of 1980 and RCW 74.46.080 are each amended to read as follows:

(1) All records supporting the required cost reports and financial statements, as well as trust funds established by RCW 74.46.700, shall be retained by the contractor for a period of four years following the filing of such reports at a location in the state of Washington specified by the contractor. The department may direct such records to be retained for a longer period if there remain unresolved questions on the cost reports and financial statements. All such records shall be made available upon demand to authorized representatives of the department, the office of the state auditor, and the United States department of health (~~education~~) and (~~welfare~~) human services.

(2) When a contract is terminated, all payments due will be withheld until accessibility and preservation of the records within the state of Washington are assured.

Sec. 4. Section 10, chapter 177, Laws of 1980 and RCW 74.46.100 are each amended to read as follows:

The principles inherent within (RCW 74.46.110 through 74.46.140) section 5 of this 1983 act and RCW 74.46.130 are:

(1) To ascertain, through (~~certified~~) department audit, that the costs for each year are accurately reported, thereby providing a valid basis for future rate determination;

(2) To ascertain, through (~~certified~~) department audits of the cost reports, that cost reports properly reflect the financial statements of the contractor, particularly as they pertain to related organizations and beneficial ownership, thereby providing a valid basis for the determination of return as specified by this chapter;

(3) To ascertain, through (~~the certified~~) department audit (~~and the oversight of the office of the state auditor~~); that compliance with the accounting and auditing provisions of this chapter and the rules and regulations of the department as they pertain to these accounting and auditing provisions is proper and consistent; and

(4) To ascertain, through (~~certified~~) department audits, that the responsibility of the contractor has been met in the maintenance of patient trust funds.

NEW SECTION. Sec. 5. There is added to chapter 74.46 RCW a new section to read as follows:

Cost reports, financial and statistical records, and patient trust accounts of contractors shall be field audited by the department, either by department staff or by auditors under contract to the department, in accordance with the provisions of this chapter. The department shall have the authority to accept or reject audits which fail to satisfy the requirements of this section or which are performed by auditors who violate any of the rules of this section. Department audits of the cost reports and patient trust accounts shall be conducted as follows:

(1) Each year the department will provide for field audit of the cost report, financial and statistical reports, and patient trust funds, as established by RCW 74.46.700, of all or a sample of reporting facilities selected by profiles of costs, exceptions, contract terminations, upon special requests or other factors determined by the department.

(2) Beginning with audits for calendar year 1983, up to one hundred percent of contractors cost reports and patient care trust fund accounts shall be audited: PROVIDED, That each contractor shall be audited at least once in every three-year period.

(3) Facilities shall be selected for sample audits within one hundred twenty days of submission of a correct and complete cost report, and shall be so informed of the department's intent to audit. Audits so scheduled shall be completed within one year of selection.

(4) Where an audit for a recent reporting or trust fund period discloses material discrepancies, undocumented costs or mishandling of patient trust funds, auditors may examine prior unaudited periods, for indication of similar material discrepancies, undocumented costs or mishandling of patient trust funds for not more than two reporting periods preceding the facility reporting period selected in the sample.

(5) The audit will result in a schedule summarizing appropriate adjustments to the contractor's cost report. These adjustments will include an explanation for the adjustment, the general ledger account or account group, and the dollar amount. Patient trust fund audits shall be reported separately and in accordance with RCW 74.46.700.

(6) Audits shall meet generally accepted auditing standards as promulgated by the American institute of certified public accountants and the standards for audit of governmental organizations, programs, activities and functions as published by the comptroller general of the United States. Audits shall be supervised or reviewed by a certified public accountant.

(7) No auditor under contract with or employed by the department to perform audits in accordance with the provisions of this chapter shall:

(a) Have had direct or indirect financial interest in the ownership, financing or operation of a nursing home in this state during the period covered by the audits;

(b) Acquire or commit to acquire any direct or indirect financial interest in the ownership, financing or operation of a nursing home in this state during said auditor's employment or contract with the department;

(c) Accept as a client any nursing home in this state during or within two years of termination of said auditor's contract or employment with the department.

(8) Audits shall be conducted by auditors who are otherwise independent as determined by the standards of independence established by the American institute of certified public accountants.

(9) All audit rules adopted after March 31, 1984, shall be published before the beginning of the cost report year to which they apply.

NEW SECTION. Sec. 6. There is added to chapter 74.46 RCW a new section to read as follows:

The office of the state auditor shall annually review the performance of the department to ensure that departmental audits are conducted in accordance with generally accepted accounting principles and auditing standards.

Sec. 7. Section 13, chapter 177, Laws of 1980 and RCW 74.46.130 are each amended to read as follows:

(1) For the requirements of ~~((RCW 74.46.120(1)))~~ section 5 of this 1983 act, the contractor shall be notified by the ~~((accountant))~~ department at least ten working days in advance of the engagement. Upon such notification, the contractor shall:

(a) Provide access to the facility, all records, and all working papers which are in support of the cost report, financial statements, and patient trust funds; and

(b) Prepare reconciliation of the cost report and financial statements with (i) applicable federal income and federal and state payroll tax returns and (ii) the records for the period covered by the cost report and financial statements.

~~(2) ((For the requirements of RCW 74.46.120(2), the contractor shall provide access to the facility and supply all records as required in subsection (1) of this section.))~~ To facilitate department audit, the owner or administrator of a facility shall designate and make available an individual or individuals to respond to questions and requests for information from auditors. The designated individual or individuals shall have sufficient knowledge of the issue or function to provide accurate information.

Sec. 8. Section 15, chapter 177, Laws of 1980 and RCW 74.46.150 are each amended to read as follows:

(1) For each cost center, payments to contractors shall not exceed the lower of prospective reimbursement rates or audited allowable costs, except as otherwise provided in this chapter.

(2) The settlement process shall consist of:

(a) The evaluation of the proposed preliminary settlement ~~((report))~~ by cost center contained within the cost report and preparation of the preliminary settlement report;

(b) The evaluation of the audit results, if an audit is conducted, including disallowed costs and preparation of the final settlement report; and

(c) The process of scheduling payment ((as to such)) of underpayments or overpayments determined by preliminary or final settlement.

~~((2) In:~~

~~(a) Rulings on questioned costs; or~~

~~(b) Interpretations resulting in payment of the whole or a portion of a disallowed cost; the department shall prepare and maintain such rulings and interpretations with full justification and explanation for the respective contractor and the appropriate standing committees of the legislature.)~~

Sec. 9. Section 16, chapter 177, Laws of 1980 and RCW 74.46.160 are each amended to read as follows:

(1) ((Upon)) Within one hundred twenty days after receipt of the proposed preliminary settlement ((report)), the department shall verify the accuracy of ((such report)) the proposal and shall issue a preliminary settlement report by cost center to the contractor which fully substantiates disallowed costs, refunds, underpayments, or adjustments to the proposed preliminary settlement.

(2) ((Within thirty days)) After ((receipt)) completion of the ((audited reports by the secretary)) audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations, the department will submit a ((proposed)) final settlement report by cost center to the contractor which ((rules on questioned costs and)) fully substantiates disallowed costs, refunds, underpayments, ((and/or)) or adjustments to the ((preliminary settlement)) contractor's financial statements and cost report. Where the contractor is pursuing judicial or administrative review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement to recover overpayments based on audit adjustments not in dispute.

Sec. 10. Section 17, chapter 177, Laws of 1980 and RCW 74.46.170 are each amended to read as follows:

(1) ((The settlement will become final)) A contractor shall have thirty days after the date the ((proposed)) preliminary or final settlement report is submitted to the contractor ((unless the contractor)) to contest((s the)) a settlement determination under RCW 74.46.780. ((In the event of such action, the contractor has thirty days after the date the proposed final settlement report has been submitted to notify the department of such contesting pursuant to the provisions of RCW 74.46.780.)) After the thirty-day period has expired, a preliminary or final settlement will not be subject to review.

(2) A preliminary settlement report as issued by the department will become the final settlement report if no audit has been scheduled within twelve calendar months following the department's issuance of a preliminary settlement report to the contractor.

(3) A settlement will be reopened if necessary to make adjustments for findings resulting from an audit performed pursuant to ((this chapter)) section 5(4) of this 1983 act.

Sec. 11. Section 18, chapter 177, Laws of 1980 and RCW 74.46.180 are each amended to read as follows:

(1) The state shall make payment of any underpayments within ((fifteen)) thirty days ((of)) after the date the preliminary or final settlement ((becomes final)) report is submitted to the contractor.

(2) ((The)) A contractor found to have received either overpayments ((and/or)) or erroneous payments under a preliminary or final settlement shall refund such payments to the state within thirty days ((of)) after the date the preliminary or final settlement ((becomes final)) report is submitted to the contractor, subject to the provisions of subsections (3), (4)((and (5))), and (7) of this section.

(3) Within the cost centers of nursing services and food, all savings resulting from the respective ((audited)) allowable costs being lower than the respective reimbursement rate paid to the contractor during the report period shall be refunded. In computing a preliminary or final settlement, savings in a cost center may be shifted to cover a deficit in another cost center up to the amount of any savings; PROVIDED, That not more than twenty percent of the rate in a cost center may be shifted into that cost center and no shifting may be made into the property cost center.

(4) Within the cost centers of administration and operations and property, the contractor shall retain at least fifty percent, but not more than seventy-five percent, of any savings resulting from the respective, audited, allowable costs being lower than the respective reimbursement rates paid to the contractor during the report period multiplied by the number of authorized medical care client days in which said rates were in effect. The secretary, by rule and regulation, shall establish the basis for the specific percentages of savings to the contractors. Such rules and regulations may provide for differences in the percentages allowed for each cost center to individual facilities based on performance measures related to administrative efficiency.

(5) All allowances provided by section 28 of this 1983 act and RCW 74.46.530 shall be retained by the contractor. Any industrial insurance dividend or premium discount under RCW 51.16.035 shall be retained by the contractor to the extent that such dividend or premium discount is attributable to the contractor's private patients.

(6) In the event the contractor fails to make repayment in the time provided in subsection (2) of this section, the department shall either:

(a) Deduct the amount of refund due plus assessment of interest, as determined by the secretary, from payment amounts due the contractor; or

(b) In the instance the contract has been terminated, (i) deduct the amount of refund due plus an assessment of interest, determined by the secretary, from any payments due; or (ii) assess the amount due plus interest, as determined by the secretary, on the amount due.

(7) Where the facility is pursuing timely-filed judicial or administrative remedies in good faith regarding settlement issues, the contractor need not refund nor shall the department ((shall not)) withhold from the facility current payment amounts the department claims to be due from the facility but which are specifically disputed by the contractor. If the judicial or administrative remedy sought by the facility is not granted after all appeals are exhausted or mutually terminated, the facility shall make payment of such amounts due plus interest accrued from the date of filing of the appeal, as payable on judgments, within sixty days of the date such decision is made.

Sec. 12. Section 19, chapter 177, Laws of 1980 and RCW 74.46.190 are each amended to read as follows:

(1) The substance of a transaction will prevail over its form.

(2) All documented costs which are ordinary, necessary, related to care of medical care recipients, and not expressly ~~((nonallowable))~~ unallowable, are to be allowable.

(3) Costs applicable to services, facilities, and supplies furnished to the provider by related organizations are allowable but at the cost to the related organization, provided they do not exceed the price of comparable services, facilities, or supplies that could be purchased elsewhere.

(4) Beginning July 1, 1986, the payment for property usage is to be independent of ownership structure and financing arrangements.

Sec. 13. Section 27, chapter 177, Laws of 1980 and RCW 74.46.270 are each amended to read as follows:

(1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs which represent allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) Such disclosure shall demonstrate that:

(a) The services involved are necessary and nonduplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) Such disclosure shall be made not later than September 30, 1980, for the following year and not later than September 30th for each year thereafter; except that a new contractor shall submit the first year's disclosure together with the submissions required by RCW 74.46.670. Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify that no change will be made in lieu of the disclosure required in subsection (1) of this section.

~~((3))~~ (4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter. ~~((Such approval shall include, but not be limited to, the assurance that:~~

~~(a) The services involved are necessary and nonduplicative; and~~

~~(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.~~

~~(4))~~ (5) An approved methodology may be revised or amended subject to approval as provided in ~~((subsection (3) of this section and))~~ rules and regulations adopted by the department.

NEW SECTION. Sec. 14. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall cease to be effective on the effective date of RCW 74.46.530.

(2) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(3) Interest paid to or for the benefit of a related organization will be allowed only to the extent the interest does not exceed the actual cost to the related organization of obtaining the use of funds in an arm's-length transaction.

(4) In computing allowable costs, interest income from the investment or lending of non-restricted funds shall be deducted from allowable expense.

(5) Interest income from the investment or lending of restricted funds shall not be deducted from allowable interest expense.

NEW SECTION. Sec. 15. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall cease to be effective on the effective date of RCW 74.46.510 and 74.46.530.

(2) Rental or lease costs of land, building or equipment under arm's-length operating leases or depreciation and interest costs of land, building or equipment under arm's-length leases to be capitalized according to generally accepted accounting principles shall be allowable, to the extent the cost is necessary, ordinary, and related to patient care.

Sec. 16. Section 31, chapter 177, Laws of 1980 and RCW 74.46.310 are each amended to read as follows:

The following costs shall be capitalized:

(1) Expenses for facilities or equipment with historical cost in excess of ~~((five))~~ seven hundred fifty dollars per unit and a useful life of more than one year from the date of purchase; and

(2) Expenses for equipment with historical cost of ~~((five))~~ seven hundred fifty dollars or less per unit if either:

(a) The item was acquired in a group purchase where the total cost exceeded ~~((five))~~ seven hundred fifty dollars; or

(b) The item was part of the initial stock of the facility.

(3) Dollar limits in this section may be adjusted for economic trends and conditions by the department as established by rule and regulation.

Sec. 17. Section 41, chapter 177, Laws of 1980 and RCW 74.46.410 are each amended to read as follows:

(1) Costs will be unallowable if they are not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of such items or services will be unallowable even if they are indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to recipients which are covered by the department's medical care program but not included in care services established by the department under this ~~((act))~~ chapter;

(c) Costs associated with a capital expenditure subject to section 1122 approval (part 100, Title 42 C.F.R.) if the department found it was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be unallowable up to the date they are determined to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

(e) Interest costs other than those provided by RCW 74.46.290 on and after the effective date of RCW 74.46.530;

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

(g) Costs in excess of limits or ~~((violating))~~ in violation of principles set forth in this chapter;

(h) Costs resulting from transactions or the application of accounting methods which circumvent the principles of the cost-related reimbursement system set forth in this chapter;

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

(j) Bad debts of non-Title XIX recipients. Bad debts of Title XIX recipients are allowable if the debt is related to covered services, it arises from the recipient's required contribution toward the cost of care, the provider can establish that reasonable collection efforts were made, the debt was actually uncollectible when claimed as worthless, and sound business judgment established that there was no likelihood of recovery at any time in the future;

(k) Charity and courtesy allowances;

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations;

(m) Vending machine expenses;

(n) Expenses for barber or beautician services not included in routine care;

(o) Funeral and burial expenses;

(p) Costs of gift shop operations and inventory;

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in patient activity programs;

(r) Fund-raising expenses, except those directly related to the patient activity program;

(s) Penalties and fines;

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;

(u) Federal, state, and other income taxes;

(v) Costs of special care services except where authorized by the department;

(w) Expenses of key-man insurance and other insurance or retirement plans not made available to all employees;

(x) Expenses of profit-sharing plans;

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;

(z) Personal expenses and allowances of owners or relatives;

(aa) All expenses of maintaining professional licenses or membership in professional organizations;

(bb) Costs related to agreements not to compete;

(cc) Amortization of goodwill;

(dd) Expenses related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;

(ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands;

(ff) Legal and consultant fees of a contractor or contractors in connection with a lawsuit against the department;

(gg) Lease acquisition costs and other intangibles not related to patient care;

(hh) All rental or lease costs other than those provided in RCW 74.46.300(~~and~~

~~(ii) All audit costs incurred pursuant to RCW 74.46.120(i)) on and after the effective date of RCW 74.46.510 and 74.46.530.~~

Sec. 18. Section 42, chapter 177, Laws of 1980 and RCW 74.46.420 are each amended to read as follows:

The following principles are inherent in RCW 74.46.430 through 74.46.590:

(1) Reimbursement rates will be set prospectively on a per patient day basis;

(2) Rates ~~((will be))~~ established ~~((not lower than the level which is reasonably expected to be))~~ in accordance with this chapter shall be reasonable and adequate to ~~((reimburse in full the actual allowable))~~ meet the costs ~~((of a facility which is))~~ that must be incurred by economically and efficiently operated ~~((and))~~ facilities to provide ~~((care))~~ services which meet ~~((s))~~ the needs of a medical care recipient in compliance with applicable standards; and

(3) The rates so established will ~~((take into account))~~ be adjusted for economic conditions and trends ~~((during))~~ in accordance with appropriations made by the legislature as consistent with federal requirements for the period to be covered by such rates.

Sec. 19. Section 43, chapter 177, Laws of 1980 and RCW 74.46.430 are each amended to read as follows:

(1) The department, as provided by this chapter, will determine prospective cost-related reimbursement rates for services provided to medical care recipients. Each rate so determined shall represent the contractor's maximum compensation within each cost center for each patient day for such medical care recipient.

(2) As required, the department may modify such maximum per patient day rates pursuant to the administrative review provisions of RCW 74.46.780.

(3) Until the effective date of RCW 74.46.510 and 74.46.530, the maximum prospective reimbursement rates for the administration and operations and the property cost centers shall be established based upon a minimum facility occupancy level of eighty-five percent.

(4) On and after the effective date of RCW 74.46.510 and 74.46.530, the maximum prospective reimbursement rates for the administration and operations and the property cost centers and the return on investment allowance shall be established based upon a minimum facility occupancy level of eighty-five percent.

Sec. 20. Section 45, chapter 177, Laws of 1980 and RCW 74.46.450 are each amended to read as follows:

(1) Prospective reimbursement rates for a new contractor will be established within sixty days following receipt by the department of the properly completed projected budget required by RCW 74.46.670. Such reimbursement rates will become effective as of the effective date of the contract and shall remain in effect until rates can be established under RCW 74.46.460 based on a contractor's cost report including at least six months of cost data.



(2) Such reimbursement rates will be based on the contractor's projected cost of operations ~~((through December 31st of the year the contract becomes effective,))~~ and on costs and payment rates of the prior contractor, if any, ~~((and/or))~~ or of other contractors in comparable circumstances.

(3) If a properly completed budget is not received at least sixty days prior to the effective date of the contract, the department will establish preliminary rates based on the other factors specified in subsection (2) of this section. These preliminary rates will remain in effect until a determination is made pursuant to RCW 74.46.460.

Sec. 21. Section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460 are each amended to read as follows:

(1) Each contractor's reimbursement rates will be determined prospectively at least once each calendar year, to be effective July 1st.

(2) Rates may be adjusted as determined by the department to take into account variations of more than ten percent in the distribution of patient classifications or changes in patient characteristics from the prior reporting year, program changes, changes in staffing levels at a facility required by the department, economic trends and conditions, and/or administrative review provided by RCW 74.46.780 and shall be adjusted for any capitalized additions or replacements made as a condition for licensure or certification.

(3) Where the contractor participated in the provisions of prospective cost-related reimbursement in effect prior to July 1, ~~((1984))~~ 1983, such contractor's prospective rate effective July 1, ~~((1984))~~ 1983, will be determined utilizing ~~((his reported))~~ the contractor's desk-reviewed allowable costs for calendar year ((1983)) 1982.

(4) All prospective reimbursement rates for ~~((1985))~~ 1984 and thereafter shall be determined utilizing the prior year's ~~((audited))~~ desk-reviewed cost reports.

Sec. 22. Section 47, chapter 177, Laws of 1980 and RCW 74.46.470 are each amended to read as follows:

A contractor's reimbursement rates for medical care recipients will be determined utilizing ~~((audited))~~ desk-reviewed cost report data within the following cost centers:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations; and
- (4) Property.

NEW SECTION. Sec. 23. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The department shall analyze the submitted cost report and financial statements of each contractor to determine if the information is correct, complete, and reported in conformance with generally accepted accounting principles, the requirements of this chapter and such rules and regulations as the secretary may adopt. If the analysis finds that the cost report or financial statements are incorrect or incomplete, the department may make adjustments to the reported information for purposes of establishing reimbursement rates. A schedule of such adjustments shall be provided to contractors and shall include an explanation for the adjustment and the dollar amount of the adjustment. Adjustments shall be subject to review and appeal as provided in this chapter.

(2) The department shall accumulate data from properly completed cost reports and financial statements for use in:

- (a) Exception profiling; and
- (b) Establishing rates.

(3) The department may further utilize such accumulated data for analytical, statistical, or informational purposes as necessary.

NEW SECTION. Sec. 24. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall apply for rate setting beginning July 1, 1983, and shall cease to be effective on the effective date of RCW 74.46.480.

(2) The nursing services cost center shall include all costs related to the direct provision of nursing and related care, including fringe benefits and payroll taxes for the nursing and related care personnel. The department shall adopt by administrative rule a definition of 'related care' which shall incorporate, but not exceed services reimbursable as of June 30, 1983.

(3) The department shall adopt by administrative rules a method for establishing a nursing services cost center rate consistent with the principles stated in this section.

(4) Utilizing regression or other statistical technique, the department shall determine a reasonable limit on facility nursing staff taking into account facility patient characteristics. For purposes of this section, facility nursing staff refers to registered nurses, licensed practical nurses and nursing assistants employed by the facility or obtained through temporary labor contract arrangements. In selecting a measure of patient characteristics, the department shall take into account:

- (a) The correlation between alternative measures and facility nursing staff; and

(b) The cost of collecting information for and computation of a measure.

If regression is used, the limit shall be set at predicted nursing staff plus 1.75 regression standard errors. If another statistical method is utilized, the limit shall be set at a level corresponding to 1.75 standard errors above predicted staffing computed according to a regression procedure.

(5) No facility shall receive reimbursement for nursing staff levels in excess of the limit, except that, if a facility was reimbursed for a nursing staff level in excess of the limit as of June 30, 1983, the facility may chose to continue to receive its June, 1983 nursing services rate plus any adjustments in rates, such as adjustments for economic trends, made available to all facilities. The reasonableness limit established pursuant to this subsection shall remain in effect for the period July 1, 1983 through June 30, 1985. At that time the department may revise the measure of patient characteristics or method used to establish the limit.

(6) The department shall select an index of cost increase relevant to the nursing and related services cost area. In the absence of a more representative index, the department shall use the medical care component index as maintained by the United States bureau of labor statistics.

(7) If a facility's nursing staff level is below the limit specified in subsection (4) of this section, the department shall determine the percentage increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the selected index for the same time period, the facility's reimbursement rate in the nursing services cost center shall equal the facility's cost from the most recent cost reporting period plus any allowance for inflation provided by legislative appropriation.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost area to a level reflecting the increase in the selected index.

(8) If the facility's nursing staff level exceeds the reasonableness limit established in subsection (4) of this section, the department shall determine the increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the index selected pursuant to subsection (6) of this section, the facility's reimbursement rate in the nursing cost center shall equal the facility's cost from the most recent cost reporting period adjusted downward to reflect the limit on nursing staff, plus any allowance for inflation provided by legislative appropriation subject to the provisions of subsection (5) of this section.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost center to a level reflecting the nursing staff limit and the cost increase limit, subject to the provisions of subsection (5) of this section, plus any allowance for inflation provided by legislative appropriation.

(9) The department is authorized to determine on a systematic basis facilities with unmet patient care service needs. The department may increase the nursing services cost center prospective rate for a facility beyond the level determined in accordance with subsection (7) of this section if the facility's actual and reported nursing staffing is one standard error or more below predicted staffing as determined according to the method selected pursuant to subsection (4) of this section and the facility has unmet patient care service needs: PROVIDED, That prospective rate increases authorized by this subsection shall be funded only from legislative appropriations made for this purpose and the increases shall be conditioned on specified improvements in patient care at such facilities.

(10) The department shall establish a method for identifying patients with exceptional care requirements and a method for establishing or negotiating on a consistent basis rates for such patients.

Sec. 1. Section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490 are each amended to read as follows:

(1) The food cost center shall include all costs for bulk and raw food and beverages purchased for the dietary needs of medical care recipients.

(2) The food cost reimbursement rate for each facility shall be computed as follows:

$$FR = (TFC/TPD) ((+15)), \text{ where}$$

FR = the facility food cost center reimbursement rate;

TFC = the total of all reporting facilities' food cost center costs; and

TPD = the total patient days for the prior year of all reporting facilities.

~~((3) Unless extended by law for an additional period of time, on and after July 1, 1986, the food cost reimbursement rate for each facility shall be computed as follows:~~

~~$$FR = (TFC/TPD), \text{ where}$$~~

~~FR = the facility food cost center reimbursement rate;~~
~~TFC = the total of all reporting facilities' food cost center costs; and~~
~~TPD = the total patient days for the prior year of all reporting facilities.))~~

Sec. 2. Section 50, chapter 177, Laws of 1980 and RCW 74.46.500 are each amended to read as follows:

(1) The administration and operations cost center shall include all items not included in the cost centers of nursing services, food, and property.

(2) The administration and operations cost center reimbursement rate for each facility shall be based on the computation in this subsection and shall not exceed the eighty-fifth percentile of (a) the rates of all reporting facilities derived from the computation below, or (b) reporting facilities grouped in accordance with subsection (3) of this section:

$$AR = TAC/TPD, \text{ where}$$

AR = the administration and operations cost center reimbursement rate for a facility;

TAC = the total costs of the administration and operations cost center (~~plus the retained savings from such cost center as provided in RCW 74.46.180 of a facility~~); and

TPD = the total patient days for a facility for the prior year.

(3) The secretary may group facilities based on factors which could reasonably influence cost requirements of this cost center, other than ownership or legal organization characteristics.

NEW SECTION. Sec. 3. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall be in effect from July 1, 1983 and shall cease to be effective on the effective date of RCW 74.46.510 and 74.46.530.

(2) The property cost center rate shall include costs of depreciation, interest for working capital and capital indebtedness, and leases.

(3) Total per patient day property cost center cost for each facility shall be determined by dividing the sum of the reported allowable prior period actual depreciation, interest and lease costs, subject to RCW 74.46.310 through 74.46.390, adjusted for any capitalized additions or replacements approved by the department, by the total patient days for the facility in the prior period. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the property cost center cost shall be adjusted to the anticipated patient day level.

(4) The department shall compute the net invested funds for each facility. In computing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in RCW 74.46.310 through 74.46.390, including owned and leased assets, shall be utilized, except that the capitalized cost of land upon which the facility is located and such other contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. In the case of leased facilities where the net invested funds are unknown or the contractor is unable to provide necessary information to determine net invested funds, the secretary shall have the authority to determine an amount for net invested funds based on an appraisal conducted according to RCW 74.46.360.

(5) The sum of net invested funds shall then be multiplied by .15. To this product shall be added allowable depreciation for both owned and leased assets computed according to the provisions of RCW 74.46.310 through 74.46.390. This amount shall be divided by prior period patient days, except that if a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period patient days shall be adjusted to the anticipated patient day level. The amount determined in this subsection shall be the maximum property cost center reimbursement for a facility, whether owner operated or leased.

(6) A facility shall receive as a property cost center reimbursement rate the lesser of allowable cost per patient day computed in accordance with subsection (3) of this section or the maximum reimbursement under subsection (5) of this section.

(7) In the case of a facility which was leased by the contractor as of January 1, 1983, in an arm's-length agreement, which continues to be leased under the same lease agreement, and for which the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, is more than the maximum reimbursement determined according to subsection (5) of this section, the following shall apply:

(a) Net asset value shall be recomputed substituting the fair market value of the assets as of January 1, 1983, as determined by the department of general administration through an appraisal procedure. This recomputed net asset value shall be substituted in the computation of net invested funds for the facility. A determination by the department of general administration of fair market value shall be final unless the procedure used to make such determination is shown to be arbitrary and capricious.

(b) The facility shall receive the lesser of allowable depreciation, interest and lease expense, or the maximum reimbursement computed according to subsection (5) of this section utilizing net invested funds determined according to subsection (7)(a) of this section.

(c) The appraisals required by subsection (7)(a) of this section shall be conducted as soon as practical after the effective date of this act. Until such time as the appraisal procedure has been completed, net asset values recomputed, and the maximum reimbursement rate established, the contractor shall receive as a property cost center reimbursement rate the contractor's property reimbursement rate as of June 30, 1983. At such time as the maximum reimbursement rate is determined and a rate according to subsection (7)(b) of this section can be established, the provider shall receive an adjustment in the property cost center rate retroactive to July 1, 1983.

(8) When a certificate of need is requested for a new facility or for an addition to an existing facility, the department shall establish a maximum reimbursable land, building construction, and equipment cost.

NEW SECTION. Sec. 4. There is added to chapter 74.46 RCW a new section to read as follows:

(1) This section shall apply for rate setting beginning July 1, 1983, and shall cease to be effective on June 30, 1986.

(2) The return on net invested equity for each facility shall be determined by utilizing medicare rules and regulations applied to the most recent available annual cost report, except that this return shall not exceed two dollars per patient day for any provider.

Sec. 5. Section 53, chapter 177, Laws of 1980 as amended by section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530 are each amended to read as follows:

(1) The department shall first establish a total state-wide return on investment pool for use in determining individual facility return on investment allowances.

(a) In establishing the total state-wide return on investment pool the department shall determine the sum of net invested funds as of the end of the most recent reporting period of all facilities participating in the medical care program.

(b) In computing the portion of net invested funds representing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and

methods referred to in RCW 74.46.330, 74.46.350, 74.46.360, and 74.46.370, including owned and leased assets, shall be utilized, except that the capitalized cost of land upon which the facility is located and such other contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. In the case of leased facilities where the net invested funds are unknown or the contractor is unable to provide necessary information to determine net invested funds, the secretary shall have the authority to determine an amount for net invested funds based on an appraisal conducted according to RCW 74.46.360(1).

(c) The sum of net invested funds shall then be multiplied by 1.4 times the average of the rates of interest on special issues of public debt obligations issued to the federal hospital insurance trust fund for the last completed calendar quarter prior to rate-setting to establish the total state-wide return on investment pool.

(2) The department shall establish for individual facilities return on investment allowances composed of two parts: A financing allowance and a variable return allowance.

(a) The financing allowance shall be determined by multiplying the net invested funds of each facility by 1.07 times the average of the rates of interest on special issues of public debt obligations issued to the federal hospital insurance trust fund for the last completed quarter prior to rate-setting, and dividing by the contractor's total patient days. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the financing and variable return allowances shall be adjusted to the anticipated patient day level.

(b) In determining the variable return allowance:

(i) The department will first rank all facilities in numerical order from highest to lowest according to their average per diem allowable costs for the sum of the administration and operations and property cost centers for the previous reimbursement period.

(ii) The department shall then compute the variable return allowance by multiplying the appropriate percentage amounts, which shall not be less than one percent and not greater than five percent, by the total prospective rate for each facility, as determined in RCW 74.46.450 through 74.46.510. The percentage amounts will be based on groupings of facilities according to the rankings as established in subparagraph (2)(b)(i) of this section. Those groups of facilities with lower per diem costs shall receive higher percentage amounts than those with higher per diem costs.

(iii) Such percentage amounts shall be calculated so that the variable return allowance plus the financing allowance times the total patient days for each facility, when summed for all facilities, shall be as close in amount to the total state-wide return on investment pool as is practical; except that, such percentage amounts for equivalent groups of facilities as determined in subparagraph (2)(b)(ii) of this section shall be no less than the percentage amounts as calculated pursuant to this subsection on July 1, 1984.

(c) The sum of the financing allowance and the variable return allowance shall be the return on investment for each facility, and shall be added to the prospective rates of each contractor as determined in RCW 74.46.450 through 74.46.510.

(d) In the case of a facility which was leased by the contractor as of January 1, 1980, in an arm's-length agreement, which continues to be leased under the same lease agreement, and for which the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center determined according to RCW 74.46.510, is more than the return on investment allowance determined according to RCW 74.46.530(2)(c), the following shall apply:

(i) The financing allowance shall be recomputed substituting the fair market value of the assets as of January 1, 1982, as determined by the department of general administration through an appraisal procedure, for the net book value of the assets in determining net invested funds for the facility. A determination by the department of general administration of fair market value shall be final unless the

procedure used to make such determination is shown to be arbitrary and capricious.

(ii) The sum of the financing allowance computed under subparagraph (2)(d)(i) of this section and the variable allowance shall be compared to the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, minus the property cost center rate determined according to RCW 74.46.510. The lesser of the two amounts shall be called the alternate return on investment allowance.

(iii) The return on investment allowance determined according to RCW 74.46.530(2)(c) or the alternate return on investment allowance, whichever is greater, shall be the return on investment allowance for the facility and shall be added to the prospective rates of the contractor as determined in RCW 74.46.450 through 74.46.510.

(3) In the event that the department of health, education and welfare disallows the application of the return on investment allowances to nonprofit facilities, the department shall modify the measurements of net invested funds used for computing both total state-wide return on investment pool and individual facility return on investment allowances as follows: Net invested funds for each nonprofit facility shall be multiplied by one minus the ratio of equity funds to the net invested funds of all nonprofit facilities.

(4) Each biennium, beginning in ~~((1984))~~ 1986, the secretary shall review the adequacy of return on investment allowances in relation to anticipated requirements for maintaining, reducing, or expanding nursing care capacity. The secretary shall report the results of such review to the legislature and make recommendations for adjustments in the return on investment rates utilized in this section, if appropriate.

Sec. 6. Section 55, chapter 177, Laws of 1980 and RCW 74.46.550 are each amended to read as follows:

~~((1))~~ The reimbursement rates shall not exceed the contractor's customary charges to the general public for comparable services.

~~((2) Rates shall not exceed the limits set forth in 42 CFR 450.30(b)(6).))~~

Sec. 7. Section 56, chapter 177, Laws of 1980 and RCW 74.46.560 are each amended to read as follows:

The department will notify each contractor in writing of its prospective reimbursement rates ~~((at least thirty days in advance of))~~ by the effective date of the rates. Unless otherwise specified at the time it is issued, the rate will be effective from the first day of the month in which it is issued until a new rate becomes effective. If a rate is changed as the result of an appeal in accordance with RCW 74.46.780, it will be effective as of the date the appealed rate became effective.

Sec. 8. Section 57, chapter 177, Laws of 1980 and RCW 74.46.570 are each amended to read as follows:

(1) Prospective rates are subject to adjustment by the department as a result of errors or omissions by the department or by the contractor. The department will notify the contractor in writing of each adjustment and of ~~((its))~~ the effective date of the adjustment, and of any amount due to the department or to the contractor as a result of the rate adjustment.

(2) If a contractor claims an error or omission based upon incorrect cost reporting, amended cost report pages shall be prepared and submitted by the contractor. Amended pages shall be accompanied by a certification signed by the licensed administrator of the nursing facility and a written justification explaining why the amendment is necessary. The certification and justification shall meet such criteria as are adopted by the department. Such amendments may be used to revise a prospective rate but shall not be used to revise a settlement if submitted after commencement of the field audit. All changes determined to be material by the department shall be subject to field audit. If changes are found to be incorrect or otherwise unacceptable, any rate adjustment based thereon shall be null and void and resulting payments or payment increases shall be subject to refund.

(3) The contractor shall pay an amount ~~((it owes))~~ owed the department resulting from an error or omission, or commence repayment in accordance with a

schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set forth in RCW 74.46.780. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

~~((3))~~ (4) The department shall pay any amount ~~((it owes))~~ owed the contractor as a result of a rate adjustment within thirty days after ~~((it notifies))~~ the contractor is notified of the rate adjustment.

~~((4))~~ (5) No adjustments will be made to a rate more than one hundred twenty days after the final ~~((settlement))~~ audit narrative and summary for the period the rate was effective is sent to the contractor or, if no audit is held, more than one hundred twenty days after the preliminary settlement becomes the final settlement, except when a settlement is reopened as provided in RCW 74.46.170~~((2))~~(3).

Sec. 9. Section 58, chapter 177, Laws of 1980 and RCW 74.46.580 are each amended to read as follows:

The department shall provide all interested members of the public with an opportunity to review and comment on the proposed rate-setting factors, indices, measures, and guidelines ~~((not later than May 15th of each year prior to their being used to set rates)),~~ consistent with federal requirements.

Sec. 10. Section 61, chapter 177, Laws of 1980 and RCW 74.46.610 are each amended to read as follows:

(1) A contractor shall bill the department each month by completing and returning a facility billing statement as provided by the department which shall include, but not be limited to:

- (a) Billing by cost center;
- (b) Total patient days; and
- (c) Patient days for medical care recipients.

The statement shall be completed and filed in accordance with rules and regulations established by the secretary.

(2) A ~~((contractor))~~ facility shall not bill the department for service provided to a recipient until an award letter of eligibility of such recipient ~~((pursuant to))~~ under rules ~~((and regulations))~~ established ~~((according to the provisions of))~~ under chapter 74.09 RCW has been received by the ~~((contractor except that, a contractor))~~ facility. However a facility may bill and shall be reimbursed for all medical care recipients referred to the ~~((contractor's))~~ facility by the department prior to the receipt of the award letter of eligibility or the denial of such eligibility. ~~((At that time it may bill for service provided back through the date the recipient was admitted or became eligible.))~~

- (3) Billing shall cover the patient days of care.

Sec. 11. Section 64, chapter 177, Laws of 1980 and RCW 74.46.640 are each amended to read as follows:

(1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extension. Payments will be released as soon as a properly completed report is received;

(b) State auditors, department auditors, or authorized personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided;

(c) A refund in connection with ~~((an annual))~~ a settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund; and

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is provided to the contractor, stating the reason therefor.

Sec. 12. Section 67, chapter 177, Laws of 1980 and RCW 74.46.670 are each amended to read as follows:

(1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective.

(2) The projected budget shall cover the ~~((period to December 31st))~~ contractor's first twelve months of operation from the date the contractor will enter the program. It shall be prepared on forms and in accordance with rules and regulations established by the secretary.

Sec. 13. Section 69, chapter 177, Laws of 1980 and RCW 74.46.690 are each amended to read as follows:

(1) When a facility contract is terminated for any reason, the old contractor shall submit final reports as required by RCW 74.46.040. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final ~~((audited))~~ cost report, an audit has been completed by the department, and final settlement has been determined, such settlement not to exceed ~~((sixty))~~ ninety days following ~~((submittal of the final audited cost report))~~ completion of the audit process.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with RCW 74.46.170, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.

(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a bonding company acceptable to the department is filed by the contractor. The bond shall:

(a) Be in an amount equal to the released payment;

(b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;

(c) Provide that the full amount of the bond shall be paid to the department if a properly completed final audited cost report is not filed in accordance with this chapter, or if financial records supporting this record are not preserved and made available to the auditor; and

(d) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver services to another classification of medical care recipients at the same facility, the contractor is not required to submit final cost reports, and payment for the final thirty days will not be withheld.

Sec. 14. Section 71, chapter 177, Laws of 1980 and RCW 74.46.710 are each amended to read as follows:

(1) The contractor shall maintain a subsidiary ledger with an account for each recipient for whom the contractor has money in trust.

(2) Each account and related supporting records shall:

(a) Be kept current;

(b) Be balanced each month; and

(c) Show in detail, with supporting verification, all moneys received on behalf of the recipient and the disposition of all moneys so received.

(3) Records of each account shall be available for audit pursuant to ~~((RCW 74.46.140))~~ section 5 of this 1983 act and shall be retained for a minimum of four years. When an account has attained the maximum limit established by rules and regulations promulgated by the secretary, the contractor will notify the department within five days.

(4) Any charge for medical services otherwise properly made to a recipient's trust account must be supported by a written denial of such services from the department.

Sec. 15. Section 72, chapter 177, Laws of 1980 and RCW 74.46.720 are each amended to read as follows:



(1) The contractor may maintain a petty cash fund originating from trust moneys of an amount determined by the department which shall be reasonable and necessary for the size of a facility and the needs of the recipients.

(2) Such petty cash fund shall be maintained as an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact, within twenty-four hours, in a trust fund checking account, separate and apart from any other bank account or accounts of the facility or other facilities.

(3) Cash deposits of recipient allowances from any source must be made intact to the trust account within one week from the time that payment of such allowances are received.

(4) Any related bankbooks, bank statements, checkbook, check register, and all voided and canceled checks, shall be made available for audit pursuant to ~~(RCW 74.46.140)~~ section 5 of this 1983 act and shall be retained by the facility for not less than four years.

(5) No service charges for such checking account shall be paid from recipient trust moneys.

(6) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

Sec. 16. Section 77, chapter 177, Laws of 1980 and RCW 74.46.770 are each amended to read as follows:

~~((1))~~ (1) If a contractor wishes to contest the way in which a rule or contract provision relating to the prospective cost-related reimbursement system was applied to the contractor by the department, it shall first pursue the administrative review process set forth in RCW 74.46.780.

(2) The administrative review and fair hearing process in RCW 74.46.780 need not be exhausted if a contractor wishes to challenge the legal validity of a statute, rule, or contract provision.

Sec. 17. Section 78, chapter 177, Laws of 1980 and RCW 74.46.780 are each amended to read as follows:

(1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, the contractor shall request in writing that the secretary review such determination. The request shall be signed by the contractor or the licensed administrator of the facility, shall identify the challenged determination and the date thereof, and shall state as specifically as practicable the grounds for its contention that the determination was erroneous. Copies of any documentation on which the contractor intends to rely to support its position shall be included with the request.

(2) After receiving a request meeting the above criteria, the secretary or his designee will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than ~~((thirty))~~ ninety days after a properly completed request is received unless both parties agree in writing to a specified later date.

(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate. The contractor shall ~~((bring to the conference, or))~~ provide to the department in advance of the conference, any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) A written decision by the secretary will be furnished to the contractor within ~~((thirty))~~ sixty days after the conclusion of the conference. ~~((The secretary shall prepare such decision for the fiscal and other appropriate standing committees of the legislature.))~~

(5) If the contractor desires review of an adverse decision of the secretary, it shall within thirty days following receipt of such decision request a fair hearing in writing in accordance with the provisions of chapter 34.04 RCW. A request for fair hearing shall satisfy the criteria for a review request as set forth in subsection (1) of this section.

Sec. 18. Section 82, chapter 177, Laws of 1980 and RCW 74.46.820 are each amended to read as follows:

(1) Cost reports and their final audit reports (~~(with any accompanying schedule of questioned costs submitted to the secretary)~~) shall be subject to public disclosure pursuant to the requirements of chapter 42.17 RCW. Notwithstanding any other provision of law, financial statements and any accompanying schedules summarizing the adjustments to a contractor's financial records, reports on review of internal control and accounting procedures, and letters of comments or recommendations relating to suggested improvements in internal control or accounting procedures which are prepared pursuant to the requirements of this chapter shall be exempt from public disclosure.

(2) Regardless of whether any document or report submitted to the secretary pursuant to this chapter is subject to public disclosure, copies of such documents or reports shall be provided by the secretary, upon written request, to the legislature and to state agencies or state or local law enforcement officials who have an official interest in the contents thereof.

Sec. 19. Section 92, chapter 177, Laws of 1980 and RCW 74.46.840 are each amended to read as follows:

If any part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found by an agency of the federal government to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is hereby declared inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 in its application to the agencies concerned. In the event that any portion of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found to be in conflict with federal requirements which are a prescribed condition to the receipt of federal funds, the secretary, to the extent that the secretary finds it to be consistent with the general policies and intent of ~~((this))~~ chapters 18.51, 74.09, and 74.46 RCW, may adopt such rules as to resolve a specific conflict and which do meet minimum federal requirements. In addition, the secretary shall submit to the next regular session of the legislature a summary of the specific rule changes made and recommendations for statutory resolution of the conflict.

NEW SECTION. Sec. 20. There is added to chapter 74.46 RCW a new section to read as follows:

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Sec. 21. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120 are each amended to read as follows:

The department shall purchase necessary physician and dentist services by contract or 'fee for service.' The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital. The department shall purchase nursing home care by contract. The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which ~~((comply with RCW 74.09.610. The regulations))~~ shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.

All other services and supplies provided under the program shall be secured by contract.

The department may purchase care in institutions for the mentally retarded, also known as intermediate care facilities for the mentally retarded. The department shall ~~((develop))~~ establish rules for reasonable accounting and reimbursement systems for such care ~~((and report such rules to the next regular session of the legislature for review prior to implementation))~~. Institutions for the mentally retarded include licensed nursing homes, public institutions, licensed boarding homes with fifteen beds or less, and hospital facilities certified as intermediate care facilities for the mentally retarded under the federal medicaid program to provide health, habilitative, or rehabilitative services and twenty-four hour supervision for mentally retarded individuals or persons with related conditions and includes in the program 'active treatment' as federally defined.

Sec. 22. Section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145 are each amended to read as follows:

Inspections of nursing homes by local authorities shall be consistent with the requirements of chapter 19.27 RCW, the state building code. Findings of a serious nature shall be coordinated with the department and the state fire marshal for determination of appropriate actions to ensure a safe environment for nursing home residents. The state fire marshal shall have exclusive authority to determine appropriate corrective action under this section.

NEW SECTION. Sec. 23. (1) In administering the nursing home payment system under chapter 74.09 RCW, the department of social and health services shall calculate preliminary settlements for the 1978 and 1979 cost reporting periods. The preliminary settlements shall be computed by comparing the rates paid to a contractor with that contractor's reported or audited allowable costs, as available. For 1978 reporting periods, the department shall on preliminary settlements permit providers the option of: (a) Retaining cost savings in the administration and operations and property cost centers as computed according to department regulations in effect for 1978; or (b) receiving a return on owner's net invested equity as computed according to procedures established by the department. For 1979 reporting periods, pending final disposition of litigation concerning retention of cost savings in the administration and operations and property cost centers for June 1979, the department shall not recover such cost savings for the calendar year.

(2) Contractors shall make repayment of overpayments identified through this process within thirty days of receipt of written notice from the department of the amount of overpayments.

(3) Where deemed appropriate by the department, repayment of overpayments may be made according to a schedule determined by the department.

(4) Failure on the part of a nursing home contractor to tender payment due in full within thirty days after notice is received from the department shall render the contractor liable for the payment of interest to the department at the rate of one percent per month for any unpaid balance from thirty days after the date of notification until payment in full is received by the department. Liability for interest payments under this subsection shall remain in effect whether a contractor is in default of repayment or is making repayment according to a schedule determined by the department in lieu of payment in full upon notification of payment due.

(5) Unless payment due from a nursing home contractor is received in full within thirty days after notification from the department or unless principal and interest payments are received according to a schedule determined by the department, recoupment from current reimbursement payments due a contractor in default will commence according to a schedule determined by the department.

(6) Interest expense incurred by a contractor in making repayment of overpayments for 1978 and 1979 reporting periods shall not be reimbursable by the state as an allowable cost.

(7) Nothing in this section prejudices the rights of contractors or the department regarding audit adjustments or revised settlements which may be promulgated by the department from time to time in individual contractor cases.

NEW SECTION. Sec. 24. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550;
- (2) Section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560;
- (3) Section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570;

(4) Section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580;

(5) Section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610;

(6) Section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620;

(7) Section 11, chapter 177, Laws of 1980 and RCW 74.46.110;

(8) Section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120;

(9) Section 14, chapter 177, Laws of 1980 and RCW 74.46.140;

(10) Section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810;

(11) Section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; and

(12) Section 84, chapter 177, Laws of 1980.

Sec. 25. Section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901 are each amended to read as follows:

(1) Sections 2, 7, 83, 85, 86, and 91 of chapter 177, Laws of 1980 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 on April 4, 1980.

(2) Section 27 of chapter 177, Laws of 1980 shall take effect on July 1, 1980.

(3) ~~((Sections 3, 4, 5, 6, 8, 9, 11, and 12 of chapter 177, Laws of 1980 shall take effect on July 1, 1983.~~

~~(4) All other sections of chapter 177, Laws of 1980 shall take effect on July 1, 1984.)~~ RCW 74.46.300, 74.46.400, 74.46.480, 74.46.510 and 74.46.530 shall take effect on July 1, 1986.

(4) All other sections of chapter 177, Laws of 1980, except those which took effect before July 1, 1983, shall take effect on July 1, 1983, which shall be 'the effective date of this act' where that term is used in chapter 177, Laws of 1980.

NEW SECTION. Sec. 26. 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 with the exception of section 29 of this act, shall take effect on July 1, 1983."

On page 1, line 1 of the title, after "homes;" strike the remainder of the title and insert "amending section 4, chapter 177, Laws of 1980 and RCW 74.46.040; amending section 6, chapter 177, Laws of 1980 and RCW 74.46.060; amending section 8, chapter 177, Laws of 1980 and RCW 74.46.080; amending section 10, chapter 177, Laws of 1980 and RCW 74.46.100; amending section 13, chapter 177, Laws of 1980 and RCW 74.46.130; amending section 15, chapter 177, Laws of 1980 and RCW 74.46.150; amending section 16, chapter 177, Laws of 1980 and RCW 74.46.160; amending section 17, chapter 177, Laws of 1980 and RCW 74.46.170; amending section 18, chapter 177, Laws of 1980 and RCW 74.46.180; amending section 19, chapter 177, Laws of 1980 and RCW 74.46.190; amending section 27, chapter 177, Laws of 1980 and RCW 74.46.270; amending section 31, chapter 177, Laws of 1980 and RCW 74.46.310; amending section 41, chapter 177, Laws of 1980 and RCW 74.46.410; amending section 42, chapter 177, Laws of 1980 and RCW 74.46.420; amending section 43, chapter 177, Laws of 1980 and RCW 74.46.430; amending section 45, chapter 177, Laws of 1980 and RCW 74.46.450; amending section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460; amending section 47, chapter 177, Laws of 1980 and RCW 74.46.470; amending section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490; amending section 50, chapter 177, Laws of 1980 and RCW 74.46.500; amending section 53, chapter 177, Laws of 1980 as amended by section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530; amending section 55, chapter 177, Laws of 1980 and RCW 74.46.550; amending section 56, chapter 177, Laws of 1980 and RCW 74.46.560; amending section 57, chapter 177, Laws of 1980 and RCW 74.46.570; amending section 58, chapter 177, Laws of 1980 and RCW 74.46.580; amending section 61, chapter 177, Laws of 1980 and RCW 74.46.610; amending section 64, chapter 177, Laws of 1980

and RCW 74.46.640; amending section 67, chapter 177, Laws of 1980 and RCW 74.46.670; amending section 69, chapter 177, Laws of 1980 and RCW 74.46.690; amending section 71, chapter 177, Laws of 1980 and RCW 74.46.710; amending section 72, chapter 177, Laws of 1980 and RCW 74.46.720; amending section 77, chapter 177, Laws of 1980 and RCW 74.46.770; amending section 78, chapter 177, Laws of 1980 and RCW 74.46.780; amending section 82, chapter 177, Laws of 1980 and RCW 74.46.820; amending section 92, chapter 177, Laws of 1980 and RCW 74.46.840; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120; amending section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145; amending section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901; adding new sections to chapter 74.46 RCW; creating a new section; repealing section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550; repealing section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560; repealing section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570; repealing section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580; repealing section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610; repealing section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620; repealing section 11, chapter 177, Laws of 1980 and RCW 74.46.110; repealing section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120; repealing section 14, chapter 177, Laws of 1980 and RCW 74.46.140; repealing section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810; repealing section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; repealing section 84, chapter 177, Laws of 1980; providing an effective date; providing expiration dates; and declaring an emergency."

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, Ranking Minority Chair; Fiske, Hastings, G. Nelson, Struthers, Taylor and Tilly.

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

Absent: Representatives Bond and McDonald.

Passed to Committee on Rules for second reading.

#### SENATE AMENDMENTS TO HOUSE BILL

May 11, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 235 with the following amendments:

Strike everything after the enacting clause, and insert the following:

NEW SECTION. Sec. 1. The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Rural arterial program' means improvement projects on those two systems of county roads in rural areas classified as major collectors and minor collectors in accordance with the federal functional classification system.

(2) 'Rural area' means every area of the state outside of areas designated as urban areas by the state transportation commission with the approval of the secretary of the United States department of transportation in accordance with federal law.

(3) 'Board' means the county road administration board created by RCW 36.78.030.

NEW SECTION. Sec. 2. There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for the construction and improvement of county major and minor collectors in rural areas and for those expenses of the board associated with the administration of the rural arterial program.

NEW SECTION. Sec. 3. For the purpose of apportioning rural arterial trust account funds, the state is divided into five regions as follows:

(1) The Puget Sound region includes those areas within the counties of King, Pierce, and Snohomish.

(2) The northwest region includes those areas within the counties of Clallam, Jefferson, Island, Kitsap, San Juan, Skagit, and Whatcom.

(3) The northeast region includes those areas within the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman.

(4) The southeast region includes those areas within the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima.

(5) The southwest region includes those areas within the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum.

NEW SECTION. Sec. 4. Funds available for expenditure by the board pursuant to section 2 of this act shall be apportioned to the five regions for expenditure upon county arterials in rural areas in the following manner:

(1) One-third in the ratio which the land area of the rural areas of each region bears to the total land area of all rural areas of the state;

(2) Two-thirds in the ratio which the mileage of county major and minor collectors in rural areas of each region bears to the total mileage of county major and minor collectors in all rural areas of the state.

The board shall adjust the schedule for apportionment of such funds to the five regions in the manner provided in this section before the commencement of each fiscal biennium.

NEW SECTION. Sec. 5. At the beginning of each fiscal biennium, the board shall establish apportionment percentages for the five regions defined in section 3 of this act in the manner prescribed in section 4 of this act for that biennium. The apportionment percentages shall be used once each calendar quarter by the board to apportion funds credited to the rural arterial trust account that are available for expenditure for rural major and minor collector projects. The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules of the board. Within each region, funds shall be allocated by the board to counties for the construction of specific rural arterial projects on major and minor collectors in accordance with the procedures set forth in this chapter.

NEW SECTION. Sec. 6. The board shall:

(1) Adopt rules necessary to implement the provisions of this chapter relating to the allocation of funds in the rural arterial trust account to counties;

(2) Adopt reasonably uniform design standards for county major and minor collectors that meet the requirements for trucks transporting commodities;

(3) Report biennially on the first day of November of the even-numbered years to the legislative transportation committee and the house and senate transportation committees regarding the progress of counties in developing plans for their rural major and minor collector construction programs and the allocation of rural arterial trust funds to the counties.

NEW SECTION. Sec. 7. The board may contract with the department of transportation to furnish any necessary staff services and facilities required in the administration of the rural arterial program. The cost of such services that are attributable to the rural arterial program, together with travel expenses in accordance with RCW 43.03.050 and 43.03.060 of the members and all other lawful expenses of the board that are attributable to the rural arterial program, shall be paid from the rural arterial trust account in the motor vehicle fund.

NEW SECTION. Sec. 8. In preparing their respective six-year programs relating to rural arterial improvements, counties shall select specific priority improvement projects for each functional class of arterial based on the rating of each arterial section proposed to be improved in relation to other arterial sections within the same functional class, taking into account the following:

(1) Its structural ability to carry loads imposed upon it;

(2) Its capacity to move traffic at reasonable speeds;

(3) Its adequacy of alignment and related geometrics;

(4) Its accident experience; and

(5) Its fatal accident experience.

The six-year construction programs shall remain flexible and subject to annual revision as provided in RCW 36.81.121.

NEW SECTION. Sec. 9. Whenever a rural arterial enters a city or town, the proper city or town and county officials shall jointly plan the improvement of the arterial in their respective long-range plans. Whenever a rural arterial connects with and will be substantially affected by a programmed construction project on a state highway, the proper county officials shall jointly plan the development of such arterial with the department of transportation district administrator. The board shall adopt rules encouraging the system development of county-city arterials in rural areas and rural arterials with state highways.

NEW SECTION. Sec. 10. Upon receipt of a county's revised six-year program, the board as soon as practicable shall review and may revise the construction program as it relates to rural arterials for which rural arterial trust account moneys are requested as necessary to conform to (1) the priority rating of the proposed project, based upon the factors in section 8 of this act, in relation to proposed projects in all other rural arterial construction programs submitted by the

counties and within each region; and (2) the amount of rural arterial trust account funds that the board estimates will be apportioned to the region.

**NEW SECTION.** Sec. 11. The county road administration board and the urban arterial board shall jointly adopt rules to assure coordination of their respective programs especially with respect to projects proposed by the group of incorporated cities outside the boundaries of federally approved urban areas, and to encourage the system development of county-city arterials in rural areas.

**NEW SECTION.** Sec. 12. Counties receiving funds from the rural arterial trust account for construction of arterials shall provide such matching funds as established by rules recommended by the board, subject to review, revision, and final approval by the state transportation commission. Matching requirements shall be established after appropriate studies by the board, taking into account financial resources available to counties to meet arterial needs.

**NEW SECTION.** Sec. 13. Not later than November 1st of each even-numbered year the board shall prepare and present to the state transportation commission a recommended budget for expenditures from the rural arterial trust account during the ensuing biennium. The budget shall contain an estimate of the revenues to be credited to the rural arterial trust account.

The state transportation commission shall review the budget as recommended, revise the budget as it deems proper, and include the budget as revised as a separate section of the transportation budget which it shall submit to the governor pursuant to chapter 43.88 RCW.

**NEW SECTION.** Sec. 14. At the time the board reviews the six-year program of each county each even-numbered year, it shall consider and shall approve for inclusion in its recommended budget, as required by section 13 of this act, the portion of the rural arterial construction program scheduled to be performed during the biennial period beginning the following July 1st. Subject to the appropriations actually approved by the legislature, the board shall as soon as feasible approve rural arterial trust account funds to be spent during the ensuing biennium for preliminary proposals in priority sequence as established pursuant to section 10 of this act. Only those counties that during the preceding twelve months have spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, section 40 of the state Constitution are eligible to receive funds from the rural arterial trust account. The board shall authorize rural arterial trust account funds for the construction project portion of a project previously authorized for a preliminary proposal in the sequence in which the preliminary proposal has been completed and the construction project is to be placed under contract. At such time the board may reserve rural arterial trust account funds for expenditure in future years as may be necessary for completion of preliminary proposals and construction projects to be commenced in the ensuing biennium.

The board may, within the constraints of available rural arterial trust funds, consider additional projects for authorization upon a clear and conclusive showing by the submitting county that the proposed project is of an emergent nature and that its need was unable to be anticipated at the time the six-year program of the county was developed. The proposed projects shall be evaluated on the basis of the priority rating factors specified in section 8 of this act.

**NEW SECTION.** Sec. 15. Whenever the board approves a rural arterial project it shall determine the amount of rural arterial trust account funds to be allocated for such project. The allocation shall be based upon information contained in the six-year plan submitted by the county seeking approval of the project and upon such further investigation as the board deems necessary. The board shall adopt reasonable rules pursuant to which rural arterial trust account funds allocated to a project may be increased upon a subsequent application of the county constructing the project. The rules adopted by the board shall take into account, but shall not be limited to, the following factors: (1) The financial effect of increasing the original allocation for the project upon other rural arterial projects either approved or requested; (2) whether the project for which an additional allocation is requested can be reduced in scope while retaining a usable segment; (3) whether the original cost of the project shown in the applicant's six-year program was based upon reasonable engineering estimates; and (4) whether the requested additional allocation is to pay for an expansion in the scope of work originally approved.

**NEW SECTION.** Sec. 16. Notwithstanding any other provisions of this chapter, for the period beginning July 1, 1983, and ending June 30, 1985, the county road administration board shall once each calendar quarter apportion the funds then credited to the rural arterial trust account among the five regions of the state defined in section 3 of this act. At any time after making the quarterly apportionment, the board may allocate the funds apportioned to each region to counties within the region for the construction of specific rural arterial projects. The board shall allocate such funds to the counties based upon the priority rating of proposed projects for which rural arterial trust account moneys are requested by the counties. The board shall determine the priority of specific improvement projects based upon the rating of each proposed improvement in relation to all other proposed improvements within each region, taking into account the factors defined in section 8 of this act. Rural arterial trust account funds

allocated to specific improvement projects under this section shall be paid in the manner provided in section 17 of this act. The board shall adopt emergency rules subject to the approval of the transportation commission providing for the implementation of this section.

This section shall expire on June 30, 1985.

**NEW SECTION.** Sec. 17. (1) Upon completion of a preliminary proposal, the county submitting the proposal shall submit to the board its voucher for payment of the trust account share of the cost. Upon the completion of an approved rural arterial construction project, the county constructing the project shall submit to the board its voucher for the payment of the trust account share of the cost. The chairman of the board or his designated agent shall approve such voucher when proper to do so, for payment from the rural arterial trust account to the county submitting the voucher.

(2) The board may adopt rules providing for the approval of payments of funds in the rural arterial trust account to a county for costs of preliminary proposal, and costs of construction of an approved project from time to time as work progresses. These payments shall at no time exceed the rural arterial trust account share of the costs of construction incurred to the date of the voucher covering the payment.

**NEW SECTION.** Sec. 18. The legislative body of any county feeling aggrieved by any action or decision of the board with respect to this chapter may appeal to the secretary of transportation by filing a notice of appeal within ninety days after the action or decision of the board. The notice shall specify the action or decision of which complaint is made. The secretary shall fix a time for a hearing on the appeal at the earliest convenient time and shall notify the county auditor and the chairman of the board by certified mail at least twenty days before the date of the hearing. At the hearing the secretary shall receive evidence from the county filing the appeal and from the board. After the hearing the secretary shall make such order as in the secretary's judgment is just and proper.

Sec. 19. Section 7, chapter 120, Laws of 1965 ex. sess. as amended by section 4, chapter 235, Laws of 1977 ex. sess. and RCW 36.78.070 are each amended to read as follows:

The county road administration board shall:

(1) Establish by ~~((regulation))~~ rule, standards of good practice for county road administration~~((:));~~

(2) Establish reporting requirements for counties with respect to the standards of good practice adopted by the board~~((:));~~

(3) Receive and review reports from counties and reports of the county road administration engineer to determine compliance with legislative directives and the standards of good practice adopted by the board~~((:));~~

(4) Report annually on the first day of July to the state ~~((highway commission))~~ department of transportation, the legislative transportation committee, and the house and senate transportation committees on the status of county road administration in each county. The annual report shall contain recommendations for improving administration of the county road programs;

(5) Administer the rural arterial program established by sections 1 through 18 of this act.

Sec. 20. Section 36.81.121, chapter 4, Laws of 1963 as last amended by section 3, chapter 21, Laws of 1975 1st ex. sess. and by section 2, chapter 215, Laws of 1975 1st ex. sess. and RCW 36.81.121 are each reenacted and amended to read as follows:

(1) ~~((Prior to))~~ Before July ((1-1968)) 1st of each year, the legislative authority of each county with the advice and assistance of the county road engineer, and pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive road program for the ensuing six calendar years. ~~((Such))~~ The program shall include proposed road and bridge construction work, and for those counties operating ferries shall also include a separate section showing proposed capital expenditures for ferries, docks, and related facilities. Copies of the program shall be filed with the county road administration board and with the ~~((director of highways))~~ state secretary of transportation not more than thirty days after its adoption by the legislative authority. ~~((Annually thereafter each legislative authority shall review the work accomplished under the program and determine current county road needs. Based on these findings each legislative authority shall prepare and after public hearing thereon adopt a revised and extended comprehensive road program, and each one-year extension and revision shall be filed with the director of highways not more than thirty days after its adoption by the legislative authority.))~~ The purpose of this section ~~((shall be))~~ is to assure that ~~((perpetually))~~ each county shall perpetually have available advanced plans~~((:))~~ looking to the future for not less than six years as a guide in carrying out a coordinated road construction program. ~~((Such))~~ The program may at any time be revised by a majority of the legislative authority but only after a public hearing thereon.

(2) The six-year program of each county having an urban area within its boundaries shall contain a separate section setting forth the six-year program for arterial road construction based upon its long-range construction plan and formulated in accordance with regulations of the urban arterial board. The six-year program for arterial road construction shall be submitted to the urban arterial board forthwith after its annual revision and adoption by the legislative authority of each county. The six-year program for arterial road construction shall be based upon estimated revenues available for such construction together with such additional



sums as the legislative authority of each county may request for urban arterials only from the urban arterial trust account for the six-year period. The arterial road construction program shall provide for a more rapid rate of completion of the long-range construction needs of major arterial roads than for secondary and collector arterial roads, pursuant to regulations of the urban arterial board.

~~((2) On and after July 1, 1976))~~ (3) Each six-year program forwarded to the ~~((director))~~ secretary in compliance with subsection (1) of this section shall contain information as to how a county will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for bicycles, pedestrians, and equestrian purposes.

Sec. 21. Section 46.68.090, chapter 12, Laws of 1961 as last amended by section 184, chapter 158, Laws of 1979 and RCW 46.68.090 are each amended to read as follows:

All moneys ~~((which))~~ that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax shall be first expended for the following purposes:

(1) For payment of refunds of motor vehicle fuel tax and special fuel tax ~~((which))~~ that has been paid and is refundable as provided by law;

(2) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax. ~~((said))~~ which sums ~~((to))~~ shall be distributed monthly;

(3) For payments to the rural arterial trust account in the motor vehicle fund, an amount as provided in RCW 82.36.025(2);

(4) For payments to the urban arterial trust account in the motor vehicle fund, an amount as provided in RCW 82.36.025(3); and

(5) For expenditure for highway purposes of the state as defined in RCW 46.68.130, an amount as provided in RCW 82.36.025(4).

The amount accruing to the motor vehicle fund by virtue of the motor vehicle fuel tax and the special fuel tax and remaining after payments and expenditures as provided in subsections (1) ~~((and)),~~ (2) ~~((above)),~~ (3), (4), and (5) of this section shall, for the purposes of this chapter, be referred to as the 'net tax amount((?))'.

Sec. 22. Section 33, chapter 83, Laws of 1967 ex. sess. as amended by section 16, chapter 317, Laws of 1977 ex. sess. and RCW 47.26.270 are each amended to read as follows:

Counties and cities receiving funds from the urban arterial trust account for construction of arterials shall provide such matching funds as shall be established by regulations recommended by the urban arterial board subject to review, revision, and final approval by the state ~~((highway))~~ transportation commission. Matching requirements shall be established after appropriate studies by the board taking into account (1) financial resources available to counties and cities to meet arterial needs, (2) the amounts and percentages of funds available for road or street construction traditionally expended by counties and cities on arterials, (3) in the case of counties, the relative needs of arterials lying outside urban areas, and (4) the requirements necessary to avoid diversion of funds traditionally expended for arterial construction to other street or road purposes or to nonhighway purposes: PROVIDED HOWEVER, That for projects funded subsequent to ~~((the effective date of this 1977 amendatory act, and prior to))~~ July 1, ~~((1983))~~ 1977, cities and counties may use as matching funds any moneys received from any source, except such moneys which by law may not be used for the purposes set forth in this chapter.

Sec. 23. Section 8, chapter 5, Laws of 1979 and RCW 47.26.4252 are each amended to read as follows:

Any funds required to repay the authorization of series II bonds authorized by RCW 47.26.420, as reenacted by section 3, chapter 5, Laws of 1979, or the interest thereon when due, shall first be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund, subject, however, to the prior lien of the first authorization of bonds authorized by RCW 47.26.420, as reenacted by section 3, chapter 5, Laws of 1979. If the moneys distributed to the urban arterial trust account shall ever be insufficient to repay the first authorization bonds together with interest thereon, and the series II bonds or the interest thereon when due, the amount required to make such payments on such bonds or interest thereon shall next be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the state, counties, cities, and towns pursuant to RCW 46.68.100 as now existing or hereafter amended. Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues which are distributable to the state, counties, cities, and towns, shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds or series II and series III bonds or interest on those bond issues.

Sec. 24. Section 10, chapter 315, Laws of 1981 and RCW 47.26.4254 are each amended to read as follows:

(1) Any funds required to repay series III bonds authorized by RCW 47.26.420, or the interest thereon, when due shall first be taken from that portion of the motor vehicle fund ~~((which))~~

that results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW and ~~((which))~~ that is distributed to the urban arterial trust account in the motor vehicle fund, subject, however, to the prior lien of the first authorization of bonds authorized by RCW 47.26.420. If the moneys so distributed to the urban arterial trust account, after first being applied to administrative expenses of the urban arterial board and to the requirements of bond retirement and payment of interest on first authorization bonds and series II bonds as provided in RCW 47.26.425 and 47.26.4252, are insufficient to meet the requirements for bond retirement or interest on any series III bonds, the amount required to make such payments on series III bonds or interest thereon shall next be taken from that portion of the motor vehicle fund ~~((which))~~ that results from the imposition of excise taxes on motor vehicle and special fuels and ~~((which))~~ that is distributed to the state, counties, cities, and towns pursuant to RCW 46.68.100 ~~((as now existing or hereafter amended))~~, subject, however, to subsection (2) of this section.

(2) To the extent that moneys so distributed to the urban arterial trust account are insufficient to meet the requirements for bond retirement or interest on any series III bonds, sixty percent of the amount required to make such payments when due shall first be taken from that portion of the motor vehicle fund ~~((which))~~ that results from the imposition of excise taxes on motor vehicle and special fuels and ~~((which))~~ that is distributed to the state. The remaining forty percent shall first be taken from that portion of the motor vehicle fund that results from the imposition of excise taxes on motor vehicle and special fuels and that is distributed to the cities and towns pursuant to RCW 46.68.100(1) and to the counties pursuant to RCW 46.68.100(2). Of the counties', cities', and towns' share of any additional amounts required in the fiscal year ending June 30, ~~((1982))~~ 1984, fifteen percent shall be taken from the counties' distributive share and eighty-five percent from the cities' and towns' distributive share. Of the counties', cities', and towns' share of any additional amounts required in each fiscal year thereafter, the percentage thereof to be taken from the counties' distributive share and from the cities' and towns' distributive share shall correspond to the percentage of funds authorized for specific county projects and for specific city and town projects, respectively, from the proceeds of series III bonds, for the period ~~((after June 30, 1981, and))~~ through the first eleven months of the prior fiscal year as determined by the chairman of the urban arterial board and reported to the state finance committee and the state treasurer not later than the first working day of June.

(3) Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues ~~((which))~~ that are distributable to the state, counties, cities, and towns shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds, series II bonds, or series III bonds or interest on these bonds.

Sec. 25. Section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 342, Laws of 1981 and RCW 82.36.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Motor vehicle' means every vehicle ~~((which))~~ that is in itself a self-propelled unit, equipped with solid rubber, hollow-cushion rubber, or pneumatic rubber tires and capable of being moved or operated upon a public highway, except motor vehicles used as motive power for or in conjunction with farm implements and machines or implements of husbandry;

(2) 'Motor vehicle fuel' means gasoline or any other inflammable gas(;) or liquid, by whatsoever name such gasoline, gas, or liquid may be known or sold, the chief use of which is as fuel for the propulsion of motor vehicles or motorboats;

(3) 'Distributor' means every person who refines, manufactures, produces, or compounds motor vehicle fuel and sells, distributes, or in any manner uses it in this state; also every person engaged in business as a bona fide wholesale merchant dealing in motor vehicle fuel who either acquires it within the state from any person refining it within or importing it into the state, on which the tax has not been paid, or imports it into this state and sells, distributes, or in any manner uses it in this state;

(4) 'Service station' means a place operated for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles;

(5) 'Department' means the department of licensing;

(6) 'Director' means the director of licensing;

(7) 'Dealer' means any person engaged in the retail sale of liquid motor vehicle fuels;

(8) 'Person' means every natural person, firm, partnership, association, or private or public corporation;

(9) 'Highway' means every way or place open to the use of the public, as a matter of right, for purposes of vehicular travel;

(10) 'Broker' means every person, other than a distributor, engaged in business as a broker, jobber, or wholesale merchant dealing in motor vehicle fuel or other petroleum products used or usable in propelling motor vehicles, or in other petroleum products which may be used in blending, compounding, or manufacturing of motor vehicle fuel;

(11) 'Producer' means every person, other than a distributor, engaged in the business of producing motor vehicle fuel or other petroleum products used in, or which may be used in, the blending, compounding, or manufacturing of motor vehicle fuel;

(12) 'Distribution' means all withdrawals of motor vehicle fuel for delivery to others, to retail service stations, or to unlicensed bulk storage plants;

(13) 'Bulk storage plant' means, pursuant to the licensing provisions of RCW 82.36.070, any plant, under the control of the distributor, used for the storage of motor vehicle fuel to which no retail outlets are directly connected by pipe lines;

(14) 'Marine fuel dealer' means any person engaged in the retail sale of liquid motor vehicle fuel whose place of business and or sale outlet is located upon a navigable waterway;

(15) ~~('Weighted average retail sales price of motor vehicle fuel' means the average retail sales price excluding any federal excise tax of the several grades of motor vehicle fuel (other than special fuels taxed pursuant to chapter 82.38 RCW) sold by service stations throughout the state (less any state excise taxes on the sale, distribution, or use thereof) weighted to reflect the quantities sold at each different price;~~

~~((16))~~ 'Aggregate motor vehicle fuel tax revenues' means the amount of excise taxes to be paid by distributors, retailers, and users pursuant to chapters 82.36, 82.37, and 82.38 RCW ~~((as now or hereafter amended;))~~ for any designated fiscal period, whether or not such amounts are actually received by the department of licensing. The phrase does not include fines or penalties assessed for violations;

~~((17))~~ (16) 'Fiscal year' means a twelve-month period ending June 30th;

~~((18))~~ 'Fiscal half-year' means a six-month period ending June 30th or December 31st;

~~((19))~~ (17) 'State personal income' means the dollar amount published as total personal income of persons in the state for the calendar year by the United States department of commerce or its successor agency;

~~((20))~~ (18) 'State personal income ratio' for any calendar year means that ratio expressed in percentage terms that is the sum of one hundred percent, plus seventy percent of the percentage increase or decrease in state personal income for the calendar year under consideration as compared to state personal income for the immediately preceding calendar year;

~~((21))~~ (19) 'Motor vehicle fund revenue' means all state taxes, fees, and penalties deposited in the motor vehicle fund and all other state revenue required by statute to be deposited in the motor vehicle fund, but does not include (a) moneys derived from nonfuel tax sources which are deposited directly in the several accounts, (b) interest deposited directly in the several accounts within the motor vehicle fund, (c) federal funds, (d) proceeds from the sale of bonds, or (e) reimbursements to the motor vehicle fund for services performed by the department of transportation for others.

(20) 'Alcohol' means alcohol that is produced from renewable resources and is produced in this state or in a state that extends a tax exemption or credit for the sale of alcohol produced in this state for use in motor vehicle fuel that is at least equal to a tax exemption or credit for the sale of alcohol produced in the other state for use in motor vehicle fuel.

Sec. 26. Section 1, chapter 28, Laws of 1974 ex. sess. as last amended by section 1, chapter 6, Laws of 1982 1st ex. sess. and RCW 82.36.020 are each amended to read as follows:

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director at a rate computed in the manner provided in RCW 82.36.025 for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: PROVIDED, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax imposed hereunder shall be in addition to any other tax required by law, and shall not be imposed under circumstances in which the tax is prohibited by the Constitution or laws of the United States. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the motor vehicle fuel excise tax collected on the net gallonage after the deduction provided for herein and after the deductions for ~~((refunds and costs of collection))~~ payments and expenditures as provided in RCW 46.68.090 ~~((as now or hereafter amended))~~, shall be distributed as provided in RCW 46.68.100 ~~((as now or hereafter amended))~~.

Sec. 27. Section 6, chapter 317, Laws of 1977 ex. sess. as last amended by section 2, chapter 342, Laws of 1981 and RCW 82.36.025 are each amended to read as follows:

~~((1))~~ (a) During the fifth month of each fiscal half-year ending June 30th and December 31st of each year, the department of licensing shall compute a motor vehicle fuel tax rate to the nearest one-half cent per gallon of motor vehicle fuel by multiplying ten percent times the weighted average retail sales price of motor vehicle fuel, per gallon, sold within the state in the third month of such fiscal half-year. The department of licensing shall determine the weighted average retail sales price of motor vehicle fuel by state-wide sampling and survey techniques designed to reflect such prices for the third month of such fiscal half-year. The department shall establish reasonable guidelines for its sampling and survey methods:

~~(b) Subject to provisions of subsections (2) and (3) of this section the excise tax rate computed in the manner provided in subsection (1) of this section shall apply to the sale, distribution, or use of motor vehicle fuel beginning the fiscal half-year following computation of the rate and shall remain in effect for each succeeding fiscal half-year until a subsequent computation requires a change in the rate. For the first fiscal half-year after June 30, 1981, the motor vehicle fuel tax shall be thirteen and one-half cents per gallon:~~

~~(2) (a) The motor vehicle fuel tax rate for any fiscal half-year shall not exceed sixteen cents per gallon nor exceed a rate as computed in this subsection:~~

~~(b) Each fiscal half-year at the time the department of licensing computes the excise tax rate for the ensuing fiscal half-year of a fiscal year, the department shall estimate the total aggregate motor vehicle fuel tax revenues and the total of all other state revenues which will accrue to the motor vehicle fund during the fiscal year. The estimated total aggregate motor vehicle fuel tax revenues for the fiscal year shall include those revenues which the department determines will accrue during the two fiscal half-years of the fiscal year, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the two fiscal half-years of the fiscal year shall be at the same volume as during the fiscal half-year last ended, adjusted however for the historic variations in sales, distribution, and use according to half-yearly periods and for projected trends, and at the weighted average retail sales price of motor vehicle fuel as last determined by the department of licensing. The motor vehicle fuel tax rate shall be computed as the sum of the tax rate provided in subsection (1) of this section and the additional tax rates provided in subsections (2) through (4) of this section.~~

~~(1) Except as required in subsection (5) of this section, a motor vehicle fuel tax rate of fifteen cents per gallon shall apply to the sale, distribution, or use of motor vehicle fuel from July 1, 1983, through June 30, 1984, and a motor vehicle fuel tax rate of seventeen cents per gallon shall apply thereafter.~~

~~(2) An additional motor vehicle fuel tax rate of one-third cent per gallon shall apply to the sale, distribution, or use of motor vehicle fuel, and the proceeds from this additional tax rate, reduced by an amount equal to the sum of the payments under RCW 46.68.090 (1) and (2) multiplied by the additional tax rate prescribed by this subsection divided by the motor vehicle fuel tax rate provided in this section, shall be deposited in the rural arterial trust account in the motor vehicle fund for expenditures under section 2 of this act.~~

~~(3) An additional motor vehicle fuel tax rate of one-third cent per gallon shall apply to the sale, distribution, or use of motor vehicle fuel, and the proceeds from this additional tax rate, reduced by an amount equal to the sum of the payments under RCW 46.68.090 (1) and (2) multiplied by the additional tax rate prescribed by this subsection divided by the motor vehicle fuel tax rate provided in this section, shall be deposited in the urban arterial trust account in the motor vehicle fund.~~

~~(4) An additional motor vehicle full tax rate of one-third cent per gallon shall be applied to the sale, distribution, or use of motor vehicle fuel, and the proceeds from this additional tax rate, reduced by an amount equal to the sum of the payments under RCW 46.68.090 (1) and (2) multiplied by the additional tax rate prescribed by this subsection divided by the motor vehicle fuel tax rate provided in this section, shall be deposited in the motor vehicle fund to be expended for highway purposes of the state as defined in RCW 46.68.130.~~

~~(5) (a) Before the start of each fiscal year, the department of licensing shall estimate the total aggregate motor vehicle fuel tax revenues and the total of all other revenues that will accrue to the motor vehicle fund during the fiscal year. The estimated total of all other state revenues to accrue to the motor vehicle fund during the fiscal year shall include those revenues (other than the aggregate motor vehicle fuel tax revenues) which the department of transportation with the concurrence of the office of financial management determines will accrue during the ((two fiscal half-years of the)) fiscal year, assuming that collections of such revenues for the ((two fiscal half-years of the)) fiscal year shall be at the same level as during the fiscal ((half-year)) year just ended, adjusted however for historic variations in collections according to ((half-yearly)) yearly periods and for projected trends, but shall not include the proceeds of the sale of bonds, reimbursements to the motor vehicle fund for services performed by the department of transportation for others, moneys derived from nonfuel tax sources ((which)) that are deposited directly in the several accounts within the motor vehicle fund, interest deposited directly in the several accounts within the motor vehicle fund, nor federal funds. The estimated total aggregate motor vehicle fuel tax revenues for the fiscal year shall include those revenues that the department of licensing determines will accrue during the fiscal year, assuming the sale, distribution, and use of motor vehicle fuel and special fuel within the state for the fiscal year will be at the same volume as during the fiscal year last ended, adjusted however for the historic variations in sales, distribution, and use according to yearly periods and for projected trends.~~

~~((c)) (b) If the estimated aggregate motor fuel tax revenues plus all other state revenues ((which)) that will accrue to the motor vehicle fund during a fiscal year as computed in ((c)) (a) of this subsection exceed the motor vehicle fund revenue limit in the fiscal year as computed in ((c)) (c) of this subsection, the rate of motor fuel tax ((computed as)) provided in subsection (1) of this section ((c)) shall be reduced by one-half cent increments for the fiscal~~

year only, commencing at the beginning of the ~~((ensuing))~~ fiscal ~~((half-year))~~ year, as may be necessary to reduce the estimated total revenues for the fiscal year to within the motor vehicle fund revenue limit.

~~((d))~~ (c) The motor vehicle fund revenue limit for any fiscal year shall be the previous fiscal year's motor vehicle fund revenue limit multiplied by the average state personal income ratio for the three calendar years immediately preceding the beginning of the fiscal year for which the limit is being computed. For purposes of computing the motor vehicle fund revenue limit for the fiscal year ending June 30, 1981, the phrase 'the previous fiscal year's motor vehicle fund revenue limit' means the motor vehicle fund revenue collected in the fiscal year ending June 30, 1979, multiplied by the average state personal income ratio for the calendar years 1976, 1977, and 1978.

~~((3))~~ Notwithstanding any other provisions of this section the excise tax rate for any fiscal half-year shall not be less than twelve cents per gallon.

~~(4)~~ Notwithstanding any other provision of this section, the maximum tax rate which may be applied during any fiscal year shall not exceed the tax rate in effect on June 30 of the prior fiscal year plus two cents per gallon.

(5)) (6) The legislative transportation committee shall study and analyze each biennium the financial condition of the motor vehicle fund and accounts thereof with particular emphasis on RCW 82.36.010 and 82.36.025.

Sec. 28. Section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 317, Laws of 1977 ex. sess. and RCW 82.36.100 are each amended to read as follows:

Every person other than a distributor who acquires any motor vehicle fuel within this state upon which payment of tax is required under the provisions of this chapter, or imports such motor vehicle fuel into this state and sells, distributes, or in any manner uses it in this state shall, if the tax has not been paid, apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay an excise tax at the rate computed in the manner provided in RCW 82.36.025 for each gallon thereof so sold, distributed, or used during the fiscal ~~((half-year))~~ year for which such rate is applicable in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. The proceeds of the tax imposed by this section shall be distributed in the manner provided for the distribution of the motor vehicle fuel excise tax in RCW 82.36.020 ~~((as now or hereafter amended))~~. However, a distributor licensed under ~~((the provisions of))~~ this chapter may deliver motor vehicle fuel to an importer in individual quantities of five hundred gallons or less and assume the liability for payment of the tax to this state. Under such conditions, the importer ~~((shall be))~~ is exempt from the requirements of this section. For failure to comply with ~~((the terms of))~~ this chapter such person ~~((shall be))~~ is subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distributors. Nothing ~~((herein shall))~~ in this section may be construed as classifying such persons as distributors.

Sec. 29. Section 3, chapter 22, Laws of 1963 ex. sess. as last amended by section 4, chapter 317, Laws of 1977 ex. sess. and RCW 82.37.030 are each amended to read as follows:

In consideration of the use of the public highways of this state, motor carriers who import motor vehicle fuel into the state of Washington in the fuel supply tank or tanks of commercial motor vehicles for use in propelling ~~((said))~~ those vehicles on ~~((said))~~ the highways ~~((shall be))~~ are subject to a tax for such use of the highways as hereinafter provided. A tax at the rate computed in the manner provided in RCW 82.36.025 per gallon is hereby imposed upon every motor carrier measured and determined by the number of gallons of motor vehicle fuel so imported and actually used by ~~((such))~~ the motor carrier in its operations within this state during the fiscal ~~((half-year))~~ year for which such rate is applicable.

Sec. 30. Section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 3, chapter 40, Laws of 1979 and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax at the rate computed in the manner provided in RCW 82.36.025 per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use of special fuel in any motor vehicle operated upon the highways of this state during the fiscal ~~((half-year))~~ year for which such rate is applicable.

(2) ~~((Said))~~ The tax shall be collected by the special fuel dealer and shall be paid over to the department as hereinafter provided: (a) With respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles or into storage facilities used for the fueling of motor vehicles at unbonded service stations in this state; or (b) in all other transactions where the purchaser is not the holder of a valid special fuel license issued pursuant to this chapter allowing the purchase of untaxed special fuel.

(3) ~~((Said))~~ The tax shall be paid over to the department by the special fuel user as hereinafter provided with respect to the taxable use of special fuel upon which the tax has not previously been imposed.

It is expressly provided that delivery of special fuel may be made without collecting the tax otherwise imposed, when such deliveries are made by a bonded special fuel dealer to

special fuel users who are authorized by the department as hereinafter provided, to purchase fuel without payment of tax to the bonded special fuel dealer.

NEW SECTION. Sec. 31. Sections 1 through 18 of this act shall constitute a new chapter in Title 36 RCW.

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 on July 1, 1983."

In line 8 of the title, after "46.68.090;" insert "amending section 33, chapter 83, Laws of 1967 ex. sess. as amended by section 16, chapter 317, Laws of 1977 ex. sess. and RCW 47.26.270;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to Substitute House Bill No. 235.

#### 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. 235 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 235 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 55; nays, 37; absent, 2; excused, 4.

Voting yea: Representatives Allen, Armstrong, Ballard, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Chandler, Charnley, Clayton, Crane, Ellis, Fisch, Fisher, Gallagher, Grimm, Hankins, Hine, Holland, Isaacson, Johnson, King R, Lewis, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Ristuben, Sanders, Schmidt, Smith, Smitherman, Struthers, Tilly, Todd, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky - 55.

Voting nay: Representatives Addison, Appelwick, Barnes, Burns, Cantu, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Galloway, Garrett, Halsan, Hastings, Haugen, Heck, Jacobsen, King P, Kreidler, Locke, Long, Moon, Nelson G, Padden, Patrick, Pruitt, Rust, Schoon, Silver, Sommers, Stratton, Taylor, Van Dyken, Vander Stoep, West, and Mr. Speaker - 37.

Absent: Representatives King J, Tanner - 2.

Excused: Representatives Bond, Kaiser, Sayan, Sutherland - 4.

Substitute House Bill No. 235 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

May 13, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to SECOND SUBSTITUTE SENATE BILL NO. 3155 and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Ms. Sommers, the House insisted on its position on Second Substitute Senate Bill No. 3155, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker announced the appointment of Representatives Heck, Sommers and McDonald as conferees on Second Substitute Senate bill No. 3155.

#### REPORT OF CONFERENCE COMMITTEE

May 14, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, 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 Vognild, Sellar, Williams; Representatives Appelwick, Niemi, Barrett.

#### MOTION

Mr. Appelwick moved that the House adopt the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3434, and grant the committee powers of Free Conference.

#### POINT OF INQUIRY

Mr. Barrett yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Barrett, I understand you are going into Free Conference and that you are going to be changing some of the language that's in the current bill. I want to understand what we are doing. I went to the grocery store and I found a number of contests that are being offered there, and I'd like to get an idea of what will qualify as 'legal' if the Free Conference Report is accepted, and what would be 'illegal' and what is not going to be changed. I have here a box of Kellogg's Rice Krispies where you can win some trips on United Airlines by opening the box and seeing if you have a game card that qualifies. Would this be legal or illegal?"

Mr. Barrett: "I think, Representative Schmidt, I should first tell you that, obviously, I'm not the final authority on this. I talked to the Gambling Commission over the last three or four days and did some study over the weekend to try to find out where the new bill would put us. In any contest by a national manufacturer, such as Kellogg, the rules of this state would not change. It is still legal."

Ms. Schmidt: "So that would qualify for the Kellogg and also for the Lucky Charms where you pull out a game card and have to watch TV to see if your numbers come up?"

Mr. Barrett: "On the Lucky Charms' contest, any contest, whether it's a drawing or a skill contest, or something inside the package that gives you a prize, is legal. It is now and it will be."

Ms. Schmidt: "I have a contest here with Trident-Dentyne where there is a random drawing. You can purchase the coupons at any market in the state."

Mr. Barrett: "In any random drawing contest, the rules have not been changed. In addition to that, it's exempt because it's a national manufacturer."

Ms. Schmidt: "Levitz recently had an anniversary sale where you could register to win one of seven grand prize trips for two to the Caribbean. Would this be legal?"

Mr. Barrett: "Levitz is a local retail outlet and if what they are having is a drawing the rules don't change; it has been the same since 1973. It will stay the same."

Ms. Schmidt: "I have a Safeway bingo card. Would this be affected?"

Mr. Barrett: "Safeway bingo would be affected because the bill, as it is proposed under the Conference Committee for all retail outlets, Safeway would be considered a retail outlet holding a promotion for the benefit of one chain of ownership and the definition of drawing is expanded so that the original intent of the gambling law, which would be to control all prize promotions regarding retail outlets—it used to be drawing, now it's expanded to cover all games of chance—it would be under the seven-day rule that all small merchants that can't afford a bingo contest have been under since 1973 and now Safeway would come under the same rule."

Ms. Schmidt: "Next, there's a contest with Safeway, KJR and Pepsi. Apparently, you go into a Safeway store, get a coupon, mail the entry in or deposit it in the store, then there's a drawing once every few months and you have to run to the store and collect a number of items in the store. It's for Washington state residents only."

Mr. Barrett: "The presence of the radio station would, in some cases, give a different aspect to this contest; however, the way this one is being run, contrary to what we think of as bingo, on more than forty radio stations around the state where they call a number and you have to be listening to the station, the FDC rules have applied and the state rules have not. In this case, you must go into the store and all the contesting is done in the store. This would come under the seven-day law under the new rules."

Ms. Schmidt: "McDonalds is running a competition where you go in and get a little pull-tab and put it on a chart and if you fill in the hamburger bun, you win prizes of money."

Mr. Barrett: "McDonalds' contest, as far as the one that is most in question, because of the fact that McDonalds is individually owned even though some people may own more than one, it is not a drawing. It is a contest of chance. Probably if they came to the Gambling Commission and later, if need be, it went to court and they could prove that every McDonalds' outlet in the United States is running the same contest at the same time, there is a chance they would qualify under the national laws, as we look at a national manufacturer or national distributor. On the surface it would appear that the McDonalds' contest would be excepted, but I think it would be the one most likely to have a possibility, if they would come in and say that it is in every McDonald store. One thing about Safeway and McDonalds both, of course, McDonalds' and Safeway's contests are finished before this law takes effect."

Ms. Schmidt: "The Coca Cola Company, in conjunction with Safeway stores, has a promotion where you fill out an entry blank, deposit it at the Tacoma Dome and the drawing is for a car."

Mr. Barrett: "The drawing would apply if Coca Cola were running a contest where you could go into any market in a certain area, it would be exempt. If you have to go into a certain market, whatever that market is, it would be under the seven-day proposal now."

Ms. Schmidt: "This one would be illegal because you have to go into a Safeway store and the contest does run over seven days?"

Mr. Barrett: "It's a retail promotion designed to promote shopping in one particular outlet."

Ms. Schmidt: "Gull Gasoline is having a competition where you drive in to a Gull Station, pick up little cards and you can win anything from gas to prizes, like a car. Would that be illegal?"

Mr. Barrett: "All Gull Stations are not running this promotion, as I understand it. This would be a game of chance and it would probably come under the seven-day rule as would any drawing at another service station."

Ms. Schmidt: "A number of radio stations have dots that you put in the back window of your car; they pick up the license number of cars with those dots, and if you hear your license plate number called out over the radio, you can win a prize."

Mr. Barrett: "Under the Halsan amendment, any radio station self-promotion is limited to thirty dollars per day, \$5,000 in prizes per year."

Ms. Schmidt: "So my local radio station, which runs a bingo game over the radio every day, would be limited to thirty dollars a day prize?"

Mr. Barrett: "That's correct."

Ms. Schmidt: "How about door-to-door selling of lottery tickets? Would this apply?"



Mr. Barrett: "Lottery is an absolutely different part of the gambling law. It would not apply."

Representatives Schmidt and Padden spoke against the motion to grant a Free Conference, and Representatives Appelwick and Barrett spoke in favor of it.

Mr. Appelwick spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the Conference Committee on Engrossed Substitute Senate Bill No. 3434 be granted the powers of Free Conference, and the motion was carried by the following vote: Yeas, 64; nays, 30; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Cantu, Charnley, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Heck, Hine, Isaacson, Jacobsen, Johnson, King J, King P, King R, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nelson D, O'Brien, Powers, Ristuben, Rust, Sanders, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Wang, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Addison, Ballard, Barnes, Betrozoff, Burns, Chandler, Clayton, Dellwo, Fiske, Garrett, Haugen, Holland, Kreidler, Lewis, Nealey, Nelson G, Niemi, Padden, Patrick, Prince, Pruitt, Schmidt, Schoon, Tanner, Tilly, Walk, West, Williams B, Williams J, Wilson - 30.

Excused: Representatives Bond, Kaiser, Sayan, Sutherland - 4.

MOTIONS

On motion of Mr. Charnley, the Rules Committee was relieved of Substitute Senate Bill No. 3173 and Engrossed Senate Bill No. 3760, and they were ordered placed at the top of today's third reading calendar.

On motion of Mr. Wang, the House was recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Schoon and Sutherland, who were excused.

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 3173 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators McManus, Hemstad, Talmadge, Bottiger, Zimmerman, Lee and Deccio)

Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities.

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

Representatives J. King and Mitchell spoke in favor of passage of the bill, and Representatives Addison, Lux, Van Dyken and Brekke spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3173 as amended by the House, and the bill failed to receive the sixty percent constitutional majority by the following vote: Yeas, 54; nays, 40; absent, 1; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barrett, Braddock, Broback, Brough, Crane, Dickie, Egger, Ellis, Fisher, Fiske, Fuhrman, Gallagher, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McClure, Mitchell, Monohon, Nelson G, O'Brien, Powers, Prince, Ristuben, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Tilly, Todd, Vander Stoep, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Barnes, Belcher, Betrozoff, Brekke, Burns, Cantu, Chandler, Charnley, Clayton, Dellwo, Ebersole, Fisch, Galloway, Garrett, Hastings, Isaacson, Jacobsen, Locke, Lux, McDonald, McMullen, Miller, Moon, Nealey, Nelson D, Niemi,

Padden, Patrick, Pruitt, Rust, Sanders, Smith, Tanner, Taylor, Van Dyken, Vekich, West, Williams J - 40.

Absent: Representative Sayan - 1.

Excused: Representatives Bond, Schoon, Sutherland - 3.

Substitute Senate Bill No. 3173 as amended by the House, having failed to receive the sixty percent majority, was declared lost.

ENGROSSED SENATE BILL NO. 3760, by Senators Vognild, Hurley, Guess and Hughes

Modifying provisions relating to local economic development.

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

Representatives J. King, Barrett and Tanner spoke in favor of passage of the bill, and Representatives Addison and Lux spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3760, and the bill received the required sixty percent majority by the following vote: Yeas, 79; nays, 16; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Addison, Cantu, Chandler, Clayton, Dickie, Fuhrman, Garrett, Hastings, Holland, Long, Lux, Moon, Nelson G, Padden, Smith, Taylor - 16.

Excused: Representatives Bond, Schoon, Sutherland - 3.

Engrossed Senate Bill No. 3760, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Mr. Tanner, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute Senate Bill No. 3173 as amended by the House failed to pass the House.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 51, by Representatives Grimm, Cantu, McMullen, Ristuben, Miller, Sayan, Stratton, Nealey, Powers, Appelwick, Locke, Holland, Zellinsky, Isaacson, Braddock, P. King, Haugen, Wang, Sutherland, Addison, Walk, Struthers, R. King, Garrett, Belcher, D. Nelson, O'Brien, Hine, Tanner, Smith, Dickie, West, Todd, Moon and Armstrong (by Governor Spellman request)

Providing post-retirement adjustments for public retirement systems.

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 51 was substituted for House Bill No. 51, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 51 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 House Bill No. 51, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Schoon, Sutherland - 3.

Substitute House Bill No. 51, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3244, by Committee on Ways & Means (originally sponsored by Senators Thompson, Jones, Bauer, Bluechel, Fuller, Granlund and Bender - by Governor Spellman request)

Modifying provisions on excise taxes.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 19th Day 1st ex. sess. May 13, 1983.)

The Clerk read the following amendment by Representatives Prince and McDonald:

On page 3, after line 14, insert the following:

\*Sec. 4. Section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsections (1) or (8) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of forty-four one-hundredths of one percent.

(2) For the purposes of this section:

(a) A person is engaged in wholesale business activities 'within this state' only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) is a corporation which is incorporated under the laws of this state.

(b) The term 'independent contractor' means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(c) A person shall not be considered to be engaged in business 'within this state' merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

(3) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property, owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent

hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying forty-four one-hundredths of one percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

Sec. 5. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

(1) Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of forty-four one-hundredths of one percent.

(2) For the purposes of this section:

(a) A person is engaged in retail business activities 'within this state' only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term 'independent contractor' means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(c) A person shall not be considered to be engaged in business 'within this state' merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

NEW SECTION. Sec. 6. Nothing in sections 4 and 5 of this act shall be construed as implying that the mere solicitation of orders by independent contractors already constitutes engaging in business within the state, nor that it was the intent of the legislature that activities of distinct economic entities, such as retailers, wholesalers, and independent contractors, be imputed to an out-of-state business for the purpose of determining whether it was engaged in business within the state."

With the consent of the House, Mr. Prince withdrew the amendment.

Mr. Appelwick moved adoption of the following amendment:

On page 3, after line 14, insert the following new section:

"NEW SECTION. Sec. 4. There is added to chapter 82.04 RCW a new section to read as follows:

(1) This chapter shall not apply to any person in respect to gross income derived from the business of making sales at wholesale or retail if such person:

(a) Does not own or lease real property within this state; and

(b) Does not regularly maintain a stock of tangible personal property in this state for sale in the ordinary course of business; and

(c) Is not a corporation incorporated under the laws of this state; and

(d) Makes sales in this state exclusively to or through a direct seller's representative.

(2) For purposes of this section, the term 'direct seller's representative' means a person who buys consumer products on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or who sells, or solicits the sale of, consumer products in the home or otherwise than in a permanent retail establishment; and

(a) Substantially all of the remuneration paid to such person, whether or not paid in cash, for the performance of services described in this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(b) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(3) Nothing in this section shall be construed to imply that a person exempt from tax under this section was engaged in a business activity taxable under this chapter prior to the enactment of this section."

Mr. Appelwick spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Appelwick, you have stated that if a Remington dealer purchased guns from the manufacturer, it would be comparable to a Shaklee dealer purchasing products from the Shaklee Corporation. I'm wondering if you might see a difference. My understanding is that Shaklee works on a pyramid principle, that if one dealer can enroll other dealers that person then can gain more profits from Shaklee Corporation. I think there are some other kinds of dealerships that work in a similar fashion. The point I'm getting to and the question is that, it seems to me, the principle is that there the dealer is independent from the company and isn't an agent of the company. I'm wondering in the case of some of these dealerships that there is, in fact, some ongoing business for the company occurring because those dealers are not really independent but are serving to enhance the role and the sales of the company within the state?"

Mr. Appelwick: "It is my understanding that if there is a relationship which does not fit the definition in subsection (2) of a 'direct seller's representative,' so that there is ongoing compensation between the retail seller and the supplier, that they would not be exempt under this definition and the department could collect tax to the extent of those activities in the state. You are correct in assuming that what we are trying to do is say that if you don't have employees or a controlled agent, you should not be subject to the tax as doing business in the state."

Mr. D. Nelson spoke against the amendment, and Mr. Prince spoke in favor of it.

Mr. Appelwick spoke again 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.

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 the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3244 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, Belozoff, 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,

Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Bond, Schoon, Sutherland - 3.

Substitute Senate Bill No. 3244 as amended by the House, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-84, by Representatives Belcher, Kreidler, Vander Stoep, Vekich and Sayan

WHEREAS, Larry Nielson is an internationally recognized mountaineer who has participated in many climbs of Mt. Everest, the world's tallest mountain; and

WHEREAS, In 1982, Larry Nielson showed great courage by attempting to scale the unconquered north face of Mt. Everest, despite being severely frostbitten; and

WHEREAS, In May of 1983, Larry Nielson once again attempted to reach the summit of Mt. Everest, without the aid of auxiliary oxygen; and

WHEREAS, On May 6, 1983, Larry Nielson reached the summit of Mt. Everest and made United States mountain climbing history by being the first American climber to reach the 29,028 foot summit without auxiliary oxygen; and

WHEREAS, Larry Nielson demonstrated extraordinary determination and courage in overcoming the substantial hazards of climbing Mt. Everest without oxygen; and

WHEREAS, Mountaineers and the citizens of Olympia, Washington, Washington State and the United States of America are extremely proud of Larry Nielson for his accomplishments;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives express its congratulations to Larry Nielson for achieving this American mountaineering milestone; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives urge all Washington citizens to join with it in honoring Larry Nielson for his accomplishments; and

BE IT FURTHER RESOLVED, That a copy of this resolution be delivered to Larry Nielson and his family.

Mr. Kreidler moved adoption of the resolution. Representatives Kreidler, Belcher and Vander Stoep spoke in favor of the resolution, and it was adopted.

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, Johnson and Sanders.

On motion of Mr. Heck, the absent members were excused and the House proceeded with business under the Call of the House.

#### MOTION

On motion of Mr. Heck, the Committee on Ways & Means was relieved of Engrossed Senate Bill No. 3750 and it was placed at the top of today's second reading calendar.

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

## SECOND READING

ENGROSSED SENATE BILL NO. 3750, by Senators Bauer, Benitz, Hayner, Fuller, Zim Hemstad, Woody, Quigg, Jones, Guess, Owen and Hansen

Extending the timber tax and providing a credit.

The bill was read the second time.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Grimm:

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 2, chapter 4, Laws of 1982 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, and June 30, 1985, inclusive, for sale or for commercial or industrial use multiplied by the ~~((appropriate))~~ rate ~~((as follows: For timber harvested between October 1, 1974 and June 30, 1983, inclusive:))~~ of six and one-half percent.

~~For timber harvested between October 1, 1974 and June 30, 1983, inclusive:))~~ 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.

NEW SECTION, Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

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

On page 4, line 11 of the amendment strike "immediately" and insert "July 1, 1983"

Representatives Martinis and Hine spoke in favor of the amendment as amended, and Representatives McDonald and B. Williams spoke against it.

Mr. Martinis spoke again in favor of the amendment as amended.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Martinis and Grimm as amended to Engrossed Senate Bill No. 3750, and the amendment was adopted by the following vote: Yeas, 55; nays, 40; excused, 3.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Williams J, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Wilson - 40.

Excused: Representatives Bond, Johnson, Sanders - 3.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 1 of the title after "taxation;" strike the remainder of the title and insert "amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; providing an effective date; and declaring an emergency."

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. 3750 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 21; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Brekke, Broback, Burns, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien,



Patrick, Powers, Pruitt, Risbuben, Rust, Sayan, Schmidt, Silver, Smitherman, Sommers, Stratton, Sutherland, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 75.

Voting nay: Representatives Betrozoff, Brough, Cantu, Chandler, Clayton, Fuhrman, Hankins, Hastings, Lewis, Miller, Nealey, Nelson G, Padden, Prince, Schoon, Smith, Struthers, Tanner, Tilly, Williams B, Williams J - 21.

Excused: Representatives Bond, Johnson, Sanders - 3.

Engrossed Senate Bill No. 3750 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 Senate Bill No. 3750 as amended by the House was ordered immediately transmitted to the Senate.

#### MOTION FOR RECONSIDERATION

Mr. Heck, having given previous notice, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 52 failed to pass the House.

The motion was carried.

The Speaker stated the question before the House to be reconsideration of final passage of Engrossed Substitute House Bill No. 52.

Mr. Heck demanded an oral roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 52, and the bill passed the House by the following vote: Yeas, 50; nays, 45; excused, 3.

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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Risbuben, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 45.

Excused: Representatives Bond, Johnson, Sanders - 3.

Engrossed Substitute House Bill No. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### 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 was adjourned until 1:30 p.m., Wednesday, May 18, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-FOURTH DAY

### AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, May 18, 1983

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 Bond, Egger, Fuhrman, Hastings, Kaiser, R. King, G. Nelson, Patrick, Sutherland and Todd, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elizabeth Plush and Jeff Malloy. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

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

### MESSAGE FROM THE SENATE

May 17, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3760,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 235,

SENATE BILL NO. 3760.

### SENATE AMENDMENTS TO HOUSE BILL

May 6, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 296 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 10, chapter 265, Laws of 1981 and RCW 28A.24.055 are each amended to read as follows:

The operation of each local school district's student transportation program is declared to be the responsibility of the respective board of directors, and each board of directors shall determine such matters as which individual students shall be transported and what routes shall be most efficiently utilized. State moneys allocated to local districts for student transportation shall be spent only for student transportation activities, but need not be spent by the local district in the same manner as calculated and allocated by the state.

A school district is authorized to provide for the transportation of students enrolled in the school or schools of the district both in the case of students who reside within the boundaries of the district and of students who reside outside the boundaries of the district.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

When commercial charter bus service is not reasonably available to a school district, the state board of education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extra-curricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

In addition to the right to contract for the use of buses provided in RCW 28A.24.170 and 28A.24.172, any school district may contract to furnish the use of school buses of that district to other users who are engaged in conducting an educational or recreational program supported wholly or in part by tax funds or programs for elderly persons at times when those

buses are not needed by that district and under such terms as will fully reimburse such school district for all costs related or incident thereto: PROVIDED, HOWEVER, That no such use of school district buses shall be permitted except where other public or private transportation certificated or licensed by the Washington utilities and transportation commission is not reasonably available to the user: PROVIDED FURTHER, That no user shall be required to accept any charter bus for services which the user believes might place the health or safety of the children or elderly persons in jeopardy.

Whenever any persons are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses (~~in an amount not exceeding one thousand dollars per person per injury~~) for the benefit of persons injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the persons notwithstanding the provisions of RCW 28A.58.420.

If the transportation of children or elderly persons is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

Sec. 2. Section 1, chapter 265, Laws of 1981 and RCW 28A.41.505 are each amended to read as follows:

Funds allocated for transportation costs shall be in addition to the basic education allocation. The distribution formula developed in RCW 28A.41.505 through 28A.41.520 shall be for allocation purposes only and shall not be construed as mandating specific levels of pupil transportation services by local districts. Operating costs as determined under RCW 28A.41.505 through 28A.41.520 shall be funded at one hundred percent or as close thereto as reasonably possible for ~~(the following pupil transportation services:~~

~~(1)) transportation of an eligible student ((from the student's assigned route stop to the student's school at the beginning of the student's school day, and from the student's school to the student's assigned route stop at the end of the school day in a transportation vehicle. Recognition of nonpassenger miles shall be included as part of transportation)) to and from school as defined in RCW 28A.41.510(3).~~

~~((2) Transportation between schools or learning centers of students whose basic education or other programs are offered in two or more locations. Field trips are not eligible for funds allocated for transportation costs:~~

~~(3) Transportation for student participants in activities planned, supervised, and administered by the Washington interscholastic activities association or other voluntary nonprofit entity pursuant to RCW 28A.58.125, as now or hereafter amended, if eligible for state transportation funding under rules adopted by the state board of education.~~

~~Operational costs, as determined under RCW 28A.41.505 through 28A.41.520, for those pupil transportation services provided for in subsection (1) of this section shall be funded statewide at one hundred percent before any funds are provided for operating costs of services provided for in subsections (2) and (3) of this section:))~~

Sec. 3. Section 2, chapter 265, Laws of 1981 and RCW 28A.41.510 are each amended to read as follows:

For purposes of RCW 28A.41.505 through 28A.41.525, except where the context shall clearly indicate otherwise, the following definitions apply:

(1) 'Eligible student' means any student served by the transportation program of a school district or compensated for individual transportation arrangements authorized by RCW 28A.24.100 whose ((residence or assigned) route stop is more than one radius mile from the student's school, except if the student to be transported: (a) is handicapped under RCW 28A.13.010, as now or hereafter amended, and is either not ambulatory or not capable of protecting his or her own welfare while traveling to or from the school or agency where special education services are provided, in which case no mileage distance restriction applies; or (b) qualifies for an exemption due to hazardous walking conditions.

(2) ~~((Nonpassenger miles' means road miles necessary for the following purposes when no student is being transported in a vehicle: (a) inspection of vehicles by the state patrol; (b) mileage incurred as a result of major maintenance repairs; (c) mandated bus driver training; and (d) mileage between a school, bus garage, or storage facility and the first student route stop and the mileage between the last student route stop and the school, bus garage, or storage facility.~~

~~(3)) 'Superintendent' means the superintendent of public instruction.~~

~~(3) 'To and from school' means the transportation of students for the following purposes:~~

~~(a) Transportation to and from route stops and schools;~~

~~(b) Transportation to and from schools pursuant to an interdistrict agreement pursuant to RCW 28A.58.075;~~

(c) Transportation of students between schools and learning centers for instruction specifically required by statute; and

(d) Transportation of handicapped students to and from schools and agencies for special education services.

Extended day transportation shall not be considered part of transportation of students 'to and from school' for the purposes of this 1983 act.

(4) 'Hazardous walking conditions' means those instances of the existence of dangerous walkways documented by the board of directors of a school district which meet criteria specified in rules adopted by the superintendent of public instruction. A school district that receives an exemption for hazardous walking conditions should demonstrate that good faith efforts are being made to alleviate the problem and that the district, in cooperation with other state and local governing authorities, is attempting to reduce the incidence of hazardous walking conditions. The superintendent of public instruction shall appoint an advisory committee to prepare guidelines and procedures for determining the existence of hazardous walking conditions. The committee shall include but not be limited to representatives from law enforcement agencies, school districts, the department of transportation, city and county government, the insurance industry, parents, school directors and legislators.

Sec. 4. Section 3, chapter 265, Laws of 1981 and RCW 28A.41.515 are each amended to read as follows:

Each district shall submit to the superintendent of public instruction ((by May 1st)) during October of each year a report containing the following:

(1)(a) The number of eligible students ((anticipated to be eligible for)) transported to and from school ((transportation)) as provided for in RCW ((28A.41.505(1))) 28A.41.505 for the ((ensuing)) current school year and the number of miles estimated to be driven for pupil transportation services, along with a map describing student route stop locations and school locations, and (b) the number of miles driven for pupil transportation services as authorized in RCW 28A.41.505 the previous school year; and

(2) ((The actual number of miles driven for pupil transportation services provided for in RCW 28A.41.505(2)) during the current school year, and the number of miles anticipated for the ensuing school year for such services;

(3) The number of scheduled miles for pupil transportation services provided for in RCW 28A.41.505(3) for the ensuing school year. Miles reported shall be limited to those that are scheduled and required for participation in activities planned, supervised, and administered by the Washington interscholastic activities association or other voluntary nonprofit entity, and approved for state transportation funding by the state board of education; and

(4)) Other operational data and descriptions as required by the superintendent to determine allocation requirements for each district.

Each district shall submit the information required in this section on a timely basis as a condition of the continuing receipt of school transportation moneys.

Sec. 5. Section 4, chapter 265, Laws of 1981 as amended by section 2, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.520 are each amended to read as follows:

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

(1) The superintendent shall annually calculate a standard student mile allocation rate for ((each district)) determining the transportation allocation for those services provided for in RCW 28A.41.505. 'Standard student mile allocation rate,' as used in this chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate ((may consist of no more than eight differential rates state-wide, as determined by the superintendent, and shall) may be adjusted to include ((but not be limited to)) such additional differential factors as ((climate and terrain)) distance, restricted passenger load, ((nonpassenger miles, and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials to the extent that they are not under the direct control of the district. The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1))) circumstances that require use of special types of transportation vehicles; handicapped student load; and small fleet maintenance.

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

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

Sec. 6. Section 5, chapter 265, Laws of 1981 as amended by section 3, chapter 24, Laws of 1982 1st ex. sess. and RCW 28A.41.525 are each amended to read as follows:

~~((The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation.))~~ The superintendent shall ~~((then make necessary corrections and shall))~~ notify districts of their ~~((final))~~ student transportation allocation before ~~((the following))~~ December ~~((1st))~~ 15th. If the number of eligible students in a school district changes ten percent or more from the ~~((final))~~ October ~~((15-number))~~ report, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

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

Sec. 7. Section 8, chapter 264, Laws of 1981 and RCW 28A.44.220 are each amended to read as follows:

Unless otherwise agreed to by the board of directors of a nonhigh school district, the amounts which are established as due by a nonhigh school district pursuant to RCW 28A.44.150 through 28A.44.230 and 84.52.0531, as now or hereafter amended, shall constitute the entire amount which is due by a nonhigh school district for the school year for the education of any and all handicapped and nonhandicapped students residing in the nonhigh school district who attend a high school district pursuant to RCW 28A.58.230, as now or hereafter amended, and for the transportation of such students by a high school district ~~((as is required by RCW 28A.24.655, as now or hereafter amended))~~.

NEW SECTION. Sec. 8. Section 12, chapter 265, Laws of 1981 and RCW 28A.04.350 are each repealed.

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."

On page 1, line 10 of the title, after "RCW 28A.41.525," strike "and", and on line 11, after "RCW 28A.44.220" insert "and repealing section 12, chapter 265, Laws of 1981 and RCW 28A.04.350"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Galloway, the House concurred in the Senate amendments to Substitute House Bill No. 296.

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. 296 as amended by the Senate.

Ms. Galloway spoke in favor of passage of the bill, and Mr. Taylor spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 296 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; nays, 8; absent, 6; excused, 10.

Voting yea: Representatives Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Chandler, Charney, Clayton, Crane, Dellwo, Dickie, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruiitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Tanner, Van Dyken, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Addison, Allen, Brough, Cantu, Padden, Taylor, West, Williams J - 8.

Absent: Representatives King J, Miller, Nealey, Schoon, Tilly, Vander Stoep - 6.

Excused: Representatives Bond, Egger, Fuhrman, Hastings, Kaiser, King R, Nelson G, Patrick, Sutherland, Todd - 10.

Substitute House Bill No. 296 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 would like the record to show that I would have voted "Yes" on Substitute House Bill No. 296 as amended by the Senate.

LOUISE MILLER, 45th District.

#### MOTION

On motion of Mr. Heck, the Rules Committee was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 3226 and ENGROSSED SUBSTITUTE SENATE BILL NO. 3780, and the bills were ordered placed at the top of the second reading calendar of Senate bills.

#### MESSAGE FROM THE SENATE

May 18, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 235,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

Representatives Patrick and Todd appeared at the bar of the House.

#### REPORT OF CONFERENCE COMMITTEE

May 14, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3864, authorizing increased assessments on soft fruits, have had the same under consideration, and we recommend that the following House amendments be adopted: Page 1, line 5 of the title;

Page 1, line 8 of the title;

Page 2, after line 11;

Page 2, line 19;

Page 5, beginning on line 2;

AND that the bill as amended, do pass.

Signed by Senators Benitz, Goltz; Representatives Kaiser, Ellis, Smith.

#### MOTION

On motion of Ms. Ellis, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3864.

#### 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 Substitute Senate Bill No. 3864 as recommended by the Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3864 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 0; excused, 8.

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, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith,

Smitherman, Sommers, Stratton, Struthers, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Bond, Egger, Fuhrman, Hastings, Kaiser, King R, Nelson G, Sutherland - 8.

Engrossed Substitute Senate Bill No. 3864 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.

#### 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 ENGROSSED SUBSTITUTE HOUSE BILL NO. 307, and it was placed at the top of the second reading calendar.

#### MOTION FOR RECONSIDERATION

Mr. Tanner, having given previous notice, moved that the House now reconsider the vote by which Substitute Senate Bill No. 3173 as amended by the House failed to pass the House.

Representatives Tanner and J. King spoke in favor of the motion, and Representatives Addison and Lux spoke against it.

#### POINT OF INQUIRY

Mr. Tanner yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Tanner, I've listened to the debate on the bonding problems, and I can understand some people's concerns, but I really don't see that as being a problem. It's sort of like looking for the boogey man to come down. I don't believe that's going to be there. One thing that does really concern me is what type of support is being given to this proposal by the people who would be most directly affected. Is there support from the senior citizen lobby for this measure?"

Mr. Tanner: "Representative Smitherman, I have not asked for an official position one way or the other from the senior citizen lobby on this bill; however, I would venture to guess that the senior citizen lobby and other senior citizens would support this bill which, I think, will result in more availability and lower cost facilities for senior citizens throughout this state in the future."

Mr. Smitherman spoke in favor of the motion, and Mr. Lux again opposed it.

#### ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Substitute Senate Bill No. 3173 as amended by the House failed to pass the House, and the motion was carried by the following vote: Yeas, 56; nays, 34; excused, 8.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Barrett, Braddock, Clayton, Crane, Dickie, Ellis, Fisch, Fisher, Fiske, Gallagher, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Isaacson, Johnson, King J, King P, Kreidler, Lewis, Long, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sycan, Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Tanner, Tilly, Todd, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Appelwick, Belcher, Betzoff, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Dellwo, Ebersole, Galloway, Garrett, Holland, Jacobsen, Locke, Lux, McDonald, Nealey, Nelson D, Padden, Patrick, Rust, Sanders, Schoon, Smith, Taylor, Van Dyken, Vander Stoep, Vekich, West, Williams J - 34.

Excused: Representatives Bond, Egger, Fuhrman, Hastings, Kaiser, King R, Nelson G, Sutherland - 8.

#### MOTION

On motion of Mr. Heck, further consideration of Substitute Senate Bill No. 3173 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

## MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Thursday, May 19, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## TWENTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, May 19, 1983

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 except Representatives Bond, Isaacson, Sutherland and Tanner, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cheryl Hooper and Bryce Buzzard. Prayer was offered by The Reverend Maurice Hæhlen, Retired Minister of the United Churches of Olympia.

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

## MESSAGES FROM THE SENATE

May 13, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3910,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 18, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 51,

SECOND SUBSTITUTE HOUSE BILL NO. 693,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ESB 3910 by Senator McDermott

Relating to retirement from public services.

Referred to Committee on Ways & Means.

## MOTION

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

## 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 third time and placed on final passage.

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

## POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Moon, I don't see a fiscal note on this measure. Do you have an up-to-date fiscal note?"

Mr. Moon: "I don't know what the fiscal note was on it. I do know, in going over the proposed budget of both the House and the Senate, that there is money appropriated for this specific purpose to the Department of Corrections."

Mr. Tilly: "You don't know the figure though? Wasn't there earlier a figure of about \$1.5 million?"

Mr. Moon: "I think the appropriation, as I recall, is in the \$200,000 area, and I think with prudent management it can be done for that rather than the amount the Department of Corrections had estimated."

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. 307, and the bill passed the House by the following vote: Yeas, 88; nays, 0; absent, 6; excused, 4.

Voting yeas: 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Rust, Sanders, Saryan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Tilly, Todd, Vander Stoep, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Locke, Long, Lux, Pruitt, Van Dyken, Vekich - 6.

Excused: Representatives Bond, Isaacson, Sutherland, Tanner - 4.

Engrossed 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.

#### STATEMENT FOR THE JOURNAL

Please cast my vote as "Yes" on ESHB 307.

GENE LUX, 11th District.

#### MOTION

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

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3226, by Committee on Ways & Means (originally sponsored by Senators McDermott, Jones and Thompson - by Department of Retirement request)

Modifying provisions on retirement from public service.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 23rd Day, 1st ex. sess., May 17, 1983.)

Ms. Sommers moved adoption of the committee amendment striking every-thing after the enacting clause.

On motion of Mr. Wang, the following amendment by Representatives Wang, Stratton, B. Williams, Patrick and Grimm to the committee amendment was adopted:

On page 5, after line 17 insert the following new section:

"NEW SECTION. Sec. 5. There is hereby created a select committee which shall review the law enforcement officers' and firefighters' (LEOFF) retirement system. The committee shall be made up of the following individuals: Four members of the Washington senate, two from each caucus, chosen by the president of the senate; four members of the house of representatives, two from each caucus, chosen by the speaker of the house; three members chosen by the governor, at least one of whom shall be a member of the LEOFF II system. Each member of the committee shall have an equal vote.

The legislature shall provide such staffing, technical assistance and support services as may be required to carry out committee business. All state, local and private agencies shall cooperate fully in the committee's work.

The committee's purposes shall include, but not be limited to, a review of the following issues regarding LEOFF: (1) The adequacy of retirement benefits; (2) the actuarial soundness of the system; (3) the method of financing the system; (4) the membership eligibility requirements; (5) review of the administrative procedures within the system; and (6) review of the adequacy of labor and industries benefits for law enforcement officers and firefighters and other high-risk professions.

The committee shall prepare a report, including any recommendations, by January for the 1984 session of the legislature. The committee shall cease to exist upon presentation of its report."

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

Mr. Ebersole moved adoption of the following amendment by Representatives Ebersole, Galloway, Dickie, Miller, Walk and Taylor to the committee amendment:

On page 43 of the amendment, after line 7, insert the following:

"Sec. 23. Section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) 'Accumulated contributions' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of all regular annuity contributions with regular interest thereon.

(b) 'Accumulated contributions' for persons who establish membership in the retirement system on or after October 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the director and regular interest.

(3) 'Annuity' means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) 'Annuity fund' means the fund in which all of the accumulated contributions of members are held.

(5) 'Annuity reserve fund' means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) 'Contract' means any agreement for service and compensation between a member and an employer.

(8) 'Creditable service' means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(9) 'Dependent' means receiving one-half or more of support from a member.

(10) 'Disability allowance' means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(11) (a) 'Earnable compensation' for persons who establish membership in the retirement system on or before September 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the employer shall fix the value of that part of the compensation not paid in money: PROVIDED, That for members regularly employed under written contract with a school district in a position, other than administrative or supervisory, for which the member receives service credit of less than a year in both years of the average earnable compensation used in the calculation of the benefits under RCW 41.32.497, 41.32.498, 41.32.520, and 41.32.550, earnable compensation means the compensation the member would have received in the same position if employed on a regular full-time basis for the same contract period only for the purpose of the calculation of retirement benefits to insure that members, who receive fractional service credit pursuant to RCW 41.32.270, receive a benefit for fractional service credit proportional to a full-time benefit: PROVIDED FURTHER, That retroactive payments to an individual by an employer on reinstatement of the employee in a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken

shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for the member's two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) 'Earnable compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b) and 457 of the United States Internal Revenue Code, but shall exclude lump sum payments for deferred annual sick leave, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay; PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation, to the extent provided above, and the individual shall receive the equivalent service credit; PROVIDED FURTHER, That in any year in which a member serves in the legislature the member shall have the option of having such member's earnable compensation be the greater of:

(i) the earnable compensation the member would have received had such member not served in the legislature; or

(ii) such member's actual earnable compensation received for teaching and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) 'Employer' means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) 'Fiscal year' means a year which begins July 1st and ends June 30th of the following year.

(14) 'Former state fund' means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) 'Local fund' means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) 'Member' means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to be exempt from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) 'Membership service' means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system; PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(18) 'Pension' means the moneys payable per year during life from the pension reserve fund.

(19) 'Pension reserve fund' is a fund in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system and from which all pension obligations are to be paid.

(20) 'Prior service' means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(21) 'Prior service contributions' means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(22) 'Public school' means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

(23) 'Regular contributions' means the amounts required to be deducted from the compensation of a member and credited to the member's individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(24) 'Regular interest' means such rate as the director may determine.

(25) (a) 'Retirement allowance' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) 'Retirement allowance' for persons who establish membership in the retirement system on or after October 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

(26) 'Retirement system' means the Washington state teachers' retirement system.

(27) (a) 'Service' means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for ninety or more hours per calendar month. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

When an individual is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

Notwithstanding RCW 41.32.240, teachers covered by RCW 41.32.755 through 41.32.825, who render service need not serve for ninety days to obtain membership so long as the required contribution is submitted for such ninety-day period. Where a member did not receive service credit under RCW 41.32.775 through 41.32.825 due to the ninety-day period in RCW 41.32.240 the member may receive service credit for that period so long as the required contribution is submitted for the period. Anyone entering membership on or after October 1, 1977, and prior to July 1, 1979, shall have until June 30, 1980, to make the required contribution in one lump sum.

(28) 'Survivors' benefit fund' means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

(29) 'Teacher' means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, educational service district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

(30) 'Average final compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average earnable compensation of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

(31) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

(32) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

(33) 'Director' means the director of the department.

(34) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

(35) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).

(36) 'Retirement board' means the board of trustees provided for in RCW 41.32.040."

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

Representatives Ebersole, Taylor, Galloway and Dickie spoke in favor of the amendment, and Representatives Sommers, Cantu, McDonald and Monohon spoke against it.

Mr. Ebersole 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 Ebersole and others to the committee amendment to Engrossed Substitute Senate

Bill No. 3226, and the amendment to the amendment was adopted by the following vote: Yeas, 77; nays, 17; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Broback, Burns, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, 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, Martinis, McClure, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Smitherman, Stratton, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Armstrong, Ballard, Brough, Cantu, Chandler, Fuhrman, Hastings, McDonald, Nelson G, Padden, Silver, Smith, Sommers, Struthers, Tilly, Williams B, Williams J - 17.

Excused: Representatives Bond, Isaacson, Sutherland, Tanner - 4.

The committee amendment as amended was adopted.

Ms. Sommers moved adoption of the committee amendment to the title.

On motion of Mr. Ebersole, the following amendment to the title amendment was adopted:

On page 45 of the amendment, line 7 of the title, after "41.26.030;" insert "amending section 1, chapter 80, Laws of 1947 as last amended by section 1, chapter 5, Laws of 1983 and RCW 41.32.010;"

On motion of Mr. Wang, the following amendment to the title amendment was adopted:

On page 45, line 9 after "RCW;" insert "creating a new section:"

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.

On motion of Mr. Wang, further action on Engrossed Substitute Senate Bill No. 3226 as amended by the House was deferred and the bill was ordered held on the third reading calendar.

The Speaker (Mr. O'Brien presiding) declared the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

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 Bond, Lewis, Sutherland and Tanner, who were excused.

#### MESSAGES FROM THE SENATE

May 19, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on SECOND SUBSTITUTE SENATE BILL NO. 3155. The President has appointed the following conferees: Senators Gaspard, Talmadge, Patterson.

Sidney R. Snyder, Secretary.

May 19, 1983

Mr. Speaker:

The Senate adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3864 and passed the bill as recommended by the Conference Committee.

Bill Gleason, Assistant Secretary.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3780, by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, McManus, McDermott and Deccio - by Department of Social and Health Services request)

Modifying provisions relating to nursing homes.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 23rd Day, 1st ex. sess., May 17, 1983.)

Mr. Grimm moved adoption of the committee amendment striking everything after the enacting clause.

Ms. Brekke moved adoption of the following amendment to the committee amendment:

Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 4, chapter 177, Laws of 1980 and RCW 74.46.040 are each amended to read as follows:

(1) Not later than March 31, 1982, and each year thereafter, each contractor shall submit to the department an annual cost report, and such financial statements as are required by this chapter, for the period from January 1st through December 31st of the preceding year.

(2) Not later than one hundred twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.

(3) Two extensions of not more than thirty days each (~~after March 31st~~) may be granted by the department upon receipt of a written request setting forth the circumstances which prohibit the contractor from compliance with (~~such~~) a report due date; except, that the secretary shall establish the grounds for extension in rule and regulation. Such request must be received by the department at least ten days prior to the due date.

(~~(3) Not later than one hundred and twenty days following the termination of a contract, the contractor shall submit to the department a cost report, and such financial statements as are required by this chapter, for the period from January 1st through the date the contract terminated.~~)

Sec. 2. Section 6, chapter 177, Laws of 1980 and RCW 74.46.060 are each amended to read as follows:

(1) Cost reports shall be prepared in a standard manner and form, as determined (~~pursuant to RCW 74.46.070~~) by the department, which shall provide for financial statements, an itemized list of allowable costs, and a preliminary settlement report. Costs reported shall be determined in accordance with generally accepted accounting principles, the provisions of this chapter, and such additional rules and regulations as are established by the secretary.

(2) All financial statements of a contractor must be prepared in accordance with generally accepted accounting principles, (~~such additional regulatory requirements developed pursuant to RCW 74.46.070~~) the provisions of this chapter, and such additional rules and regulations as are established by the secretary.

(3) The records shall be maintained on the accrual method of accounting and agree with or be reconcilable to the cost report and the financial statements.

Sec. 3. Section 8, chapter 177, Laws of 1980 and RCW 74.46.080 are each amended to read as follows:

(1) All records supporting the required cost reports and financial statements, as well as trust funds established by RCW 74.46.700, shall be retained by the contractor for a period of four years following the filing of such reports at a location in the state of Washington specified by the contractor. The department may direct such records to be retained for a longer period if there remain unresolved questions on the cost reports and financial statements. All such records shall be made available upon demand to authorized representatives of the department, the office of the state auditor, and the United States department of health (~~education~~) and (~~welfare~~) human services.

(2) When a contract is terminated, all payments due will be withheld until accessibility and preservation of the records within the state of Washington are assured.

Sec. 4. Section 10, chapter 177, Laws of 1980 and RCW 74.46.100 are each amended to read as follows:

The principles inherent within (~~RCW 74.46.110 through 74.46.140~~) section 5 of this 1983 act and RCW 74.46.130 are:

(1) To ascertain, through (~~certified~~) department audit, that the costs for each year are accurately reported, thereby providing a valid basis for future rate determination;

(2) To ascertain, through (~~certified~~) department audits of the cost reports, that cost reports properly reflect the financial statements of the contractor, particularly as they pertain to related

organizations and beneficial ownership, thereby providing a valid basis for the determination of return as specified by this chapter:

(3) To ascertain, through ~~((the certified))~~ department audit ~~((and the oversight of the office of the state auditor.))~~ that compliance with the accounting and auditing provisions of this chapter and the rules and regulations of the department as they pertain to these accounting and auditing provisions is proper and consistent; and

(4) To ascertain, through ~~((certified))~~ department audits, that the responsibility of the contractor has been met in the maintenance of patient trust funds.

NEW SECTION. Sec. 5. There is added to chapter 74.46 RCW a new section to read as follows:

Cost reports, financial and statistical records, and patient trust accounts of contractors shall be field audited by the department, either by department staff or by auditors under contract to the department, in accordance with the provisions of this chapter. The department shall have the authority to accept or reject audits which fail to satisfy the requirements of this section or which are performed by auditors who violate any of the rules of this section. Department audits of the cost reports and patient trust accounts shall be conducted as follows:

(1) Each year the department will provide for field audit of the cost report, financial and statistical reports, and patient trust funds, as established by RCW 74.46.700, of all or a sample of reporting facilities selected by profiles of costs, exceptions, contract terminations, upon special requests or other factors determined by the department.

(2) Beginning with audits for calendar year 1983, up to one hundred percent of contractors cost reports and patient care trust fund accounts shall be audited; PROVIDED, That each contractor shall be audited at least once in every three-year period.

(3) Facilities shall be selected for sample audits within one hundred twenty days of submission of a correct and complete cost report, and shall be so informed of the department's intent to audit. Audits so scheduled shall be completed within one year of selection.

(4) Where an audit for a recent reporting or trust fund period discloses material discrepancies, undocumented costs or mishandling of patient trust funds, auditors may examine prior unaudited periods, for indication of similar material discrepancies, undocumented costs or mishandling of patient trust funds for not more than two reporting periods preceding the facility reporting period selected in the sample.

(5) The audit will result in a schedule summarizing appropriate adjustments to the contractor's cost report. These adjustments will include an explanation for the adjustment, the general ledger account or account group, and the dollar amount. Patient trust fund audits shall be reported separately and in accordance with RCW 74.46.700.

(6) Audits shall meet generally accepted auditing standards as promulgated by the American institute of certified public accountants and the standards for audit of governmental organizations, programs, activities and functions as published by the comptroller general of the United States. Audits shall be supervised or reviewed by a certified public accountant.

(7) No auditor under contract with or employed by the department to perform audits in accordance with the provisions of this chapter shall:

(a) Have had direct or indirect financial interest in the ownership, financing or operation of a nursing home in this state during the period covered by the audits;

(b) Acquire or commit to acquire any direct or indirect financial interest in the ownership, financing or operation of a nursing home in this state during said auditor's employment or contract with the department;

(c) Accept as a client any nursing home in this state during or within two years of termination of said auditor's contract or employment with the department.

(8) Audits shall be conducted by auditors who are otherwise independent as determined by the standards of independence established by the American institute of certified public accountants.

(9) All audit rules adopted after March 31, 1984, shall be published before the beginning of the cost report year to which they apply.

NEW SECTION. Sec. 6. There is added to chapter 74.46 RCW a new section to read as follows:

The office of the state auditor shall annually review the performance of the department to ensure that departmental audits are conducted in accordance with generally accepted accounting principles and auditing standards.

Sec. 7. Section 13, chapter 177, Laws of 1980 and RCW 74.46.130 are each amended to read as follows:

(1) For the requirements of ~~((RCW 74.46.120(4)))~~ section 5 of this 1983 act, the contractor shall be notified by the ~~((accountant))~~ department at least ten working days in advance of the engagement. Upon such notification, the contractor shall:

(a) Provide access to the facility, all records, and all working papers which are in support of the cost report, financial statements, and patient trust funds; and

(b) Prepare reconciliation of the cost report and financial statements with (i) applicable federal income and federal and state payroll tax returns and (ii) the records for the period covered by the cost report and financial statements.



~~(2) ((For the requirements of RCW 74.46.120(2), the contractor shall provide access to the facility and supply all records as required in subsection (1) of this section.)) To facilitate department audit, the owner or administrator of a facility shall designate and make available an individual or individuals to respond to questions and requests for information from auditors. The designated individual or individuals shall have sufficient knowledge of the issue or function to provide accurate information.~~

Sec. 8. Section 15, chapter 177, Laws of 1980 and RCW 74.46.150 are each amended to read as follows:

(1) For each cost center, payments to contractors shall not exceed the lower of prospective reimbursement rates or audited allowable costs, except as otherwise provided in this chapter.

(2) The settlement process shall consist of:

(a) The evaluation of the proposed preliminary settlement ((report)) by cost center contained within the cost report and preparation of the preliminary settlement report;

(b) The evaluation of the audit results, if an audit is conducted, including disallowed costs and preparation of the final settlement report; and

(c) The process of scheduling payment ((as to such)) of underpayments or overpayments determined by preliminary or final settlement.

~~((2)) in:~~

~~(a) Rulings on questioned costs; or~~

~~(b) interpretations resulting in payment of the whole or a portion of a disallowed cost; the department shall prepare and maintain such rulings and interpretations with full justification and explanation for the respective contractor and the appropriate standing committees of the legislature.))~~

Sec. 9. Section 16, chapter 177, Laws of 1980 and RCW 74.46.160 are each amended to read as follows:

(1) ((Upon)) Within one hundred twenty days after receipt of the proposed preliminary settlement ((report)), the department shall verify the accuracy of ((such report)) the proposal and shall issue a preliminary settlement report by cost center to the contractor which fully substantiates disallowed costs, refunds, underpayments, or adjustments to the proposed preliminary settlement.

(2) ((Within thirty days)) After ((receipt)) completion of the ((audited reports by the secretary)) audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations, the department will submit a ((proposed)) final settlement report by cost center to the contractor which ((rules on questioned costs, and)) fully substantiates disallowed costs, refunds, underpayments, ((and/or)) or adjustments to the ((preliminary settlement)) contractor's financial statements and cost report. Where the contractor is pursuing judicial or administrative review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement to recover overpayments based on audit adjustments not in dispute.

Sec. 10. Section 17, chapter 177, Laws of 1980 and RCW 74.46.170 are each amended to read as follows:

(1) ((The settlement will become final)) A contractor shall have thirty days after the date the ((proposed)) preliminary or final settlement report is submitted to the contractor((, unless the contractor)) to contest((s the)) a settlement determination under RCW 74.46.780. ((In the event of such action, the contractor has thirty days after the date the proposed final settlement report has been submitted to notify the department of such contesting pursuant to the provisions of RCW 74.46.780.)) After the thirty-day period has expired, a preliminary or final settlement will not be subject to review.

(2) A preliminary settlement report as issued by the department will become the final settlement report if no audit has been scheduled within twelve calendar months following the department's issuance of a preliminary settlement report to the contractor.

(3) A settlement will be reopened if necessary to make adjustments for findings resulting from an audit performed pursuant to ((this chapter)) section 5(4) of this 1983 act.

Sec. 11. Section 18, chapter 177, Laws of 1980 and RCW 74.46.180 are each amended to read as follows:

(1) The state shall make payment of any underpayments within ((fifteen)) thirty days ((of)) after the date the preliminary or final settlement ((becomes final)) report is submitted to the contractor.

(2) ((The)) A contractor found to have received either overpayments ((and/or)) or erroneous payments under a preliminary or final settlement shall refund such payments to the state within thirty days ((of)) after the date the preliminary or final settlement ((becomes final)) report is submitted to the contractor, subject to the provisions of subsections (3), (4) ((-and-5)), and (7) of this section.

(3) Within the cost centers of nursing services and food, all savings resulting from the respective ((audited)) allowable costs being lower than the respective reimbursement rate paid to the contractor during the report period shall be refunded. In computing a preliminary or final settlement, savings in a cost center may be shifted to cover a deficit in another cost center up to the amount of any savings: PROVIDED, That not more than twenty percent of the

rate in a cost center may be shifted into that cost center and no shifting may be made into the property cost center.

(4) Within the cost centers of administration and operations and property, the contractor shall retain at least fifty percent, but not more than seventy-five percent, of any savings resulting from the respective, audited, allowable costs being lower than the respective reimbursement rates paid to the contractor during the report period multiplied by the number of authorized medical care client days in which said rates were in effect. The secretary, by rule and regulation, shall establish the basis for the specific percentages of savings to the contractors. Such rules and regulations may provide for differences in the percentages allowed for each cost center to individual facilities based on performance measures related to administrative efficiency.

~~(5) ((All allowances provided by RCW 74.46.530 shall be retained by the contractor.))~~ Any industrial insurance dividend or premium discount under RCW 51.16.035 shall be retained by the contractor.

(6) In the event the contractor fails to make repayment in the time provided in subsection (2) of this section, the department shall either:

(a) Deduct the amount of refund due plus assessment of interest, as determined by the secretary, from payment amounts due the contractor; or

(b) In the instance the contract has been terminated, (i) deduct the amount of refund due plus an assessment of interest, determined by the secretary, from any payments due; or (ii) assess the amount due plus interest, as determined by the secretary, on the amount due.

(7) Where the facility is pursuing timely-filed judicial or administrative remedies in good faith regarding settlement issues, the contractor need not refund nor shall the department ((shall not)) withhold from the facility current payment amounts the department claims to be due from the facility but which are specifically disputed by the contractor. If the judicial or administrative remedy sought by the facility is not granted after all appeals are exhausted or mutually terminated, the facility shall make payment of such amounts due plus interest accrued from the date of filing of the appeal, as payable on judgments, within sixty days of the date such decision is made.

Sec. 12. Section 19, chapter 177, Laws of 1980 and RCW 74.46.190 are each amended to read as follows:

(1) The substance of a transaction will prevail over its form.

(2) All documented costs which are ordinary, necessary, related to care of medical care recipients, and not expressly ~~((nonallowable))~~ unallowable, are to be allowable.

(3) Costs applicable to services, facilities, and supplies furnished to the provider by related organizations are allowable but at the cost to the related organization, provided they do not exceed the price of comparable services, facilities, or supplies that could be purchased elsewhere.

~~((4) The payment for property usage is to be independent of ownership structure and financing arrangements.))~~

Sec. 13. Section 27, chapter 177, Laws of 1980 and RCW 74.46.270 are each amended to read as follows:

(1) The contractor shall disclose to the department:

(a) The nature and purpose of all costs which represent allocations of joint facility costs; and

(b) The methodology of the allocation utilized.

(2) Such disclosure shall demonstrate that:

(a) The services involved are necessary and nonduplicative; and

(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) Such disclosure shall be made not later than September 30, 1980, for the following year and not later than September 30th for each year thereafter; except that a new contractor shall submit the first year's disclosure together with the submissions required by RCW 74.46.670. Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify that no change will be made in lieu of the disclosure required in subsection (1) of this section.

~~((3))~~ (4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter. ~~((Such approval shall include, but not be limited to, the assurance that:~~

~~(a) The services involved are necessary and nonduplicative; and~~

~~(b) Costs are allocated in accordance with benefits received from the resources represented by those costs.~~

~~((4))~~ (5) An approved methodology may be revised or amended subject to approval as provided in ~~((subsection (3) of this section and))~~ rules and regulations adopted by the department.

NEW SECTION. Sec. 14. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(2) Interest paid to or for the benefit of a related organization will be allowed only to the extent the interest does not exceed the actual cost to the related organization of obtaining the use of funds in an arm's-length transaction.

(3) In computing allowable costs, interest income from the investment or lending of non-restricted funds shall be deducted from allowable expense.

(4) Interest income from the investment or lending of restricted funds shall not be deducted from allowable interest expense.

NEW SECTION. Sec. 15. There is added to chapter 74.46 RCW a new section to read as follows:

Rental or lease costs of land, building or equipment under arm's-length operating leases or depreciation and interest costs of land, building or equipment under arm's-length leases to be capitalized according to generally accepted accounting principles shall be allowable, to the extent the cost is necessary, ordinary, and related to patient care.

Sec. 16. Section 31, chapter 177, Laws of 1980 and RCW 74.46.310 are each amended to read as follows:

The following costs shall be capitalized:

(1) Expenses for facilities or equipment with historical cost in excess of ~~((five))~~ seven hundred fifty dollars per unit and a useful life of more than one year from the date of purchase; and

(2) Expenses for equipment with historical cost of ~~((five))~~ seven hundred fifty dollars or less per unit if either:

(a) The item was acquired in a group purchase where the total cost exceeded ~~((five))~~ seven hundred fifty dollars; or

(b) The item was part of the initial stock of the facility.

(3) Dollar limits in this section may be adjusted for economic trends and conditions by the department as established by rule and regulation.

Sec. 17. Section 41, chapter 177, Laws of 1980 and RCW 74.46.410 are each amended to read as follows:

(1) Costs will be unallowable if they are not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of such items or services will be unallowable even if they are indirectly reimbursed by the department as the result of an authorized reduction in patient contribution;

(b) Costs of services and items provided to recipients which are covered by the department's medical care program but not included in care services established by the department under this ~~((act))~~ chapter;

(c) Costs associated with a capital expenditure subject to section 1122 approval (part 100, Title 42 C.F.R.) if the department found it was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be unallowable up to the date they are determined to be reimbursable under applicable federal regulations;

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained;

~~((e))~~ (e) ~~((interest costs other than those provided by RCW 74.46.290;~~

~~((f))~~ (f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care;

~~((g))~~ (g) Costs in excess of limits or ~~((violating))~~ in violation of principles set forth in this chapter;

~~((h))~~ (h) Costs resulting from transactions or the application of accounting methods which circumvent the principles of the cost-related reimbursement system set forth in this chapter;

~~((i))~~ (i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere;

~~((ff)) (l) Bad debts of non-Title XIX recipients. Bad debts of Title XIX recipients are allowable if the debt is related to covered services, it arises from the recipient's required contribution toward the cost of care, the provider can establish that reasonable collection efforts were made, the debt was actually uncollectible when claimed as worthless, and sound business judgment established that there was no likelihood of recovery at any time in the future;~~

~~((fk)) (j) Charity and courtesy allowances;~~

~~((ff)) (k) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations;~~

~~((fm)) (l) Vending machine expenses;~~

~~((fn)) (m) Expenses for barber or beautician services not included in routine care;~~

~~((fo)) (n) Funeral and burial expenses;~~

~~((fp)) (o) Costs of gift shop operations and inventory;~~

~~((ft)) (p) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in patient activity programs;~~

~~((fr)) (q) Fund-raising expenses, except those directly related to the patient activity program;~~

~~((fs)) (r) Penalties and fines;~~

~~((ft)) (s) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations;~~

~~((fu)) (t) Federal, state, and other income taxes;~~

~~((fv)) (u) Costs of special care services except where authorized by the department;~~

~~((fw)) (v) Expenses of key-man insurance and other insurance or retirement plans not made available to all employees;~~

~~((fx)) (w) Expenses of profit-sharing plans;~~

~~((fy)) (x) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary and economic provision of such a transportation need related to patient care;~~

~~((fz)) (y) Personal expenses and allowances of owners or relatives;~~

~~((fa)) (z) All expenses of maintaining professional licenses or membership in professional organizations;~~

~~((fb)) (aa) Costs related to agreements not to compete;~~

~~((fc)) (ab) Amortization of goodwill;~~

~~((fd)) (ac) Expenses related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care;~~

~~((fe)) (ad) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands;~~

~~((ff)) (ae) Legal and consultant fees of a contractor or contractors in connection with a lawsuit against the department; and~~

~~((fg)) (af) Lease acquisition costs and other intangibles not related to patient care(;~~

~~(ah) All rental or lease costs other than those provided in RCW 74.46.300; and~~

~~(ai) All audit costs incurred pursuant to RCW 74.46.120(+)).~~

Sec. 18. Section 42, chapter 177, Laws of 1980 and RCW 74.46.420 are each amended to read as follows:

The following principles are inherent in RCW 74.46.430 through 74.46.590:

(1) Reimbursement rates will be set prospectively on a per patient day basis;

(2) Rates ~~((will be))~~ established ~~((not lower than the level which is reasonably expected to be))~~ in accordance with this chapter shall be reasonable and adequate to ~~((reimburse in full the actual allowable))~~ meet the costs ~~((of a facility which is))~~ that must be incurred by economically and efficiently operated ~~((and))~~ facilities to provide ~~((care))~~ services which meet~~((s))~~ the needs of a medical care recipient in compliance with applicable standards; and

(3) The rates so established will ~~((take into account))~~ be adjusted for economic conditions and trends ~~((during))~~ in accordance with appropriations made by the legislature as consistent with federal requirements for the period to be covered by such rates.

Sec. 19. Section 43, chapter 177, Laws of 1980 and RCW 74.46.430 are each amended to read as follows:

(1) The department, as provided by this chapter, will determine prospective cost-related reimbursement rates for services provided to medical care recipients. Each rate so determined shall represent the contractor's maximum compensation within each cost center for each patient day for such medical care recipient.

(2) As required, the department may modify such maximum per patient day rates pursuant to the administrative review provisions of RCW 74.46.780.

(3) ~~((The maximum prospective reimbursement rates for the administration and operations and the property cost centers and the return on investment allowance shall be established~~

~~based upon a minimum facility occupancy level of eighty-five percent.)) The maximum prospective reimbursement rates for the administration and operations and the property cost centers shall be established based upon a minimum facility occupancy level of eighty-five percent.~~

Sec. 20. Section 45, chapter 177, Laws of 1980 and RCW 74.46.450 are each amended to read as follows:

(1) Prospective reimbursement rates for a new contractor will be established within sixty days following receipt by the department of the properly completed projected budget required by RCW 74.46.670. Such reimbursement rates will become effective as of the effective date of the contract and shall remain in effect until rates can be established under RCW 74.46.460 based on a contractor's cost report including at least six months of cost data.

(2) Such reimbursement rates will be based on the contractor's projected cost of operations ~~((through December 31st of the year the contract becomes effective.))~~ and on costs and payment rates of the prior contractor, if any, ~~((and/or))~~ or of other contractors in comparable circumstances.

(3) If a properly completed budget is not received at least sixty days prior to the effective date of the contract, the department will establish preliminary rates based on the other factors specified in subsection (2) of this section. These preliminary rates will remain in effect until a determination is made pursuant to RCW 74.46.460.

Sec. 21. Section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460 are each amended to read as follows:

(1) Each contractor's reimbursement rates will be determined prospectively at least once each calendar year, to be effective July 1st.

(2) Rates may be adjusted as determined by the department to take into account variations of more than ten percent in the distribution of patient classifications or changes in patient characteristics from the prior reporting year, program changes, changes in staffing levels at a facility required by the department, economic trends and conditions, and/or administrative review provided by RCW 74.46.780 and shall be adjusted for any capitalized additions or replacements made as a condition for licensure or certification.

(3) Where the contractor participated in the provisions of prospective cost-related reimbursement in effect prior to July 1, ~~((1984))~~ 1983, such contractor's prospective rate effective July 1, ~~((1984))~~ 1983, will be determined utilizing ~~((his reported))~~ the contractor's desk-reviewed allowable costs for calendar year ~~((1983))~~ 1982.

(4) All prospective reimbursement rates for ~~((1985))~~ 1984 and thereafter shall be determined utilizing the prior year's ~~((audited))~~ desk-reviewed cost reports.

Sec. 22. Section 47, chapter 177, Laws of 1980 and RCW 74.46.470 are each amended to read as follows:

A contractor's reimbursement rates for medical care recipients will be determined utilizing ~~((audited))~~ desk-reviewed cost report data within the following cost centers:

- (1) Nursing services;
- (2) Food;
- (3) Administration and operations; and
- (4) Property.

NEW SECTION. Sec. 23. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The department shall analyze the submitted cost report and financial statements of each contractor to determine if the information is correct, complete, and reported in conformance with generally accepted accounting principles, the requirements of this chapter and such rules and regulations as the secretary may adopt. If the analysis finds that the cost report or financial statements are incorrect or incomplete, the department may make adjustments to the reported information for purposes of establishing reimbursement rates. A schedule of such adjustments shall be provided to contractors and shall include an explanation for the adjustment and the dollar amount of the adjustment. Adjustments shall be subject to review and appeal as provided in this chapter.

(2) The department shall accumulate data from properly completed cost reports and financial statements for use in:

- (a) Exception profiling; and
- (b) Establishing rates.

(3) The department may further utilize such accumulated data for analytical, statistical, or informational purposes as necessary.

NEW SECTION. Sec. 24. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The nursing services cost center shall include all costs related to the direct provision of nursing and related care, including fringe benefits and payroll taxes for the nursing and related care personnel. For rates effective for state fiscal year 1984, the department shall adopt by administrative rule a definition of 'related care' which shall incorporate, but not exceed services reimbursable as of June 30, 1983. For rates effective for state fiscal year 1985, the definition of related care shall include ancillary care.

(2) The department shall adopt by administrative rules a method for establishing a nursing services cost center rate consistent with the principles stated in this section.

(3) Utilizing regression or other statistical technique, the department shall determine a reasonable limit on facility nursing staff taking into account facility patient characteristics. For purposes of this section, facility nursing staff refers to registered nurses, licensed practical nurses and nursing assistants employed by the facility or obtained through temporary labor contract arrangements. In selecting a measure of patient characteristics, the department shall take into account:

- (a) The correlation between alternative measures and facility nursing staff; and
- (b) The cost of collecting information for and computation of a measure.

If regression is used, the limit shall be set at predicted nursing staff plus 1.75 regression standard errors. If another statistical method is utilized, the limit shall be set at a level corresponding to 1.75 standard errors above predicted staffing computed according to a regression procedure.

(4) No facility shall receive reimbursement for nursing staff levels in excess of the limit, except that, if a facility was reimbursed for a nursing staff level in excess of the limit as of June 30, 1983, the facility may choose to continue to receive its June, 1983 nursing services rate plus any adjustments in rates, such as adjustments for economic trends, made available to all facilities. The reasonableness limit established pursuant to this subsection shall remain in effect for the period July 1, 1983 through June 30, 1985. At that time the department may revise the measure of patient characteristics or method used to establish the limit.

(5) The department shall select an index of cost increase relevant to the nursing and related services cost area. In the absence of a more representative index, the department shall use the medical care component index as maintained by the United States bureau of labor statistics.

(6) If a facility's nursing staff level is below the limit specified in subsection (3) of this section, the department shall determine the percentage increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the selected index for the same time period, the facility's reimbursement rate in the nursing services cost center shall equal the facility's cost from the most recent cost reporting period plus any allowance for inflation provided by legislative appropriation.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost area to a level reflecting the increase in the selected index.

(7) If the facility's nursing staff level exceeds the reasonableness limit established in subsection (3) of this section, the department shall determine the increase for all items included in the nursing services cost center between the facility's most recent cost reporting period and the next prior cost reporting period.

(a) If the percentage cost increase for a facility is below the increase in the index selected pursuant to subsection (5) of this section, the facility's reimbursement rate in the nursing cost center shall equal the facility's cost from the most recent cost reporting period adjusted downward to reflect the limit on nursing staff, plus any allowance for inflation provided by legislative appropriation subject to the provisions of subsection (4) of this section.

(b) If the percentage cost increase for a facility exceeds the increase in the selected index, the department shall limit the cost used for setting the facility's rate in the nursing services cost center to a level reflecting the nursing staff limit and the cost increase limit, subject to the provisions of subsection (4) of this section, plus any allowance for inflation provided by legislative appropriation.

(8) The department is authorized to determine on a systematic basis facilities with unmet patient care service needs. The department may increase the nursing services cost center prospective rate for a facility beyond the level determined in accordance with subsection (6) of this section if the facility's actual and reported nursing staffing is one standard error or more below predicted staffing as determined according to the method selected pursuant to subsection (3) of this section and the facility has unmet patient care service needs: PROVIDED, That prospective rate increases authorized by this subsection shall be funded only from legislative appropriations made for this purpose and the increases shall be conditioned on specified improvements in patient care at such facilities.

(9) The department shall establish a method for identifying patients with exceptional care requirements and a method for establishing or negotiating on a consistent basis rates for such patients.

Sec. 25. Section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490 are each amended to read as follows:

(1) The food cost center shall include all costs for bulk and raw food and beverages purchased for the dietary needs of medical care recipients.

(2) ~~(The food cost reimbursement rate for each facility shall be computed as follows:~~  
~~FR = (FFC/FPD) 1.15, where~~

FR = the facility food cost center reimbursement rate;

FFC = the total of all reporting facilities' food cost center costs; and

TPD = the total patient days for the prior year of all reporting facilities.

(3) ~~Unless extended by law for an additional period of time, on and after July 1, 1986, the food cost reimbursement rate for each facility shall be computed as follows:~~

~~FR = (FFC/TPD), where~~

~~FR = the facility food cost center reimbursement rate;~~

~~FFC = the total of all reporting facilities' food cost center costs; and~~

~~TPD = the total patient days for the prior year of all reporting facilities.))~~ Reimbursement for the food cost center shall be at the January 1, 1983, reimbursement rate, adjusted annually for inflation.

Sec. 26. Section 50, chapter 177, Laws of 1980 and RCW 74.46.500 are each amended to read as follows:

(1) The administration and operations cost center shall include all items not included in the cost centers of nursing services, food, and property.

(2) The administration and operations cost center reimbursement rate for each facility shall be based on the computation in this subsection and shall not exceed the eighty-fifth percentile of (a) the rates of all reporting facilities derived from the computation below, or (b) reporting facilities grouped in accordance with subsection (3) of this section:

AR = TAC/TPD, where

AR = the administration and operations cost center reimbursement rate for a facility;

TAC = the total costs of the administration and operations cost center (~~plus the retained savings from such cost center as provided in RCW 74.46.180 of a facility~~); and

TPD = the total patient days for a facility for the prior year.

(3) The secretary may group facilities based on factors which could reasonably influence cost requirements of this cost center, other than ownership or legal organization characteristics.

NEW SECTION. Sec. 27. There is added to chapter 74.46 RCW a new section to read as follows:

(1) The property cost center rate shall include costs of depreciation, interest for working capital and capital indebtedness, and leases.

(2) Total per patient day property cost center cost for each facility shall be determined by dividing the sum of the reported allowable prior period actual depreciation, interest and lease costs, subject to RCW 74.46.310 through 74.46.390, adjusted for any capitalized additions or replacements approved by the department, by the total patient days for the facility in the prior period. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the property cost center cost shall be adjusted to the anticipated patient day level.

(3) The department shall compute the net invested funds for each facility. In computing the net book value of tangible fixed assets, the same assets, depreciation bases, lives, and methods referred to in RCW 74.46.310 through 74.46.390, including owned and leased assets, shall be utilized, except that the capitalized cost of land upon which the facility is located and such other contiguous land which is reasonable and necessary for use in the regular course of providing patient care shall also be included. In the case of leased facilities where the net invested funds are unknown or the contractor is unable to provide necessary information to determine net invested funds, the secretary shall have the authority to determine an amount for net invested funds based on an appraisal conducted according to RCW 74.46.360.

(4) The sum of net invested funds shall then be multiplied by .15. To this product shall be added allowable depreciation for both owned and leased assets computed according to the provisions of RCW 74.46.310 through 74.46.390. This amount shall be divided by prior period patient days, except that if a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period patient days shall be adjusted to the anticipated patient day level. The amount determined in this subsection shall be the maximum property cost center reimbursement for a facility, whether owner operated or leased.

(5) A facility shall receive as a property cost center reimbursement rate the lesser of allowable cost per patient day computed in accordance with subsection (2) of this section or the maximum reimbursement under subsection (4) of this section.

(6) In the case of a facility which was leased by the contractor as of January 1, 1983, in an arm's-length agreement, which continues to be leased under the same lease agreement, and for which the annualized lease payment, plus any interest and depreciation expenses associated with contractor-owned assets, for the period covered by the prospective rates, divided by the contractor's total patient days, is more than the maximum reimbursement determined according to subsection (4) of this section, the following shall apply:

(a) Net asset value shall be recomputed substituting the fair market value of the assets as of January 1, 1983, as determined by the department of general administration through an appraisal procedure. This recomputed net asset value shall be substituted in the computation

of net invested funds for the facility. A determination by the department of general administration of fair market value shall be final unless the procedure used to make such determination is shown to be arbitrary and capricious.

(b) The facility shall receive the lesser of allowable depreciation, interest and lease expense, or the maximum reimbursement computed according to subsection (4) of this section utilizing net invested funds determined according to subsection (6)(a) of this section.

(c) The appraisals required by subsection (6)(a) of this section shall be conducted as soon as practical after the effective date of this act. Until such time as the appraisal procedure has been completed, net asset values recomputed, and the maximum reimbursement rate established, the contractor shall receive as a property cost center reimbursement rate the contractor's property reimbursement rate as of June 30, 1983. At such time as the maximum reimbursement rate is determined and a rate according to subsection (6)(b) of this section can be established, the provider shall receive an adjustment in the property cost center rate retroactive to July 1, 1983.

(7) When a certificate of need is requested for a new facility or for an addition to an existing facility, the department shall establish a maximum reimbursable land, building construction, and equipment cost.

**NEW SECTION.** Sec. 28. There is added to chapter 74.46 RCW a new section to read as follows:

The return on net invested equity for each facility shall be determined by utilizing medicare rules and regulations applied to the most recent available annual cost report, except that a rate of return of twelve percent shall be used and this return shall not exceed two dollars per patient day for any provider.

Sec. 29. Section 55, chapter 177, Laws of 1980 and RCW 74.46.550 are each amended to read as follows:

~~((+))~~ The reimbursement rates shall not exceed the contractor's customary charges to the general public for comparable services.

~~((2) Rates shall not exceed the limits set forth in 42 CFR 450.30(b)(6).))~~

Sec. 30. Section 56, chapter 177, Laws of 1980 and RCW 74.46.560 are each amended to read as follows:

The department will notify each contractor in writing of its prospective reimbursement rates ~~((at least thirty days in advance of))~~ by the effective date of the rates. Unless otherwise specified at the time it is issued, the rate will be effective from the first day of the month in which it is issued until a new rate becomes effective. If a rate is changed as the result of an appeal in accordance with RCW 74.46.780, it will be effective as of the date the appealed rate became effective.

Sec. 31. Section 57, chapter 177, Laws of 1980 and RCW 74.46.570 are each amended to read as follows:

(1) Prospective rates are subject to adjustment by the department as a result of errors or omissions by the department or by the contractor. The department will notify the contractor in writing of each adjustment and of ~~((its))~~ the effective date of the adjustment, and of any amount due to the department or to the contractor as a result of the rate adjustment.

(2) If a contractor claims an error or omission based upon incorrect cost reporting, amended cost report pages shall be prepared and submitted by the contractor. Amended pages shall be accompanied by a certification signed by the licensed administrator of the nursing facility and a written justification explaining why the amendment is necessary. The certification and justification shall meet such criteria as are adopted by the department. Such amendments may be used to revise a prospective rate but shall not be used to revise a settlement if submitted after commencement of the field audit. All changes determined to be material by the department shall be subject to field audit. If changes are found to be incorrect or otherwise unacceptable, any rate adjustment based thereon shall be null and void and resulting payments or payment increases shall be subject to refund.

(3) The contractor shall pay an amount ~~((it owes))~~ owed the department resulting from an error or omission, or commence repayment in accordance with a schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set forth in RCW 74.46.780. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

~~((3))~~ (4) The department shall pay any amount ~~((it owes))~~ owed the contractor as a result of a rate adjustment within thirty days after ~~((it notifies))~~ the contractor is notified of the rate adjustment.

~~((4))~~ (5) No adjustments will be made to a rate more than one hundred twenty days after the final (settlement) audit narrative and summary for the period the rate was effective is sent to the contractor or, if no audit is held, more than one hundred twenty days after the preliminary settlement becomes the final settlement, except when a settlement is reopened as provided in RCW 74.46.170((2))(3).



Sec. 32. Section 58, chapter 177, Laws of 1980 and RCW 74.46.580 are each amended to read as follows:

The department shall provide all interested members of the public with an opportunity to review and comment on the proposed rate-setting factors, indices, measures, and guidelines ~~((not later than May 15th of each year prior to their being used to set rates)),~~ consistent with federal requirements.

Sec. 33. Section 61, chapter 177, Laws of 1980 and RCW 74.46.610 are each amended to read as follows:

(1) A contractor shall bill the department each month by completing and returning a facility billing statement as provided by the department which shall include, but not be limited to:

- (a) Billing by cost center;
- (b) Total patient days; and
- (c) Patient days for medical care recipients.

The statement shall be completed and filed in accordance with rules and regulations established by the secretary.

(2) A ~~((contractor))~~ facility shall not bill the department for service provided to a recipient until an award letter of eligibility of such recipient ~~((pursuant to))~~ under rules ~~((and regulations))~~ established ~~((according to the provisions of))~~ under chapter 74.09 RCW has been received by the ~~((contractor except that a contractor))~~ facility. However a facility may bill and shall be reimbursed for all medical care recipients referred to the ~~((contractor's))~~ facility by the department prior to the receipt of the award letter of eligibility or the denial of such eligibility. ~~((At that time it may bill for service provided back through the date the recipient was admitted or became eligible.))~~

- (3) Billing shall cover the patient days of care.

Sec. 34. Section 64, chapter 177, Laws of 1980 and RCW 74.46.640 are each amended to read as follows:

(1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extension. Payments will be released as soon as a properly completed report is received;

(b) State auditors, department auditors, or authorized personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided;

(c) A refund in connection with ~~((an annual))~~ a settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund; and

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is provided to the contractor, stating the reason therefor.

Sec. 35. Section 67, chapter 177, Laws of 1980 and RCW 74.46.670 are each amended to read as follows:

(1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective.

(2) The projected budget shall cover the ~~((period to December 31st))~~ contractor's first twelve months of operation from the date the contractor will enter the program. It shall be prepared on forms and in accordance with rules and regulations established by the secretary.

Sec. 36. Section 69, chapter 177, Laws of 1980 and RCW 74.46.690 are each amended to read as follows:

(1) When a facility contract is terminated for any reason, the old contractor shall submit final reports as required by RCW 74.46.040. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final ~~((audited))~~ cost report, an audit has been completed by the department, and final settlement has been determined, such settlement not to exceed ~~((sixty))~~ ninety days following ~~((submission of the final audited cost report))~~ completion of the audit process.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with RCW 74.46.170, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.

(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a bonding company acceptable to the department is filed by the contractor. The bond shall:

- (a) Be in an amount equal to the released payment;
- (b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;

(c) Provide that the full amount of the bond shall be paid to the department if a properly completed final audited cost report is not filed in accordance with this chapter, or if financial records supporting this record are not preserved and made available to the auditor; and

(d) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver services to another classification of medical care recipients at the same facility, the contractor is not required to submit final cost reports, and payment for the final thirty days will not be withheld.

Sec. 37. Section 71, chapter 177, Laws of 1980 and RCW 74.46.710 are each amended to read as follows:

(1) The contractor shall maintain a subsidiary ledger with an account for each recipient for whom the contractor has money in trust.

(2) Each account and related supporting records shall:

(a) Be kept current;

(b) Be balanced each month; and

(c) Show in detail, with supporting verification, all moneys received on behalf of the recipient and the disposition of all moneys so received.

(3) Records of each account shall be available for audit pursuant to (~~RCW 74.46.140~~) section 5 of this 1983 act and shall be retained for a minimum of four years. When an account has attained the maximum limit established by rules and regulations promulgated by the secretary, the contractor will notify the department within five days.

(4) Any charge for medical services otherwise properly made to a recipient's trust account must be supported by a written denial of such services from the department.

Sec. 38. Section 72, chapter 177, Laws of 1980 and RCW 74.46.720 are each amended to read as follows:

(1) The contractor may maintain a petty cash fund originating from trust moneys of an amount determined by the department which shall be reasonable and necessary for the size of a facility and the needs of the recipients.

(2) Such petty cash fund shall be maintained as an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact, within twenty-four hours, in a trust fund checking account, separate and apart from any other bank account or accounts of the facility or other facilities.

(3) Cash deposits of recipient allowances from any source must be made intact to the trust account within one week from the time that payment of such allowances are received.

(4) Any related bankbooks, bank statements, checkbook, check register, and all voided and canceled checks, shall be made available for audit pursuant to (~~RCW 74.46.140~~) section 5 of this 1983 act and shall be retained by the facility for not less than four years.

(5) No service charges for such checking account shall be paid from recipient trust moneys.

(6) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

Sec. 39. Section 77, chapter 177, Laws of 1980 and RCW 74.46.770 are each amended to read as follows:

(~~((+))~~) (1) If a contractor wishes to contest the way in which a rule or contract provision relating to the prospective cost-related reimbursement system was applied to the contractor by the department, it shall first pursue the administrative review process set forth in RCW 74.46.780.

(2) The administrative review and fair hearing process in RCW 74.46.780 need not be exhausted if a contractor wishes to challenge the legal validity of a statute, rule, or contract provision.

Sec. 40. Section 78, chapter 177, Laws of 1980 and RCW 74.46.780 are each amended to read as follows:

(1) Within thirty days after a contractor is notified of an action or determination it wishes to challenge, the contractor shall request in writing that the secretary review such determination. The request shall be signed by the contractor or the licensed administrator of the facility, shall identify the challenged determination and the date thereof, and shall state as specifically as practicable the grounds for its contention that the determination was erroneous. Copies of any documentation on which the contractor intends to rely to support its position shall be included with the request.

(2) After receiving a request meeting the above criteria, the secretary or his designee will contact the contractor to schedule a conference for the earliest mutually convenient time. The conference shall be scheduled for no later than (~~(thirty)~~) ninety days after a properly completed request is received unless both parties agree in writing to a specified later date.

(3) The contractor and appropriate representatives of the department shall attend the conference. In addition, representatives selected by the contractor may attend and participate.

The contractor shall (~~bring to the conference, or~~) provide to the department in advance of the conference, any documentation on which it intends to rely to support its contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) A written decision by the secretary will be furnished to the contractor within ~~((thirty)) sixty~~ days after the conclusion of the conference. ~~((The secretary shall prepare such decision for the fiscal and other appropriate standing committees of the legislature.))~~

(5) If the contractor desires review of an adverse decision of the secretary, it shall within thirty days following receipt of such decision request a fair hearing in writing in accordance with the provisions of chapter 34.04 RCW. A request for fair hearing shall satisfy the criteria for a review request as set forth in subsection (1) of this section.

Sec. 41. Section 82, chapter 177, Laws of 1980 and RCW 74.46.820 are each amended to read as follows:

(1) Cost reports and their final audit reports ~~((with any accompanying schedule of questioned costs submitted to the secretary))~~ shall be subject to public disclosure pursuant to the requirements of chapter 42.17 RCW. Notwithstanding any other provision of law, financial statements and any accompanying schedules summarizing the adjustments to a contractor's financial records, reports on review of internal control and accounting procedures, and letters of comments or recommendations relating to suggested improvements in internal control or accounting procedures which are prepared pursuant to the requirements of this chapter shall be exempt from public disclosure.

(2) Regardless of whether any document or report submitted to the secretary pursuant to this chapter is subject to public disclosure, copies of such documents or reports shall be provided by the secretary, upon written request, to the legislature and to state agencies or state or local law enforcement officials who have an official interest in the contents thereof.

Sec. 42. Section 92, chapter 177, Laws of 1980 and RCW 74.46.840 are each amended to read as follows:

If any part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found by an agency of the federal government to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is hereby declared inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 in its application to the agencies concerned. In the event that any portion of this ~~((act))~~ chapter and RCW 18.51.145 and 74.09.120 is found to be in conflict with federal requirements which are a prescribed condition to the receipt of federal funds, the secretary, to the extent that the secretary finds it to be consistent with the general policies and intent of ~~((this))~~ chapters 18.51, 74.09, and 74.46 RCW, may adopt such rules as to resolve a specific conflict and which do meet minimum federal requirements. In addition, the secretary shall submit to the next regular session of the legislature a summary of the specific rule changes made and recommendations for statutory resolution of the conflict.

NEW SECTION. Sec. 43. There is added to chapter 74.46 RCW a new section to read as follows:

If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Sec. 44. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120 are each amended to read as follows:

The department shall purchase necessary physician and dentist services by contract or 'fee for service.' The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital. The department shall purchase nursing home care by contract. The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which ~~((comply with RCW 74.09.610. The regulations))~~ shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.

All other services and supplies provided under the program shall be secured by contract.

The department may purchase care in institutions for the mentally retarded, also known as intermediate care facilities for the mentally retarded. The department shall ~~((develop))~~ establish rules for reasonable accounting and reimbursement systems for such care ~~((and report~~

such rules to the next regular session of the legislature for review prior to implementation)). Institutions for the mentally retarded include licensed nursing homes, public institutions, licensed boarding homes with fifteen beds or less, and hospital facilities certified as intermediate care facilities for the mentally retarded under the federal medicaid program to provide health, habilitative, or rehabilitative services and twenty-four hour supervision for mentally retarded individuals or persons with related conditions and includes in the program 'active treatment' as federally defined.

Sec. 45. Section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145 are each amended to read as follows:

Inspections of nursing homes by local authorities shall be consistent with the requirements of chapter 19.27 RCW, the state building code. Findings of a serious nature shall be coordinated with the department and the state fire marshal for determination of appropriate actions to ensure a safe environment for nursing home residents. The state fire marshal shall have exclusive authority to determine appropriate corrective action under this section.

**NEW SECTION.** Sec. 46. (1) In administering the nursing home payment system under chapter 74.09 RCW, the department of social and health services shall calculate preliminary settlements for the 1978 and 1979 cost reporting periods. The preliminary settlements shall be computed by comparing the rates paid to a contractor with that contractor's reported or audited allowable costs, as available. For 1978 reporting periods, the department shall on preliminary settlements permit providers the option of: (a) Retaining cost savings in the administration and operations and property cost centers as computed according to department regulations in effect for 1978; or (b) receiving a return on owner's net invested equity as computed according to procedures established by the department. For 1979 reporting periods, pending final disposition of litigation concerning retention of cost savings in the administration and operations and property cost centers for June 1979, the department shall not recover such cost savings for the calendar year.

(2) Contractors shall make repayment of overpayments identified through this process within thirty days of receipt of written notice from the department of the amount of overpayments.

(3) Where deemed appropriate by the department, repayment of overpayments may be made according to a schedule determined by the department.

(4) Failure on the part of a nursing home contractor to tender payment due in full within thirty days after notice is received from the department shall render the contractor liable for the payment of interest to the department at the rate of one percent per month for any unpaid balance from thirty days after the date of notification until payment in full is received by the department. Liability for interest payments under this subsection shall remain in effect whether a contractor is in default of repayment or is making repayment according to a schedule determined by the department in lieu of payment in full upon notification of payment due.

(5) Unless payment due from a nursing home contractor is received in full within thirty days after notification from the department or unless principal and interest payments are received according to a schedule determined by the department, recoupment from current reimbursement payments due a contractor in default will commence according to a schedule determined by the department.

(6) Interest expense incurred by a contractor in making repayment of overpayments for 1978 and 1979 reporting periods shall not be reimbursable by the state as an allowable cost.

(7) Nothing in this section prejudices the rights of contractors or the department regarding audit adjustments or revised settlements which may be promulgated by the department from time to time in individual contractor cases.

**NEW SECTION.** Sec. 47. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550;
- (2) Section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560;
- (3) Section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570;
- (4) Section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580;
- (5) Section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610;
- (6) Section 5, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.620;
- (7) Section 11, chapter 177, Laws of 1980 and RCW 74.46.110;
- (8) Section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120;
- (9) Section 14, chapter 177, Laws of 1980 and RCW 74.46.140;
- (10) Section 30, chapter 177, Laws of 1980 and RCW 74.46.300;
- (11) Section 40, chapter 177, Laws of 1980 and RCW 74.46.400;
- (12) Section 48, chapter 177, Laws of 1980 and RCW 74.46.480;
- (13) Section 51, chapter 177, Laws of 1980 and RCW 74.46.510;
- (14) Section 53, chapter 177, Laws of 1980, section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530;

(15) Section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810;

(16) Section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; and

(17) Section 84, chapter 177, Laws of 1980.

Sec. 48. Section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901 are each amended to read as follows:

(1) Sections 2, 7, 83, 85, 86, and 91 of chapter 177, Laws of 1980 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 on April 4, 1980.

(2) Section 27 of chapter 177, Laws of 1980 shall take effect on July 1, 1980.

(3) ~~(Sections 3, 4, 5, 6, 8, 9, 11, and 12 of chapter 177, Laws of 1980 shall take effect on July 1, 1983.~~

~~(4) All other sections of chapter 177, Laws of 1980 shall take effect on July 1, 1984.) All other sections of chapter 74.46 RCW, except those which took effect before July 1, 1983, shall take effect on July 1, 1983, which shall be "the effective date of this act" where that term is used in chapter 177, Laws of 1980.~~

**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 on July 1, 1983."

Representatives Brekke, Fiske and Vekich spoke in favor of the amendment to the amendment, and Representatives Stratton, Taylor and Prince spoke against it.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

Mr. Grimm moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Brekke, the following amendment to the title amendment was adopted:

On page 1, line 1 of the title after "homes;" strike the remainder of the title and insert "amending section 4, chapter 177, Laws of 1980 and RCW 74.46.040; amending section 6, chapter 177, Laws of 1980 and RCW 74.46.060; amending section 8, chapter 177, Laws of 1980 and RCW 74.46.080; amending section 10, chapter 177, Laws of 1980 and RCW 74.46.100; amending section 13, chapter 177, Laws of 1980 and RCW 74.46.130; amending section 15, chapter 177, Laws of 1980 and RCW 74.46.150; amending section 16, chapter 177, Laws of 1980 and RCW 74.46.160; amending section 17, chapter 177, Laws of 1980 and RCW 74.46.170; amending section 18, chapter 177, Laws of 1980 and RCW 74.46.180; amending section 19, chapter 177, Laws of 1980 and RCW 74.46.190; amending section 27, chapter 177, Laws of 1980 and RCW 74.46.270; amending section 31, chapter 177, Laws of 1980 and RCW 74.46.310; amending section 41, chapter 177, Laws of 1980 and RCW 74.46.410; amending section 42, chapter 177, Laws of 1980 and RCW 74.46.420; amending section 43, chapter 177, Laws of 1980 and RCW 74.46.430; amending section 45, chapter 177, Laws of 1980 and RCW 74.46.450; amending section 46, chapter 177, Laws of 1980 as amended by section 5, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.460; amending section 47, chapter 177, Laws of 1980 and RCW 74.46.470; amending section 49, chapter 177, Laws of 1980 as amended by section 6, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.490; amending section 50, chapter 177, Laws of 1980 and RCW 74.46.500; amending section 55, chapter 177, Laws of 1980 and RCW 74.46.550; amending section 56, chapter 177, Laws of 1980 and RCW 74.46.560; amending section 57, chapter 177, Laws of 1980 and RCW 74.46.570; amending section 58, chapter 177, Laws of 1980 and RCW 74.46.580; amending section 61, chapter 177, Laws of 1980 and RCW 74.46.610; amending section 64, chapter 177, Laws of 1980 and RCW 74.46.640; amending section 67, chapter 177, Laws of 1980 and RCW 74.46.670; amending section 69, chapter 177, Laws of 1980 and RCW 74.46.690; amending section 71, chapter 177, Laws of 1980 and RCW 74.46.710; amending section 72, chapter 177, Laws of 1980 and RCW 74.46.720; amending section 77, chapter 177, Laws of 1980 and RCW 74.46.770; amending section 78, chapter 177, Laws of 1980 and RCW 74.46.780; amending section 82, chapter 177, Laws of 1980 and RCW 74.46.820; amending section 92, chapter 177, Laws of 1980 and RCW 74.46.840; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 6, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.120; amending section 16, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.145; amending section 94, chapter 177, Laws of 1980 as amended by section 10, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.901; adding new sections to chapter 74.46 RCW; creating a new section; repealing section 1, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.550; repealing section 2, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.560; repealing section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570; repealing section 4, chapter 260, Laws of 1977 ex. sess., section 2, chapter 2, Laws of 1981 1st ex. sess., section 7, chapter 11, Laws of 1981 2nd ex. sess. and RCW 74.09.580; repealing section 1, chapter 2, Laws of 1981 1st ex. sess., section 8, chapter 11, Laws of 1981 2nd ex. sess., section 2, chapter 19, Laws of 1982 1st ex. sess., section 1, chapter 1, Laws of 1982 2nd ex. sess. and RCW 74.09.610; repealing section 5, chapter 19, Laws of 1982

1st ex. sess. and RCW 74.09.620; repealing section 11, chapter 177, Laws of 1980 and RCW 74.46.110; repealing section 12, chapter 177, Laws of 1980, section 4, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.120; repealing section 14, chapter 177, Laws of 1980 and RCW 74.46.140; repealing section 30, chapter 177, Laws of 1980 and RCW 74.46.300; repealing section 40, chapter 177, Laws of 1980 and RCW 74.46.400; repealing section 48, chapter 177, Laws of 1980 and RCW 74.46.480; repealing section 51, chapter 177, Laws of 1980 and RCW 74.46.510; repealing section 53, chapter 177, Laws of 1980, section 7, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.530; repealing section 81, chapter 177, Laws of 1980, section 8, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.810; repealing section 13, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.46.850; repealing section 84, chapter 177, Laws of 1980; providing an effective date; providing expiration dates; and declaring an emergency."

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 PARLIAMENTARY INQUIRY

Mr. Armstrong: "Mr. Speaker, my spouse is a partner in a law firm which represents nursing homes. Is this a conflict of interest, so that I would be prohibited from voting under Article II, section 30 which is Rule 20(B)?"

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker, Representative Armstrong, that you do not have a conflict of interest. You are not going to benefit primarily from the passage of this act, either voluntarily or otherwise. Therefore, I would say you don't have a conflict of interest."

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. 3780 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 28; absent, 2; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Belcher, Betzoff, Braddock, Brekke, Brough, Burns, Cantu, Charnley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Galloway, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Addison, Ballard, Barrett, Broback, Chandler, Clayton, Dellwo, Dickie, Egger, Fuhrman, Garrett, Hankins, Hastings, Haugen, Isaacson, King R, Kreidler, Mitchell, Nealey, Nelson G, Padden, Prince, Smith, Stratton, Struthers, Taylor, West, Wilson - 28.

Absent: Representatives Gallagher, Martinis - 2.

Excused: Representatives Bond, Lewis, Sutherland, Tanner - 4.

Engrossed Substitute Senate Bill No. 3780 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 advanced to the eighth order of business.

On motion of Mr. Heck, ENGROSSED SENATE BILL NO. 3850 was rereferred from Committee on Commerce & Economic Development to Committee on Ways & Means.

#### MOTION

On motion of Mr. Heck, the House adjourned until 10:00 a.m., Friday, May 20, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## TWENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, May 20, 1983

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 except Representatives Bond and Lux, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sean Valley and Jeff Malloy. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

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

## MESSAGE FROM THE SENATE

May 20, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3864,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HCR 27 by Representatives Tanner, J. King and Tilly

Establishing the commission on the retention of existing jobs and industries in Washington.

Referred to Committee on Rules.

## MOTION

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

## THIRD READING

ENGROSSED HOUSE BILL NO. 588, by Representatives Zellinsky, Smitherman, Egger, Schmidt, Isaacson, Hankins, McClure, Fisch, Miller, Vekich, Sayan, Powers and Holland

Providing funds for jail improvement and construction.

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

Representatives Zellinsky and G. Nelson spoke in favor of passage of the bill.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Struthers: "Mr. Speaker, how many votes are required to pass this bill?"

The Speaker (Mr. O'Brien presiding): "It requires sixty percent—fifty-nine votes."

Representatives Struthers and B. Williams spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 588, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G,

Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Padden, Taylor - 2.

Absent: Representatives Isaacson, Todd - 2.

Excused: Representatives Bond, Lux - 2.

Engrossed House Bill No. 588, having received the 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. 3226 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators McDermott, Jones and Thompson - by Department of Retirement request)

Modifying provisions on retirement from public service.

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

Representatives Sommers, McDonald, Cantu, Hine, Ebersole and Taylor 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. 3226 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, 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, King R, Kreidler, Lewis, Locke, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Isaacson, Todd - 2.

Excused: Representatives Bond, Lux - 2.

Engrossed Substitute Senate Bill No. 3226 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 Lux appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3173 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators McManus, Hemstad, Talmadge, Bottiger, Zimmerman, Lee and Deccio)

Authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the reconsideration of final passage of the bill.

Representatives Addison, Taylor, Broback, Brekke and Dickie spoke against passage of the bill, and Representatives Barrett, Kaiser, Tanner and J. King spoke in favor of it.

Mr. Garrett demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Substitute Senate Bill No. 3173 as amended by the House, and the bill failed to receive the constitutional sixty percent majority, by the following vote: Yeas, 56; nays, 41; excused, 1.

Voting yea: Representatives Allen, Appelwick, Ballard, Barrett, Braddock, Brough, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fiske, Gallagher, Grimm, Halsan, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Kreidler, Long, Martinis, McClure, McMullen, Mitchell, Monohon, Nelson G, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Sayan,



Schmidt, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Walk, Williams B, Wilson, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Armstrong, Barnes, Belcher, Betzoff, Brekke, Broback, Burns, Cantu, Chandler, Charnley, Clayton, Dickie, Fisher, Fuhrman, Galloway, Garrett, Hankins, Hastings, Jacobsen, Lewis, Locke, Lux, McDonald, Miller, Moon, Nealey, Nelson D, Padden, Patrick, Rust, Sanders, Schoon, Smith, Taylor, Van Dyken, Vander Stoep, Vekich, Wang, West, Williams J - 41.

Excused: Representative Bond - 1.

Substitute Senate Bill No. 3173 as amended by the House, having failed to receive the sixty percent majority, was declared lost.

MOTION

On motion of Mr. Heck, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Holland and Schoon, who were excused.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

- SUBSTITUTE HOUSE BILL NO. 51,
- SUBSTITUTE HOUSE BILL NO. 296,
- SECOND SUBSTITUTE HOUSE BILL NO. 693,
- SUBSTITUTE SENATE BILL NO. 3864.

SENATE AMENDMENTS TO HOUSE BILL

May 5, 1983

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 72 with the following amendments:

On page 4, after line 28, insert:

"Sec. 13. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

Upon every person except persons taxable under RCW 82.04.260(8) and (14) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of forty-four one-hundredths of one percent."

Re-number the remaining sections accordingly.

On page 5, line 35, after "of" strike "thirty-three one-hundredths" and insert "(~~thirty-three one-hundredths~~) one-eighth"

On page 7, after line 28, insert:

"(14) Upon every person engaging in the business of selling at retail perishable meat products which are exempt from sales tax pursuant to RCW 82.08.0293 and which have been slaughtered, broken and/or processed by such person, the amount of such tax with respect to such business shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent."

On page 12, after line 19, insert the following:

"Sec. 8. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer but, for purposes of this subsection, a central distribution center at which no orders for merchandise are taken shall not be deemed a retail outlet;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of competitive telephone service, as defined in RCW 82.16.010, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the primary telephone or other instrument through which the competitive telephone service is rendered;

(6) 'City' means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) 'Taxable event' shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) 'Treasurer or other legal depository' shall mean the treasurer or legal depository of a county or city.'

NEW SECTION. Sec. 9. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion. For purposes of this section, 'precious metal bullion' means any elementary precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and chromium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

NEW SECTION. Sec. 10. There is added to chapter 82.12 RCW a new section to read as follows:

The tax levied by RCW 82.12.020 does not apply to the sale of precious metal bullion or monetized bullion. For purposes of this section, 'precious metal bullion' means any elementary precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and chromium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

NEW SECTION. Sec. 11. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 35.21.285 are each repealed.

Sec. 12. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

'Extractor' means every person who from his or her 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, for sale or for commercial or industrial use mines, quarries, lakes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes, cultivates, or raises fish, shellfish, or other sea or inland water foods or products. ((#)) 'Extractor' does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish in or taking fish from fresh water on their own land.

Sec. 13. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon his own lands or upon land in which he has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with his business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

This chapter shall also not apply to any person in respect to the business of cultivating or raising fish in or taking fish from fresh water on his or her own land.

NEW SECTION. Sec. 14. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of feed used for cultivating or raising fish in fresh water on one's own land.

NEW SECTION. Sec. 15. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of feed for cultivating or raising fish in fresh water on one's own land.

NEW SECTION. Sec. 16. There is added to chapter 43.06 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to the lease of irrigation equipment by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by this chapter at the time of purchase of the irrigation equipment.

NEW SECTION. Sec. 17. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply to the use of irrigation equipment leased by owners of real property to others for use in conducting farming operations on land owned by the lessor if the lessor has paid the tax imposed by RCW 82.08.020 at the time of acquisition of the irrigation equipment.

Sec. 18. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that ~~(he)~~ the purchaser is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he or she does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his or her place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of ~~((five))~~ one dollar((s)). The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of ~~((one dollar))~~ fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his or her own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

Sec. 19. Section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsections (1) or (8) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of forty-four one-hundredths of one percent.

(2) For the purposes of this section:

(a) A person is engaged in wholesale business activities 'within this state' only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term 'independent contractor' means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(c) A person shall not be considered to be engaged in business 'within this state' merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

(3) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property, owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying forty-four one-hundredths of one percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

Sec. 20. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

(1) Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of forty-four one-hundredths of one percent.

(2) For the purposes of this section:

(a) A person is engaged in retail business activities 'within this state' only if that person:

(i) Owns or leases real property within this state;

(ii) Regularly maintains a stock of tangible personal property in this state for sale in the ordinary course of business;

(iii) Has employees or other representatives who are not independent contractors engaging in business activities within this state; or

(iv) Is a corporation which is incorporated under the laws of this state.

(b) The term 'independent contractor' means:

(i) A commission agent, broker, or other independent contractor who is engaged in selling, or soliciting orders for the sale of, tangible personal property, who holds himself or herself out as such in the regular course of business activities, and who is an independent contractor for federal income tax purposes; or

(ii) Any person who is engaged:

(A) In the trade or business of selling, or soliciting the sale of, consumer products to any buyer on a buy-sell basis or a deposit-commission basis for resale, by the buyer or any other person, in the home or otherwise than in a permanent retail establishment, or in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in a permanent retail establishment;

(B) Substantially all the remuneration, whether or not paid in cash, for the performance of services described in subparagraph (ii)(A) of this subsection is directly related to sales or other output, including the performance of services, rather than the number of hours worked; and

(C) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such purposes for federal tax purposes.

(C) A person shall not be considered to be engaged in business 'within this state' merely by reason of the solicitation in this state by an independent contractor who is subject to a tax under this chapter of orders for sales to or on behalf of a customer of such person, if the orders are sent outside this state for approval or rejection and, if approved, are filled by shipment or delivery from a point outside this state.

NEW SECTION. Sec. 21. Nothing in sections 19 and 20 of this act shall be construed as implying that the mere solicitation of orders by independent contractors already constitutes engaging in business within the state, nor that it was the intent of the legislature that activities of distinct economic entities, such as retailers, wholesalers, and independent contractors, be imputed to an out-of-state business for the purpose of determining whether it was engaged in business within the state."

On page 12, after line 19, insert:

"NEW SECTION. Sec. 22. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to the prototypes resulting from a research and development program of any business under this chapter.

NEW SECTION. Sec. 23. There is added to chapter 82.04 RCW a new section to read as follows:

This chapter shall not apply to gifts to any public or private school as defined in Title 28A RCW.

NEW SECTION. Sec. 24. There is added to chapter 82.08 RCW a new section to read as follows:

This chapter shall not apply to the prototypes resulting from a research and development program of any business under this chapter.

NEW SECTION. Sec. 25. There is added to chapter 82.08 RCW a new section to read as follows:

This chapter shall not apply to gifts to any public or private school as defined in Title 28A RCW.

NEW SECTION. Sec. 26. There is added to chapter 82.12 RCW a new section to read as follows:

This chapter shall not apply to any prototypes resulting from a research and development program of any business under this chapter.

NEW SECTION. Sec. 27. There is added to chapter 82.12 RCW a new section to read as follows:

This chapter shall not apply to gifts to any public or private school as defined in Title 28A RCW."

On page 12, after line 19, insert:

NEW SECTION. Sec. 28. As used in this chapter, 'vessel' includes every description of watercraft, not including a seaplane on the water, used or capable of being used as a means of transportation on the water, and includes all boats except those ships and vessels exempt under RCW 84.36.090 and vessels which are temporarily in this state undergoing repair or alteration.

Sec. 29. Section 24, chapter 7, Laws of 1983 and RCW 84.36.090 are each amended as follows:

Except as provided in sections 28 and 30 through 37 of this 1983 amendatory act, all ships and vessels, other than those partially exempt under RCW 84.36.080 and those described in RCW 84.36.079, are exempt from ad valorem taxes.

NEW SECTION. Sec. 30. Upon payment of the personal property taxes due on the vessel in each statement of personality under RCW 84.36.079, 84.36.080 and 84.40.040, the county treasurer shall issue to the owner of the vessel a decal approved and furnished at cost by the department of revenue which indicates that the year's personal property taxes, or appropriate part thereof, have been paid and which is capable of being affixed to the bow of the vessel. A decal shall be issued for each vessel for which the personal property taxes have been paid, and the decal shall be affixed to the bow of the vessel by the owner of the vessel.

Any vessel without a valid decal under this section is subject to distraint and sale under chapter 84.56 RCW for the payment of taxes.

NEW SECTION. Sec. 31. The assessor shall transmit to the county treasurer the names of all persons in the county who have verified ownership of one or more vessels on the statement of personality under RCW 84.40.040, together with the number of vessels each person has listed.

NEW SECTION. Sec. 32. Operation by any person of a vessel on the waters of this state without a valid decal as provided in this chapter is a misdemeanor punishable only by a fine

not to exceed two hundred dollars. The owner of a vessel which has been affixed with a decal issued under this chapter for another vessel is guilty of a misdemeanor punishable only by a fine not to exceed seven hundred fifty dollars.

Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

This section shall apply after April 30th of the year in which taxes are due under this title.

**NEW SECTION.** Sec. 33. Vessels not subject to the property tax laws of this state, or which display a valid decal indicating payment of a state excise tax as described in section 36 of this act, are not required to have affixed a decal issued under this chapter. Owners and operators of such vessels are also exempt from section 32 of this act.

**NEW SECTION.** Sec. 34. All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

**NEW SECTION.** Sec. 35. Notwithstanding chapter 42.17 RCW, the county assessors may examine the records of any public port or public marina for the purpose of determining the owners of vessels and their addresses.

**NEW SECTION.** Sec. 36. Owners of vessels shall have the option of paying either the personal property tax imposed under this title, or any state excise tax imposed for the privilege of using vessels in this state, on vessels which would otherwise be subject to both taxes. Vessels for which the full amount of any such excise tax has been paid for the calendar year are exempt from taxation under this title for that year. To qualify for exemption under this section, the owner of the vessel shall furnish proof of payment of such excise tax to the county treasurer. Only vessels subject to such excise tax and for which such excise tax has been paid are exempt under this section.

**NEW SECTION.** Sec. 37. The state agency responsible for the collection of a state excise tax as described in section 36 of this act shall consult with the county treasurers, coordinate the collection of any such excise tax and the collection of personal property taxes on vessels, and adopt any rules necessary to accomplish the purposes of this chapter.

**NEW SECTION.** Sec. 38. Sections 28 through 37 of this act apply to personal property taxes levied in 1983 and payable in 1984 and thereafter.

**NEW SECTION.** Sec. 39. There is added to chapter 84.55 RCW a new section to read as follows:

Any vessel as defined in section 28 of this act assessed for taxes due in 1984 which was not assessed for taxes due in 1983 shall be considered the same as new construction and improvements for the purposes of calculating the property tax limitation under this chapter."

On page 1, line 1 of the title, after "taxation;" insert "amending section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100; amending section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330;"

On page 1, line 3 of the title, after "82.08.010;" insert "amending section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273;"

On page 1, line 14 of the title, after "82.04.230;" insert "amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Law of 1981 and RCW 82.04.250; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020;"

On page 1, line 14, after "RCW;" insert "amending section 24, chapter 7, Laws of 1983 and RCW 84.36.090; adding a new section to chapter 43.06 RCW; adding a new section to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 84.55 RCW; creating new sections; repealing section 20, chapter 2, Laws of 1982 1st ex. sess. and RCW 35.21.285; prescribing penalties;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### POINT OF ORDER

Mr. Wang: "Mr. Speaker, I would ask you to rule as to whether or not the Senate amendments to House Bill 72 change the scope and object of the bill pursuant to House Rule 12(C)."

#### SPEAKER'S RULING

The Speaker: "The Speaker has examined House Bill No. 72 and the Senate amendments. House Bill 72 as passed by this body was a Department of Revenue

request bill that attempted to clarify three areas of the law. The Senate amendments attempt to change the scope and object of House Bill No. 72 by adding several tax exemptions not contemplated by the scope and object of the original bill. Your point is well taken, Representative Wang."

House Bill No. 72 was referred to Committee on Ways & Means.

#### MOTION

On motion of Mr. Heck, the House was recessed until 6:30 p.m.

#### EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker.

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 Representative Bond.

On motion of Mr. Heck, the absent member was excused, and the House proceeded with business under the Call of the House.

#### SENATE AMENDMENT TO HOUSE BILL

May 13, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1079 with the following amendment:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and 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.

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Revenue Department, sec. 27  
Secretary of State, sec. 15  
Senate, sec. 3  
Sentencing Guidelines Commission, sec. 77  
Social and Health Services Department, secs. 52-65  
    Administration and Supporting Services, sec. 62  
    Community Services Administration, sec. 63  
    Community Social Services, sec. 58  
    Developmental Disabilities Program, sec. 55  
    Income Maintenance Grants Program, sec. 57  
    Juvenile Rehabilitation Program, sec. 53  
    Medical Assistance Grants Program, sec. 59  
    Mental Health Program, sec. 54  
    Long-Term Care Program, sec. 56  
    Public Health Program, sec. 60  
    Reappropriations, sec. 65  
    Revenue Collections Program, sec. 64  
    Vocational Rehabilitation Program, sec. 61  
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State Capitol Historical Association, sec. 130



- State Historical Society, sec. 128
- State Library, sec. 126
- State Patrol, sec. 93
- State Treasurer, sec. 19
  - Bond Retirement and Interest, sec. 142
  - Federal Revenues for Distribution, sec. 141
  - State Revenues for Distribution, sec. 140
  - Transfers, sec. 136
- Statute Law Committee, sec. 7
- Superintendent of Public Instruction, secs. 95-114
  - Basic Education Formula, sec. 96
  - Block Grants, sec. 109
  - Educational Clinics, sec. 114
  - Educational Service Districts, sec. 108
  - Encumbrance of Federal Grants, sec. 113
  - Enumerated Purposes, sec. 111
  - Food Service Programs, sec. 105
  - Handicapped Costs, sec. 106
  - Institutional Education Programs, sec. 110
  - Pupil Transportation, sec. 103
  - Retirement Contributions, sec. 132
  - Salary and Compensation, secs. 97-102, 112
  - Traffic Safety Program, sec. 107
  - Vocational-Technical Institutes, sec. 104

- Supreme Court, sec. 8
- Tax Appeals Board, sec. 28
- Temporary Committee on Educational Policy, Structure, and Management, sec. 131
- The Evergreen State College, sec. 121
- University of Washington, sec. 117
- Utilities and Transportation Commission, sec. 41
- Veterans Affairs Department, sec. 66
- Vocational Education Commission, sec. 124
- Volunteer Firemen Board, sec. 42
- Washington Centennial Commission, sec. 92
- Washington State University, sec. 118
- Western Washington University, sec. 122

**NEW SECTION, Sec. 2. FOR THE HOUSE OF REPRESENTATIVES**

General Fund Appropriation ..... \$ 22,425,000

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.

**NEW SECTION, Sec. 3. FOR THE SENATE**

General Fund Appropriation ..... \$ 20,111,000

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.

**NEW SECTION, Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE**

General Fund Appropriation ..... \$ 1,387,000

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.

**NEW SECTION, Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

General Fund Appropriation ..... \$ 1,531,000

**NEW SECTION, Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY**

General Fund Appropriation ..... \$ 346,000

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.

NEW SECTION, Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation ..... \$ 5,120,000

NEW SECTION, Sec. 8. FOR THE SUPREME COURT

General Fund Appropriation ..... \$ 7,126,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,378,000

Total Appropriation ..... \$ 8,504,000

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 shall be used solely for indigent appeals.

NEW SECTION, Sec. 9. FOR THE LAW LIBRARY

General Fund Appropriation ..... \$ 2,036,000

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.

NEW SECTION, Sec. 10. FOR THE COURT OF APPEALS

General Fund Appropriation ..... \$ 9,030,000

NEW SECTION, Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation ..... \$ 21,555,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,310,000

Total Appropriation ..... \$ 22,865,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,524,000 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 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.

NEW SECTION, Sec. 12. FOR THE JUDICIAL QUALIFICATIONS COMMISSION

General Fund Appropriation ..... \$ 426,000

NEW SECTION, Sec. 13. FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation ..... \$ 3,441,000

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 shall be used solely for executive operations.

NEW SECTION, Sec. 14. FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation ..... \$ 249,000

NEW SECTION, Sec. 15. FOR THE SECRETARY OF STATE

General Fund Appropriation ..... \$ 4,942,000

General Fund—Archives and Records Management Account

Appropriation ..... \$ 1,310,000

Total Appropriation ..... \$ 6,252,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$920,000 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.

(2) \$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.

NEW SECTION, Sec. 16. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

General Fund Appropriation ..... \$ 124,000

<u>NEW SECTION, Sec. 17. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS</u>	
General Fund Appropriation	\$ 124,000
<u>NEW SECTION, Sec. 18. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS</u>	
General Fund Appropriation	\$ 124,000
<u>NEW SECTION, Sec. 19. FOR THE STATE TREASURER</u>	
Motor Vehicle Fund Appropriation	\$ 41,000
State Treasurer's Service Fund Appropriation	\$ 6,417,000
Total Appropriation	\$ 6,458,000
<u>NEW SECTION, Sec. 20. FOR THE STATE AUDITOR</u>	
General Fund Appropriation—State	\$ 512,000
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

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) The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

NEW SECTION, Sec. 21. FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$ 4,288,000
Legal Services Revolving Fund Appropriation	\$ 25,683,000
Total Appropriation	\$ 29,971,000

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.

NEW SECTION, Sec. 22. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$ 11,436,000
General Fund Appropriation—Federal	\$ 50,000
Medical Aid Fund Appropriation—State	\$ 100,000
Data Processing Revolving Fund Appropriation	\$ 1,368,000
Total Appropriation	\$ 12,954,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If House Bill No. 784 is not enacted before July 1, 1983, then the general fund—state appropriation shall be increased by \$319,000.

(2) 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) The director of financial management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.

(4) \$20,000 is provided solely for a feasibility study of a 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.

(5) \$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.

(6) 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.

**NEW SECTION, Sec. 23. FOR THE STATE INVESTMENT BOARD**

General Fund—State Investment Board Expense Account Appropriation .....	\$ 1,275,000
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**NEW SECTION, Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

Department of Personnel Service Fund Appropriation .....	\$ 8,625,000
State Employees' Insurance Fund Appropriation .....	\$ 1,542,000
Total Appropriation .....	\$ 10,167,000

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.

**NEW SECTION, Sec. 25. FOR THE PERSONNEL APPEALS BOARD**

Department of Personnel Service Fund Appropriation .....	\$ 779,000
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**NEW SECTION, Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

Data Processing Revolving Fund Appropriation .....	\$ 877,000
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The appropriation in this section is subject to the following conditions and limitations: The data processing authority shall develop and implement with the office of financial management an equitable billing structure to insure that all state agencies, as defined in RCW 43.88-.020, pay a proportionate share of the data processing authority's operational costs.

**NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation .....	\$ 43,090,000
General Fund—State Timber Tax Reserve Account Appropriation .....	\$ 2,851,000
Motor Vehicle Fund Appropriation .....	\$ 115,000
Total Appropriation .....	\$ 46,056,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If House Bill No. 784 is not enacted before July 1, 1983, then the general fund—state appropriation shall be increased by \$200,000.

(2) 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.

**NEW SECTION, Sec. 28. FOR THE BOARD OF TAX APPEALS**

General Fund Appropriation .....	\$ 999,000
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**NEW SECTION, Sec. 29. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation—State .....	\$ 6,038,000
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

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.

**NEW SECTION, Sec. 30. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation .....	\$ 7,902,000
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**NEW SECTION, Sec. 31. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation .....	\$ 976,000
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**NEW SECTION, Sec. 32. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

Department of Retirement Systems Expense Fund Appropriation .....	\$ 10,458,000
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The appropriation in this section is subject to the following conditions and limitations: 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.

**NEW SECTION, Sec. 33. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation .....	\$ 1,495,000
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**NEW SECTION, Sec. 34. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation .....	\$ 294,000
Certified Public Accountant Examination Account Appropriation .....	\$ 351,000
Total Appropriation .....	\$ 645,000

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.

**NEW SECTION, Sec. 35. FOR THE BOXING COMMISSION**

General Fund Appropriation .....	\$	73,000
<u>NEW SECTION, Sec. 36. FOR THE CEMETERY BOARD</u>		
General Fund—Cemetery Account Appropriation .....	\$	74,000
<u>NEW SECTION, Sec. 37. FOR THE HORSE RACING COMMISSION</u>		
Horse Racing Commission Fund Appropriation .....	\$	2,836,000
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.		
<u>NEW SECTION, Sec. 38. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM</u>		
Liquor Revolving Fund Appropriation .....	\$	14,491,000
<u>NEW SECTION, Sec. 39. FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM</u>		
Liquor Revolving Fund Appropriation .....	\$	70,397,000
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. 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.		
<u>NEW SECTION, Sec. 40. FOR THE PHARMACY BOARD</u>		
General Fund Appropriation .....	\$	1,072,000
<u>NEW SECTION, Sec. 41. FOR THE UTILITIES AND TRANSPORTATION COMMISSION</u>		
Public Service Revolving Fund Appropriation—State .....	\$	17,351,000
Public Service Revolving Fund Appropriation—Federal .....	\$	452,000
Grade Crossing Protective Fund Appropriation .....	\$	516,000
Total Appropriation .....	\$	18,319,000
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) Not more than \$150,000 from the public service revolving fund appropriation shall be expended 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.		
<u>NEW SECTION, Sec. 42. FOR THE BOARD FOR VOLUNTEER FIREMEN</u>		
Volunteer Firemen's Relief and Pension Fund Appropriation .....	\$	163,000
<u>NEW SECTION, Sec. 43. FOR THE DEPARTMENT OF EMERGENCY SERVICES</u>		
General Fund Appropriation—State .....	\$	766,000
General Fund Appropriation—Federal .....	\$	3,862,000
Total Appropriation .....	\$	4,628,000
<u>NEW SECTION, Sec. 44. FOR THE MILITARY DEPARTMENT</u>		
General Fund Appropriation—State .....	\$	6,931,000
General Fund Appropriation—Federal .....	\$	1,723,000
Total Appropriation .....	\$	8,654,000
<u>NEW SECTION, Sec. 45. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION</u>		
General Fund Appropriation .....	\$	1,422,000
<u>NEW SECTION, Sec. 46. FOR THE PRESIDENTIAL ELECTORS</u>		
General Fund Appropriation .....	\$	1,000
<u>NEW SECTION, Sec. 47. FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT</u>		
General Fund Appropriation—State .....	\$	4,708,000
General Fund Appropriation—Federal .....	\$	53,649,000
Total Appropriation .....	\$	58,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are for expenditure in fiscal year 1985.

(2) Not more than \$437,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$292,000 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.

(4) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

**NEW SECTION, Sec. 48. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Fund Appropriation . . . . . \$ 7,019,000

**NEW SECTION, Sec. 49. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund Appropriation . . . . . \$ 768,000

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. 50. FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL**

General Fund Appropriation . . . . . \$ 804,000

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 784 is not enacted by July 1, 1983, then the appropriation in this section shall lapse.

**NEW SECTION, Sec. 51. FOR THE DEPARTMENT OF CORRECTIONS**

**(1) COMMUNITY SERVICES**

General Fund Appropriation . . . . . \$ 53,956,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$2,153,000 is provided solely 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) \$236,000 is provided solely for community diversion programs.

(c) \$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.

(d) \$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.

(e) \$4,054,000 is provided for intensive parole.

(f) \$16,952,000 is provided to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(g) \$4,026,000 is provided to operate the Geiger community work release facility for convicted felons.

(h) \$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.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation ..... \$ 5,463,000

(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. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(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.

NEW SECTION, Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State ..... \$ 25,444,000  
 General Fund Appropriation—Federal ..... \$ 54,000  
 Total Appropriation ..... \$ 25,498,000

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 ..... \$ 40,008,000  
 General Fund Appropriation—Federal ..... \$ 788,000  
 Total Appropriation ..... \$ 40,796,000

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

(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.

NEW SECTION, Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES— MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State ..... \$ 85,128,000  
 General Fund Appropriation—Federal ..... \$ 14,095,000  
 General Fund Appropriation—Local ..... \$ 264,000  
 Total Appropriation ..... \$ 99,487,000

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, 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) 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

General Fund Appropriation—Federal ..... \$ 3,493,000

Total Appropriation ..... \$ 111,338,000

(3) PROGRAM SUPPORT

General Fund Appropriation—State ..... \$ 2,854,000

General Fund Appropriation—Federal ..... \$ 584,000

General Fund Appropriation—Local ..... \$ 14,000

Total Appropriation ..... \$ 3,452,000

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal ..... \$ 38,000

(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.

NEW SECTION, Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State ..... \$ 51,390,000

General Fund Appropriation—Federal ..... \$ 41,765,000

Total Appropriation ..... \$ 93,155,000

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.



(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	100,012,000
General Fund Appropriation—Federal .....	\$	62,045,000
Total Appropriation .....	\$	162,057,000

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) \$40,686,000 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
General Fund Appropriation—Federal .....	\$	864,000
Total Appropriation .....	\$	4,606,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State .....	\$	911,000
General Fund Appropriation—Federal .....	\$	1,152,000
Total Appropriation .....	\$	2,063,000

(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.

**NEW SECTION. Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
LONG-TERM CARE SERVICES**

General Fund Appropriation—State .....	\$	217,084,000
General Fund Appropriation—Federal .....	\$	211,341,000
Total Appropriation .....	\$	428,425,000

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. These services shall be provided in the least restrictive and most cost-effective manner appropriate for individual clients.

(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 and chapter 74.46 RCW. If Substitute Senate Bill No. 3780 fails 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.

(4) \$86,236,000, 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, 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, of which \$5,941,000 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, of which \$1,755,000 is from the general fund—state appropriation, is provided for the bureau of aging and adult services.

(b) \$8,107,000, of which \$4,186,000 is from the general fund—state appropriation, is provided for the bureau of nursing home affairs.

**NEW SECTION, Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—**

**INCOME ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$	359,127,000
General Fund Appropriation—Federal .....	\$	314,381,000
Total Appropriation .....	\$	673,508,000

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.

(2) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

(3) 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) \$25,536,800, of which \$12,768,400 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. 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) \$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) 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) 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	

- (b) 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.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM**

General Fund Appropriation—State	\$	84,142,000
General Fund Appropriation—Federal	\$	23,736,000
General Fund Appropriation—Local	\$	91,000
Total Appropriation	\$	107,969,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) The department shall establish a vendor rate over and above the regular child day-care rate for therapeutic day care provided to abused or neglected children under the age of five years. A maximum of \$360,000 of moneys appropriated and allotted for child care payment may be expended for therapeutic day care.
- (2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.
- (3) \$1,185,000 of the general fund—state appropriation is provided solely for home-based social services to families with children in foster care or at risk of foster care because of family problems rather than child behavior problems.
- (4) The appropriations in this section shall be initially allotted as follows:
  - (a) \$1,119,000 of the general fund—state appropriation for the victims of domestic violence program.
  - (b) \$41,808,000, of which \$35,840,000 is from the general fund—state appropriation, for foster care payments.
  - (c) \$8,684,000, of which \$7,201,000 is from the general fund—state appropriation, for child-care payments.
  - (d) \$4,664,000, of which \$3,507,000 is from the general fund—state appropriation, for adoption support.
  - (e) \$3,198,000, of which \$1,548,000 is from the general fund—state appropriation, for family reconciliation services.
  - (f) \$7,910,000, of which \$6,600,000 is from the general fund—state appropriation, for interim care.
  - (g) \$15,220,000, of which \$12,199,000 is from the general fund—state appropriation, for alcoholism grants.
  - (h) \$4,768,000, of which \$4,249,000 is from the general fund—state appropriation, for detoxification.
  - (i) \$9,005,000, of which \$4,025,000 is from the general fund—state appropriation, for substance abuse grants.
  - (j) \$7,854,000 of the general fund—state appropriation for congregate care for alcohol and substance abuse clients.
  - (k) \$3,739,000 of the general fund—federal appropriation for refugee services.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM**

General Fund Appropriation—State	\$	358,388,000
General Fund Appropriation—Federal	\$	231,464,000
Total Appropriation	\$	589,852,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$13,355,800, of which \$6,677,900 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. 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.

(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.

**NEW SECTION. Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	38,988,000
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

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.

**NEW SECTION. Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	14,051,000
General Fund Appropriation—Federal .....	\$	25,602,000
Total Appropriation .....	\$	39,653,000

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 general assistance clients. 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.

**NEW SECTION. Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	55,494,000
General Fund Appropriation—Federal .....	\$	41,060,000
General Fund—Institutional Impact Account Appropriation .....	\$	75,000
Total Appropriation .....	\$	96,629,000

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.

**NEW SECTION, Sec. 63. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

General Fund Appropriation—State .....	\$ 135,516,000
General Fund Appropriation—Federal .....	\$ 140,640,000
General Fund Appropriation—Local .....	\$ 100,000
<b>Total Appropriation .....</b>	<b>\$ 276,256,000</b>

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.

**NEW SECTION, Sec. 64. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REVENUE COLLECTIONS PROGRAM**

General Fund Appropriation—State .....	\$ 11,867,000
General Fund Appropriation—Federal .....	\$ 23,094,000
<b>Total Appropriation .....</b>	<b>\$ 34,961,000</b>

**NEW SECTION, Sec. 65. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
REAPPROPRIATIONS**

General Fund Appropriation—State .....	\$ 31,857,000
General Fund Appropriation—Federal .....	\$ 16,875,000
General Fund Appropriation—Local .....	\$ 66,000
<b>Total Appropriation .....</b>	<b>\$ 48,798,000</b>

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.

**NEW SECTION, Sec. 66. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

General Fund Appropriation—State .....	\$ 15,840,000
General Fund Appropriation—Federal .....	\$ 2,237,000
General Fund Appropriation—Local .....	\$ 3,336,000
<b>Total Appropriation .....</b>	<b>\$ 21,413,000</b>

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 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.

**NEW SECTION, Sec. 67. FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY**

General Fund Appropriation—State .....	\$	2,735,000
General Fund Appropriation—Federal .....	\$	53,568,000
Total Appropriation .....	\$	56,303,000

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) Not more than \$419,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$65,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter ... (SSB 3035), Laws of 1983.

(4) \$292,000 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) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

**NEW SECTION, Sec. 68. FOR THE HUMAN RIGHTS COMMISSION**

General Fund Appropriation—State .....	\$	2,968,000
General Fund Appropriation—Federal .....	\$	941,000
Total Appropriation .....	\$	3,909,000

**NEW SECTION, Sec. 69. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

General Fund—Crime Victims Compensation Account Appropria- tion .....	\$	266,000
Accident Fund Appropriation .....	\$	2,674,000
Medical Aid Fund Appropriation .....	\$	3,064,000
Total Appropriation .....	\$	6,004,000

The appropriations in this section are subject to the following conditions and limitations: \$12,000 of the accident fund appropriation is provided solely for an independent revalidation of the cost allocation study completed during the 1981-83 biennium. This revalidation cost study shall be transmitted to the legislature upon completion.

**NEW SECTION, Sec. 70. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

General Fund—Criminal Justice Training Account Appropriation .....	\$	6,054,000
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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.

**NEW SECTION, Sec. 71. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

General Fund Appropriation—State .....	\$	5,770,000
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

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) \$50,000 of the accident fund appropriation and \$50,000 of the medical aid fund appropriation are provided solely 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.

**NEW SECTION, Sec. 72. FOR THE BOARD OF PRISON TERMS AND PAROLES**

General Fund Appropriation .....	\$	2,975,000
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**NEW SECTION, Sec. 73. FOR THE HOSPITAL COMMISSION**

General Fund Appropriation—State .....	\$	357,000
General Fund—Hospital Commission Account Appropriation .....	\$	1,086,000
Total Appropriation .....	\$	1,443,000

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, 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.

**NEW SECTION. Sec. 74. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

General Fund Appropriation—State	\$	2,054,000
General Fund Appropriation—Federal	\$	133,049,000
General Fund Appropriation—Local	\$	17,159,000
Administrative Contingency Fund		
Appropriation—Federal	\$	6,638,000
Employment Compensation Administration Fund Appropriation	\$	92,543,000
Total Appropriation	\$	251,443,000

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.

**NEW SECTION. Sec. 75. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State	\$	1,682,000
General Fund Appropriation—Federal	\$	3,415,000
Total Appropriation	\$	5,097,000

The appropriations in this section are subject to the following conditions and limitations: The commission 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.

**NEW SECTION. Sec. 76. FOR THE CORRECTIONS STANDARDS BOARD**

General Fund Appropriation—State	\$	512,000
General Fund—Local Jail Improvement and Construction Account		
Appropriation	\$	113,124,000
Total Appropriation	\$	113,636,000

**NEW SECTION. Sec. 77. FOR THE SENTENCING GUIDELINES COMMISSION**

General Fund Appropriation	\$	551,000
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**NEW SECTION. Sec. 78. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State	\$	1,104,000
General Fund Appropriation—Federal	\$	13,032,000
General Fund Appropriation—Private/Local	\$	60,000
Total Appropriation	\$	14,196,000

**NEW SECTION. Sec. 79. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State	\$	76,000
General Fund Appropriation—Private/Local	\$	67,000
Total Appropriation	\$	143,000

**NEW SECTION. Sec. 80. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State	\$	20,937,000
General Fund Appropriation—Federal	\$	9,834,000
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
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
Total Reappropriation .....	\$	360,717,000
Total New Appropriation .....	\$	138,136,000
Total Appropriation .....	\$	498,853,000

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 \_\_\_\_ (2SSB 3624), Laws of 1983.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (SSB 3156), Laws of 1983.

(10) The department of ecology shall be the eligible recipient of federal moneys for the purposes of carrying out the provisions of Engrossed Substitute Senate Bill No. 3273.

(11) 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.

(12) 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.

**NEW SECTION. Sec. 81. FOR THE ENVIRONMENTAL HEARINGS OFFICE**

General Fund Appropriation .....	\$	712,000
<b>NEW SECTION. Sec. 82. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL</b>		
General Fund Appropriation—Private/Local .....	\$	3,473,000
<b>NEW SECTION. Sec. 83. FOR THE STATE PARKS AND RECREATION COMMISSION</b>		
General Fund Appropriation—State .....	\$	27,952,000
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 .....	\$	38,001,000

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), Laws of 1983.

**NEW SECTION. Sec. 84. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

General Fund Appropriation—State .....	\$	307,000
General Fund Appropriation—Federal .....	\$	908,000
Total Appropriation .....	\$	1,215,000

**NEW SECTION. Sec. 85. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

General Fund—Outdoor Recreation Account Appropriation—		
State .....	\$	12,025,000
General Fund—Outdoor Recreation Account Appropriation—		
Federal .....	\$	3,997,000
Total Appropriation .....	\$	16,022,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$86,000 of the outdoor recreation account—state appropriation shall be used by the committee to contract with the department of natural resources, or others, for the preparation of a comprehensive guide to public parks and recreational sites within Washington as required by RCW 43.99.142. Such guide shall coordinate site data of all state and federal agencies providing public recreational facilities in the state, except that the guide shall be sold for an amount sufficient to cover the costs involved, and to reimburse the outdoor recreation account.

(2) A maximum of \$1,520,000 may be expended for administration.

(3) No grant from the proceeds of general obligation bond sales may be made without matching federal moneys.

**NEW SECTION. Sec. 86. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT**

General Fund Appropriation .....	\$	3,086,000
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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.

**NEW SECTION. Sec. 87. FOR THE DEPARTMENT OF FISHERIES**

General Fund Appropriation—State .....	\$	38,614,000
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General Fund Appropriation—Federal .....	\$ 6,580,000
General Fund Appropriation—Private/Local .....	\$ 2,083,000
Total Appropriation .....	\$ 47,277,000

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), Laws of 1983.

**NEW SECTION, Sec. 88. FOR THE DEPARTMENT OF GAME**

General Fund Appropriation—State .....	\$ 600,000
General Fund Appropriation—Federal .....	\$ 76,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$ 159,000
Game Fund Appropriation—State .....	\$ 35,492,000
Game Fund Appropriation—Federal .....	\$ 12,224,000
Game Fund Appropriation—Private/Local .....	\$ 1,318,000
Game Fund—Special Wildlife Account Appropriation .....	\$ 250,000
Total Appropriation .....	\$ 50,119,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The \$600,000 general fund—state appropriation shall be used solely to carry out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983.

(2) \$152,000, of which \$76,000 shall be from the game fund—state appropriation and \$76,000 shall be from the general fund—federal appropriation, shall be expended for the maintenance and security of Padilla Bay estuarine sanctuary.

(3) If House Bill No. 105 is enacted before July 1, 1983, the game fund—state appropriation shall be reduced by \$352,000.

**NEW SECTION, Sec. 89. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation—State .....	\$ 26,380,000
General Fund Appropriation—Federal .....	\$ 451,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation .....	\$ 2,096,000
General Fund—Forest Development Account Appropriation .....	\$ 10,321,000
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 Appropria- tion .....	\$ 65,391,000
Total Appropriation .....	\$ 106,849,000

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 solely to carry out the purposes of chapter \_\_\_\_ (2SSB 3624), Laws of 1983; \$50,000 shall be used to conduct a study of the continuous transfer of material and products across state lands; and \$145,000 shall be used solely for the department of natural resources to vacate the first floor of the public lands building.

(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, not more than \$843,000 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.

**NEW SECTION, Sec. 90. FOR THE DEPARTMENT OF AGRICULTURE**

General Fund Appropriation—State .....	\$ 10,166,000
General Fund Appropriation—Federal .....	\$ 626,000
General Fund—Feed and Fertilizer Account Appropriation .....	\$ 17,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation .....	\$ 364,000
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
Total Appropriation .....	\$ 12,925,000

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), Laws of 1983.

(5) \$104,000 is provided solely for a food bank coordinator and related costs.

**NEW SECTION, Sec. 91. FOR THE CONSERVATION COMMISSION**

General Fund Appropriation ..... \$ 300,000

**NEW SECTION, Sec. 92. FOR THE WASHINGTON CENTENNIAL COMMISSION**

General Fund Appropriation ..... \$ 226,000

**NEW SECTION, Sec. 93. FOR THE STATE PATROL**

General Fund Appropriation ..... \$ 11,487,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$1,400,000 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) \$600,000 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.

**NEW SECTION, Sec. 94. FOR THE DEPARTMENT OF LICENSING**

General Fund Appropriation ..... \$ 12,077,000

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

Highway Safety Fund—Motorcycle Safety Education Account Appropriation ..... \$ 237,000

Motor Vehicle Fund Appropriation ..... \$ 34,693,000

Total Appropriation ..... \$ 89,527,000

The appropriations in this section are subject to the following conditions and limitations: \$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.

**NEW SECTION, Sec. 95. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State ..... \$ 13,381,000

General Fund Appropriation—Federal ..... \$ 6,540,000

General Fund—Traffic Safety Education Account Appropriation ..... \$ 460,000

Total Appropriation ..... \$ 20,381,000

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.

**NEW SECTION, Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985**

General Fund Appropriation ..... \$ 2,912,752,000

The appropriation in this section is subject to the following conditions and limitations:

(1) For purposes of this act and RCW 28A.58.095, the superintendent of public instruction shall ensure that no district provides salary and compensation increases in excess of the amount and/or percentages specified in this act for the 1984-85 school year. A school district may provide a salary increase for the 1983-84 school year up to the percent or amount specified in this section for the 1984-85 school year: PROVIDED, That for the 1983-84 and 1984-85

school years, 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 when applied to the district's respective basic education allocation, 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 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 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 outside the basic education formula as follows:

(a) A maximum of \$620,000 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 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 \$4,658,000 in fiscal year 1985 may be expended for substitute teachers. Funds shall be distributed to school districts at a rate not to exceed \$250 per year per full time equivalent classroom teacher in the basic education and handicapped programs.

(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.

**NEW SECTION. Sec. 97. SALARY AND COMPENSATION DEFINITIONS**

For purposes of sections 98 through 110 of this act, the following definitions apply:

(1) 'State-supported staff' means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), skill centers (program 45), handicapped (program 21), vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

(2) 'Incremental fringe benefits' means 7.0% for certificated staff and 14.0% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and with respect to classified staff, retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

(3) 'LEAP Document 5' means the computer tabulation of 1982-83 derived base salaries for basic education certificated staff and 1982-83 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 5, 1983, at 15:57 hours.

**NEW SECTION. Sec. 98. DETERMINATION OF STAFF MIX FACTOR AND CERTIFICATED BASE SALARY**

For purposes of determining the 1983-84, and 1984-85 school year staff mix factor and certificated base salary by district, the following definitions apply:

(1) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) Skill centers (program 45);
- (d) General instructional support (program 94);
- (e) General support (program 97).

(2) The 1982-83 certificated base salary to be used for basic education allocation purposes shall be that specified in LEAP Document 5.

(3) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) shall be employed to calculate each district's base salary for basic education certificated staff.

(4) The average staff mix factor for 1983-84, and 1984-85 for each district shall be calculated using the staff referenced in subsection (1) of this section for the respective school year and the table referenced in subsection (3) of this section.

**NEW SECTION. Sec. 99. DETERMINATION OF CLASSIFIED SALARIES**

The 1982-83 basic education average classified salary to be used for basic education allocation purposes shall be as specified for each district in LEAP Document 5 and shall be for the total number of such full time equivalent staff in the following programs:

- (1) Basic education (program 00);
- (2) Secondary vocational education (program 30);
- (3) Skill centers (program 45);
- (4) General instructional support (program 94);
- (5) General support (program 97).

**NEW SECTION. Sec. 100. 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 96 (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 96 (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 96 (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 96 (2) (a) through (d) of this act.

**NEW SECTION. Sec. 101. 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 96 (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 96 (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 96 (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 96 (4) (a) through (c) of this act.

**NEW SECTION. Sec. 102. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES**

General Fund Appropriation ..... \$ 70,041,000

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 \$26,118,000 shall be distributed for insurance benefit increases for full time equivalent state-supported staff as defined in section 97(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) A maximum of \$9,185,000 is provided, effective November 1, 1984, for incremental fringe benefits in section 97(2) of this act and 5.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff as defined in section 97(1) of this act. With respect to the remaining state-supported classified staff of a district as defined in section 97(1) of this act, the superintendent shall distribute a 5.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) 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)(c) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(c) The superintendent of public instruction shall, during the 1984-85 school year, allocate \$400,000 of the funds allocated by subsection (4)(a) of this section to each district in accordance with its particular 1983-84 complement of staff.

(d) 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.

(5) A maximum of \$34,738,000 is provided effective November 1, 1984, for incremental fringe benefits in section 97(2) of this act and 5.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times the district's 1983-84 staff mix factor (as defined in section 98(3) of this act) for state-supported basic education staff as defined in section 97(1) of this act. With respect to the remaining state-supported certificated staff of a district as defined in section 97(1) of this act, the superintendent shall distribute a 5.0% salary increase times the pertinent state-wide average derived base salary improved by the 1983-84 staff mix of each district for such staff.

(6) 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.

(b) Districts may grant increases in insurance benefits to achieve a rate of \$159.00 per individual employee in the 1983-84 school year and \$159.00 in the 1984-85 school year. For

districts having rates greater than \$159.00 per individual employee in 1982-83, any increase granted in 1983-84 shall constitute salary increase. For districts having rates greater than \$159.00 per individual employee in the 1983-84 school year, any increase granted in 1984-85 shall constitute salary increase.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments pursuant to LEAP Document 1.

(7) The salary increases authorized in subsections (4) and (5) of this section shall not apply to any employee whose annual salary is \$40,000 or greater. Moneys saved pursuant to this subsection shall be placed in reserve.

**NEW SECTION, Sec. 103. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund Appropriation ..... \$ 168,874,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$73,364,000 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.

**NEW SECTION, Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES**

General Fund Appropriation ..... \$ 53,586,000

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, not including salary and insurance benefit increases.

(2) Not more than \$619,000 of this appropriation may be expended for adult education.

**NEW SECTION, Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State ..... \$ 6,000,000  
 General Fund Appropriation—Federal ..... \$ 60,611,000  
 Total Appropriation ..... \$ 66,611,000

**NEW SECTION, Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS**

General Fund Appropriation—State ..... \$ 271,088,000  
 General Fund Appropriation—Federal ..... \$ 27,641,000  
 Total Appropriation ..... \$ 298,729,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) A maximum of \$125,586,000 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 years 1983-84 and 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.

**NEW SECTION, Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation ..... \$ 17,141,000

The appropriation in this section is subject to the following condition or limitation: Not more than \$446,000 may be expended for traffic safety education coordinators.

**NEW SECTION, Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation—State ..... \$ 4,807,000  
 State Funding Sources ..... \$ 3,664,000  
 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	\$610,000
E.S.D. No. 105	\$584,000	\$292,000
E.S.D. No. 112	\$491,000	\$492,000
E.S.D. No. 113	\$524,000	\$525,000
E.S.D. No. 114	\$451,000	\$226,000
E.S.D. No. 121	\$429,000	\$430,000

E.S.D. No. 123 .....	\$569,000	\$285,000
E.S.D. No. 171 .....	\$696,000	\$349,000
E.S.D. No. 189 .....	\$454,000	\$455,000
Total .....	\$4,807,000	\$3,664,000

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 96 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).

**NEW SECTION. Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS**

General Fund Appropriation—State .....

\$	45,957,000
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The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$27,328,000 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 of \$28,632,000 shall be distributed as follows:
  - (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) A maximum of \$12,900,000 may be distributed for the remaining months of the 1982-83 school year.

(5) The funds allocated by subsection (3) 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.

(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) Salary and benefits increases are included in the funds allocated by this section.

**NEW SECTION. Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State .....	\$	20,857,000
General Fund Appropriation—Federal .....	\$	5,450,000
Total Appropriation .....	\$	26,307,000

The appropriations in this section are subject to the following condition or limitation: Not more than \$3,355,783 shall be expended for support of basic education programs for juveniles confined in county detention centers.

**NEW SECTION. Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal .....	\$	93,956,000
(1) Education Consolidation and Improvement Act of 1981 .....	\$	90,483,000
(2) Education of Indian Children .....	\$	367,000
(3) Adult Basic Education .....	\$	3,106,000

**NEW SECTION. Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN 1982-83 SCHOOL YEAR SALARY INCREASES**

General Fund Appropriation .....	\$	500,000
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The appropriation in this section is subject to the following conditions and limitations: \$500,000 shall be distributed to eligible school districts on the same basis as \$451,000 was distributed under section 74(10), chapter 50, Laws of 1982 1st ex. sess. (uncodified).

**NEW SECTION. Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENCUMBRANCE OF FEDERAL GRANTS**

General Fund Appropriation—Federal .....	\$	27,380,000
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**NEW SECTION. Sec. 114. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS**



General Fund Appropriation ..... \$ 1,100,000

**NEW SECTION, Sec. 115. HIGHER EDUCATION**

The appropriations in sections 116 through 122 of this act are subject to the following conditions and limitations:

(1) The community colleges shall not expand ungraded offerings above the level estimated for 1981-82.

(2) No funds may be used for the inauguration or operation of any new degree program until the program has been reviewed and favorably recommended by the council for postsecondary education.

(3) Eastern Washington University shall not expand its enrollment or offerings in Spokane prior to the completion of the Spokane off-campus study by the office of financial management.

(4) The research universities shall expand their self-sustaining continuing education activities for professional engineers.

(5) The boards of regents of the University of Washington and Washington State University may waive all tuition, operating, and service and activities fees for foreign exchange students from Washington's sister state, the Sichuan province of the People's Republic of China. Tuition and fees shall not be waived for more than a total of four students during each year of the biennium. The waiver shall not be subject to the limitations established in RCW 28B.15.740.

(6) As used in sections 116 through 122 of this act:

(a) 'Comparable cost' has the meaning used in the calculation of table 2 of the Washington state higher education enrollment forecasts published by the office of financial management in January, 1983.

(b) 'Regular academic year enrollments' excludes summer school enrollments except for the community colleges.

(7) The state board shall review and modify its allocation methods for enrollments to recognize any recent change in student demand and needs. In determining demand and needs, the state board shall consider the needs of new industries, with special reference to the semiconductor industry, and any other state economic growth that community college education can enhance in rural as well as metropolitan areas. In addition, reallocation of student enrollments that would maximize the highest quality educational offerings shall be considered. The state board shall report on its allocation method to the ways and means committees of the respective houses by September 1, 1983.

(8) Eastern Washington University, Central Washington University, The Evergreen State College and the state board for community college education shall expend up to \$25,000 each to conduct a program review in the manner of the recently completed review done by Western Washington University. The results of these reviews shall be reported to the ways and means committees of the respective houses by November 1, 1983.

**NEW SECTION, Sec. 116. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**

(1) General Fund Appropriation—Federal ..... \$ 9,000

(2) \$12,065,438 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 distribution of such funds in fiscal year 1984 shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 69.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 84.0% of formula. The distribution of such funds in fiscal year 1985 shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(4) \$227,492,904 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$1,346 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 3,669 per year.

(5) \$73,171,100 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$433 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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.

(6) \$116,366,971 is appropriated from the general fund for general university purposes, including plant maintenance, institutional support, state board operations, and instruction.

(7) The appropriations in this section are subject to the following conditions and limitations: The community college system shall maximize enrollment opportunities for vocational students.

NEW SECTION, Sec. 117. 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) \$166,908.073 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$3,140 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 1,702 per year.

(5) \$59,028,700 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$984 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$172,081,227 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.

NEW SECTION, Sec. 118. FOR WASHINGTON STATE UNIVERSITY

(1) \$81,454,522 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,707 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 874 per year.

(2) \$31,139,500 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$967 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$116,677,978 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) 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 119(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.

NEW SECTION, Sec. 119. FOR EASTERN WASHINGTON UNIVERSITY

(1) \$33,477,104 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,475 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 360 per year.

(2) \$12,515,800 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$894 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$22,091,096 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.

(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.

**NEW SECTION, Sec. 120. FOR CENTRAL WASHINGTON UNIVERSITY**

(1) \$28,080,265 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,380 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 310 per year.

(2) \$10,774,700 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$913 per year averaged for the biennium. 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 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) \$18,061,035 is appropriated from the general fund for general university purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$646,000 is appropriated from the general fund for equipment.

**NEW SECTION, Sec. 121. FOR THE EVERGREEN STATE COLLEGE**

(1) \$11,479,067 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,442 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 132 per year.

(2) \$7,235,800 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$1,540 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of 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) \$10,284,133 is appropriated from the general fund for general college purposes, including research, plant maintenance, institutional support, and instruction.

(4) \$579,000 is appropriated from the general fund for equipment.

(5) The appropriations in this section are subject to the following conditions and limitations:

(a) The board of trustees of The Evergreen State College is directed to limit the use of campus space to that amount sufficient to serve enrollments of up to two thousand five hundred students during each year of the biennium.

(b) The board of trustees shall cooperate with the director of the department of general administration, who is directed to use such space in excess of that provided in subsection (5)(a) of this section to reduce the amount of leased space in Thurston County for offices, warehouses, and similar purposes as are required by elected state officials, institutions, departments, commissions, or other state agencies: PROVIDED, That this subsection (5)(b) shall not restrict the ability of The Evergreen State College from regaining that space if the college achieves an enrollment in excess of two thousand five hundred students.

**NEW SECTION, Sec. 122. FOR WESTERN WASHINGTON UNIVERSITY**

(1) \$36,087,022 is appropriated from the general fund for basic direct instructional resources. Average basic direct instructional resource per comparable cost student shall not be less than \$2,199 per academic year averaged for the biennium. Faculty full time equivalent entitlements for direct instructional purposes shall be not less than 416 per year.

(2) \$12,210,400 is appropriated from the general fund for support instructional resources. Average support instructional resources per student shall be not less than \$742 per year averaged for the biennium. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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) \$19,261,578 is appropriated from the general fund for general university purposes including research, primary support, institutional support, and instruction.

(5) \$1,590,000 is appropriated from the general fund for equipment.

**NEW SECTION, Sec. 123. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State .....	\$	27,508,000
General Fund Appropriation—Federal .....	\$	3,526,000
State Educational Grant Appropriation .....	\$	40,000

Total Appropriation . . . . . \$ 31,074,000

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.

NEW SECTION, Sec. 124. FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State . . . . . \$ 1,986,000

General Fund Appropriation—Federal . . . . . \$ 21,385,000

Total Appropriation . . . . . \$ 23,371,000

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.

NEW SECTION, Sec. 125. FOR THE HIGHER EDUCATION PERSONNEL BOARD

Higher Education Personnel Board Service Fund Appropriation . . . . . \$ 1,309,000

NEW SECTION, Sec. 126. FOR THE STATE LIBRARY

General Fund Appropriation—State . . . . . \$ 7,447,000

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

Total Appropriation . . . . . \$ 17,515,000

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.

NEW SECTION, Sec. 127. FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State . . . . . \$ 2,742,000

General Fund Appropriation—Federal . . . . . \$ 800,000

Total Appropriation . . . . . \$ 3,542,000

NEW SECTION, Sec. 128. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation . . . . . \$ 561,000

NEW SECTION, Sec. 129. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation . . . . . \$ 471,000

NEW SECTION, Sec. 130. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation . . . . . \$ 450,000

General Fund—State Capitol Historical Association Museum

Account Appropriation . . . . . \$ 90,000

Total Appropriation . . . . . \$ 540,000

NEW SECTION, Sec. 131. FOR THE TEMPORARY COMMITTEE ON EDUCATION POLICY,

STRUCTURE AND MANAGEMENT

General Fund Appropriation—State . . . . . \$ 600,000

General Fund Appropriation—Private/Local . . . . . \$ 34,000

Total Appropriation . . . . . \$ 634,000

NEW SECTION, Sec. 132. FOR THE GOVERNOR—EMERGENCY FUND

General Fund Appropriation—State . . . . . \$ 2,055,000

The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

NEW SECTION, Sec. 133. FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES

(1) There is appropriated for the four-year institutions of higher education from the General Fund . . . . . \$ 18,320,000

(2) There is appropriated for the community college system from the General Fund . . . . . \$ 10,304,000

(3) There is appropriated for the department of corrections from the General Fund . . . . . \$ 4,756,000

(4) There is appropriated for the department of social and health services from the:

General Fund—State . . . . . \$ 9,961,000

General Fund—Federal . . . . . \$ 6,048,000

(5) There is appropriated for other state agencies from the:

General Fund—State .....	\$	6,882,000
General Fund—Federal .....	\$	1,499,000

(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase

Revolving Fund .....	\$	18,710,000
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(7) The appropriations in this section shall be expended to implement:

(a) Salary increases effective November 1, 1984, averaging 5% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards): PROVIDED, That for jurisdictions included in the 1982 salary survey conducted by the higher education and state personnel boards, the increases shall implement to the extent possible the catch-up portion of such survey;

(b) Merit/market increases effective November 1, 1984, averaging 1.6% for faculty of the four-year institutions of higher education: PROVIDED, That inclusive of merit pool funds, 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 January 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. 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.

(8) The community colleges may grant merit/market increases for faculty averaging 1.6% effective November 1, 1984: PROVIDED, That inclusive of merit pool funds, 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 January 15, 1985.

(9) The compensation increases authorized in subsections (7) (a) and (b), and (8) of this section shall not apply to any state employee whose annual salary is \$40,000 or greater. Money saved pursuant to this subsection shall be placed in reserve.

(10) 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.

**NEW SECTION, Sec. 134. FOR THE GOVERNOR—SALARY INCREASES**

General Fund Appropriation .....	\$	685,000
Special Fund Salary Increase Revolving Fund Appropriation .....	\$	825,000
Department of Personnel Service Fund Appropriation .....	\$	14,000
Higher Education Personnel Board Service Fund Appropriation .....	\$	6,000
Total Appropriation .....	\$	1,530,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The state personnel board and the higher education personnel board shall develop a plan for effecting a salary increase of \$100 a year for all classes and employees indexed to salary survey benchmark classes or occupational groups averaging eight or more salary ranges below the comparable worth salary practice line as measured in the 1982 comparable worth study. Such plan shall be implemented on July 1, 1984.

(2) To facilitate payment of state employee salary increases from special funds, the state treasurer is directed to transfer sufficient amounts from each special fund to the special fund salary increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(3) The state personnel board and the higher education personnel board shall conduct additional point evaluations as necessary.

NEW SECTION, Sec. 135. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—RETIREMENT CONTRIBUTIONS

General Fund Appropriation . . . . . \$ 506,450,000

The appropriation in this section is 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 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 for contribution to the teachers' retirement system.

NEW SECTION, Sec. 136. FOR THE STATE TREASURER—TRANSFERS

General Fund—Criminal Justice Training Account Appropriation:  
For transfer: (1) To the Institutional Impact Account, an amount up to \$946,000; and (2) to the Crime Victims Compensation Account, an amount up to \$1,924,000, according to schedules provided by the office of financial management . . . . . \$ 2,870,000

Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1983, through June 30, 1985 . . . . . \$ 6,427,322

General Fund Appropriation: For transfer to the Tort Claims Revolving Fund to pay tort claim settlements for the department of corrections in the Berry case and for the commission for the blind in the Engles case . . . . . \$ 529,000

Perpetual Maintenance Account Appropriation: For transfer to the Site Closure Account as authorized by the director of financial management for low-level nuclear waste site closure purposes . . . . . \$ 1,000,000

State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1985, an amount up to \$11,450,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1986, for credit to the fiscal year in which earned . . . . . \$ 11,450,000

NEW SECTION, Sec. 137. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund . . . . . \$ 12,000

Motor Vehicle Fund—State Patrol Highway Account Appropriation:  
For transfer to the Department of Retirement Systems Expense Fund . . . . . \$ 51,000

Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund . . . . . \$ 2,998,000

NEW SECTION, Sec. 138. FOR BELATED CLAIMS

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund . . . . . \$ 905,000

(2) The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1985, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Criminal Justice Training Account . . . . . \$ 49,590

General Fund—Off-Road Vehicle Account . . . . . \$ 141

General Fund—Snowmobile Account . . . . . \$ 2,027

General fund—Institutional Impact Account . . . . . \$ 13,400

General Fund—Hospital Commission Account . . . . . \$ 134

General Fund—State Timber Tax Reserve Account . . . . . \$ 168

General Fund—Professional Engineers' Account . . . . . \$ 6,063

General Fund—Real Estate Commission Account . . . . . \$ 1,028

General Fund—Capital Building Construction Account . . . . . \$ 1,046

General Fund—Motor Transport Account . . . . . \$ 74,404

General Fund—Resource Management Cost Account . . . . . \$ 1,728

General Fund—Litter Control Account . . . . . \$ 18

General Fund—Traffic Safety Education Account . . . . . \$ 379

General Fund—L.I.R. Waste Disposal Account . . . . . \$ 11,079

General Fund—State Building Construction Account . . . . . \$ 2,860

General Fund—Outdoor Recreation Account . . . . . \$ 7,876

General Fund L.I.R. Water Supply Facilities Account . . . . . \$ 1,715

General Fund—L.I.R. Account—Public Recreation Facilities . . . . . \$ 3,173

Electrical License Fund	\$	4,489
State Game Fund	\$	15,414
Highway Safety Fund	\$	20,897
Motor Vehicle Fund	\$	55,381
Public Service Revolving Fund	\$	5,488
State Treasurer's Service Fund	\$	25,108
Legal Services Revolving Fund	\$	822
General Administration Facilities and Services Revolving Fund	\$	615
Liquor Revolving Fund	\$	15,589
Accident Fund	\$	11,904
Medical Aid Fund	\$	16,629
Plumbing Certificate Fund	\$	147
Washington Library Network Computer System Revolving Fund	\$	23
Pressure System Safety Fund	\$	13
Total Appropriation	\$	349,348

**NEW SECTION. Sec. 139. 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) Michael Dittman, et al.; Payment of judgment in Dittman v. Western Washington University, United States District Court, Western District of Washington, Cause No. C-79-1189V	\$	46,000
(2) Spokane Arcades, Inc., et al.; Payment of judgment in Spokane Arcades v. Ray, United States District Court, Eastern District of Washington, Cause No. C-77-353	\$	15,440
(3) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States Court of Appeals, 9th Circuit, Cause Nos. 79-4643, 79-4655, 79-4676, 79-4740, 79-4801, and 79-4802	\$	49,929
(4) Ray Beller, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	1,000
(5) Dean C. Farrens, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	13,971.49
(6) William H. Thompson, In settlement of all claims for expenses in State v. Thompson, pursuant to RCW 9.01.200	\$	5,395.20
(7) Mrs. Tyler C. (Betty) Moffett, Payment in full of deceased husband's retirement contributions	\$	21,154.99
(8) King county, In settlement of all claims for witness fees pursuant to RCW 10.46.230 as set forth in King County v. State, Superior Court for King County, Cause No. 83-2-02342-4	\$	37,995.07
(9) Department of Social and Health Services, Payment for claims outstanding submitted to the department after the 120-day statutory limit: PROVIDED, That such claims shall be paid at 50.0% of their approved value	\$	566,849.00
(10) United Nursing Homes, Inc. et al.; Payment to be disbursed in accordance with settlement judgment in United Nursing Homes, Inc. v. Thompson, Superior Court for Thurston County, Cause No. 80-2-01170-4	\$	1,663,355.00
(11) Jerry P. Huntley, In settlement of all claims for expenses in State v. Huntley, pursuant to RCW 9.01.200	\$	31,100.00

**NEW SECTION. Sec. 140. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

General Fund Appropriation for fire insurance premiums tax distribution	\$	4,672,212
General Fund Appropriation for refund of deferred property tax	\$	313,000
General Fund Appropriation for public utility district excise tax distribution	\$	22,038,408
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,681,453
General Fund Appropriation for motor vehicle excise tax distribution	\$	37,458,038
General Fund Appropriation for local mass transit assistance	\$	124,194,643
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,509,071
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	653,749
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	20,624,310

Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	204,721,141
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	51,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties	\$	15,920,000
State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties	\$	14,750,000
General Fund—Municipal Sales and Use Tax Equalization Account Appropriation	\$	20,169,962
General Fund—County Sales and Use Tax Equalization Account Appropriation	\$	6,779,819
Total Appropriation	\$	526,484,806

**NEW SECTION, Sec. 141. 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
Total Appropriation	\$	16,333,000

**NEW SECTION, Sec. 142. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST**

Loan Principal and Interest Fund Appropriation	\$	40,500,000
Fisheries Bond Redemption Fund 1977 Appropriation	\$	3,565,497
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	4,240,466
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$	8,778,253
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$	1,641,000
Highway Bond Retirement Fund Appropriation	\$	124,040,434
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$	238,000
Higher Education Bond Redemption Fund 1977 Appropriation	\$	6,489,282
Ferry Bond Retirement Fund 1977 Appropriation	\$	27,329,487
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$	2,582,560
General Administration Building Bond Redemption Fund Appropriation	\$	602,425
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation	\$	642,900
Public School Building Bond Redemption Fund 1965 Appropriation	\$	2,468,360
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$	3,196,170
Spokane River Toll Bridge Account Appropriation	\$	883,763
Public School Building Bond Redemption Fund 1963 Appropriation	\$	8,817,239
Higher Education Bond Retirement Fund 1979 Appropriation	\$	23,378,935
State General Obligation Bond Retirement Fund 1979 Appropriation	\$	144,440,039
Fisheries Bond Redemption Fund 1976 Appropriation	\$	764,596
State Building Bond Redemption Fund 1967 Appropriation	\$	656,310
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$	16,102,085
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,863,935
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$	6,239,010
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$	3,949,873
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	10,108,978
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$	2,454,980
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	57,317,854
Water Supply Facilities Bond Redemption Fund Appropriation	\$	11,995,000
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,720,331
Recreation Improvements Bond Redemption Fund Appropriation	\$	5,998,465
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,497,928
State Building Authority Bond Redemption Fund Appropriation	\$	9,660,830
Office—Laboratory Facilities Bond Redemption Fund Appropriation	\$	270,870
University of Washington Hospital Bond Retirement Fund 1975 Appropriation	\$	1,156,976



Washington State University Bond Redemption Fund 1977 Appropriation .....	\$	561,675
Higher Education Bond Redemption Fund 1975 Appropriation .....	\$	2,165,125
State Building Bond Redemption Fund 1973 Appropriation .....	\$	3,845,698
State Building Bond Retirement Fund 1975 Appropriation .....	\$	1,363,500
State Higher Education Bond Redemption Fund 1973 Appropriation .....	\$	4,279,878
Social and Health Services Bond Redemption Fund 1976 Appropriation .....	\$	9,486,418
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation .....	\$	379,058
Community College Refunding Bond Retirement Fund 1974 Appropriation .....	\$	9,499,105
State Higher Education Bond Redemption Fund 1974 Appropriation .....	\$	1,208,500
Total Appropriation .....	\$	581,381,788

**NEW SECTION, Sec. 143.** No appropriations in this act may be used for payment of contributions to the public employees' retirement system in excess of amounts necessary to offset the cost of benefits earned during the 1983-85 biennium. The director of the department of retirement systems shall establish contribution rates pursuant to chapter 41.40 RCW consistent with this section: PROVIDED, That the director may establish contribution rates for political subdivisions which include an allowance for the cost of any post-retirement adjustment granted in the 1983 regular session of the legislature under chapter 41.40 RCW.

**NEW SECTION, Sec. 144.** Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess., the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1983.

**NEW SECTION, Sec. 145.** Whenever allocations are made from the governor's emergency fund appropriation to an agency which is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

**NEW SECTION, Sec. 146.** In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

**NEW SECTION, Sec. 147.** Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

**NEW SECTION, Sec. 148.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(1) 'Provided solely' means that the specified amount may be spent only for the specified purpose. Unless otherwise stated in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall lapse.

(2) 'Lapse' means the termination of authority to spend an appropriation or portion of an appropriation.

(3) 'FTE' means full time equivalent.

**NEW SECTION, Sec. 149.** 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. 150.** 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. Heck, the House refused to concur in the Senate amendment to Engrossed House Bill No. 1079, and asked the Senate to recede therefrom.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGES FROM THE SENATE

May 20, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 51,

SUBSTITUTE HOUSE BILL NO. 296,

SECOND SUBSTITUTE HOUSE BILL NO. 693,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 20, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1079 with the following amendment:

Strike everything after the enacting clause and insert the following:

\*NEW SECTION. Sec. 1. A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in the following sections, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and 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.

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NEW SECTION, Sec. 2. FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation ..... \$ 22,425,000

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.

NEW SECTION, Sec. 3. FOR THE SENATE

General Fund Appropriation ..... \$ 20,111,000

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.

NEW SECTION, Sec. 4. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation ..... \$ 1,387,000

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.

NEW SECTION, Sec. 5. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation ..... \$ 1,531,000

NEW SECTION, Sec. 6. FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation ..... \$ 346,000

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.

NEW SECTION, Sec. 7. FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation ..... \$ 5,120,000

NEW SECTION, Sec. 8. FOR THE SUPREME COURT

General Fund Appropriation ..... \$ 7,126,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,378,000

Total Appropriation ..... \$ 8,504,000

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.

**NEW SECTION, Sec. 9. FOR THE LAW LIBRARY**

General Fund Appropriation ..... \$ 2,036,000

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.

**NEW SECTION, Sec. 10. FOR THE COURT OF APPEALS**

General Fund Appropriation ..... \$ 9,030,000

**NEW SECTION, Sec. 11. FOR THE ADMINISTRATOR FOR THE COURTS**

General Fund Appropriation ..... \$ 21,555,000

General Fund—Judiciary Education Account Appropriation ..... \$ 1,310,000

Total Appropriation ..... \$ 22,865,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,524,000 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 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.

**NEW SECTION, Sec. 12. FOR THE JUDICIAL QUALIFICATIONS COMMISSION**

General Fund Appropriation ..... \$ 426,000

**NEW SECTION, Sec. 13. FOR THE OFFICE OF THE GOVERNOR**

General Fund Appropriation ..... \$ 3,441,000

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 shall be used solely for executive operations.

**NEW SECTION, Sec. 14. FOR THE LIEUTENANT GOVERNOR**

General Fund Appropriation ..... \$ 249,000

**NEW SECTION, Sec. 15. FOR THE SECRETARY OF STATE**

General Fund Appropriation ..... \$ 4,942,000

General Fund—Archives and Records Management Account

Appropriation ..... \$ 1,310,000

Total Appropriation ..... \$ 6,252,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$920,000 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.

(2) \$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.

**NEW SECTION, Sec. 16. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 124,000

**NEW SECTION, Sec. 17. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS**

General Fund Appropriation ..... \$ 124,000

**NEW SECTION, Sec. 18. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

General Fund Appropriation ..... \$ 124,000

**NEW SECTION, Sec. 19. FOR THE STATE TREASURER**

Motor Vehicle Fund Appropriation ..... \$ 41,000

State Treasurer's Service Fund Appropriation ..... \$ 6,417,000

Total Appropriation ..... \$ 6,458,000

**NEW SECTION, Sec. 20. FOR THE STATE AUDITOR**

General Fund Appropriation—State ..... \$ 512,000

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

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) The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

**NEW SECTION. Sec. 21. FOR THE ATTORNEY GENERAL**

General Fund Appropriation . . . . . \$ 4,288,000  
 Legal Services Revolving Fund Appropriation . . . . . \$ 25,683,000  
 Total Appropriation . . . . . \$ 29,971,000

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.

**NEW SECTION. Sec. 22. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

General Fund Appropriation—State . . . . . \$ 11,616,000  
 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

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.

(2) The director of financial management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.

(3) \$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.

(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.

**NEW SECTION. Sec. 23. FOR THE STATE INVESTMENT BOARD**

General Fund—State Investment Board Expense Account Appropriation . . . . . \$ 1,275,000

**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF PERSONNEL**

Department of Personnel Service Fund Appropriation . . . . . \$ 8,625,000  
 State Employees' Insurance Fund Appropriation . . . . . \$ 1,542,000  
 Total Appropriation . . . . . \$ 10,167,000

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.

**NEW SECTION. Sec. 25. FOR THE PERSONNEL APPEALS BOARD**

Department of Personnel Service Fund Appropriation . . . . . \$ 779,000

**NEW SECTION. Sec. 26. FOR THE DATA PROCESSING AUTHORITY**

Data Processing Revolving Fund Appropriation . . . . . \$ 877,000

The appropriation in this section is subject to the following conditions and limitations: The data processing authority shall develop and implement with the office of financial management an equitable billing structure to insure that all state agencies, as defined in RCW 43.88-.020, pay a proportionate share of the data processing authority's operational costs.

**NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF REVENUE**

General Fund Appropriation . . . . . \$ 43,164,000  
 General Fund—State Timber Tax Reserve Account Appropriation . . . . . \$ 2,851,000  
 Motor Vehicle Fund Appropriation . . . . . \$ 115,000  
 Total Appropriation . . . . . \$ 46,130,000

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.

**NEW SECTION, Sec. 28. FOR THE BOARD OF TAX APPEALS**

General Fund Appropriation . . . . . \$ 999,000

**NEW SECTION, Sec. 29. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

General Fund Appropriation—State . . . . . \$ 6,038,000  
 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

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.

**NEW SECTION, Sec. 30. FOR THE INSURANCE COMMISSIONER**

General Fund Appropriation . . . . . \$ 7,902,000

**NEW SECTION, Sec. 31. FOR THE PUBLIC DISCLOSURE COMMISSION**

General Fund Appropriation . . . . . \$ 976,000

**NEW SECTION, Sec. 32. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS**

Department of Retirement Systems Expense Fund Appropriation . . . . . \$ 10,458,000

The appropriation in this section is subject to the following conditions and limitations: 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.

**NEW SECTION, Sec. 33. FOR THE MUNICIPAL RESEARCH COUNCIL**

General Fund Appropriation . . . . . \$ 1,495,000

**NEW SECTION, Sec. 34. FOR THE BOARD OF ACCOUNTANCY**

General Fund Appropriation . . . . . \$ 294,000  
 Certified Public Accountant Examination Account Appropriation . . . . . \$ 351,000  
 Total Appropriation . . . . . \$ 645,000

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.

**NEW SECTION, Sec. 35. FOR THE BOXING COMMISSION**

General Fund Appropriation . . . . . \$ 73,000

**NEW SECTION, Sec. 36. FOR THE CEMETERY BOARD**

General Fund—Cemetery Account Appropriation . . . . . \$ 74,000

**NEW SECTION, Sec. 37. FOR THE HORSE RACING COMMISSION**

Horse Racing Commission Fund Appropriation . . . . . \$ 2,836,000

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.

**NEW SECTION, Sec. 38. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM, AND THE LICENSING AND ENFORCEMENT PROGRAM**

Liquor Revolving Fund Appropriation . . . . . \$ 14,491,000

**NEW SECTION, Sec. 39. FOR THE LIQUOR CONTROL BOARD—MERCHANDISING PROGRAM**

Liquor Revolving Fund Appropriation . . . . . \$ 70,397,000

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. 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 appropriations 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.

**NEW SECTION. Sec. 40. FOR THE PHARMACY BOARD**

General Fund Appropriation ..... \$ 1,072,000

**NEW SECTION. Sec. 41. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Public Service Revolving Fund Appropriation—State ..... \$ 17,351,000

Public Service Revolving Fund Appropriation—Federal ..... \$ 452,000

Grade Crossing Protective Fund Appropriation ..... \$ 516,000

Total Appropriation ..... \$ 18,319,000

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.

**NEW SECTION. Sec. 42. FOR THE BOARD FOR VOLUNTEER FIREMEN**

Volunteer Firemen's Relief and Pension Fund Appropriation ..... \$ 163,000

**NEW SECTION. Sec. 43. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

General Fund Appropriation—State ..... \$ 766,000

General Fund Appropriation—Federal ..... \$ 3,862,000

Total Appropriation ..... \$ 4,628,000

**NEW SECTION. Sec. 44. FOR THE MILITARY DEPARTMENT**

General Fund Appropriation—State ..... \$ 6,931,000

General Fund Appropriation—Federal ..... \$ 1,723,000

Total Appropriation ..... \$ 8,654,000

**NEW SECTION. Sec. 45. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

General Fund Appropriation ..... \$ 1,422,000

**NEW SECTION. Sec. 46. FOR THE PRESIDENTIAL ELECTORS**

General Fund Appropriation ..... \$ 1,000

**NEW SECTION. Sec. 47. FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

General Fund Appropriation—State ..... \$ 4,708,000

General Fund Appropriation—Federal ..... \$ 53,649,000

Total Appropriation ..... \$ 58,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are for expenditure in fiscal year 1985.

(2) Not more than \$437,000 of the general fund—state appropriation is provided for distribution to incorporated cities and towns for fire protection of state facilities.

(3) \$292,000 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.

(4) \$125,000 of the general fund—state appropriation shall be provided solely for distribution to border areas within seven air miles of the Canadian border.

**NEW SECTION. Sec. 48. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

Administrative Hearings Revolving Fund Appropriation ..... \$ 7,019,000

**NEW SECTION. Sec. 49. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

General Fund Appropriation ..... \$ 768,000

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. 50. FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL**

General Fund Appropriation ..... \$ 804,000



The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 784 is not enacted by July 1, 1983, then the appropriation in this section shall lapse.

**NEW SECTION, Sec. 51. 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.

**(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. 52. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(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.

**NEW SECTION, Sec. 53. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
JUVENILE REHABILITATION PROGRAM**

**(1) COMMUNITY SERVICES**

General Fund Appropriation—State .....	\$ 25,444,000
General Fund Appropriation—Federal .....	\$ 54,000
Total Appropriation .....	\$ 25,498,000

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 .....	\$ 40,008,000
General Fund Appropriation—Federal .....	\$ 788,000
Total Appropriation .....	\$ 40,796,000

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
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(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.

**NEW SECTION, Sec. 54. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
MENTAL HEALTH PROGRAM**

**(1) COMMUNITY SERVICES**

General Fund Appropriation—State .....	\$ 85,128,000
General Fund Appropriation—Federal .....	\$ 14,095,000
General Fund Appropriation—Local .....	\$ 264,000
Total Appropriation .....	\$ 99,487,000

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, 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) 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
General Fund Appropriation—Federal .....	\$	3,493,000
Total Appropriation .....	\$	111,338,000

(3) PROGRAM SUPPORT

General Fund Appropriation—State .....	\$	2,854,000
General Fund Appropriation—Federal .....	\$	584,000
General Fund Appropriation—Local .....	\$	14,000
Total Appropriation .....	\$	3,452,000

(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.

NEW SECTION. Sec. 55. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State .....	\$	51,390,000
General Fund Appropriation—Federal .....	\$	41,765,000
Total Appropriation .....	\$	93,155,000

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.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State .....	\$	100,012,000
General Fund Appropriation—Federal .....	\$	62,045,000
Total Appropriation .....	\$	162,057,000

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) \$40,686,000 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
General Fund Appropriation—Federal .....	\$	864,000
Total Appropriation .....	\$	4,606,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State .....	\$	911,000
General Fund Appropriation—Federal .....	\$	1,152,000
Total Appropriation .....	\$	2,063,000

(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.

**NEW SECTION, Sec. 56. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—**

**LONG-TERM CARE SERVICES**

General Fund Appropriation—State .....	\$	217,084,000
General Fund Appropriation—Federal .....	\$	211,341,000
Total Appropriation .....	\$	428,425,000

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. These services shall be provided in the least restrictive and most cost-effective manner appropriate for individual clients.

(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.

(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, 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, of which \$5,941,000 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, of which \$1,755,000 is from the general fund—state appropriation, is provided for the bureau of aging and adult services.

(b) \$8,107,000, of which \$4,186,000 is from the general fund—state appropriation, is provided for the bureau of nursing home affairs.

**NEW SECTION, Sec. 57. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$ 359,127,000
General Fund Appropriation—Federal .....	\$ 314,381,000
<b>Total Appropriation .....</b>	<b>\$ 673,508,000</b>

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.

(2) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

(3) 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) \$25,536,800, of which \$12,768,400 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. 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) \$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) 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) 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) 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.

**NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
COMMUNITY SOCIAL SERVICES PROGRAM**

General Fund Appropriation—State .....	\$ 84,142,000
General Fund Appropriation—Federal .....	\$ 23,918,000
General Fund Appropriation—Local .....	\$ 91,000
Total Appropriation .....	\$ 108,151,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall establish a vendor rate over and above the regular child day-care rate for therapeutic day care provided to abused or neglected children under the age of five years. A maximum of \$360,000 of moneys appropriated and allotted for child care payment may be expended for therapeutic day care.

(2) Vendor rate adjustments shall average 2.5% on July 1, 1983, and 3.0% on July 1, 1984.

(3) \$1,185,000 of the general fund—state appropriation is provided solely for home-based social services to families with children in foster care or at risk of foster care because of family problems rather than child behavior problems.

(4) The appropriations in this section shall be initially allotted as follows:

(a) \$1,128,000 of the general fund—state appropriation for the victims of domestic violence program.

(b) \$41,390,000, of which \$36,086,000 is from the general fund—state appropriation, for foster care payments.

(c) \$8,605,000, of which \$5,847,000 is from the general fund—state appropriation, for child-care payments.

(d) \$4,688,000, of which \$3,609,000 is from the general fund—state appropriation, for adoption support.

(e) \$3,170,000, of which \$1,525,000 is from the general fund—state appropriation, for family reconciliation services.

(f) \$8,749,000, of which \$7,553,000 is from the general fund—state appropriation, for interim care.

(g) \$14,927,000, of which \$12,199,000 is from the general fund—state appropriation, for alcoholism grants.

(h) \$4,768,000, of which \$4,249,000 is from the general fund—state appropriation, for detoxification.

(i) \$9,072,000, of which \$4,092,000 is from the general fund—state appropriation, for substance abuse grants.

(j) \$7,854,000 of the general fund—state appropriation for congregate care for alcohol and substance abuse clients.

(k) \$3,800,000 of the general fund—federal appropriation for refugee services.

**NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—  
MEDICAL ASSISTANCE PROGRAM**

General Fund Appropriation—State .....	\$ 358,388,000
General Fund Appropriation—Federal .....	\$ 231,464,000
Total Appropriation .....	\$ 589,852,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$13,355,800, of which \$6,677,900 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. 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.

(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.

**NEW SECTION, Sec. 60. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM**

General Fund Appropriation—State .....	\$	38,988,000
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
<b>Total Appropriation .....</b>	<b>\$</b>	<b>138,991,000</b>

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.

**NEW SECTION, Sec. 61. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM**

General Fund Appropriation—State .....	\$	14,051,000
General Fund Appropriation—Federal .....	\$	25,602,000
<b>Total Appropriation .....</b>	<b>\$</b>	<b>39,653,000</b>

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.

**NEW SECTION, Sec. 62. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

General Fund Appropriation—State .....	\$	55,494,000
General Fund Appropriation—Federal .....	\$	41,060,000
General Fund—Institutional Impact Account Appropriation .....	\$	75,000
<b>Total Appropriation .....</b>	<b>\$</b>	<b>96,629,000</b>

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







(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 \_\_\_\_ (2SSB 3624), Laws of 1983.

**NEW SECTION, Sec. 75. FOR THE COMMISSION FOR THE BLIND**

General Fund Appropriation—State	\$	1,682,000
General Fund Appropriation—Federal	\$	3,415,000
Total Appropriation	\$	5,097,000

The appropriations in this section are subject to the following conditions and limitations: The commission 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.

**NEW SECTION, Sec. 76. FOR THE CORRECTIONS STANDARDS BOARD**

General Fund Appropriation—State	\$	512,000
General Fund—Local Jail Improvement and Construction Account Appropriation	\$	113,124,000
Total Appropriation	\$	113,636,000

**NEW SECTION, Sec. 77. FOR THE SENTENCING GUIDELINES COMMISSION**

General Fund Appropriation	\$	551,000
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**NEW SECTION, Sec. 78. FOR THE STATE ENERGY OFFICE**

General Fund Appropriation—State	\$	1,104,000
General Fund Appropriation—Federal	\$	13,032,000
General Fund Appropriation—Private/Local	\$	60,000
Total Appropriation	\$	14,196,000

**NEW SECTION, Sec. 79. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund Appropriation—State	\$	76,000
General Fund Appropriation—Private/Local	\$	67,000
Total Appropriation	\$	143,000

**NEW SECTION, Sec. 80. FOR THE DEPARTMENT OF ECOLOGY**

General Fund Appropriation—State	\$	20,937,000
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 (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
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
Total Appropriation.....	\$	499,005,000

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 \_\_\_\_ (2SSB 3624), Laws of 1983.

(9) \$85,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter \_\_\_\_ (SSB 3156), 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.





(1) \$1,400,000 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) \$600,000 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.

**NEW SECTION. Sec. 94. FOR THE DEPARTMENT OF LICENSING**

General Fund Appropriation .....	\$	12,077,000
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
Highway Safety Fund—Motorcycle Safety Education Account Appropriation .....	\$	237,000
Motor Vehicle Fund Appropriation .....	\$	34,693,000
Total Appropriation .....	\$	89,527,000

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.

**NEW SECTION. Sec. 95. FOR THE MARINE EMPLOYEES' COMMISSION**

Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation .....	\$	50,000
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The appropriation made by this section is for the purpose of carrying out the provisions of chapter 15, Laws of 1983.

**NEW SECTION. Sec. 96. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)**

General Fund Appropriation—State .....	\$	13,381,000
General Fund Appropriation—Federal .....	\$	6,540,000
General Fund—Traffic Safety Education Account Appropriation .....	\$	460,000
Total Appropriation .....	\$	20,381,000

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.

**NEW SECTION. Sec. 97. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1984 AND 1985**

General Fund Appropriation .....	\$	2,912,752,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) For purposes of this act and RCW 28A.58.095, the superintendent of public instruction shall ensure that no district provides salary and compensation increases in excess of the amount and/or percentage specified in this act for the 1984-85 school year. A school district may provide salary and compensation increases for the 1983-84 school year so long as the increase does not exceed for the biennium the salary and compensation increases provided in this act for the 1984-85 school year: PROVIDED, That for the 1983-84 and 1984-85 school year, a school district is only authorized to provide a salary increase no greater than 5.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff and 5.0% salary increase using the pertinent program state-wide average salary for the remaining state-supported classified staff; additionally, for the 1983-84 and 1984-85 school year, a school district is only authorized to provide a salary increase no greater than 5.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times each district's prior year staff mix factor for state-supported basic education certificated staff and also a 5.0% salary increase times the pertinent state-wide average derived base salary improved by the

prior year staff mix factor for each district as regards the remaining state-supported certificated staff: PROVIDED FURTHER, That any salary increase greater than that authorized in this subsection shall be in violation of RCW 28A.58.095 and the superintendent of public instruction shall withhold the lesser of five percent or an amount equal to the level of the violation when applied to the district's respective basic education allocation, 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 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 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 outside the basic education formula as follows:

(a) A maximum of \$620,000 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.







(b) The salary increase authorized by subsection (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.

(6) 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.

(b) Districts may grant increases in insurance benefits to achieve a rate of \$159.00 per individual employee in the 1983-84 and 1984-85 school years. For districts having rates greater than \$159.00 per individual employee in 1982-83, any increase granted in 1983-84 or 1984-85 shall constitute salary increase.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments pursuant to LEAP Document 1.

(7) The salary increases authorized in subsections (4) and (5) of this section shall not apply to any employee whose annual salary is \$40,000 or greater. Moneys saved pursuant to this subsection shall be placed in reserve.

**NEW SECTION, Sec. 104. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION**

General Fund Appropriation ..... \$ 168,874,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$73,364,000 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.

**NEW SECTION, Sec. 105. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES**

General Fund Appropriation ..... \$ 53,586,000

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, not including salary and insurance benefit increases.

(2) Not more than \$619,000 of this appropriation may be expended for adult education.

**NEW SECTION, Sec. 106. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS**

General Fund Appropriation—State ..... \$ 6,000,000

General Fund Appropriation—Federal ..... \$ 60,611,000

Total Appropriation ..... \$ 66,611,000

**NEW SECTION, Sec. 107. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS**

General Fund Appropriation—State ..... \$ 271,088,000

General Fund Appropriation—Federal ..... \$ 27,641,000

Total Appropriation ..... \$ 298,729,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$125,586,000 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 years 1983-84 and 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.

**NEW SECTION, Sec. 108. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE TRAFFIC SAFETY PROGRAM**

General Fund—Traffic Safety Education Account Appropriation ..... \$ 17,141,000

The appropriation in this section is subject to the following condition or limitation: Not more than \$446,000 may be expended for traffic safety education coordinators.

**NEW SECTION, Sec. 109. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS**

General Fund Appropriation—State ..... \$ 4,807,000

State Funding Sources ..... \$ 3,664,000

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
E.S.D. No. 105	\$584,000	\$292,000
E.S.D. No. 112	\$491,000	\$492,000
E.S.D. No. 113	\$524,000	\$525,000
E.S.D. No. 114	\$451,000	\$226,000
E.S.D. No. 121	\$429,000	\$430,000
E.S.D. No. 123	\$569,000	\$285,000
E.S.D. No. 171	\$696,000	\$349,000
E.S.D. No. 189	\$454,000	\$455,000
Total	\$4,807,000	\$3,664,000

(2) 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).

**NEW SECTION, Sec. 110. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS**

General Fund Appropriation—State ..... \$ 45,957,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$27,328,000 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 of \$28,632,000 shall be distributed as follows:

- (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) A maximum of \$12,900,000 may be distributed for the remaining months of the 1982-83 school year.

(5) The funds allocated by subsection (3) 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) 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) Salary and benefits increases are included in the funds allocated by this section.

**NEW SECTION, Sec. 111. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS**

General Fund Appropriation—State	\$ 20,857,000
General Fund Appropriation—Federal	\$ 5,450,000
Total Appropriation	\$ 26,307,000

The appropriations in this section are subject to the following condition or limitation: Not more than \$3,355,783 shall be expended for support of basic education programs for juveniles confined in county detention centers.

**NEW SECTION, Sec. 112. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES**

General Fund Appropriation—Federal	\$ 93,956,000
(1) Education Consolidation and Improvement Act of 1981	\$ 90,483,000
(2) Education of Indian Children	\$ 367,000
(3) Adult Basic Education	\$ 3,106,000

**NEW SECTION, Sec. 113. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION IN 1982-83 SCHOOL YEAR SALARY INCREASES**

General Fund Appropriation	\$ 500,000
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the support instructional resources per student proportionately, to augment basic direct instruction.

(3) \$22,507,937 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.

(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.

NEW SECTION, Sec. 121. FOR CENTRAL WASHINGTON UNIVERSITY

(1) \$27,676,185 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. Faculty full time equivalent entitlements for direct instructional 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 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. 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 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 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.

(5) \$646,000 is appropriated from the general fund for equipment.

NEW SECTION, Sec. 122. FOR THE EVERGREEN STATE COLLEGE

(1) \$11,129,439 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. Faculty full time equivalent entitlements for direct instructional 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 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. Support instructional resources shall be calculated as moneys budgeted for libraries, primary support, and student services. Students shall be calculated on the basis of 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 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.

(5) \$579,000 is appropriated from the general fund for equipment.

(6) The appropriations in this section are subject to the following conditions and limitations:

(a) The board of trustees of The Evergreen State College is directed to limit the use of campus space to that amount sufficient to serve enrollments of up to two thousand five hundred students during each year of the biennium.

(b) The board of trustees shall cooperate with the director of the department of general administration, who is directed to use such space in excess of that provided in subsection (6)(a) of this section to reduce the amount of leased space in Thurston County for offices, warehouses, and similar purposes as are required by elected state officials, institutions, departments, commissions, or other state agencies: PROVIDED, That this subsection (6)(b) shall not restrict the ability of The Evergreen State College from regaining that space if the college achieves an enrollment in excess of two thousand five hundred students.

**NEW SECTION. Sec. 123. FOR WESTERN WASHINGTON UNIVERSITY**

(1) \$36,371,222 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. Faculty full time equivalent entitlements for direct instructional 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 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. Support instructional resources shall be calculated as moneys budgeted for libraries, student services, and primary support. Students shall be calculated on the basis of 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 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.

(5) \$1,590,000 is appropriated from the general fund for equipment.

**NEW SECTION. Sec. 124. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION**

General Fund Appropriation—State	\$ 27,508,000
General Fund Appropriation—Federal	\$ 3,526,000
State Educational Grant Appropriation	\$ 40,000
<b>Total Appropriation</b>	<b>\$ 31,074,000</b>

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.

**NEW SECTION. Sec. 125. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

General Fund Appropriation—State	\$ 1,986,000
General Fund Appropriation—Federal	\$ 21,385,000
<b>Total Appropriation</b>	<b>\$ 23,371,000</b>

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.

**NEW SECTION. Sec. 126. FOR THE HIGHER EDUCATION PERSONNEL BOARD**

Higher Education Personnel Board Service Fund Appropriation	\$ 1,309,000
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**NEW SECTION. Sec. 127. FOR THE STATE LIBRARY**

General Fund Appropriation—State	\$ 7,447,000
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
<b>Total Appropriation</b>	<b>\$ 17,515,000</b>

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.

**NEW SECTION. Sec. 128. FOR THE WASHINGTON STATE ARTS COMMISSION**

General Fund Appropriation—State	\$ 2,742,000
General Fund Appropriation—Federal	\$ 800,000
<b>Total Appropriation</b>	<b>\$ 3,542,000</b>

**NEW SECTION. Sec. 129. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**







Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund ..... \$ 2,998,000

**NEW SECTION, Sec. 139. FOR BELATED CLAIMS**

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund ..... \$ 905,000

(2) The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1985, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Criminal Justice Training Account .....	\$ 49,590
General Fund—Off-Road Vehicle Account .....	\$ 141
General Fund—Snowmobile Account .....	\$ 2,027
General fund—Institutional Impact Account .....	\$ 13,400
General Fund—Hospital Commission Account .....	\$ 134
General Fund—State Timber Tax Reserve Account .....	\$ 168
General Fund—Professional Engineers' Account .....	\$ 6,063
General Fund—Real Estate Commission Account .....	\$ 1,028
General Fund—Capital Building Construction Account .....	\$ 1,046
General Fund—Motor Transport Account .....	\$ 74,404
General Fund—Resource Management Cost Account .....	\$ 1,728
General Fund—Litter Control Account .....	\$ 18
General Fund—Traffic Safety Education Account .....	\$ 379
General Fund—L.I.R. Waste Disposal Account .....	\$ 11,079
General Fund—State Building Construction Account .....	\$ 2,860
General Fund—Outdoor Recreation Account .....	\$ 7,876
General Fund L.I.R. Water Supply Facilities Account .....	\$ 1,715
General Fund—L.I.R. Account—Public Recreation Facilities .....	\$ 3,173
Electrical License Fund .....	\$ 4,489
State Game Fund .....	\$ 15,414
Highway Safety Fund .....	\$ 20,897
Motor Vehicle Fund .....	\$ 55,381
Public Service Revolving Fund .....	\$ 5,488
State Treasurer's Service Fund .....	\$ 25,108
Legal Services Revolving Fund .....	\$ 822
General Administration Facilities and Services Revolving Fund .....	\$ 615
Liquor Revolving Fund .....	\$ 15,589
Accident Fund .....	\$ 11,904
Medical Aid Fund .....	\$ 16,629
Plumbing Certificate Fund .....	\$ 147
Washington Library Network Computer System Revolving Fund .....	\$ 23
Pressure System Safety Fund .....	\$ 13
<b>Total Appropriation .....</b>	<b>\$ 349,348</b>

**NEW SECTION, Sec. 140. 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) Michael Dittman, et al.; Payment of judgment in Dittman v. Western Washington University, United States District Court, Western District of Washington, Cause No. C-79-1189V .....	\$ 46,000
(2) Spokane Arcades, Inc., et al.; Payment of judgment in Spokane Arcades v. Ray, United States District Court, Eastern District of Washington, Cause No. C-77-353 .....	\$ 15,440
(3) Seattle School District No. 1, et al.; Payment of judgment in Seattle School District No. 1 v. State of Washington, United States Court of Appeals, 9th Circuit, Cause Nos. 79-4643, 79-4655, 79-4676, 79-4740, 79-4801, and 79-4802 .....	\$ 49,929
(4) Ray Beller, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund .....	\$ 1,000
(5) Dean C. Farrans, Compensation for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund .....	\$ 13,971.49
(6) Mrs. Tyler C. (Betty) Moffett, Payment in full of deceased husband's retirement contributions .....	\$ 21,154.99
(7) King county, In settlement of all claims for witness fees pursuant to RCW 10.46.230 as set forth in King County v. State, Superior Court for King County, Cause No. 83-2-02342-4 .....	\$ 37,995.07

(8) United Nursing Homes, Inc. et al.: Payment to be disbursed in accordance with settlement judgment in United Nursing Homes, Inc. v. Thompson, Superior Court for Thurston County, Cause No. 80-2-01170-4	\$ 1,663,355.00
(9) Jerry P. Huntley, In settlement of all claims for expenses in State v. Huntley, pursuant to RCW 9.01.200	\$ 31,100.00
<u>NEW SECTION, Sec. 141. FOR THE STATE TREASURER—STATE REVENUES FOR</u>	

DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$ 4,672,212
General Fund Appropriation for refund of deferred property tax	\$ 313,000
General Fund Appropriation for public utility district excise tax distribution	\$ 22,038,408
General Fund Appropriation for prosecuting attorneys' salaries	\$ 1,681,453
General Fund Appropriation for motor vehicle excise tax distribution	\$ 37,458,038
General Fund Appropriation for local mass transit assistance	\$ 124,194,643
General Fund Appropriation for camper and travel trailer excise tax distribution	\$ 1,509,071
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$ 653,749
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$ 20,624,310
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$ 204,721,141
Liquor Revolving Fund Appropriation for liquor profits distribution	\$ 51,000,000
State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties	\$ 15,920,000
State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties	\$ 14,750,000
General Fund—Municipal Sales and Use Tax Equalization Account Appropriation	\$ 20,169,962
General Fund—County Sales and Use Tax Equalization Account Appropriation	\$ 6,779,819
Total Appropriation	\$ 526,484,806

NEW SECTION, Sec. 142. 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
Total Appropriation	\$ 16,333,000

NEW SECTION, Sec. 143. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST

Loan Principal and Interest Fund Appropriation	\$ 40,500,000
Fisheries Bond Redemption Fund 1977 Appropriation	\$ 3,565,497
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$ 4,240,466
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$ 8,778,253
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$ 1,641,000
Highway Bond Retirement Fund Appropriation	\$ 124,040,434
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$ 238,000
Higher Education Bond Redemption Fund 1977 Appropriation	\$ 6,489,282
Ferry Bond Retirement Fund 1977 Appropriation	\$ 27,329,487
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$ 2,582,560
General Administration Building Bond Redemption Fund Appropriation	\$ 602,425
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation	\$ 642,900
Public School Building Bond Redemption Fund 1965 Appropriation	\$ 2,468,360
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$ 3,196,170
Spokane River Toll Bridge Account Appropriation	\$ 883,763
Public School Building Bond Redemption Fund 1963 Appropriation	\$ 8,817,239
Higher Education Bond Retirement Fund 1979 Appropriation	\$ 23,378,935
State General Obligation Bond Retirement Fund 1979 Appropriation	\$ 144,440,039
Fisheries Bond Redemption Fund 1976 Appropriation	\$ 764,596





## TWENTY-SEVENTH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Saturday, May 21, 1983

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 except Representatives Bond and Zellinsky, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kirsten Fischer and Chrissy Ott. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

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

#### REPORTS OF STANDING COMMITTEES

May 20, 1983

SB 3985 Prime Sponsor, Senator Vognild: Repealing provisions relating to special taxes on coin-operated devices. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representative Bond.

May 20, 1983

SSB 4007 Prime Sponsor, Committee on Ways & Means: Modifying the refunding bond act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 19 insert the following:

**"NEW SECTION, Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."**

On page 1, line 1 of the title strike "and"

On page 1, line 3 of the title after "\$9,533,050" insert "; and declaring an emergency"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Monohon.

May 20, 1983

SSB 4059 Prime Sponsor, Committee on Ways & Means: Revising provisions relating to the central stores revolving fund. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 28 after "fund" insert "; PROVIDED, That unexpended federal monies paid into the fund shall not be transmitted to the general fund"

On page 2, line 32 strike "\$8,853,701" and insert "(((\$8,853,701)) \$8,574,919"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Cantu, Ranking Minority Chair; Addison, Appelwick, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan, Smitherman, Struthers, Taylor, Tilly and Vander Stoep.

Absent: Representatives Bond and Brekke.

MOTION

On motion of Mr. Heck, Senate Bill No. 3985, Substitute Senate Bill No. 4007 and Substitute Senate Bill No. 4059 were placed at the top of today's second reading calendar.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

MOTION

On motion of Mr. Walk, the House was adjourned until 4:00 p.m., Sunday, May 22, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk







## POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Monohon, you are asking the legislature to give a tax reduction to the gambling operators with the idea that later on we are going to come back with a more equitable tax. Could you enlighten us as to the type of 'more equitable tax' you have in mind?"

Ms. Monohon: "I personally don't have it in mind; it's the Gambling Commission that has it in mind. What happens currently is that if it's a coin-operated device, they start at \$350, but people have been circumventing that and using a different type device and they don't have to pay any tax whatsoever. It's my understanding that the Gambling Commission wants to find a method of taxing not only the punchboards and the coin-operated devices, but also the punchboard. It's my understanding it's on a different mechanism than just the straight \$350 tax."

Mr. Van Dyken: "Did the Gambling Commission give any particular reason why it wanted a tax reduction now and, yet, we are not able to come up with a substitute tax until sometime later?"

Ms. Monohon: "The Gambling Commission has approximately a year's operating sum in its revolving fund in surplus funds. They felt it was a burden on the owners so they would repeal it. They didn't need the money at this point but they will be back, I assume, this next session with an equitable form of taxation."

Representatives Van Dyken and Padden spoke against passage of the bill, and Representatives Struthers and J. King spoke in favor of it.

## POINT OF INFORMATION

Mr. Van Dyken: "Mr. Speaker, is this bill within the scope of the concurrent resolution under which we are operating in this special session, namely those bills which are necessary for revenue and necessary to implement the budget, those limited items which we are needing?"

The Speaker: "Yes."

## POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, I wonder if you could be more expansive about which of these items it does apply to--if it's a revenue required to balance that budget--which one?"

The Speaker: "The Speaker has, for some time, been looking at the aquatic lands bill, Engrossed Substitute Senate Bill No. 3290, and the Speaker has had the same difficulty with both bills. The Speaker would rule at this point--at least for this bill--that it is related to the budget and taxes. It is certainly part of the funds that are considered under the Gambling Commission and the budget that they put together."

## POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Garrett.

Mr. Garrett: "Representative Struthers, you seem to be very knowledgeable on matters relating to the Gambling Commission. In your opinion, is this a reduction in taxes for the gambling industry?"

Mr. Struthers: "Yes, that's true."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3985, and the bill failed to pass by the following vote: Yeas, 24; nays, 62; absent, 7; excused, 5.

Voting yea: Representatives Allen, Appelwick, Braddock, Brekke, Cantu, Ellis, Hankins, Hastings, King J, King R, Lewis, McClure, Monohon, Nelson D, Nelšõn G, Rust, Sayan, Schmidt, Smitherman, Struthers, Taylor, Vekich, Walk, Wilson - 24.

Voting nay: Representatives Addison, Armstrong, Ballard, Barnes, Belcher, Betzoff, Broback, Brough, Burns, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King P, Kreidler, Long, Lux, McDonald, Miller, Mitchell, Moon,

Nealey, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Schoon, Silver, Smith, Sommers, Stratton, Sutherland, Todd, Van Dyken, Vander Stoep, Wang, West, Williams B, Williams J, and Mr. Speaker - 62.

Absent: Representatives Barrett, Clayton, Fiske, Isaacson, Locke, McMullen, Tanner - 7.

Excused: Representatives Bond, Martinis, Sanders, Tilly, Zellinsky - 5.

Senate Bill No. 3985, having failed to receive the constitutional majority, was declared lost.

SUBSTITUTE SENATE BILL NO. 4007, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying the refunding bond act.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 27th Day 1st ex. sess., May 21, 1983.)

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. 4007 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 0; absent, 6; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Belcher, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, and Mr. Speaker - 87.

Absent: Representatives Barrett, Clayton, Fiske, Isaacson, Locke, McMullen - 6.

Excused: Representatives Bond, Martinis, Sanders, Tilly, Zellinsky - 5.

Substitute Senate Bill No. 4007 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. 4059, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Revising provisions relating to the central stores revolving fund.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 27th Day 1st ex. sess., May 21, 1983.)

On motion of Ms. Monohon, the committee amendments were adopted.

On motion of Mr. Heck, 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.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4059 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 1; absent, 6; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Betzoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Lux, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton,





Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Barnes, Cantu, Chandler, Clayton, Dickie, Fuhrman, Hastings, McDonald, Nealey, Padden, Prince, Schmidt, Silver, Smith, Struthers, West, Williams B, Williams J, Wilson - 19.

Excused: Representatives Bond, Sanders, Tilly - 3.

Substitute Senate Bill No. 3248 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Heck, SUBSTITUTE SENATE BILL NO. 4245 was immediately transmitted to the Senate.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, we just dealt with Substitute Senate Bill 4245 which was in conference. Looking at Reed's Rule 247, 'Motions Relating to Agreement and Disagreement Between the Two Houses,' there are five of them: To concur, nonconcur, to recede, to insist and to adhere. Representative Heck just made the motion to immediately transmit to the Senate without any regard to any one of the other motions. It seems to me that motion is out of order and I would like a ruling on it."

#### SPEAKER'S RULING

The Speaker: "Representative McDonald, as to why it went back, apparently a number of members in the Senate desired to have the bill returned. Secondly, the point of parliamentary inquiry is not timely since the motion has passed; the bill has been transmitted to the Senate and is now in their possession."

#### POINT OF ORDER

Mr. McDonald: "Mr. Speaker, obviously we are not going to get an answer on this. Your ruling is that it's not timely, but we will enter into the record our disagreement with the proceedings. I think a dangerous precedent is set, acting on a bill that is in dispute without actually acting on it and that's precisely what's happened. If we are not going to get an actual ruling then we are going to put something in the record."

#### STATEMENT FOR THE JOURNAL

While continuing to operate without joint rules on this the 133rd day of session, the majority party has determined that even the provisions of Reed's Rules are too confining. Tonight for the first time in our history, the House has returned a bill in dispute, SSB 4245, to the Senate without taking a vote to recede or insist or adhere or to call for conference. Perhaps the motion made, to immediately transmit the bill to the Senate, without further motion is a new form of zero signature conference to complement the form of four signature free conference previously adopted.

DAN McDONALD, Republican Floor Leader

ENGROSSED SUBSTITUTE HOUSE BILL NO. 57, by Committee on Ways & Means (originally sponsored by Representatives Grimm and Cantu - by Governor Spellman request)

Authorizing bonds for state buildings and facilities, land acquisitions, and grants and loans.

The bill was read the second time.

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

On page 1, line 27 strike "seventy-one million one hundred thousand dollars," and insert "sixty-four million two hundred seventy thousand dollars."

On page 4, after line 14 insert the following:

"Sec. 8. Section 1, chapter 234, Laws of 1981 as amended by section 3, chapter 23, Laws of 1982 1st ex. sess. and RCW 43.83H.172 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, improving, and equipping of social and health services

and department of corrections facilities, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of (~~one hundred forty seven million two hundred eighty thousand~~) 40,145,000 dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83H.172 through 43.83H.182 may be offered for sale without prior legislative appropriation.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due."

Renumber the sections consecutively.

Mr. D. Nelson moved adoption of the following amendment:

On page 4, after line 14 insert the following new section:

"NEW SECTION, Sec. 8. The state department of social and health services shall examine the feasibility of using existing public facilities for the purpose of housing a public health laboratory prior to constructing a new public health laboratory facility, to replace the current laboratory in the Smith Tower in Seattle."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives D. Nelson, Braddock and Fiske 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 10 of the title after "37.14.010:" insert "amending section 1, chapter 234, Laws of 1981 as amended by section 3, chapter 23, Laws of 1982 1st ex. sess. and RCW 43.83H.172:"

The bill was ordered reengrossed. On motion of Mr. Wang, the rules were suspended, the second reading considered the third, the bill placed on final passage, further consideration deferred, and it was placed on the third reading calendar.

#### MESSAGE FROM THE SENATE

May 22, 1983

Mr. Speaker:

The Senate adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 55 and has granted powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### REPORT OF CONFERENCE COMMITTEE

May 22, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, adopting the 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, Thompson, Lee; Representatives Grimm, Braddock, Fiske.

#### MOTION

On motion of Mr. Braddock, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

#### MESSAGE FROM THE SENATE

May 22, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3244,  
SUBSTITUTE SENATE BILL NO. 3248,  
SUBSTITUTE SENATE BILL NO. 4007,  
SUBSTITUTE SENATE BILL NO. 4059,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3244.  
 SUBSTITUTE SENATE BILL NO. 3248.  
 SUBSTITUTE SENATE BILL NO. 4007.  
 SUBSTITUTE SENATE BILL NO. 4059.

## MESSAGE FROM THE SENATE

May 22, 1983

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, 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

May 22, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 55, adopting the capital budget, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

"AN ACT Adopting the capital budget; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. A capital budget is hereby adopted and, subject to the provisions set forth in this act, 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.

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 Vocational Education Commission, sec. 888  
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 Western Washington State University, secs. 859-862

NEW SECTION. Sec. 2. As used in this act, the following phrases have the following meanings:



- 'GF, Cap Bldg Constr Acct' means General Fund—Capital Building Construction Account;
  - 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;
  - 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;
  - 'GF, ORA' means General Fund—Outdoor Recreation Account;
  - 'GF, Sal Enhmt Constr Acct' means General Fund—Salmon Enhancement Construction Account;
  - 'GF, For Dev Acct' means General Fund—Forest Development Account;
  - 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;
  - 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;
  - 'GF, DSHS Constr Acct' means General Fund—State Social and Health Services Construction Account;
  - 'GF, CEP & RI Acct' means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;
  - 'GF, Fire Trng Constr Acct' means General Fund—Fire Training Construction Account;
  - 'GF, WSU Bldg Acct' means General Fund—Washington State University Building Account;
  - 'GF, St H Ed Constr Acct' means General Fund—State Higher Education Construction Account;
  - 'GF, EWU Cap Proj Acct' means General Fund—Eastern Washington University Capital Projects Account;
  - 'GF, TESC Cap Proj Acct' means General Fund—The Evergreen State College Capital Projects Account;
  - 'GF, Com Col Cap Impvmt Acct' means General Fund—Community College Capital Improvement Account;
  - 'GF, Com Col Cap Proj Acct' means General Fund—Community College Capital Projects Account;
  - 'GF, Com Col Cap Constr Acct' means General Fund—1975 Community College Capital Construction Account;
  - 'GF, CWU Cap Proj Acct' means General Fund—Central Washington University Capital Projects Account;
  - 'GF, UW Bldg Acct' means General Fund—University of Washington Building Account;
  - 'GF, St Bldg Auth Constr Acct' means General Fund—State Building Authority Construction Account;
  - 'GF, WWU Cap Proj Acct' means General Fund—Western Washington University Capital Projects Account;
  - 'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;
  - 'GF, Hndcp Fac Constr Acct' means General Fund—Handicapped Facilities Construction Account;
  - 'GF, LIRA, Waste Disp Fac' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;
  - 'GF, State Emerg Water Proj Rev' means General Fund—Emergency Water Project Revolving Account—State;
  - 'GF, LIRA, Waste Fac 1980' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities 1980;
  - 'GF, LIRA, Water Sup Fac' means General Fund—State and Local Improvement Revolving Account—Water Supply Facilities;
  - 'GF, LIRA' means General Fund—State and Local Improvement Revolving Account;
  - 'GF, LIRA, Public Rec Fac' means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;
  - 'GF, PNW Fest Fac Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account;
  - 'GF, Cultural Fac Constr Acct' means General Fund—Cultural Facilities Construction Account;
  - 'GF, H Ed Constr Acct' means General Fund—Higher Education Construction Account 1979;
  - 'MV, State Patrol Hiwy Acct' means Motor Vehicle Fund—State Patrol Highway Account.
- The words 'capital improvements' or 'capital projects' used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

PART I  
GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To conduct an energy audit program of all state-owned buildings.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct	3,971,600	
Project		Estimated
Costs	Estimated	Total
	Costs	

Through 6/30/83 2,620,900	7/1/85 and Thereafter	Costs 6,592,500
<u>NEW SECTION.</u> Sec. 102. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To complete the house office building basement alteration and ground floor hearing rooms remodel.		
GF, Cap Bldg Constr Acct	Reappropriation 40,000	Appropriation
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83 960,000	7/1/85 and Thereafter	Costs 1,000,000
<u>NEW SECTION.</u> Sec. 103. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To provide for emergency repair projects on the Capitol campus, including the old capitol and Capitol Lake.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 216,000
GF, Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83	7/1/85 and Thereafter	Costs 288,000
<u>NEW SECTION.</u> Sec. 104. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To undertake three nondeterrable repair projects on the capitol campus.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 24,000
GF, Cap Purch & Dev Acct		576,000
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83	7/1/85 and Thereafter	Costs 600,000
<u>NEW SECTION.</u> Sec. 105. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To provide for unanticipated repairs and improvements on the capitol campus.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 216,000
GF, Cap Purch & Dev Acct		72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83	7/1/85 and Thereafter	Costs 288,000
<u>NEW SECTION.</u> Sec. 106. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To implement three minor improvement projects on the capitol campus.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 72,000
GF, Cap Purch & Dev Acct		5,000
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83	7/1/85 and Thereafter	Costs 77,000
<u>NEW SECTION.</u> Sec. 107. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To repair existing campus elevators, escalators, and other conveyance systems.		
GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 106,000
GF, Cap Purch & Dev Acct		87,000
Project	Estimated	Estimated
Costs	Costs	Total
Through 6/30/83	7/1/85 and Thereafter 2,022,000	Costs 2,215,000
<u>NEW SECTION.</u> Sec. 108. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To replace and maintain the roofs on capitol campus buildings.		
GF, State Bldg Constr Acct	Reappropriation	Appropriation 298,000
GF, Cap Purch & Dev Acct		60,000
Project	Estimated	Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs  358,000
<u>NEW SECTION.</u> Sec. 109. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To study repair and improve the water distribution system.		
Reappropriation		Appropriation 175,000
GF. Cap Bldg Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83	581,500	756,500

<u>NEW SECTION.</u> Sec. 110. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To provide a fire and water damage protection system for the state library.		
Reappropriation		Appropriation 399,000
GF. Cap Bldg Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83		399,000

<u>NEW SECTION.</u> Sec. 111. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To replace the water chiller at the employment security building.		
Reappropriation		Appropriation 500,000
GF. Cap Purch & Dev Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83		500,000

<u>NEW SECTION.</u> Sec. 112. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION To provide improvements for handicapped access.		
Reappropriation		Appropriation 34,000
GF. Cap Bldg Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83		259,000

NEW SECTION. Sec. 113. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To convert industrial space vacated by the state printer in the general administration building to office space for the state auditor and the state treasurer, and to renovate vacated computer space in the state treasurer's office.

Reappropriation		Appropriation 3,890,000
GF. State Bldg Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83	886,000	1,179,000

NEW SECTION. Sec. 114. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To provide for the installation of energy conservation measures in various capitol campus buildings.

Reappropriation		Appropriation 510,000
GF. Cap Bldg Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through	Thereafter	
6/30/83	1,435,000	2,313,000

NEW SECTION. Sec. 115. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION  
To correct leaks in the capitol campus garage.

Reappropriation		Appropriation 362,000
GF. Cap Purch & Dev Acct	Estimated	Estimated
Project	Costs	Total
Costs	7/1/85 and	Costs
Through		

	6/30/83	Thereafter	362,000
<u>NEW SECTION, Sec. 116. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
To effect critical repairs at the northern state multiservice center.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			100,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
		3,768,800	3,868,800
<u>NEW SECTION, Sec. 117. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
For Northern State Hospital repairs.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct		150,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
1,925,000			2,075,000
<u>NEW SECTION, Sec. 118. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
For campus electrical repairs.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		490,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
4,494,000		210,000	5,194,000
<u>NEW SECTION, Sec. 119. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
For capitol campus electrical energy conservation.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		100,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
368,000			468,000
<u>NEW SECTION, Sec. 120. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
For powerhouse equipment modifications and replacement.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		200,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
787,000			987,000
<u>NEW SECTION, Sec. 121. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
For alterations to a portion of the state modular office building at airudustrial park for the state printer.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,017,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
389,300			1,406,300
<u>NEW SECTION, Sec. 122. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
To rehabilitate Capitol Lake.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		809,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
763,000		591,000	2,163,000
<u>NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>			
For Office Building No. 2 window drip cap installation.			
		Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		106,000	

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
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106,000

NEW SECTION, Sec. 124. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

For alteration of the basement and ground floor of the general administration building for use as office space: design only.

GF, Cap Bldg Constr Acct	Reappropriation 435,000	Appropriation
Project Costs Through 6/30/83 15,000	Estimated Costs 7/1/85 and Thereafter 5,050,000	Estimated Total Costs 5,500,000

NEW SECTION, Sec. 125. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

For elevator/escalator repair and replacement.

GF, Cap Bldg Constr Acct	Reappropriation 345,000	Appropriation
Project Costs Through 6/30/83 500,000	Estimated Costs 7/1/85 and Thereafter 5,000	Estimated Total Costs 850,000

NEW SECTION, Sec. 126. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

For the acquisition of the McNeil Island complex including Gertrude and Pitt Islands.

GF, State Bldg Constr Acct	Reappropriation	Appropriation 8,800,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs

8,800,000

NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for alterations to the Public Lands Building for two ground level floor senate hearing rooms and support spaces. Includes funds not to exceed \$284,000 for department of natural resources office modifications and relocation of department of natural resources functions.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 885,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs

885,000

NEW SECTION, Sec. 128. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

To provide for Phase II House Office Building remodel.

GF, Cap Bldg Constr Acct	Reappropriation	Appropriation 1,452,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs

1,452,000

NEW SECTION, Sec. 129. FOR THE SECRETARY OF STATE

For renovation of the central Washington regional archives in Ellensburg.

GF, State Bldg Constr Acct	Reappropriation	Appropriation 25,000
Project Costs Through 6/30/83 32,000	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs

57,000

NEW SECTION, Sec. 130. FOR THE SECRETARY OF STATE

Renovate regional archives in King County.

GF, State Bldg Constr Acct	Reappropriation	Appropriation 48,000
Project Costs Through	Estimated Costs 7/1/85 and	Estimated Total Costs

6/30/83	Thereafter	
14,000		62,000
<u>NEW SECTION, Sec. 131. FOR THE SECRETARY OF STATE</u>		
Remodel existing space in the archives and records center in Olympia for a conservation laboratory.		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		37,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,800
<u>NEW SECTION, Sec. 132. FOR THE SECRETARY OF STATE</u>		
Renovations to radar tower for records storage purposes in Blaine.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		37,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,000
<u>NEW SECTION, Sec. 133. FOR THE MILITARY DEPARTMENT</u>		
Provide for minor renovation and energy conservation projects.		
	Reappropriation	Appropriation
GF, State Bldg Constr Acct		724,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		724,000
<u>NEW SECTION, Sec. 134. FOR THE MILITARY DEPARTMENT</u>		
To construct and equip maintenance shop—Fort Lewis.		
	Reappropriation	Appropriation
General Fund, Federal		1,438,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	268,000	1,706,000
<u>NEW SECTION, Sec. 135. FOR THE MILITARY DEPARTMENT</u>		
To construct and equip maintenance shop—Ephrata army.		
	Reappropriation	Appropriation
General Fund, Federal		193,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	35,000	228,000
<u>NEW SECTION, Sec. 136. FOR THE MILITARY DEPARTMENT</u>		
Construct and equip a 200-man army—Vancouver barracks.		
	Reappropriation	Appropriation
General Fund, Federal	78,000	
GF, State Bldg Constr Acct	39,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,004,000	2,121,000
<u>NEW SECTION, Sec. 137. FOR THE MILITARY DEPARTMENT</u>		
Acquire and equip a 200-man army—South King County.		
	Reappropriation	Appropriation
General Fund, Federal		1,260,000
GF, State Bldg Constr Acct	20,000	515,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	105,000	1,900,000
<u>NEW SECTION, Sec. 138. FOR THE MILITARY DEPARTMENT</u>		

Complete exterior renovation and engineering study on total building renovation—Tacoma Armory.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	2,555,700	2,675,700

**NEW SECTION, Sec. 139. FOR THE DEPARTMENT OF EMERGENCY SERVICES**

Study to determine location and design of an emergency services command center.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		31,000
General Fund, Federal		6,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		37,000

**PART II  
HUMAN RESOURCES**

**NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Repairs and improvements—State-wide.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	783,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,216,800		2,000,000

**NEW SECTION, Sec. 202. 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).

	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

**NEW SECTION, Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

The department of social and health services is authorized to allocate \$1,300,000 in Referendum 29 funds to the City of Seattle for the Downtown Seattle Special Residence for the Mentally Ill. The City of Seattle must submit an application by December 31, 1983, and must receive department approval by March 31, 1984, or the amount authorized shall lapse.

	Reappropriation	Appropriation
GF, LIRA, DSHS Fac		1,300,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,300,000

**NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)**

Comply with section 504 relating to handicapped access to facilities.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
366,085	180,000	556,085

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Construct and equip a new state public health laboratory.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project		675,000	10,163,100
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
440,900	Thereafter		
			11,279,000

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Establish and implement energy conservation program—DSHS institutions.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project		750,000	1,174,900
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
690,000	Thereafter		
			2,614,900

NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEPARTMENTAL CAPITAL SERVICES (HEADQUARTERS)

Develop project plans for major current and backlog facility deficiencies.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project		90,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
201,239	Thereafter		
			291,239

NEW SECTION, Sec. 208. 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
Project			2,637,600
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
	Thereafter		
			2,637,600

NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

Renovate kitchen, dining room, and administration building and construct new commissary—Naselle Youth Camp.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project		60,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
1,867,500	Thereafter		
			1,927,500

NEW SECTION, Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

Upgrade facilities including vocational and educational buildings—Green Hill School.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project		365,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/83	7/1/85 and		Costs
1,435,000	Thereafter		
			1,800,000

NEW SECTION, Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION

Repair and replace roofs—Echo Glen Children's Center.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project			1,231,700
Costs	Estimated		Estimated
Through	Costs		Total
	7/1/85 and		Costs
	Thereafter		



6/30/83  
209,200

Thereafter

1,440,900

**NEW SECTION, Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION**

Repair utilities—Maple Lane.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		609,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		609,100

**NEW SECTION, Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR JUVENILE REHABILITATION**

Repair utilities—Green Hill School.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		307,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		307,000

**NEW SECTION, Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES**

Renovate Douglas Hall, renovate or construct infirmary, renovate habilitation center, make utility and site improvements, demolish old buildings on north campus, design through working drawings for Phase IV—Lakeland Village.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		4,824,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
17,119,700	1,425,500	23,369,700

**NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES**

Construct and equip nine residential units, renovate skilled nursing center and health center, renovate kitchen, improve facilities and site, design through working drawings for Phase IV—Rainier School.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		9,174,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
22,956,200		32,131,000

**NEW SECTION, Sec. 216. 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
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

**NEW SECTION, Sec. 217. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES**

Repair and upgrade utilities, and fire and safety improvements, Phase IV—Fircrest.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		75,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,805,300		5,495,300

**NEW SECTION, Sec. 218. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES**

Repair or replace roof—Interlake.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		345,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		345,900

**NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR DEVELOPMENTAL DISABILITIES**

Construct and equip two additional 16-bed residential units—Complete Phase II—Frances Haddon Morgan.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		2,612,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,167,000	3,500,000	7,279,500

**NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH**

Fire and safety improvements—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct		289,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		289,000

**NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH**

Repair cottages—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

**NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH**

Completion of design, construction, and equipping 225-bed facility for the nonoffender population—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,113,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
19,630,000	550,000	21,293,000

**NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH**

Completion of health, safety, facility, utility and roofing improvements—Western State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	838,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,493,000		2,331,000

**NEW SECTION. Sec. 224. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH**

Completion of design, construction, and equipping 130-bed facility for nonoffender population—Eastern State Hospital.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter	
11,985,000		12,035,000
<b>NEW SECTION. Sec. 225. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</b>		
Install emergency generator—Western State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		655,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		655,700
<b>NEW SECTION. Sec. 226. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</b>		
Renovate wards—Eastern State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		502,300
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	10,791,600	11,293,900
<b>NEW SECTION. Sec. 227. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—FOR MENTAL HEALTH</b>		
Renovate wards—Western State Hospital.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		377,100
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	16,096,800	16,473,900
<b>NEW SECTION. Sec. 228. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Cover current obligations related to design, site planning, and land acquisition for a 500-bed medium security corrections center at Grandview. New contracts or other expenditure obligations relative to construction of this project are to be deferred.		
	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	
830,000		2,330,000
<b>NEW SECTION. Sec. 229. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Renovate heating and ventilation system—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		395,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
105,000		500,000
<b>NEW SECTION. Sec. 230. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Construct 500-bed medium security corrections center on the grounds of the Monroe Reformatory.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		12,970,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
20,892,300		33,862,300
<b>NEW SECTION. Sec. 231. FOR THE DEPARTMENT OF CORRECTIONS</b>		
Repair facilities and utilities—McNeil Island.		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter	
	1,667,406		2,667,406
<u>NEW SECTION. Sec. 232. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Construct a 500-bed medium security corrections center—Clallam Bay.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		7,148,400	33,247,305
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
2,601,600			42,997,305
<u>NEW SECTION. Sec. 233. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Continue to upgrade utilities, living units, and security capabilities—Phase II. Washington State Penitentiary.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		14,000,000	6,480,784
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
12,907,492			33,388,276
<u>NEW SECTION. Sec. 234. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Upgrade security, housing units, utilities, services, and inmate movement—Phase II. Washington State Reformatory.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		146,500	10,897,100
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
576,900		7,000,000	17,740,450
<u>NEW SECTION. Sec. 235. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Provide facilities for 600 additional inmates—Washington Corrections Center, Shelton.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			18,510,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
			18,510,000
<u>NEW SECTION. Sec. 236. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Emergency and unanticipated projects.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			337,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
			337,000
<u>NEW SECTION. Sec. 237. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Renovation, repair, construction of small projects—state-wide.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			1,943,203
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
			1,943,203
<u>NEW SECTION. Sec. 238. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Improve water quality—Washington State Reformatory.			
		Reappropriation	Appropriation
GF, State Bldg Constr Acct			668,300
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/85 and	Costs
6/30/83		Thereafter	
			668,300
<u>NEW SECTION. Sec. 239. FOR THE DEPARTMENT OF CORRECTIONS</u>			
Renovate farm housing and provide 200 additional beds—McNeil Island.			

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project		871,165
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		871,165

NEW SECTION, Sec. 240. FOR THE DEPARTMENT OF CORRECTIONS

Improve capability to handle mentally disturbed inmates—Washington Corrections Center.

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project		319,954
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		319,954

NEW SECTION, Sec. 241. FOR THE DEPARTMENT OF CORRECTIONS

Construct maximum security inmate living units—Purdy Treatment Center for Women.

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project		280,800
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	4,880,295	5,161,095

NEW SECTION, Sec. 242. FOR THE DEPARTMENT OF CORRECTIONS

Install bag house to comply with the air pollution control board's air quality emissions standards—Washington Corrections Center.

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project		1,424,496
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		1,424,496

NEW SECTION, Sec. 243. FOR THE DEPARTMENT OF CORRECTIONS

Replace old, small-capacity passenger ferry boat with larger-capacity boat—McNeil Island.

GF, State Bldg Constr Acct	Reappropriation	Appropriation
Project		335,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		335,000

NEW SECTION, Sec. 244. FOR THE DEPARTMENT OF CORRECTIONS

Completion of repair and improvement of utilities and facilities—Omnibus.

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project		200,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,400,000	Thereafter	
		1,600,000

NEW SECTION, Sec. 245. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Repair and improve facilities at the Soldiers' Home and Veterans' Home.

GF, CEP & RI Acct	Reappropriation	Appropriation
Project		255,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
710,900	Thereafter	
		1,299,900

NEW SECTION, Sec. 246. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Acquire land and construct an office building in Walla Walla.

Unemployment Compensation	Reappropriation	Appropriation
Administration Fund—Federal		545,000
Project	Estimated	246,250
		Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
		791,250
<u>NEW SECTION, Sec. 247. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES</u>		
Repair and improve facilities at the Buckner rehabilitation center.		
	Reappropriation	Appropriation
Medical Aid Fund		209,234
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		209,234
PART III		
DEPARTMENT OF ECOLOGY		
<u>NEW SECTION, Sec. 301. FOR THE DEPARTMENT OF ECOLOGY</u>		
Acquire property and construct building at Padilla Bay.		
	Reappropriation	Appropriation
GF, Federal	300,000	
GF, ORA—State	500,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
896,000		1,696,000
<u>NEW SECTION, Sec. 302. FOR THE DEPARTMENT OF ECOLOGY</u>		
Drilling of test observation wells in Island County.		
	Reappropriation	Appropriation
GF, State Emerg Water Proj Rev	480,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		480,000
<u>NEW SECTION, Sec. 303. FOR THE DEPARTMENT OF ECOLOGY</u>		
Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.		
	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	77,100	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
35,700		112,800
<u>NEW SECTION, Sec. 304. FOR THE DEPARTMENT OF ECOLOGY</u>		
To construct waste disposal facilities at Dash Point, Riverside, and Sacajawea State Parks.		
	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	181,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
564,800		746,000
<u>NEW SECTION, Sec. 305. FOR THE DEPARTMENT OF ECOLOGY</u>		
To construct water supply facilities at Sacajawea State Park.		
	Reappropriation	Appropriation
GF, LIRA	124,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
95,100		220,000
<u>NEW SECTION, Sec. 306. FOR THE DEPARTMENT OF ECOLOGY</u>		
Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.		
	Reappropriation	Appropriation
GF, LIRA Waste Fac 1980	91,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

6/30/83	Thereafter	
36,100		127,100
<u>NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF ECOLOGY</u>		
Provide facilities in twenty-seven parks for the disposal of marine sewage from Portapotties.		
	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	104,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		104,800
<u>NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF ECOLOGY</u>		
Renovate primary and secondary water distribution system—Larrabee State Park.		
	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	43,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		43,600
<u>NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF ECOLOGY</u>		
Provide water service connection for fire protection and public use—Saint Edward State Park.		
	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	220,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		220,000
<u>NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF ECOLOGY</u>		
Provide for water system improvements—Sun Lakes State Park.		
	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	35,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
48,600		83,600
<u>NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF ECOLOGY</u>		
Extend water system—Jones Island.		
	Reappropriation	Appropriation
GF, LIRA—Water Sup Fac	48,300	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		48,300
<u>NEW SECTION. Sec. 312. FOR THE DEPARTMENT OF ECOLOGY</u>		
Extend water system—Blake Island.		
	Reappropriation	Appropriation
GF, LIRA—Water Sup Fac	87,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		87,700
<u>NEW SECTION. Sec. 313. FOR THE DEPARTMENT OF ECOLOGY</u>		
Improve sewage lagoon—Brooks Memorial State Park, Klickitat County.		
	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		92,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		92,700
<u>NEW SECTION. Sec. 314. FOR THE DEPARTMENT OF ECOLOGY</u>		
Provide funds for sewage treatment facility expansion—Moran State Park, San Juan County.		

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		78,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		78,000

NEW SECTION, Sec. 315. FOR THE DEPARTMENT OF ECOLOGY

Connect Ocean City State Park's existing sewer system to Ocean Shores municipal sewer system—Grays Harbor County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		120,400
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		120,400

NEW SECTION, Sec. 316. FOR THE DEPARTMENT OF ECOLOGY

Repair and remodel sewage system—Sun Lakes State Park, Grant County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		312,700
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		312,700

NEW SECTION, Sec. 317. FOR THE DEPARTMENT OF ECOLOGY

Renovate sewage system—Illahee State Park, Kitsap County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		38,800
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		38,800

NEW SECTION, Sec. 318. FOR THE DEPARTMENT OF ECOLOGY

Renovate sewage system—Pacific Beach State Park, Grays Harbor County.

GF, LIRA, Waste Fac 1980	Reappropriation	Appropriation
Project		26,300
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		26,300

PART IV

STATE PARKS AND RECREATION COMMISSION

NEW SECTION, Sec. 401. FOR THE STATE PARKS AND RECREATION COMMISSION

Whatcom County Trails.

GF, ORA—State	Reappropriation	Appropriation
Project	30,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		30,000

NEW SECTION, Sec. 402. FOR THE STATE PARKS AND RECREATION COMMISSION

Acquire access to ocean beach (Griffiths Priddy)—Copalis.

GF, ORA—State	Reappropriation	Appropriation
	105,000	
GF, ORA—Federal	105,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		210,000

NEW SECTION, Sec. 403. FOR THE STATE PARKS AND RECREATION COMMISSION

Develop facilities—Fort Canby.

GF, ORA—State	Reappropriation	Appropriation
Project	44,000	
	Estimated	Estimated



Costs Through 6/30/83 44,000	Costs 7/1/85 and Thereafter	Total Costs  88,000
<u>NEW SECTION. Sec. 404. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Develop facilities—Spencer Spit.		
	Reappropriation	Appropriation
GF. ORA—State	85,000	
GF. ORA—Federal	85,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
468,000		638,000
<u>NEW SECTION. Sec. 405. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Acquire land—Squak Mountain.		
	Reappropriation	Appropriation
GF. ORA—State	39,000	
GF. ORA—Federal	39,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		78,000
<u>NEW SECTION. Sec. 406. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Renovate facilities—Camp Wooten.		
	Reappropriation	Appropriation
GF. ORA—State	20,700	
GF. ORA—Federal	20,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
67,600		109,000
<u>NEW SECTION. Sec. 407. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Develop facilities—Clallam Spit.		
	Reappropriation	Appropriation
GF. ORA—State	88,500	
GF. ORA—Federal	88,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,000		179,000
<u>NEW SECTION. Sec. 408. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Acquire recreational sites—Beards Hollow and Penrose.		
	Reappropriation	Appropriation
GF. ORA—State	58,900	
GF. ORA—Federal	58,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
8,222,500		8,340,300
<u>NEW SECTION. Sec. 409. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Continue to acquire approximately 350 to 400 acres and 1.5 miles of riverfront—Green River Gorge.		
	Reappropriation	Appropriation
GF. ORA—State	296,000	
GF. ORA—Federal	96,300	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,303,700		5,696,000
<u>NEW SECTION. Sec. 410. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Acquire approximately 152 acres adjacent to Yakima Sportsman State Park.		
	Reappropriation	Appropriation
GF. ORA—State	150,000	
Project	Estimated	Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
		150,000
<u>NEW SECTION, Sec. 411. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Repair and replace timber breakwater—Fort Worden.		
	Reappropriation	Appropriation
GF, ORA—State	22,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
171,200		193,800
<u>NEW SECTION, Sec. 412. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Renovate car-top boat launch ramp and turnaround—Potholes.		
	Reappropriation	Appropriation
GF, ORA—State	7,600	
GF, ORA—Federal	7,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
15,300		30,500
<u>NEW SECTION, Sec. 413. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Expand boat moorage—Deception Pass.		
	Reappropriation	Appropriation
GF, ORA—State	25,600	
GF, ORA—Federal	25,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		51,200
<u>NEW SECTION, Sec. 414. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Renovate campground and day-use area—Riverside.		
	Reappropriation	Appropriation
GF, ORA—State	106,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
194,000		300,000
<u>NEW SECTION, Sec. 415. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Begin trail system development—Mt. Spokane.		
	Reappropriation	Appropriation
GF, ORA—State	53,200	
GF, ORA—Federal	53,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
93,600		200,000
<u>NEW SECTION, Sec. 416. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Construct small bathhouse and kitchen—Fort Worden.		
	Reappropriation	Appropriation
GF, ORA—State	89,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
89,900		179,800
<u>NEW SECTION, Sec. 417. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Renovate concession area—Twenty-Five Mile Creek.		
	Reappropriation	Appropriation
GF, ORA—State	129,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
139,000		268,000

NEW SECTION, Sec. 418. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate day-use area—Saltwater.

	Reappropriation	Appropriation
GF. ORA—State	87,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
27,800		115,500

NEW SECTION, Sec. 419. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate campground area—Larrabee.

	Reappropriation	Appropriation
GF. ORA—State	68,600	
GF. ORA—Federal	68,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		137,200

NEW SECTION, Sec. 420. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate day-use area—Wenberg.

	Reappropriation	Appropriation
GF. ORA—State	98,400	
GF. ORA—Federal	35,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		134,100

NEW SECTION, Sec. 421. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate boat moorage areas: Squaxin Island, Mystery Bay, Jarrell Cove, Penrose Point, Blake Island, and Cornet Bay.

	Reappropriation	Appropriation
GF. ORA—State	139,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
292,800		432,300

NEW SECTION, Sec. 422. FOR THE STATE PARKS AND RECREATION COMMISSION  
Begin phased restoration of day-use buildings—Millersylvania.

	Reappropriation	Appropriation
GF. ORA—State	96,000	
GF. ORA—Federal	73,400	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,900		249,300

NEW SECTION, Sec. 423. FOR THE STATE PARKS AND RECREATION COMMISSION  
Renovate 25 campsites—Birch Bay.

	Reappropriation	Appropriation
GF. ORA—State	45,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
79,600		125,300

NEW SECTION, Sec. 424. FOR THE STATE PARKS AND RECREATION COMMISSION  
Install rock riprap—Fort Casey.

	Reappropriation	Appropriation
GF. ORA—State	26,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
26,000		52,000

NEW SECTION, Sec. 425. FOR THE STATE PARKS AND RECREATION COMMISSION  
Acquire portions of riverbank on the Green River.

	Reappropriation	Appropriation

GF, ORA—State		151,500	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
598,500			750,000
<u>NEW SECTION, Sec. 426. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Provide emergency funds—State-wide.			
	Reappropriation		Appropriation
GF, LIRA, Pub Rec Fac			400,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	950,000		1,350,000
<u>NEW SECTION, Sec. 427. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Install 7,500 feet of underground cable—Fort Flagler.			
	Reappropriation		Appropriation
GF, LIRA, Pub Rec Fac			53,800
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			53,800
<u>NEW SECTION, Sec. 428. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Insulate and install storm windows and weather stripping—State-wide.			
	Reappropriation		Appropriation
GF, LIRA, Pub Rec Fac			71,600
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
150,000			221,600
<u>NEW SECTION, Sec. 429. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Provide insulation blankets for all hot water tanks—State-wide.			
	Reappropriation		Appropriation
GF, LIRA, Pub Rec Fac			11,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			11,000
<u>NEW SECTION, Sec. 430. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Insulate ceilings and walls—Fort Warden.			
	Reappropriation		Appropriation
GF, LIRA, Pub Rec Fac			255,200
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
	255,200		510,400
<u>NEW SECTION, Sec. 431. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Provide a new well and pump—Millersylvania.			
	Reappropriation		Appropriation
GF, ORA			13,100
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			13,100
<u>NEW SECTION, Sec. 432. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			
Provide for complete assessment of the stability of Lake Sylvia dam and for minor repairs.			
	Reappropriation		Appropriation
GF, ORA			21,500
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			21,500
<u>NEW SECTION, Sec. 433. FOR THE STATE PARKS AND RECREATION COMMISSION</u>			

Provide for interior building maintenance and repairs, including heating system, to preserve existing buildings—St. Edward.

GF. ORA		Reappropriation	Appropriation
	Project		350,000
	Costs	Estimated	Estimated
	Through	Costs	Total
	6/30/83	7/1/85 and	Costs
	297,000	Thereafter	647,000

PART V

DEPARTMENT OF FISHERIES

NEW SECTION, Sec. 501. FOR THE DEPARTMENT OF FISHERIES

The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state and that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, it is the intent of section 501 of this act to direct the director, department of fisheries, to undertake and implement projects, including the administrative costs thereof, which will create employment opportunities for those unemployed as a result of the depressed timber and fishing industries and which:

(1) Enhance the natural salmon stocks in those rivers and streams which determine the ocean salmon quota and which, therefore, control the harvest opportunities for commercial and recreational ocean salmon fisheries;

(2) Improve the streams and rivers of this state which are important to the success of the natural stocks of salmon;

(3) Enhance the maximum utilization of existing salmon stocks; and

(4) Develop mini-modular mobile hatchery complexes on rehabilitated rivers and streams.

The director shall submit quarterly reports, beginning October 1, 1983, to the chairmen of the ways and means committees of the house of representatives and the senate containing:

(a) The projects initiated;

(b) The projects completed;

(c) The unduplicated counts of unemployed persons gaining employment because of this program;

(d) Department FTE involved; and

(e) Administrative costs.

To continue salmon enhancement projects and provide stream and river improvements for natural salmon stocks.

GF. Sal Enhmt Constr Acct		Reappropriation	Appropriation
	Project	5,000,000	
	Costs	Estimated	Estimated
	Through	Costs	Total
	6/30/83	7/1/85 and	Costs
	17,716,700	Thereafter	22,716,700

NEW SECTION, Sec. 502. FOR THE DEPARTMENT OF FISHERIES

Pollution abatement and pond cleaning projects to ensure compliance with various water quality standards.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
	Project	280,800	
	Costs	Estimated	Estimated
	Through	Costs	Total
	6/30/83	7/1/85 and	Costs
	3,718,100	Thereafter	3,998,900

NEW SECTION, Sec. 503. FOR THE DEPARTMENT OF FISHERIES

Handicapped access projects at various facilities.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
	Project	83,300	
	Costs	Estimated	Estimated
	Through	Costs	Total
	6/30/83	7/1/85 and	Costs
	681,100	Thereafter	764,400

NEW SECTION, Sec. 504. FOR THE DEPARTMENT OF FISHERIES

To provide necessary replacements and alterations to the various hatcheries to maintain current production.

GF. Fish Cap Proj Acct		Reappropriation	Appropriation
	Project	576,000	
	Costs	Estimated	Estimated
	Through	Costs	Total
		7/1/85 and	Costs

6/30/83	Thereafter	
1,913,300		2,489,300
<u>NEW SECTION, Sec. 505. FOR THE DEPARTMENT OF FISHERIES</u>		
To complete projects that will improve the operation and production efficiencies at various existing facilities.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	96,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,289,400		1,386,000
<u>NEW SECTION, Sec. 506. FOR THE DEPARTMENT OF FISHERIES</u>		
To replace and increase the power of auxiliary generators at various hatcheries.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	180,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
300,200		480,200
<u>NEW SECTION, Sec. 507. FOR THE DEPARTMENT OF FISHERIES</u>		
To riprap the banks and remove gravel deposits in Jordan Creek.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	410,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,000		440,000
<u>NEW SECTION, Sec. 508. FOR THE DEPARTMENT OF FISHERIES</u>		
To replace auxiliary hatchery fuel tanks.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	72,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
72,400		144,400
<u>NEW SECTION, Sec. 509. FOR THE DEPARTMENT OF FISHERIES</u>		
To replace Green River hatchery mud pumps and complete work in the channel of Soos Creek.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	4,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
87,200		91,200
<u>NEW SECTION, Sec. 510. FOR THE DEPARTMENT OF FISHERIES</u>		
To construct holding and spawning separation facilities at the Skagit hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	310,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,800		340,800
<u>NEW SECTION, Sec. 511. FOR THE DEPARTMENT OF FISHERIES</u>		
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	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
69,500		439,500
<u>NEW SECTION, Sec. 512. FOR THE DEPARTMENT OF FISHERIES</u>		

To construct an incubation structure, drill wells, and install pipe to George Adams hatchery for chum fry.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	382,700	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
10,100	Thereafter	
		392,800

NEW SECTION, Sec. 513. FOR THE DEPARTMENT OF FISHERIES

To replace the existing vertical intake pickets with an inclined picket intake at the Sunset Falls fishway.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	35,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
98,400	Thereafter	
		133,400

NEW SECTION, Sec. 514. FOR THE DEPARTMENT OF FISHERIES

To riprap Soos Creek at the Green River hatchery.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	27,500	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
12,000	Thereafter	
		39,500

NEW SECTION, Sec. 515. FOR THE DEPARTMENT OF FISHERIES

To provide isolated storage building or approved cabinet facilities for the storage of flammable materials at the primary hatchery locations.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	33,800	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
22,400	Thereafter	
		56,200

NEW SECTION, Sec. 516. FOR THE DEPARTMENT OF FISHERIES

To revise the Skagit hatchery water intake system.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	161,900	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		161,900

NEW SECTION, Sec. 517. 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
Project	177,300	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,200	Thereafter	
		178,500

NEW SECTION, Sec. 518. FOR THE DEPARTMENT OF FISHERIES

To construct metal-pole storage buildings.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	37,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
414,100	Thereafter	
		451,100

NEW SECTION, Sec. 519. FOR THE DEPARTMENT OF FISHERIES

To drill a well and replace toilets at the Garrison hatchery.

GF, Fish Cap Proj Acct	Reappropriation	Appropriation
Project	29,400	
	Estimated	Estimated

Costs Through 6/30/83 325,000	Costs 7/1/85 and Thereafter	Total Costs  354,400
<u>NEW SECTION. Sec. 520. FOR THE DEPARTMENT OF FISHERIES</u>		
To install incubators and improve the water supply at the Skykomish hatchery.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	43,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
363,200		406,200
<u>NEW SECTION. Sec. 521. FOR THE DEPARTMENT OF FISHERIES</u>		
To construct weirs on streams for the enhancement of egg production.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	75,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
885,900		960,900
<u>NEW SECTION. Sec. 522. FOR THE DEPARTMENT OF FISHERIES</u>		
To construct divider picket walls in the adult pond at the Soleduck hatchery.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	32,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
238,200		270,200
<u>NEW SECTION. Sec. 523. FOR THE DEPARTMENT OF FISHERIES</u>		
To replace damaged or missing gabions at the Soleduck hatchery.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	45,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,100		47,100
<u>NEW SECTION. Sec. 524. FOR THE DEPARTMENT OF FISHERIES</u>		
To purchase and install net pens at Squaxin Island.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	8,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
192,000		200,000
<u>NEW SECTION. Sec. 525. FOR THE DEPARTMENT OF FISHERIES</u>		
To renovate and make improvements for health and safety code compliance.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct	81,500	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,514,300	1,000,000	2,786,200
<u>NEW SECTION. Sec. 526. FOR THE DEPARTMENT OF FISHERIES</u>		
Improvements to conserve energy.		
	Reappropriation	Appropriation
GF. Fish Cap Proj Acct		115,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	200,000	315,000
<u>NEW SECTION. Sec. 527. FOR THE DEPARTMENT OF FISHERIES</u>		
Minor replacement and alteration projects to sustain and improve hatchery operations.		



	Reappropriation	Appropriation 100,000
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		100,000

NEW SECTION, Sec. 528. FOR THE DEPARTMENT OF FISHERIES

To renovate and increase the Willapa fish food freezer and provide additional freezer capacity at Minter Creek.

	Reappropriation	Appropriation 269,100
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		269,100

NEW SECTION, Sec. 529. FOR THE DEPARTMENT OF FISHERIES

To renovate the growth pond at Point Whitney.

	Reappropriation	Appropriation 84,300
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		84,300

NEW SECTION, Sec. 530. FOR THE DEPARTMENT OF FISHERIES

To remodel the Montesano regional coastal field office.

	Reappropriation	Appropriation 60,500
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		60,500

NEW SECTION, Sec. 531. FOR THE DEPARTMENT OF FISHERIES

To supplement the Green River sand separator with a mechanical water filtration system.

	Reappropriation	Appropriation 175,700
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		175,700

NEW SECTION, Sec. 532. FOR THE DEPARTMENT OF FISHERIES

To install a mechanical water filter system at Puyallup.

	Reappropriation	Appropriation 117,100
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		117,100

NEW SECTION, Sec. 533. FOR THE DEPARTMENT OF FISHERIES

To construct a concrete settling pond at Naselle.

	Reappropriation	Appropriation 75,000
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		75,000

NEW SECTION, Sec. 534. FOR THE DEPARTMENT OF FISHERIES

To install intruder detection systems at four hatcheries.

	Reappropriation	Appropriation 120,000
GF, Fish Cap Proj Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs

	6/30/83	Thereafter		120,000
<u>NEW SECTION, Sec. 535. FOR THE DEPARTMENT OF FISHERIES</u>				
To construct a public fishing pier and reef on the Tacoma waterfront.				
			Reappropriation	Appropriation
GF. ORA—	State		375,000	
GF. ORA—	Federal		375,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	127,000			877,000
<u>NEW SECTION, Sec. 536. FOR THE DEPARTMENT OF FISHERIES</u>				
To acquire and develop property on Oakland Bay.				
			Reappropriation	Appropriation
GF. ORA—	State		14,000	
GF. ORA—	Federal		7,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	102,800			123,800
<u>NEW SECTION, Sec. 537. FOR THE DEPARTMENT OF FISHERIES</u>				
To construct pedestrian access walkways at Westport.				
			Reappropriation	Appropriation
GF. ORA—	State		84,000	
GF. ORA—	Federal		84,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	40,000			208,000
<u>NEW SECTION, Sec. 538. FOR THE DEPARTMENT OF FISHERIES</u>				
To redevelop the Boston Harbor public boat launch.				
			Reappropriation	Appropriation
GF. ORA			50,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	44,400			94,400
<u>NEW SECTION, Sec. 539. FOR THE DEPARTMENT OF FISHERIES</u>				
To construct a recreational fishing area at the east end of the Hood Canal bridge.				
			Reappropriation	Appropriation
GF. ORA			360,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	20,000			380,000
<u>NEW SECTION, Sec. 540. FOR THE DEPARTMENT OF FISHERIES</u>				
To enhance the Frye Cove beach to create hardshell clam beds.				
			Reappropriation	Appropriation
GF. ORA			35,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	10,500			45,500
<u>NEW SECTION, Sec. 541. FOR THE DEPARTMENT OF FISHERIES</u>				
To enhance the Bywater Bay beach to create hardshell clam beds.				
			Reappropriation	Appropriation
GF. ORA			20,000	
	Project	Estimated		Estimated
	Costs	Costs		Total
	Through	7/1/85 and		Costs
	6/30/83	Thereafter		
	8,000			28,000
<u>NEW SECTION, Sec. 542. FOR THE DEPARTMENT OF FISHERIES</u>				
To redevelop the public boat access facility at Pillar Point.				

GF, ORA		Reappropriation 159,000	Appropriation
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	4,400		163,400

NEW SECTION, Sec. 543. FOR THE DEPARTMENT OF FISHERIES  
To construct shelters on the Elliott Bay fishing pier.

GF, ORA—State		Reappropriation 49,000	Appropriation
GF, ORA—Federal		45,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			94,000

NEW SECTION, Sec. 544. FOR THE DEPARTMENT OF FISHERIES  
To construct artificial reefs in Puget Sound and Hood Canal.

GF, ORA—State		Reappropriation 50,000	Appropriation 75,000
GF, ORA—Federal			75,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	50,000	200,000	450,000

NEW SECTION, Sec. 545. FOR THE DEPARTMENT OF FISHERIES  
To partially renovate the Snow Creek public boat launch.

GF, ORA—State		Reappropriation	Appropriation 72,500
GF, ORA—Federal			72,500
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
		150,000	295,000

PART VI

DEPARTMENT OF GAME

NEW SECTION, Sec. 601. FOR THE DEPARTMENT OF GAME  
Relocate Seattle regional office.

Game Fund		Reappropriation 316,000	Appropriation
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	1,044,000		1,360,000

NEW SECTION, Sec. 602. FOR THE DEPARTMENT OF GAME  
Relocate engineering shop and storage facilities.

Game Fund		Reappropriation 719,700	Appropriation
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	277,000		996,700

NEW SECTION, Sec. 603. FOR THE DEPARTMENT OF GAME  
Complete construction of public access—Wenas Lake, Yakima County.

GF, ORA—State		Reappropriation 43,000	Appropriation
Game Fund		27,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
	27,000		97,000

NEW SECTION, Sec. 604. FOR THE DEPARTMENT OF GAME  
Redevelop public access facilities—Snake River, Asotin County.

		Reappropriation 125,000	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
2,000			127,000
<u>NEW SECTION, Sec. 605. FOR THE DEPARTMENT OF GAME</u>			
Provide a float for fishing and boating—Clear Lake, Thurston County.			
		Reappropriation 22,000	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
41,000			63,000
<u>NEW SECTION, Sec. 606. FOR THE DEPARTMENT OF GAME</u>			
Construct boating facilities, interpretive facilities, trails, and water control structure—			
Tennant Lake H.M.A., Whatcom County.			
		Reappropriation 186,000	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,000			187,000
<u>NEW SECTION, Sec. 607. FOR THE DEPARTMENT OF GAME</u>			
Rebuild fishing dock and provide parking and sanitary facilities—Mercer Island, King			
County.			
		Reappropriation 58,000	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,000			59,000
<u>NEW SECTION, Sec. 608. FOR THE DEPARTMENT OF GAME</u>			
Construct public access facilities—Klickitat River.			
		Reappropriation 64,000	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,000			65,000
<u>NEW SECTION, Sec. 609. FOR THE DEPARTMENT OF GAME</u>			
Construct public access facilities—Lake Washington, King County.			
		Reappropriation 33,000	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,000			34,000
<u>NEW SECTION, Sec. 610. FOR THE DEPARTMENT OF GAME</u>			
Repair three dikes—Skagit Wildlife Recreation Area.			
		Reappropriation 12,500	Appropriation
Game Fund—State			
Game Fund—Federal		37,500	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
52,600			102,600
<u>NEW SECTION, Sec. 611. FOR THE DEPARTMENT OF GAME</u>			
Redevelop and construct boat launching facilities at Fazon Lake and Badger Lake.			
		Reappropriation 106,200	Appropriation
GF, ORA—State			
Project	Estimated		Estimated
Costs	Costs		Total

Through 6/30/83 390,800	7/1/85 and Thereafter	Costs 497,000
<u>NEW SECTION, Sec. 612. FOR THE DEPARTMENT OF GAME</u>		
Construct new residence and upgrade domestic water supply—Ringold Rearing Pond.		
Game Fund—Federal	Reappropriation	Appropriation
Project Costs Through 6/30/83 85,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 119,000
<u>NEW SECTION, Sec. 613. FOR THE DEPARTMENT OF GAME</u>		
Repair or replace fish screens at lake outlets preventing out migration of planted trout.		
Game Fund—State	Reappropriation	Appropriation
Game Fund—Federal	8,300 25,200	
Project Costs Through 6/30/83 37,500	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 71,000
<u>NEW SECTION, Sec. 614. FOR THE DEPARTMENT OF GAME</u>		
Complete acquisition of thirty-five acres in three parcels of cooperative project with Whatcom County, Tennant Lake Wildlife Recreation Area.		
GF, ORA—State	Reappropriation	Appropriation
Project Costs Through 6/30/83	153,000 Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs 153,000
<u>NEW SECTION, Sec. 615. FOR THE DEPARTMENT OF GAME</u>		
Emergency repairs and replacements.		
Game Fund	Reappropriation	Appropriation
Project Costs Through 6/30/83	200,000 Estimated Costs 7/1/85 and Thereafter 400,000	Estimated Total Costs 600,000
<u>NEW SECTION, Sec. 616. FOR THE DEPARTMENT OF GAME</u>		
Facility maintenance and general repair.		
Game Fund—State	Reappropriation	Appropriation
Game Fund—Federal		250,000 35,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 1,000,000	Estimated Total Costs 1,285,000
<u>NEW SECTION, Sec. 617. FOR THE DEPARTMENT OF GAME</u>		
Preplanning and design for capital projects.		
Game Fund	Reappropriation	Appropriation
Project Costs Through 6/30/83 20,000	Estimated Costs 7/1/85 and Thereafter 100,000	Estimated Total Costs 152,000
<u>NEW SECTION, Sec. 618. FOR THE DEPARTMENT OF GAME</u>		
Replace toilets at public access areas.		
Game Fund	Reappropriation	Appropriation
Project Costs Through 6/30/83 200,000	Estimated Costs 7/1/85 and Thereafter 200,000	Estimated Total Costs 600,000
<u>NEW SECTION, Sec. 619. FOR THE DEPARTMENT OF GAME</u>		

Construct and maintain boundary and big game drift fences state-wide.

	Reappropriation	Appropriation
Game Fund—State		140,000
Game Fund—Federal		261,200
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	900,000	1,301,200

NEW SECTION. Sec. 620. FOR THE DEPARTMENT OF GAME

Construct concrete broodstock ponds, spawning building, roads, and fencing—South Tacoma hatchery.

	Reappropriation	Appropriation
Game Fund		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	180,000	300,000

NEW SECTION. Sec. 621. FOR THE DEPARTMENT OF GAME

Relocate or rebuild Bogachiel residence to avoid flooding—Clallam County.

	Reappropriation	Appropriation
Game Fund		68,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		68,000

NEW SECTION. Sec. 622. FOR THE DEPARTMENT OF GAME

Reconstruct water supply to Ringgold rearing ponds—Franklin County.

	Reappropriation	Appropriation
Game Fund—Federal		70,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	100,000	170,000

NEW SECTION. Sec. 623. FOR THE DEPARTMENT OF GAME

Acquire property to replace lost habitat—Snake River and tributaries, several sites.

	Reappropriation	Appropriation
Game Fund—Federal		11,223,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		11,223,000

NEW SECTION. Sec. 624. FOR THE DEPARTMENT OF GAME

Acquire approximately 491 acres near the Yakima River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

	Reappropriation	Appropriation
Game Fund		618,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		618,000

NEW SECTION. Sec. 625. FOR THE DEPARTMENT OF GAME

Acquire approximately 2.8 acres along Skokomish River for a public fishing site. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

	Reappropriation	Appropriation
Game Fund		9,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		9,000

NEW SECTION. Sec. 626. FOR THE DEPARTMENT OF GAME

Acquire Hedt property, approximately 1,500 acres, Asotin County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game fund			300,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			300,000

NEW SECTION, Sec. 627. FOR THE DEPARTMENT OF GAME

Acquire approximately 578 acres along the Okanogan River. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			350,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			350,000

NEW SECTION, Sec. 628. FOR THE DEPARTMENT OF GAME

Acquire approximately 250 acres, Pipestone Canyon—Okanogan County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			132,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			132,000

NEW SECTION, Sec. 629. FOR THE DEPARTMENT OF GAME

Acquire approximately 2,000 acres for big game winter range—Yakima County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			132,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			132,000

NEW SECTION, Sec. 630. FOR THE DEPARTMENT OF GAME

Acquire approximately 41.4 acres for Band-tailed Pigeon site—Skagit County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			98,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			98,000

NEW SECTION, Sec. 631. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres of water fowl habitat—Snohomish and Island Counties. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			435,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/85 and	Costs
	6/30/83	Thereafter	
			435,000

NEW SECTION, Sec. 632. FOR THE DEPARTMENT OF GAME

Acquire approximately 500 acres for public use—Chehalis Valley, Grays Harbor County. No moneys appropriated in this section may be expended without first selling owned lands of equal or greater value.

		Reappropriation	Appropriation
Game Fund			500,000

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		500,000
<u>NEW SECTION, Sec. 633. FOR THE DEPARTMENT OF GAME</u>		
Acquire access to stream bank—Mitigation for Wells dam, Okanogan County.		
	Reappropriation	Appropriation
Game Fund—Game Special Wildlife Account		62,900
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		62,900
<u>NEW SECTION, Sec. 634. FOR THE DEPARTMENT OF GAME</u>		
I-82 land acquisition in Yakima County—Phase II.		
	Reappropriation	Appropriation
GF, ORA—State		106,000
GF, ORA—Federal		106,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
138,000		350,000
<u>NEW SECTION, Sec. 635. FOR THE DEPARTMENT OF GAME</u>		
Construct public access facilities—1-82, Yakima County.		
	Reappropriation	Appropriation
GF, ORA—State		206,500
GF, ORA—Federal		206,500
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		413,000
<u>NEW SECTION, Sec. 636. FOR THE DEPARTMENT OF GAME</u>		
Acquire five acres on Mineral Lake for public access—Lewis County.		
	Reappropriation	Appropriation
GF, ORA—State		32,500
GF, ORA—Federal		32,500
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		65,000
<u>NEW SECTION, Sec. 637. FOR THE DEPARTMENT OF GAME</u>		
Acquire public access—Cottage Lake, King County.		
	Reappropriation	Appropriation
GF, ORA—State		34,000
GF, ORA—Federal		34,000
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		68,000
<u>NEW SECTION, Sec. 638. FOR THE DEPARTMENT OF GAME</u>		
Construct public access facilities—Kress Lake, Cowlitz County.		
	Reappropriation	Appropriation
GF, ORA—State		20,900
GF, ORA—Federal		20,900
Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter	Estimated Total Costs
		41,800
<u>NEW SECTION, Sec. 639. FOR THE DEPARTMENT OF GAME</u>		
Redevelop access areas—Aeneas Valley, Okanogan County.		
	Reappropriation	Appropriation
GF, ORA—State		53,100
GF, ORA—Federal		53,100
Project	Estimated	Estimated



	Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
			106,200
<u>NEW SECTION, Sec. 640. FOR THE DEPARTMENT OF GAME</u>			
Redevelop access areas—Amber Lake, Spokane County.			
		Reappropriation	Appropriation
GF. ORA—State			42,000
GF. ORA—Federal			42,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Costs	Total
Through	7/1/85 and	Costs	Costs
6/30/83	Thereafter		
			84,000
<u>NEW SECTION, Sec. 641. FOR THE DEPARTMENT OF GAME</u>			
Acquire access to department property on Fern Lake—Kitsap County.			
		Reappropriation	Appropriation
GF. ORA—State			23,500
GF. ORA—Federal			23,500
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			47,000
<u>NEW SECTION, Sec. 642. FOR THE DEPARTMENT OF GAME</u>			
Construct facilities on Big and Little Green Lakes—Okanogan County.			
		Reappropriation	Appropriation
GF. ORA—State			46,600
GF. ORA—Federal			46,600
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			93,200
<u>NEW SECTION, Sec. 643. FOR THE DEPARTMENT OF GAME</u>			
Construct public access—Stillaguamish River, Snohomish County.			
		Reappropriation	Appropriation
GF. ORA—State			33,500
GF. ORA—Federal			33,500
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			67,000
<u>NEW SECTION, Sec. 644. FOR THE DEPARTMENT OF GAME</u>			
Redevelop public access—Diamond Lake, Pend Oreille County.			
		Reappropriation	Appropriation
GF. ORA—State			26,700
GF. ORA—Federal			26,700
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			53,400
<u>NEW SECTION, Sec. 645. FOR THE DEPARTMENT OF GAME</u>			
Construct public access—Munn Lake, Thurston County.			
		Reappropriation	Appropriation
GF. ORA—State			24,000
GF. ORA—Federal			24,000
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Costs
Through	7/1/85 and	Costs	
6/30/83	Thereafter		
			48,000
<u>NEW SECTION, Sec. 646. FOR THE DEPARTMENT OF GAME</u>			
Redevelop public access—Jamison Lake, Douglas County.			
		Reappropriation	Appropriation
GF. ORA—State			141,200
GF. ORA—Federal			141,200
Project	Estimated	Estimated	Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
		282,400

## PART VII

## DEPARTMENT OF NATURAL RESOURCES

NEW SECTION. Sec. 701. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve the Cedar Creek and Sherman Valley roads.

General Fund—ORV Account	Reappropriation	Appropriation
	80,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
395,000		475,000

NEW SECTION. Sec. 702. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads, trails, and other recreation projects.

GF, ORV	GF, ORA—State	Reappropriation	Appropriation
		374,700	
		234,600	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
5,261,700			5,871,000

NEW SECTION. Sec. 703. FOR THE DEPARTMENT OF NATURAL RESOURCES

The Department, together with the Office of Superintendent of Public Instruction, and in cooperation with any officials of political subdivisions of state government that are directly concerned, shall undertake a review (1) of the policies applicable to common schools, which may have constructed public facilities on any state trust lands; (2) procedures used to determine the fair market value of rental payments imposed or selling prices established; and (3) submit a report, along with any appropriate recommendations, to the Legislature by January, 1984.

Prepare sites for commercial lease—State-wide.

GF, Res Mgmt Cost Acct	Reappropriation	Appropriation
	1,364,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,141,300		3,506,000

NEW SECTION. Sec. 704. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve campsites, roads and trails—State-wide.

General Fund—ORV Account	GF, ORA	Reappropriation	Appropriation
		101,300	
		143,900	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			245,200

NEW SECTION. Sec. 705. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve roads and bridges.

GF, Res Mgmt Cost Acct	Reappropriation	Appropriation
	205,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
724,000		929,000

NEW SECTION. Sec. 706. FOR THE DEPARTMENT OF NATURAL RESOURCES

Prepare lands for income-producing agricultural leases by developing irrigation facilities.

GF, Res Mgmt Cost Acct	Reappropriation	Appropriation
	1,781,700	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,117,700		4,899,400

NEW SECTION. Sec. 707. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct road access system to a large block of state-owned timber lands—Cavanaugh Block.

		Reappropriation	Appropriation
GF, For Dev Acct		380,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
95,000			475,000

NEW SECTION, Sec. 708. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct bridge and access road to state timber lands—McDonald Mainline.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		40,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
100,000			140,000

NEW SECTION, Sec. 709. FOR THE DEPARTMENT OF NATURAL RESOURCES

Increase seedling quality and production, Forest Nursery.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		90,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
220,000			310,000

NEW SECTION, Sec. 710. FOR THE DEPARTMENT OF NATURAL RESOURCES

Replace a forty-five year-old condemned bridge—Snohomish County.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct			561,100
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			561,100

NEW SECTION, Sec. 711. FOR THE DEPARTMENT OF NATURAL RESOURCES

Acquire rights of way for land management.

		Reappropriation	Appropriation
GF, For Dev Acct			532,000
GF, Res Mgmt Cost Acct			798,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
1,986,000	4,900,000		8,216,000

NEW SECTION, Sec. 712. FOR THE DEPARTMENT OF NATURAL RESOURCES

Purchase land for resource management, Natural Resources Land Bank.

		Reappropriation	Appropriation
GF, For Dev Acct			3,000,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
3,000,000	3,000,000		9,000,000

NEW SECTION, Sec. 713. FOR THE DEPARTMENT OF NATURAL RESOURCES

Construct and improve roads and bridges—State-wide.

		Reappropriation	Appropriation
GF, Res Mgmt Cost Acct			319,400
GF, For Dev Acct			9,400
General Fund—ORV Account			424,700
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			753,500

NEW SECTION, Sec. 714. FOR THE DEPARTMENT OF NATURAL RESOURCES

Develop a rock pit to produce gravel for roadbeds, Tiger Mountain rock pit—King County.

		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			114,700
GF. For Dev Acct			114,700
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			229,400
<u>NEW SECTION.</u> Sec. 715. FOR THE DEPARTMENT OF NATURAL RESOURCES			
Prepare site for commercial lease by developing water, sewer, streets, and drainage—			
Bucklin Hill—Silverdale—Kitsap County.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			642,600
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
17,000			659,600
<u>NEW SECTION.</u> Sec. 716. FOR THE DEPARTMENT OF NATURAL RESOURCES			
Prepare land for exchange—Kennewick 16 U.L.I.D.—Benton County.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			150,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
186,600			336,600
<u>NEW SECTION.</u> Sec. 717. FOR THE DEPARTMENT OF NATURAL RESOURCES			
Prepare land for planned unit development and develop a sewer system—Ilahaee			
U.L.I.D.—Kitsap County.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			281,800
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
17,000			298,800
<u>NEW SECTION.</u> Sec. 718. FOR THE DEPARTMENT OF NATURAL RESOURCES			
Improve lands for commercial development, construction of frontage roads—Kennewick			
16—Benton County.			
		Reappropriation	Appropriation
GF. Res Mgmt Cost Acct			233,200
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
17,000			233,200
<u>NEW SECTION.</u> Sec. 719. FOR THE DEPARTMENT OF NATURAL RESOURCES			
Maintenance of Milwaukee Railroad right of way, and a study of the potential use of this			
property.			
		Reappropriation	Appropriation
GF. ORA		250,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
			250,000
<u>NEW SECTION.</u> Sec. 720. FOR THE DEPARTMENT OF NATURAL RESOURCES			
Fuel facility projects—State-wide.			
		Reappropriation	Appropriation
GF. For Dev Acct			49,400
GF. Res Mgmt Cost Acct			108,800
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		
68,800			227,000
<u>NEW SECTION.</u> Sec. 721. FOR THE DEPARTMENT OF NATURAL RESOURCES			
To acquire Hawk Quarry—Mt. Si private lands acquisition, Phase II.			

GF, ORA—State	Reappropriation	Appropriation
Project		100,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		100,000

**NEW SECTION, Sec. 722. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Provide irrigation for development of state land, install pumps and mainlines—State-wide.

GF, Res Mgmt Cost Acct	Reappropriation	Appropriation
Project		1,891,900
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	157,900	2,049,800

**PART VIII  
EDUCATION**

**NEW SECTION, Sec. 801. FOR THE UNIVERSITY OF WASHINGTON**

To renovate and remodel E and F wings, complete E court, and provide fire safety improvements for the health sciences building.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	200,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
3,742,000	Thereafter	
		3,942,000

**NEW SECTION, Sec. 802. FOR THE UNIVERSITY OF WASHINGTON**

To construct and equip and/or purchase an existing facility for a consolidated hospital laundry facility.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	4,190,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
483,000	Thereafter	
		4,673,000

**NEW SECTION, Sec. 803. FOR THE UNIVERSITY OF WASHINGTON**

To acquire land, construct and equip a hospital general services facility.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	278,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
1,340,000	Thereafter	
		1,618,000

**NEW SECTION, Sec. 804. FOR THE UNIVERSITY OF WASHINGTON**

To construct and equip a building to house the institute of marine sciences.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	400,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
4,477,000	Thereafter	
		4,877,000

**NEW SECTION, Sec. 805. FOR THE UNIVERSITY OF WASHINGTON**

To provide for the expansion, renovation and equipping of the University hospital.

GF, H Ed Constr Acct	Reappropriation	Appropriation
Project	38,025,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
7,200,000	Thereafter	
		45,225,000

**NEW SECTION, Sec. 806. FOR THE UNIVERSITY OF WASHINGTON**

To bring BB tower Health Sciences, RR wing Health Sciences, Atmospheric Sciences, Condon, Padelford and Harborview Halls into compliance with the Seattle high-rise fire safety code requirements.

	Reappropriation	Appropriation
GF, UW Bldg Acct		1,350,000
GF, St H Ed Constr Acct		1,400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,750,000
<u>NEW SECTION, Sec. 807. FOR THE UNIVERSITY OF WASHINGTON</u>		
To construct a hazardous waste handling facility on the J wing loading dock of the Health Sciences Building.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		484,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		484,000
<u>NEW SECTION, Sec. 808. FOR THE UNIVERSITY OF WASHINGTON</u>		
To extend the emergency electrical power system to the west campus.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		355,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		355,000
<u>NEW SECTION, Sec. 809. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide general repairs and improvements for safety and ventilation.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000
<u>NEW SECTION, Sec. 810. FOR THE UNIVERSITY OF WASHINGTON</u>		
To provide for minor repairs and improvements and real estate contract payments.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		553,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		12,637,000
		13,190,000
<u>NEW SECTION, Sec. 811. FOR THE UNIVERSITY OF WASHINGTON</u>		
To replace instructional and support equipment and the purchase of high technology equipment.		
	Reappropriation	Appropriation
GF, UW Bldg Acct		3,660,000
GF, H Ed Constr Acct		309,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,969,000
<u>NEW SECTION, Sec. 812. FOR THE UNIVERSITY OF WASHINGTON</u>		
Various projects to improve energy conservation and reduce operating costs.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		3,180,000
		3,330,000
<u>NEW SECTION, Sec. 813. FOR THE UNIVERSITY OF WASHINGTON</u>		
To fund additional working drawings, renovation and construction for the ceramic engineering program at Roberts Hall.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct		4,000,000

Project Costs Through 6/30/83	Estimated Costs 7/1/85 and Thereafter 6,050,000	Estimated Total Costs  10,050,000
<u>NEW SECTION, Sec. 814. FOR THE UNIVERSITY OF WASHINGTON</u> To fund work on the power plant.		
GF, H Ed Constr Acct Project Costs Through 6/30/83	Reappropriation 190,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  190,000
<u>NEW SECTION, Sec. 815. FOR WASHINGTON STATE UNIVERSITY</u> To complete the construction of an animal holding facility for the College of Veterinary Medicine.		
GF, H Ed Constr Acct Project Costs Through 6/30/83 1,337,000	Reappropriation 681,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  2,018,000
<u>NEW SECTION, Sec. 816. FOR WASHINGTON STATE UNIVERSITY</u> To complete omnibus minor capital improvement projects.		
GF, WSU Bldg Acct Project Costs Through 6/30/83 3,159,000	Reappropriation 2,580,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  5,739,000
<u>NEW SECTION, Sec. 817. FOR WASHINGTON STATE UNIVERSITY</u> To complete Phase II of the Fulmer Hall renovation for the chemistry department.		
GF, H Ed Constr Acct Project Costs Through 6/30/83 1,804,000	Reappropriation 578,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  2,382,000
<u>NEW SECTION, Sec. 818. FOR WASHINGTON STATE UNIVERSITY</u> To complete the design, renovation, and equipping of College Hall for the Anthropology Department.		
GF, H Ed Constr Acct Project Costs Through 6/30/83 1,567,000	Reappropriation 2,362,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  3,929,000
<u>NEW SECTION, Sec. 819. FOR WASHINGTON STATE UNIVERSITY</u> To complete the planning, construction, and equipping of the joint treatment plant with the City of Pullman.		
GF, WSU Bldg Acct Project Costs Through 6/30/83 30,000	Reappropriation 807,000  Estimated Costs 7/1/85 and Thereafter	Appropriation  Estimated Total Costs  837,000
<u>NEW SECTION, Sec. 820. FOR WASHINGTON STATE UNIVERSITY</u> To complete the design, renovation, and equipping of Science Hall.		
GF, H Ed Constr Acct Project Costs Through	Reappropriation 3,899,000  Estimated Costs 7/1/85 and	Appropriation  Estimated Total Costs

6/30/83	Thereafter	
338,000		4,237,000
<u>NEW SECTION.</u> Sec. 821. FOR WASHINGTON STATE UNIVERSITY		
To design, construct, and equip a new facility for the department of electrical engineering and a portion of the department of mechanical engineering.		
	Reappropriation	Appropriation
GF, WSU Bldg Acct		13,776,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
100,000		13,876,000
<u>NEW SECTION.</u> Sec. 822. FOR WASHINGTON STATE UNIVERSITY		
To design a new facility for the department of chemistry, the energy institute, and the biological chemistry institute.		
	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,061,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	19,138,000	20,199,000
<u>NEW SECTION.</u> Sec. 823. FOR WASHINGTON STATE UNIVERSITY		
To provide for minor alterations, renovations, and improvements.		
	Reappropriation	Appropriation
GF, WSU Bldg Acct		3,308,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	13,346,000	16,654,000
<u>NEW SECTION.</u> Sec. 824. FOR WASHINGTON STATE UNIVERSITY		
To renovate Fulmer Hall Phase III including expansion and replacement of major portions of the service and utility systems.		
	Reappropriation	Appropriation
GF, WSU Bldg Acct		1,856,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,000	2,705,000	4,566,000
<u>NEW SECTION.</u> Sec. 825. FOR WASHINGTON STATE UNIVERSITY		
To design the remodeling of McCoy Hall for the department of veterinary clinical medicine and surgery. The appropriation is contingent upon the receipt of \$1,448,000 in federal funds.		
	Reappropriation	Appropriation
GF, WSU Bldg Acct		160,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		160,000
<u>NEW SECTION.</u> Sec. 826. FOR EASTERN WASHINGTON UNIVERSITY		
The funds provided in sections 827 through 834 are subject to the following conditions and limitations:		
(1) Not more than \$389,000 of the amount provided in section 828 may be used solely for payment on the lease of the Spokane facility and in that event only with the prior approval of the director, office of financial management.		
(2) No other funds may be used for any other purpose or purposes at or on such Spokane facility without the prior and specific approval of the director, office of financial management.		
<u>NEW SECTION.</u> Sec. 827. FOR EASTERN WASHINGTON UNIVERSITY		
Minor capital improvements and energy conservation projects—Omnibus.		
	Reappropriation	Appropriation
GF, EWU Cap Proj Acct	260,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,065,000		1,325,000
<u>NEW SECTION.</u> Sec. 828. FOR EASTERN WASHINGTON UNIVERSITY		



Provide for minor capital improvements and a one-year lease for the Spokane Center: PROVIDED, That not more than \$389,000 may be expended in connection with the Spokane Center and said amount solely for payment of a one-year lease.

GF, EWU Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated		1,766,000
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
	6,559,200		8,325,200

NEW SECTION, Sec. 829. FOR EASTERN WASHINGTON UNIVERSITY

Complete the design, renovation, and equipping of the manual arts building and Sutton Hall.

GF, H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated	4,781,000	Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		5,231,000
450,000			

NEW SECTION, Sec. 830. FOR EASTERN WASHINGTON UNIVERSITY

Continue work on Martin Hall.

GF, EWU Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated	70,000	Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		70,000

NEW SECTION, Sec. 831. FOR EASTERN WASHINGTON UNIVERSITY

Provide planning and design funds through working drawings for the remodeling of and addition to the science building.

GF, EWU Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated		400,000
Costs	Costs		Estimated
Through	7/1/85 and		Total
6/30/83	Thereafter		Costs
	8,134,200		8,534,200

NEW SECTION, Sec. 832. FOR EASTERN WASHINGTON UNIVERSITY

To replace instructional and support equipment.

GF, EWU Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated	125,000	Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		400,000
275,000			

NEW SECTION, Sec. 833. FOR EASTERN WASHINGTON UNIVERSITY

Handicap access.

GF, EWU Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated	50,000	Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		50,000
275,000			

NEW SECTION, Sec. 834. FOR EASTERN WASHINGTON UNIVERSITY

To complete the construction of HPERA fieldhouse.

GF, St H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated	25,000	Estimated
Costs	Costs		Total
Through	7/1/85 and		Costs
6/30/83	Thereafter		2,457,000
2,432,000			

NEW SECTION, Sec. 835. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the modifications of existing campus buildings to comply with handicapped access standards.

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	165,450	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
420,900		586,350
<u>NEW SECTION, Sec. 836. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Complete the removal of asbestos from places of public occupancy.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	86,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
140,000		226,000
<u>NEW SECTION, Sec. 837. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Provide computer equipment and systems.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	27,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
671,266		699,166
<u>NEW SECTION, Sec. 838. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Provide for utilities improvements.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	218,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
672,426		890,426
<u>NEW SECTION, Sec. 839. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Provide for minor capital improvements and land acquisition to upgrade university buildings and facilities.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	235,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,430,000		2,665,000
<u>NEW SECTION, Sec. 840. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Complete renovation and remodeling, including the addition of a multiform theatre and associated components and the remodeling of Wildcat Shop for computer services.		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,446,000		3,496,000
<u>NEW SECTION, Sec. 841. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Provide for minor capital improvements.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	354,200	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
552,800		907,000
<u>NEW SECTION, Sec. 842. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Complete the improvement, extension, and modification of the underground utilities and services.		
	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	240,000	
Project	Estimated	Estimated
Costs	Costs	Total

Through	7/1/85 and	Costs
6/30/83	Thereafter	
30,000		270,000

NEW SECTION. Sec. 843. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the installation of energy economizers, monitoring equipment, fuel atomizers, and insulation.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	310,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
225,000	Thereafter	535,000

NEW SECTION. Sec. 844. FOR CENTRAL WASHINGTON UNIVERSITY

Complete the expansion of the control system throughout the campus to achieve energy savings.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	866,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
234,000	Thereafter	1,100,000

NEW SECTION. Sec. 845. FOR CENTRAL WASHINGTON UNIVERSITY

Improve campus utilities.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	233,900	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
234,000	Thereafter	233,900

NEW SECTION. Sec. 846. FOR CENTRAL WASHINGTON UNIVERSITY

Omnibus projects to renovate and remodel campus facilities.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	317,125	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
17,475	Thereafter	334,600

NEW SECTION. Sec. 847. FOR CENTRAL WASHINGTON UNIVERSITY

Restore and remodel Barge Hall for student services and administration.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project	4,528	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
525,472	Thereafter	6,238,200
	5,708,200	

NEW SECTION. Sec. 848. FOR CENTRAL WASHINGTON UNIVERSITY

Construct and equip computer applications laboratory—Hogue Technology Building and renovate Hebel Building.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		946,500
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	946,500
	5,708,200	

NEW SECTION. Sec. 849. FOR CENTRAL WASHINGTON UNIVERSITY

Upgrade the existing computer hardware.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		475,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	475,000
	5,708,200	

NEW SECTION. Sec. 850. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for additional staff space—Computer center.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		182,800
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		182,800

NEW SECTION. Sec. 851. FOR CENTRAL WASHINGTON UNIVERSITY

Provide for the physical improvement of buildings and facilities—Omnibus.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		1,509,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	1,776,500	3,285,500

NEW SECTION. Sec. 852. FOR CENTRAL WASHINGTON UNIVERSITY

Replace the roofing membrane on Bouillon Hall.

GF, CWU Cap Proj Acct	Reappropriation	Appropriation
Project		515,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		515,000

NEW SECTION. Sec. 853. FOR THE EVERGREEN STATE COLLEGE

For replacement of the academic computer.

GF, Cap Purch & Dev Acct	Reappropriation	Appropriation
Project		405,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
		405,000

NEW SECTION. Sec. 854. FOR THE EVERGREEN STATE COLLEGE

Modifications to bring buildings into code compliance.

GF, TESC Cap Proj Acct	Reappropriation	Appropriation
Project		152,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	35,700	187,700

NEW SECTION. Sec. 855. FOR THE EVERGREEN STATE COLLEGE

Roof repairs to three buildings.

GF, St H Ed Constr Acct	Reappropriation	Appropriation
Project		381,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	16,000	397,000

NEW SECTION. Sec. 856. FOR THE EVERGREEN STATE COLLEGE

Minor capital projects—Omnibus.

GF, TESC Cap Proj Acct	Reappropriation	Appropriation
Project		50,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/83	7/1/85 and	Costs
	Thereafter	
	685,200	735,200

NEW SECTION. Sec. 857. FOR THE EVERGREEN STATE COLLEGE

Instructional equipment replacement.

GF, TESC Cap Proj Acct	Reappropriation	Appropriation
Project		120,000
Costs	Estimated	Estimated
Through	Costs	Total
	7/1/85 and	Costs

6/30/83	Thereafter	
205,000		325,000
<u>NEW SECTION, Sec. 858. FOR THE EVERGREEN STATE COLLEGE</u>		
Modifications and improvements to buildings to reduce energy consumption.		
	Reappropriation	Appropriation
GF, TESC Cap Proj Acct		117,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	330,300	447,300
<u>NEW SECTION, Sec. 859. FOR WESTERN WASHINGTON UNIVERSITY</u>		
Minor capital improvements—Omnibus.		
	Reappropriation	Appropriation
GF, WWU Cap Proj Acct	950,000	1,833,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
473,000	6,202,000	9,458,000
<u>NEW SECTION, Sec. 860. FOR WESTERN WASHINGTON UNIVERSITY</u>		
For the South Academic Building.		
	Reappropriation	Appropriation
GF, WWU Cap Proj Acct	150,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
5,981,000		6,131,000
<u>NEW SECTION, Sec. 861. FOR WESTERN WASHINGTON UNIVERSITY</u>		
Design an addition to and remodel the existing arts technology building.		
	Reappropriation	Appropriation
GF, WWU Cap Proj Acct		572,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
	9,401,000	9,973,000
<u>NEW SECTION, Sec. 862. FOR WESTERN WASHINGTON UNIVERSITY</u>		
Preplanning funds for a new solid waste fuel power plant.		
	Reappropriation	Appropriation
GF, WWU Cap Proj Acct	120,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		120,000
<u>NEW SECTION, Sec. 863. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
SCCC Main parking facility.		
	Reappropriation	Appropriation
General Fund, State	332,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		332,000
<u>NEW SECTION, Sec. 864. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation for section 504 handicapped access building modifications.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	151,998	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
726,976		878,974
<u>NEW SECTION, Sec. 865. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation for emergency repairs at various campuses.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	563,100	
Project	Estimated	Estimated

Costs Through 6/30/83 1,690,000	Costs 7/1/85 and Thereafter	Total Costs 2,253,100
<u>NEW SECTION. Sec. 866. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation for nondeferrable repair projects at various campuses.		
	Reappropriation 196,859	Appropriation
GF, St H Ed Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,744,000		2,940,859
<u>NEW SECTION. Sec. 867. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Nondeferrable projects		
	Reappropriation 107,521	Appropriation
GF, St H Ed Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
2,866,479		2,974,000
<u>NEW SECTION. Sec. 868. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation to modify facilities for code compliance at various campuses.		
	Reappropriation 43,876	Appropriation
GF, St H Ed Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
409,000		452,876
<u>NEW SECTION. Sec. 869. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriations for minor repair and improvement projects at twenty campuses.		
	Reappropriation 62,982	Appropriation
GF, St H Ed Constr Acct		
GF, Com Col Cap Constr Acct	630,408	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,854,426		2,547,816
<u>NEW SECTION. Sec. 870. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation for vocational facility at Lower Columbia college.		
	Reappropriation 235,000	Appropriation
GF, St H Ed Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
258,000		493,000
<u>NEW SECTION. Sec. 871. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriations for projects approved in prior biennia.		
	Reappropriation 38,144	Appropriation
GF, Com Col Cap Impvmt Acct		
GF, Com Col Cap Proj Acct	81,566	
GF, Com Col Cap Constr Acct	185,984	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
6,490,969		6,796,663
<u>NEW SECTION. Sec. 872. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation for two minor improvement projects at two campuses.		
	Reappropriation 107,405	Appropriation
GF, Com Col Cap Impvmt Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
59,000		166,405

**NEW SECTION, Sec. 873. FOR THE STATE BOARD FOR COMMUNITY COLLEGES**  
Code requirement repairs at Bellevue and Centralia Community College.

	Reappropriation	Appropriation
GF. H Ed Constr Acct		57,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		57,000

**NEW SECTION, Sec. 874. FOR THE STATE BOARD FOR COMMUNITY COLLEGES**  
Heat system repairs at Clark College.

	Reappropriation	Appropriation
GF. 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. 875. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
Reappropriation for minor repair and improvement projects at four campuses.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	21,439	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
41,000		62,439

**NEW SECTION, Sec. 876. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
Reappropriation for remodeling and minor improvement funds allocated to the districts.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	689,002	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,500,000		2,189,002

**NEW SECTION, Sec. 877. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
Reappropriation of emergency funds allocated by the state board for community college education.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	79,627	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
400,000		479,627

**NEW SECTION, Sec. 878. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
Reappropriation for minor improvements at various campuses.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	443,141	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
836,000		1,279,141

**NEW SECTION, Sec. 879. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
Reappropriation for six minor improvement projects at five campuses.

	Reappropriation	Appropriation
GF. Com Col Cap Constr Acct	141,503	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
512,497		654,000

**NEW SECTION, Sec. 880. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION**  
To provide for minor capital improvements to correct facility deficiencies and improve utilization, to be allocated to each district by the state board for community college education.

	Reappropriation	Appropriation
GF. St H Ed Constr Acct		2,900,000
Project	Estimated	Estimated

Costs Through 6/30/83	Costs 7/1/85 and Thereafter	Total Costs
		2,900,000
<u>NEW SECTION, Sec. 881. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
To provide for unforeseen emergency capital repairs, to be administered by the state board for community college education.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		500,000
<u>NEW SECTION, Sec. 882. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
To provide for repair or replacement of roofs at Lower Columbia, Olympic, Skagit Valley, Everett, Seattle Central, Spokane, Clark, Edmonds, Grays Harbor, and Wenatchee Valley Colleges.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		2,050,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		2,050,600
<u>NEW SECTION, Sec. 883. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
To provide funding for repair or replacement of electrical system components at Everett, Lower Columbia, Skagit Valley, Wenatchee, and the Whidbey branch of Skagit Valley Colleges.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		707,500
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		707,500
<u>NEW SECTION, Sec. 884. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
To provide for repair of buildings, mechanical systems, and fixed equipment at Fort Steilacoom, Columbia Basin, Olympic, Everett, and the Whidbey branch of Skagit Valley Colleges.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		734,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		734,600
<u>NEW SECTION, Sec. 885. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
For repair or replacement of elements for heating/ventilating/air-conditioning systems at Fort Steilacoom, Lower Columbia, South Seattle, Wenatchee, and Skagit Valley Colleges.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		1,091,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		1,091,900
<u>NEW SECTION, Sec. 886. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
To fund payments toward the purchase from the department of natural resources the land upon which Grays Harbor, Highline, and Green River Colleges are located.		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		25,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		25,000
<u>NEW SECTION, Sec. 887. FOR THE STATE BOARD OF EDUCATION—SUPERINTENDENT OF PUBLIC INSTRUCTION</u>		



To provide for planning, construction, modernization, and demolition of public school facilities: PROVIDED, That a maximum of \$115,400,000 may be disbursed during the 1983-85 biennium: PROVIDED FURTHER, That a maximum of \$910,000 may be expended by the Superintendent of Public Instruction for costs of administering this program.

	Reappropriation	Appropriation
Common school construction fund	50,000,000	123,900,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
185,492,000		359,392,000

**NEW SECTION, Sec. 888. FOR THE COMMISSION FOR VOCATIONAL EDUCATION**

To plan, design, and construct a fire service training center, to include a marine fire training structure.

	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	5,600,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
1,353,000		6,953,000

**PART IX  
MISCELLANEOUS**

**NEW SECTION, Sec. 901. 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 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	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		20,000,000

**NEW SECTION, Sec. 902. STATE TREASURER—REAPPROPRIATION OF BOND PROCEEDS**

To repay advances made in anticipation of receipt of bond proceeds.

GF, H Ed Constr Acct	9,104,000
GF, St H Ed Constr Acct	1,431,000
GF, State Bldg Constr Acct	1,689,000
GF, ORA	5,076,000

**NEW SECTION, Sec. 903. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE**

One-half of one percent of moneys appropriated in this act shall be spent as provided in RCW 28A.58.055, 28B.10\_\_\_\_ (section 9, chapter \_\_\_\_\_, Laws of 1983 (Engrossed House Bill No. 867)), or 43.17.200.

**NEW SECTION, Sec. 904.** The director of the Department of General Administration, upon completion of energy audits, technical assistance studies and/or energy retrofit projects of state facilities, shall submit to the Office of Financial Management executive summaries which shall include, but not be limited to, the following information by project:

Estimated costs, estimated pay-back period, and a five-year projection of the estimated operating expenditure savings based on constant rates, to be realized through the completion of said projects.

The Department shall update the summaries on an annual basis. The Director of the Office of Financial Management shall submit status reports to the Legislature on or before January 1, 1984, and January 1, 1985.

**NEW SECTION, Sec. 905.** To effectively carry out the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

**NEW SECTION, Sec. 906.** Reappropriations shall be limited to the unexpended balances remaining June 30, 1983, in the current appropriation for each project.

**NEW SECTION, Sec. 907.** If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with any moneys available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

**NEW SECTION.** Sec. 908. Notwithstanding any other provisions of law, for the 1983-85 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment has been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. The state board for community college education need not accumulate any specific balance in the community college capital projects account in anticipation of transfers to reimburse the general fund.

**NEW SECTION.** Sec. 909. Any capital improvements or capital project involving construction or major expansion of a state office facility, including district headquarters, detachment offices, and off-campus faculty offices, shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

**NEW SECTION.** Sec. 910. The governor, through the director of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

**NEW SECTION.** Sec. 911. To effectively, efficiently, and economically carry out the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds two hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management and the legislative auditor no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management and the legislative budget committee the reason for the delay and indicate the new start and/or completion date(s). The legislative auditor shall review these filings and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay.

**NEW SECTION.** Sec. 912. 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. 913. 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, 1983."

Signed by Senators McDermott, Thompson, Lee; Representatives Grimm and Braddock.

#### MOTION

Mr. Braddock moved that the House adopt the report of the Free Conference Committee.

#### POINT OF ORDER

Mr. Hastings: "Mr. Speaker, shouldn't there have been a motion to suspend the rules to waive the twenty-four hour rule on a Free Conference Committee Report?"

The Speaker: "Your point is well taken, Representative Hastings."

#### MOTION

On motion of Mr. Heck, the rules were suspended to allow the House to consider the report of the Free Conference Committee on Engrossed Substitute House Bill No. 55.

The Speaker stated the question before the House to be the motion that the House adopt the report of the Free Conference Committee.

Mr. Fiske spoke in favor of the motion.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. B. Williams.

Mr. B. Williams: "Representative Braddock, does the correction of the appropriation amount on page 21, line 2, have any impact on the estimated total cost of that project?"

Mr. Braddock: "No. The estimated cost, as listed there and thereafter, will change as the project proceeds as scheduled and authorized by this appropriation."

Mr. Grimm spoke in favor of the motion, and it 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 Engrossed Substitute House Bill No. 55 as amended by Free Conference Committee.

Mr. B. Williams spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 55 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 61; nays, 34; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Burns, Chandler, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Smith, Smitherman, Sommers, Struthers, Sutherland, Todd, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Addison, Ballard, Broback, Brough, Cantu, Clayton, Dellwo, Dickie, Fuhrman, Garrett, Hankins, Hastings, Haugen, Isaacson, Kreidler, Long, Lux, McDonald, Mitchell, Nelson G, Padden, Patrick, Ristuben, Schmidt, Schoon, Silver, Stratton, Tanner, Taylor, Van Dyken, Vander Sloep, West, Williams B, Williams J - 34.

Excused: Representatives Bond, Sanders, Tilly - 3.

Engrossed Substitute House Bill No. 55 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

REENGROSSED HOUSE BILL NO. 56, by Representatives Grimm, Cantu, Powers and Charnley (by Governor Spellman request)

Authorizing bonds for capital improvements for institutions of higher education.

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

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Mr. Speaker, how many votes are required to pass Reengrossed House Bill 56?"

The Speaker: "Fifty-nine 'Yes' votes."

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 56, and the bill passed the House by the following vote: Yeas, 71; nays, 24; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Burns, Chandler, Charnley, Crane, Dellwo, 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, Locke, Martinis, McClure, McDonald, McMullen, Miller, Monohon, Moon, Nealey, Nelson D,

Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Todd, Van Dyken, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Broback, Brough, Cantu, Clayton, Dickie, Fuhrman, Garrett, Hastings, Long, Lux, Mitchell, Nelson G, Padden, Patrick, Schmidt, Schoon, Silver, Tanner, Taylor, Vander Stoep, West, Williams B, Williams J - 24.

Excused: Representatives Bond, Sanders, Tilly - 3.

Reengrossed House Bill No. 56, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 57, by Committee on Ways & Means (originally sponsored by Representatives Grimm and Cantu - by Governor Spellman request)

Authorizing bonds for state buildings and facilities, land acquisitions, and grants and loans.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 57, and the bill passed the House by the following vote: Yeas, 60; nays, 35; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Todd, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Addison, Ballard, Barnes, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, Long, Lux, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Ristuben, Schmidt, Schoon, Silver, Smith, Tanner, Taylor, Van Dyken, Vander Stoep, West, Williams J - 35.

Excused: Representatives Bond, Sanders, Tilly - 3.

Reengrossed Substitute House Bill No. 57, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED HOUSE BILL NO. 58, by Representatives Grimm, Cantu, Isaacson and Charnley (by Governor Spellman request)

Authorizing bonds for fisheries facilities.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 58, and the bill passed the House by the following vote: Yeas, 66; nays, 29; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Locke, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Todd, Van Dyken, Vekich, Walk, Wang, Wilson, Zellinsky, and Mr. Speaker - 66.

Voting nay: Representatives Ballard, Broback, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Fuhrman, Garrett, Hankins, Hastings, Isaacson, Long, Lux, Nelson G, Padden, Patrick, Ristuben, Schmidt, Schoon, Silver, Smith, Tanner, Taylor, Vander Stoep, West, Williams B, Williams J - 29.

Excused: Representatives Bond, Sanders, Tilly - 3.

Reengrossed House Bill No. 58, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Heck, the House adjourned until 1:30 p.m., Monday, May 23, 1983.

DEAN R. FOSTER, Chief Clerk

WAYNE EHLERS, Speaker

## TWENTY-NINTH DAY

### AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, May 23, 1983

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 Representative Ballard, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chrissy Ott and Kirsten Fischer. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

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

#### REPORTS OF STANDING COMMITTEES

May 23, 1983

HB 50 Prime Sponsor, Representative Grimm: Modifying salaries of elected officials. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill by the Committee on State Government be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Brekke, Fiske, Heck, Hine, J. King, McClure, McDonald, Monohon, G. Nelson, Rust, Sayan and Struthers.

Voting nay: Representatives Cantu, Ranking Minority Chair; Addison, Bond, Braddock, Ellis, Hastings, Kreidler, Smitherman and Vander Stoep.

Absent: Representatives Taylor and Tilly.

On motion of Mr. Heck, House Bill No. 50 was advanced to second reading and placed at the top of the second reading calendar.

May 23, 1983

HB 72 Prime Sponsor, Representative Grimm: Modifying miscellaneous tax provisions. 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; Cantu, Ranking Minority Chair; Addison, Appelwick, Bond, Braddock, Brekke, Ellis, Fiske, Hastings, Heck, Hine, J. King, Kreidler, McClure, Monohon, Rust, Sayan, Smitherman, Struthers, Taylor and Vander Stoep.

Voting nay: Representatives Monohon and G. Nelson.

Absent: Representative Tilly.

On motion of Mr. Heck, the rules were suspended, and House Bill No. 72 was advanced to second reading and placed at the top of the second reading calendar following House Bill No. 50.

May 23, 1983

2SSB 4102 Prime Sponsor, Committee on Ways & Means: Providing tuition incentives for students studying to be math and science teachers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 26 after "section" insert "shall be pursued using the full extent of the law, including wage garnishment if necessary, and"

On page 3, after line 11 add the following new section:

"NEW SECTION, Sec. 4. No loans shall be made after 6 years of the effective date of this act until the program is reviewed by the legislative budget committee and is reenacted by the legislature."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 3, line 16 after "act." insert "No more than fifty thousand dollars may be used for administrative costs by the council for postsecondary education."

On page 3, line 21 strike "3" and insert "4"

Signed by Representatives Grimm, Chair; Sommers, Vice Chair; Appelwick, Braddock, Brekke, Ellis, Heck, Hine, J. King, Kreidler, McClure, Monohon, G. Nelson, Rust, Sayan and Smitherman.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Ranking Minority Chair; Addison, Bond, Fiske, Hastings, McDonald, Struthers, Taylor and Vander Stoep.

Absent: Representatives Bond and Tilly.

Passed to Committee on Rules for second reading.

#### MESSAGE FROM THE SENATE

May 22, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3750 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 insisted on its position with regard to Engrossed Senate Bill No. 3750, and asked the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Sommers, J. King and Hastings as conferees on Engrossed Senate Bill No. 3750.

#### MESSAGE FROM THE SENATE

May 22, 1983

Mr. Speaker:

The Senate adopted the revised report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 and granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 23, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, have had the same under consideration, and we recommend that the bill be amended to read as follows, and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 139, Laws of 1981 and RCW 9.46.020 are each amended to read as follows:

- (1) 'Amusement game' means a game played for entertainment in which:
  - (a) The contestant actively participates;
  - (b) The outcome depends in a material degree upon the skill of the contestant;
  - (c) Only merchandise prizes are awarded;
  - (d) The outcome is not in the control of the operator;
  - (e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and
  - (f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter. PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) 'Bingo' means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee of said organization takes any part in the management or operation of said game, and no person who takes any part in the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or any other branch of the same organization, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) 'Bona fide charitable or nonprofit organization' means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same. Such an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. It must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, and board members, if any, who determine the policies of the organization in order to receive a gambling license. An organization must demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) 'Commercial stimulant'. An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of



sales of food or drink for consumption on that business premises. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) 'Commission' means the Washington state gambling commission created in RCW 9.46.040.

(7) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) 'Fishing derby' means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) 'Gambling device' means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chute for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(11) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(12) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(13) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(14) 'Lottery' means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute 'valuable consideration' as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in

conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof (~~PROVIDED: That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER: That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet~~); or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

Notwithstanding any other provision of this subsection (14), where any contest of chance is held by or on behalf of in-state retail grocery outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than seven consecutive days: PROVIDED: That if the sponsoring organization has more than one outlet in the state such contests of chance must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate contest of chance in connection with the initial opening of any such outlet: PROVIDED FURTHER: That such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) 'Member' and 'bona fide member'. As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit; and

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) 'Player' means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct

or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(17) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a), except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) 'Punch boards' and 'pull-tabs' shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) 'Social card game' means a card game, including but not limited to the game commonly known as 'Mah Jongg', which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of one dollar per half hour of playing time by that person collected in advance: PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed twenty-five dollars, including all separate fees which might be paid by a player for various phases or events of the tournament: PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) 'Fund raising event' means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or non-profit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ~~((five))~~ ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; ~~((and))~~ (d) such event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Sec. 2. Section 2, chapter 139, Laws of 1981 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members ~~((and)),~~ their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed ~~((five))~~ ten thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together ((does)) do not exceed ((five)) ten thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to 'win', 'place' or 'show' and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful

receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government: PROVIDED FURTHER, That (1) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and (2) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and (3) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and (4) when any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which does not discriminate in full membership on the basis of sex and race, and which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding ((five)) ten thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games."

On page 1, line 1 of the title after "gambling;" insert "modifying the definition of membership, the eligibility for exemption from the gambling tax, the maximum allowable gross receipts for nonprofit organizations engaged in gambling activities, and retail outlets' contests of chance;"

Signed by Senators Vognild, Sellar, Williams; Representatives Appelwick, Barrett, Niemi.

#### MOTION

Mr. Appelwick moved that the House adopt the report of the Free Conference Committee.

Representatives Appelwick and Barrett 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 Substitute Senate Bill No. 3434 as amended by Free Conference Committee.

#### POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Halsan.

Mr. Halsan: "Representative Appelwick, what is the intent of the portion of the language that states that the prizes may be awarded if the accumulation is under a \$5,000, may be \$30 'award or an accumulated award? What is the intent of that phrase?"

Mr. Appelwick: "Let me answer that by way of example. If, in a particular promotion, the prize was limited to thirty dollars a day, and on Monday there was no winner and on Tuesday there was no winner, then on Wednesday the total prize could be ninety dollars."

Representatives Kreidler and Tanner 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 Engrossed Substitute Senate Bill No. 3434 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sanders, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Todd, Vekich, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Barnes, Bond, Burns, Cantu, Charnley, Fuhrman, Garrett, Johnson, Kaiser, Kreidler, McDonald, Miller, Moon, Patrick, Prince, Sayan, Schoon, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Williams B - 23.

Excused: Representative Ballard - 1.

Engrossed Substitute Senate Bill No. 3434 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

May 22, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3226, and asks the House for a conference thereon and the President has appointed the following conferees: Senators Warnke, Gaspard, Bluechel, 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 Engrossed Substitute Senate Bill No. 3226.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Monohon, Ellis and Vander Stoep as conferees on Engrossed Substitute Senate Bill No. 3226.

## MOTIONS

On motion of Mr. Heck, the Committee on Ways & Means was relieved of Reengrossed Senate Bill No. 3909, and it was placed at the top of the second reading calendar of Senate bills.

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

## SECOND READING

HOUSE BILL NO. 72, by Representatives Grimm and Tilly (by Department of Revenue request)

Modifying miscellaneous tax provisions

The bill was read the second time. On motion of Mr. Grimm, Substitute House Bill No. 72 was substituted for House Bill No. 72, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 72 was read the second time.

Mr. Prince moved adoption of the following amendment:

On page 15, following line 1 insert:

"Sec. 13. Section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273 are each amended to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more on the good or service being purchased or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this section must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of five dollars. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of one dollar for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this section shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit, and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due."

Renumber the remaining sections consecutively.

Mr. Prince spoke in favor of the amendment.

A division was called.



## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince to Substitute House Bill No. 72, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; excused, 1.

Voting yea: Representatives Allen, Barnes, Barrett, Betzozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Johnson, Lewis, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, West, Williams B, Williams J, Wilson, Zellinsky - 40.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, and Mr. Speaker - 57.

Excused: Representative Ballard - 1.

Mr. Barnes moved adoption of the following amendment:

On page 15, following line 1 insert:

"NEW SECTION, Sec. 13. Section 20, chapter 22, Laws of 1982 1st ex. sess. and RCW 32.21.285 are each repealed."

Renumber the remaining section consecutively.

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

The amendment was not adopted.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings, Lewis and Struthers:

On page 7, line 6 strike "thirty-three one-hundredths of one percent" and insert "~~((thirty-three one-hundredths of one percent))~~ .148 percent effective July 1, 1984"

Representatives Hastings, Lewis, Nealey and Struthers spoke in favor of the amendment, and Mr. Grimm spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hastings and others to Substitute House Bill No. 72, and the amendment was not adopted by the following vote: Yeas, 48; nays, 48; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Betzozoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ellis, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, King R, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 48.

Absent: Representative Egger - 1.

Excused: Representative Ballard - 1.

The Clerk read the following amendment by Representatives Cantu and J. Williams:

On page 15 following line 1 insert:

"NEW SECTION, Sec. 13. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion. For purposes of this section, 'precious metal bullion' means any elementary precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and chromium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

"NEW SECTION, Sec. 14. There is added to chapter 82.12 RCW a new section to read as follows:

The tax levied by RCW 82.12.020 does not apply to the sale of precious metal bullion or monetized bullion. For purposes of this section, 'precious metal bullion' means any elementary

precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and chromium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art."

With the consent of the House, Mr. Cantu withdrew the amendment.

Mr. Addison moved adoption of the following amendment:

On page 8 strike sections 5 and 6 and renumber the remaining sections consecutively.

Representatives Addison and Locke spoke in favor of the amendment, and Representatives Appelwick and Chandler spoke against it.

Representative Addison spoke again in favor of the amendment.

#### MOTION

Mr. Walk moved that the Ways & Means Committee be relieved of HOUSE BILL NO. 199 and the bill be placed at the top of the second reading calendar.

#### ROLL CALL

The Clerk called the roll on the motion that the Ways & Means Committee be relieved of House Bill No. 199, and the motion was carried by the following vote: Yeas, 52; nays, 44; absent, 1; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Todd, Vekich, Walk, Wang, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Barrett, Betzoff, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Johnson, Kaiser, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 44.

Absent: Representative Isaacson - 1.

Excused: Representative Ballard - 1.

The Speaker stated the question before the House to be the amendment by Representative Addison striking sections 5 and 6 of Substitute House Bill No. 72.

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. 72 was placed on final passage.

Representatives Locke and Lux spoke against passage of the bill, and Representatives Appelwick and Tilly spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 72, 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, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, Kaiser, King J, King P, King R, Kreidler, Lewis, Long, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Niemi, O'Brien, Padden, Patrick, Prince, Pruitt, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Struthers, Sutherland, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Waik, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 82.

Voting nay: Representatives Belcher, Crane, Dellwo, Garrett, Halsan, Locke, Lux, Moon, Nelson D, Nelson G, Powers, Ristuben, Stratton, Tanner, and Mr. Speaker - 15.

Excused: Representative Ballard - 1.

Substitute House Bill No. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 50, by Representatives Grimm, Cantu and Kaiser (by Governor Spellman request)

Modifying salaries of elected officials.

The bill was read the second time. On motion of Mr. Walk, Substitute House Bill No. 50 was substituted for House Bill No. 50, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 50 was read the second time.

Mr. B. Williams moved adoption of the following amendment:

On page 6, after line 1, insert the following:

"Sec. 6. Section 2, page 329, Laws of 1890 as last amended by section 1, chapter 189, Laws of 1939 and RCW 2.08.100 are each amended to read as follows:

(1) Pursuant to Article IV, section 13 of the state Constitution, one-half of the salary of each superior court judge shall be paid by the state and the other one-half by the county or counties for which the judge is elected. 'Salary,' as used in this section, includes all direct compensation and any fringe benefits, including employer contributions for social security, medical and dental benefits, life and disability insurance, and retirement plans.

(2) The county auditor of each county shall draw his warrant on the treasurer of such county on the first Monday of each month for the amount of salary due for the previous month ((from such county)) to the judge of the superior court thereof, and said warrant shall be paid by said treasurer out of the salary fund of said county: PROVIDED, That no such warrant shall be issued until the judge who is to receive the same shall have made an affidavit, in the manner provided by law, that no cause in his court remains pending and undecided contrary to the provisions of RCW 2.08.240 and of section 20, Article 4, Constitution of the state of Washington. The state treasurer shall reimburse the county for one-half of the salary of the judge, out of funds appropriated for this purpose.

Sec. 7. Section 3, page 329, Laws of 1890 and RCW 2.08.110 are each amended to read as follows:

Where there is only one judge of the superior court for two or more counties, the auditors thereof, acting together, shall apportion among or between such counties, according to the assessed valuation of their taxable property, the amount of such judge's salary that each county shall pay. The auditor of the county with the greatest assessed valuation shall issue the warrant under RCW 2.08.100 and shall be reimbursed proportionately by the other county or counties.

Sec. 8. Section 9, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.090 are each amended to read as follows:

The total liability, as determined by the actuary, of this system shall be funded as follows:

(1) Every judge shall have deducted from his monthly salary an amount equal to seven and one-half percent of said salary.

(2) For judges of the supreme court and the court of appeals, the state as employer shall contribute an equal amount on a quarterly basis.

(3) The state shall contribute an amount equal to three and three-fourths percent of the salary of each judge of the superior court and each county shall contribute three and three-fourths percent of the salary of each judge of the superior court for that county. Where there is only one judge of the superior court for two or more counties, the county contribution shall be apportioned between the counties in the manner in which salaries are apportioned under RCW 2.08.110.

(4) The state shall in addition guarantee the solvency of said fund and the legislature shall make biennial appropriations from the general fund of amounts sufficient to guarantee the making of retirement payments as herein provided for if the money in the judicial retirement fund shall become insufficient for that purpose, but such biennial appropriation may be conditioned that sums appropriated may not be expended unless the money in the judicial retirement fund shall become insufficient to meet the retirement payments."

Renumber the sections consecutively.

Mr. B. Williams spoke in favor of the amendment, and Mr. McMullen opposed it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to Substitute House Bill No. 50, and the amendment was not adopted by the following vote: Yeas, 37; nays, 59; absent, 1; excused, 1.

Voting yea: Representatives Allen, Barnes, Barrett, Betzoff, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, McDonald, Miller, Mitchell, Nelson G. Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, West, Williams B, Williams J, Wilson - 37.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Chamley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King P, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 59.

Absent: Representative Bond - 1.

Excused: Representative Ballard - 1.

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

On page 6, after line 1 insert the following:

"NEW SECTION. Sec. 6. Section 20, chapter 87, Laws of 1980, section 21, chapter 163, Laws of 1982 and RCW 43.03.028 are each repealed."

Re-number the sections consecutively.

On page 1, line 12 of the title after "2.56.010;" insert "repealing section 20, chapter 87, Laws of 1980, section 21, chapter 163, Laws of 1982 and RCW 43.03.028;"

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.

Representative Kaiser was excused.

Representatives Grimm, Monohon, Lux, McMullen and Walk spoke in favor of passage of the bill, and Representatives Patrick, Stratton and Barrett spoke against it.

#### POINT OF INQUIRY

Ms. Monohon yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Monohon, one of my concerns is in the budget that was passed there was a prohibition about those public servants receiving a salary of \$40,000 not getting a salary increase. Would that apply to these state elected officials?"

Ms. Monohon: "Representative Tilly, I discussed that matter with legal staff on the Ways & Means Committee and was informed that since judges and elected officials are not state employees, they would not come under that prohibition."

Mr. Tilly spoke in favor of passage of the bill, and Representatives Smitherman, Mitchell and Schmidt spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 50, and the bill failed to pass the House by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Brekke, Broback, Burns, Chamley, Crane, Dellwo, Fisher, Fiske, Gallagher, Garrett, Grimm, Hankins, Hine, Jacobsen, Johnson, King J, King P, King R, Lux, Martinis, McDonald, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Vekich, Walk, Wang, and Mr. Speaker - 45.

Voting nay: Representatives Addison, Barrett, Belcher, Betzoff, Bond, Braddock, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Ellis, Fisch, Fuhrman, Galloway, Halsan, Hastings, Haugen, Heck, Holland, Isaacson, Kreidler, Lewis, Locke, Long, McClure, McMullen, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 51.

Excused: Representatives Ballard, Kaiser - 2.

Engrossed Substitute House Bill No. 50, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Heck, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 50 failed to pass the House.

Representatives Fiske and McMullen spoke in favor of the motion, and Representatives Stratton and Zellinsky spoke against it.

## POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. Taylor.

Mr. Taylor: "Representative McMullen, I'm interested in your statement that you know House Bill 515 is dead. It's sitting in Rules; we passed the amendment for the judges by this body. Why is it dead?"

Mr. McMullen: "Representative Taylor, we have two bodies which have to pass these bills. We are now within thirty hours. In order to move that bill over to the Senate and then try to work with the people over there--I can tell you that we worked long and hard with them, trying at this point to get something through for judges. The attitude over there is that House Bill 515 is unacceptable and that's the reason why. This is a definite compromise on our part. We worked long and hard for the judges. To come down to this is a position that I have reluctantly taken, but it is what I feel is necessary in order to get some bill through the legislature this session."

Mr. Mitchell spoke against the motion, and Representatives Tanner, Armstrong and Lux spoke in favor of it.

Mr. Garrett demanded the previous question and the demand was sustained.

The motion was carried.

## MOTION

On motion of Mr. Heck, the House was adjourned until 10:00 a.m., Tuesday, May 24, 1983.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

## THIRTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, May 24, 1983

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 except Representatives Belcher and Kaiser, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Jacki Verd and Kelli Kreidler. Prayer was offered by The Reverend Maurice Hæhlen, Retired Minister of the United Churches of Olympia.

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

## MESSAGE FROM THE GOVERNOR

May 23, 1983

To The Honorable,  
The House of Representatives  
Of the State of Washington  
Ladies and Gentlemen:

I have the honor to advise that on May 23, 1983, Governor Spellman approved the following House bills entitled:

SUBSTITUTE HOUSE BILL NO. 235: Relating to transportation taxation;  
SUBSTITUTE HOUSE BILL NO. 251: Relating to employment and conservation.  
HOUSE BILL NO. 1094: Relating to local government.

Sincerely,  
Marilyn Showalter, Counsel.

## MESSAGES FROM THE SENATE

May 23, 1983

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 56,  
HOUSE BILL NO. 58,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 23, 1983

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 3750 and the President has appointed the following conferees: Senators Owen, Benitz, McDermott.

Sidney R. Snyder, Secretary.

May 24, 1983

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 28,

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 983, by Committee on Transportation (originally sponsored by Representative Martinis)

Modifying provisions on motor vehicle excise taxes.

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

Representatives Armstrong, Wilson, Long, Taylor, Egger, Charnley, Holland, Betozoff, Patrick, Haugen and Prince spoke in favor of passage of the bill, and Representatives Rust, Miller, Lewis, Van Dyken, Lux, Tanner, Tilly, Stratton and Schoon spoke against it.

Representatives Charnley and Long spoke again in favor of the bill, and Ms. Miller again opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 983, and the bill passed the House by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Betozoff, Braddock, Brekke, Charnley, Crane, Egger, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, King P, King R, Kreidler, Locke, Long, Martinis, McClure, McDonald, McMullen, Mitchell, Moon, Nealey, Nelson D, Nelson G, O'Brien, Patrick, Powers, Prince, Pruitt, Sayan, Sommers, Struthers, Taylor, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Wilson - 55.

Voting nay: Representatives Addison, Ballard, Barnes, Bond, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Ellis, Fuhrman, Garrett, Jacobsen, King J, Lewis, Lux, Miller, Monohon, Niemi, Padden, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Sutherland, Tanner, Tilly, West, Williams B, Williams J, Zellinsky, and Mr. Speaker - 41.

Excused: Representatives Belcher, Kaiser - 2.

Engrossed Substitute House Bill No. 983, having received the 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, Engrossed Substitute House Bill No. 983 was ordered immediately transmitted to the Senate.

## SENATE AMENDMENTS TO HOUSE BILL

May 23, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 466 with the following amendments:

On page 2, line 5 after "(c)" insert "Persons who purchased timber on public lands on or before August 1, 1982, are required to continue to pay property tax on those timber inventories, including taxes levied in 1983 and payable in 1984, and thereafter.

(d)"

On page 2, line 28 after "land" strike "and which is sold under a contract entered into after August 1, 1982"

On page 4, line 20 after "timber" strike "standing on public land" and insert "which is standing on public land and which is sold under a contract entered into after August 1, 1982"

On page 4, line 33 after "that" insert "with respect to timber sold under a contract entered into after August 1, 1982."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. McClure moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 466, and ask the Senate to recede therefrom.

Representatives McClure and Tilly spoke in favor of the motion, and it was carried.

## SENATE AMENDMENTS TO HOUSE BILL

May 23, 1983

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 588 with the following amendments:

On page 1, line 14 after "forty" strike "million five" and insert "-four million ((five)) three"

On page 2, after line 6 insert the following:

"NEW SECTION. Sec. 3. There is appropriated to the state jail commission for the biennium ending June 30, 1983, from the local jail improvement and construction account in the general fund the sum of 3.8 million dollars, or so much thereof as may be necessary for the specific purpose of constructing an additional floor to the state funded Spokane county jail project which will house state prisoners under an agreement between the county and the department of corrections.

There is reappropriated from the local jail improvement and construction account of the general fund to the corrections standard board for the biennium ending June 30, 1985, any sum remaining from the foregoing appropriation that was not spent in the biennium ending June 30, 1983."

Renumber the remaining sections consecutively, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Zellinsky, the House concurred in the Senate amendments to Engrossed House Bill No. 588.

## 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. 588 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 588 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, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fische, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Taylor - 1.

Excused: Representatives Belcher, Kaiser - 2.

Engrossed House Bill No. 588 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

May 22, 1983

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 712 with the following amendments:

Strike everything after the enacting clause and insert:

"NEW SECTION. Sec. 1. (1) It is the policy of the state of Washington to protect the public health and welfare of all its citizens against the dangers arising from the generation, transport, treatment, storage, and disposal of hazardous wastes and from releases of hazardous substances. In order to reach that policy objective, it is not only necessary to provide state government with broad powers of regulation, control, and removal of these hazardous wastes and substances, including the power to fashion and effectuate remedial directives, but it is imperative that adequate funds are also provided to carry out these powers in a vigorous manner. In



the implementation of the provisions of this chapter, the state shall, when appropriate, cooperate with and support federal agencies in their implementation of counterpart federal hazardous waste and substances programs, while pursuing independent state actions whenever it appears they will provide more efficient or effective alternative programs to achieve the policies and purposes of this chapter.

(2) The purposes of this chapter are, among others: (a) To supplement the powers already vested in the department of ecology relating to hazardous wastes and to releases of substances which are hazardous to the environment or public health, (b) to provide moneys necessary for the full, sufficient, and efficient implementation of the hazardous waste and substances regulation control and removal program of the state, (c) to encourage reduction of hazardous wastes through recycling and improvement of manufacturing processes, (d) to provide for the cleanup and restoration of those sites within the state at which improper disposal of hazardous waste has occurred, resulting in the potential for deleterious impacts on the health and welfare of the citizens of the state, as well as on the state's natural, environmental, and biological systems, (e) to provide for funding to study, plan, and undertake the rehabilitation, removal, and cleanup of hazardous waste deposited improperly at sites located within the state, and (f) to provide funds for matching purposes for participation in the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980.

**NEW SECTION.** Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Dangerous waste' shall have the same definition as set forth in RCW 70.105.010(5) and shall specifically include those wastes designated as dangerous by rules adopted pursuant to chapter 70.105 RCW;

(2) 'Department' means the department of ecology;

(3) 'Extremely hazardous waste' shall have the same definition as set forth in RCW 70.105.010(6) and shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW;

(4) 'Hazardous waste' means and includes all dangerous and extremely hazardous wastes;

(5) 'Person' means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the federal government including any agency or officer thereof, and any Indian tribe or authorized tribal organization;

(6) 'Identified site' means the same or geographically contiguous property, which may be divided by a public or private right of way, provided that access between the properties occurs at an intersection and crosses, as opposed to goes along, the right of way. Noncontiguous properties owned by the same person but connected by a right of way will be considered a single identified site if the person controls the right of way and can prevent public access;

(7) 'Fee' means the annual hazardous waste control and elimination assessment fee imposed under section 3 of this act and the fee for treatment, storage, and disposal facilities imposed under section 4 of this act;

(8) 'Annual gross income' of a business means the value proceeding or accruing during a calendar year by reason of the transaction of the business or service engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses; and

(9) 'Generate' means any act or process which produces hazardous waste or first causes a hazardous waste to become subject to regulation.

**NEW SECTION.** Sec. 3. (1) In addition to all other fees and taxes, there is hereby imposed and the department of revenue shall collect an annual fee from every person identified by the department of ecology for the privilege of utilizing or operating an identified site, other than as described in section 4(1) of this act, in connection with any of the following business activities within this state:

(a) Exploring for, extracting, beneficiating, processing, or selling metallic or nonmetallic minerals;

(b) Exploring for, extracting, processing, or selling coal;

(c) Producing, distributing, or selling electricity;

(d) Industrial or nonresidential contracting or heavy construction;

(e) Painting or sandblasting;

(f) Producing, processing, or selling rubber or plastics;

(g) Producing, processing, or selling glass, cement, or concrete;

(h) Cutting, milling, producing, preparing, or selling lumber or wood products, including wooden furniture or fixtures;

(i) Producing, preparing, or selling paper or allied products;

(j) Printing or publishing;

(k) Synthesizing, producing, processing, preparing, or selling chemicals or allied products;

(l) Exploring for, extracting, producing, processing, distributing, or selling petroleum or gas;

(m) Fabricating rubber or plastic products;

(n) Beneficiating, processing, or selling primary or secondary metals;

(o) Fabricating metal products, including metal furniture or fixtures;

(p) Fabricating, constructing, preparing, installing, or selling machinery or supplies;

(q) Fabricating, constructing, installing, preparing, or selling electrical or electronic equipment, machinery, or supplies;

(r) Fabricating, producing, preparing, or selling transportation equipment;

(s) Transporting by railroad, motor vehicle, or water vessel;

(t) Telephone communication;

(u) Drycleaning, photofinishing, or furniture refinishing;

(v) Transferring, treating, storing, or disposing of solid, dangerous, or extremely hazardous wastes; and

(w) Repairing or servicing motor vehicles, railroad equipment, or water vessels.

When determining the particular business activity at an identified site, the department of ecology shall consider the major purpose of the activity or activities occurring at the identified site. Under this section, each identified site shall be required to pay only one fee annually, but no fee shall be assessed on any person at an identified site engaged solely in making retail sales as defined in RCW 82.04.050, except for those identified sites which generate hazardous waste.

(2) The fee imposed by this section shall be due and payable on June 30 of the year next succeeding the calendar year in which a person has engaged at any time in the business activities listed in subsection (1) of this section. The amount of the fee for an identified site shall be graduated by reference to the annual gross income of the business apportioned to the site as provided in subsection (3) of this section in accordance with the following schedule:

(a) For annual gross income not in excess of one million dollars, a fee of not more than one hundred fifty dollars;

(b) For annual gross income in excess of one million dollars but not exceeding ten million dollars, a fee of not more than seven hundred fifty dollars;

(c) For annual gross income in excess of ten million dollars, a fee of not more than seven thousand five hundred dollars.

The department of ecology shall further graduate the fees set forth in (a), (b), and (c) of this subsection in accordance with criteria including but not limited to the quantity of hazardous waste generated and the health and environmental risks associated with the waste. The department of ecology shall publish by rule a schedule of these graduated fees.

(3) For purposes of this section, annual gross income of the business shall mean gross proceeds of sales as defined in RCW 82.04.070 or gross income of the business as defined in RCW 82.04.080; and shall mean gross income, as defined in RCW 82.16.010(13). Annual gross income of the business of a person rendering services taxable under RCW 82.04.290 and maintaining places of business within and without this state shall be apportioned in accordance with the provisions of RCW 82.04.460. The total annual gross income of the business taxable in this state under chapters 82.04 and 82.16 RCW shall be apportioned equally by the department of ecology among the identified sites utilized by such business in this state without regard to the amount or nature of the use: PROVIDED, That the person subject to the fee may request, and the department of ecology shall grant, apportionment among identified sites utilized in this state according to each site's share of annual gross income of the business apportioned to this state. The person subject to the fee shall bear the burden of supporting the allocation among sites with appropriate data as reasonably requested by the department of ecology.

(4) If an identified site does not generate hazardous wastes regulated by chapter 70.105 RCW, the person owning or controlling the site is exempt from the fee imposed by this section.

(5) Notwithstanding subsection (1) or (2) of this section or section 4 of this act, no person who owns or operates a combined identified site and hazardous waste treatment, storage or disposal site shall be required to pay more than seven thousand five hundred dollars annually to the hazardous waste control and elimination account.

(6) The fees imposed by this section and the limitation on total payment of subsection (5) of this section shall be adjusted by five percent whenever the consumer price index of the United States department of labor increases or decreases by a five percent increment from the index figure in existence on January 1, 1983, and such fee and limitation adjustments shall be published in rules by the department of ecology.

(7) Fees shall not be required under this section for solid wastes generated primarily from the combustion of coal or other fossil fuels, until at least six months after the date of submission of the study required by section 8002 of the federal resource conservation and recovery act.

(8) For purposes of this section 'manufacturer,' 'wholesaler,' 'retailer,' and 'person engaging in service activities' shall have the meaning attributed to such terms in chapter 82.04 RCW. 'Business activities' shall mean activities of any person subject to the fees imposed in subsection (1) of this section engaging in business as defined in chapters 82.04 and 82.16 RCW.

(9) In the administration of this section and in addition to other provisions in this chapter for the enforcement and collection of fees due and owing under this section, the department of revenue is authorized to apply the provisions of chapter 82.32 RCW, provided that the provisions of RCW 82.32.050 and 82.32.090 shall not be applied. If the annual gross income of the business of any person subject to the fee imposed under this section is finally determined to be greater or less than that reported to the department of revenue for the year in question, the department of revenue shall, if necessary, recompute the fee due and shall refund or assess the outstanding balance, as the case may be.

**NEW SECTION.** Sec. 4. (1) Every person who operates a facility for the purpose of treating, storing, or disposing of hazardous wastes, that is subject to a permit issued under authority of RCW 70.105.130 or section 6(4) of this act (including a permit issued in satisfaction of the requirements of 42 U.S.C. section 6925 of the federal Resource Conservation and Recovery Act, as amended) shall, on or before September 1, 1984, and on or before May 15 of each year thereafter, pay to the state a fee relating to the operation of such treatment, storage, or disposal facilities.

In relation to these annual fees, the department is empowered to adopt rules relating to: (a) Establishment of classes of facilities subject to fees, taking into account the size and type of facility and the risks of detrimental impacts associated therewith; and (b) the setting of a fee schedule pertaining to these classes with those classes presenting a greater risk having a higher dollar amount than those classes presenting a lesser risk: PROVIDED, That the annual fee for any class shall not be greater than seven thousand five hundred dollars.

The department shall prepare a list of all such hazardous waste facilities and the fee for each such facility or type of facility and shall provide a statement to each operator of a facility specifying the fee that is owed and the basis for the fee.

(2) Notwithstanding the provisions of section 3 (1) through (5) of this act or this section, no person who operates a combined identified site and hazardous waste treatment, storage, or disposal site shall be required to pay more than seven thousand five hundred dollars annually to the hazardous waste control and elimination account.

(3) The department of ecology is required to increase or decrease the fees of subsection (1) of this section and the limitation on total payment of subsection (2) of this section, by five percent on each occasion when the consumer price index of the United States department of labor increases or decreases by a five percent increment from the index figure as it existed on January 1, 1983. Each such fee and limitation increase or decrease shall be set forth in rules adopted by the department of ecology.

**NEW SECTION.** Sec. 5. All fees paid to the state as provided in sections 3 and 4 of this act shall be placed in a hazardous waste control and elimination account of the general fund, and subject to legislative appropriation, be expended by the department of ecology solely to carry out the powers set forth in section 6 of this act.

**NEW SECTION.** Sec. 6. (1) The department of ecology may use funds in the hazardous waste control and elimination account in the implementation of the powers vested under RCW 70.105.020, 70.105.030, 70.105.080, 70.105.100, 70.105.120, and 70.105.130 and 70.105.\_\_\_\_ (SSB 4245, section 2 and 3) and subsections (3) and (4) of this section as well as the administrative costs relating to the implementation of subsection (2) of this section.

(2) The department is authorized to participate in and is empowered to carry out all programs of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 contemplated for state participation or administration under that act.

(3) In relation or addition to the powers set forth in this section and any other provisions of this code, the department is empowered, with regard to the regulation, control, or removal of hazardous substances and wastes, as follows:

- (a) To coordinate responses to hazardous substances accident and spill incidents;
- (b) To respond to, direct, or initiate cleanup of hazardous substances, accidents and spills, and hazardous waste sites;
- (c) To conduct or contract for professional technical data gathering and analysis and damage assessment; and
- (d) To conduct or contract for the removal of hazardous substances and wastes where there has been or is a potential for release, regardless of quantity or concentration, which could pose a threat to public health or the environment.

(4) The department is empowered to participate in and carry out all programs of the federal Resource Conservation and Recovery Act, as amended, contemplated for implementation by a state under that act and may use funds in the hazardous waste control and elimination account in the implementation thereof.

(5) The attorney general, at the request of the department, is empowered to recover moneys expended by the department from the hazardous waste control and elimination account under authority of this section when these funds were utilized to respond to an unpermitted spill or discharge or to control the release or threatened release of hazardous substances or wastes. Recovery authorized by this section shall be from any person owning or controlling the material spilled or discharged. Actions to recover moneys may be initiated in the superior court of Thurston county or any county in which the hazardous waste site or activity is located. Moneys

recovered under this section shall be paid into the hazardous waste control and elimination account.

**NEW SECTION.** Sec. 7. Any person aggrieved by a determination of the department of ecology pertaining to the fee imposed under section 3(1) of this act or to a specific fee contained in a statement issued under section 4(1) of this act may obtain review thereof by the pollution control hearings board in the same manner as review may be obtained of permits issued by the department pursuant to RCW 90.48.160. If a petition requesting review is filed with the board within thirty days of the day of service of the determination or of the statement of fees due. There shall be no increase in an amount set forth in a statement, as provided in section 8(1) of this act, during any period of time when a review proceeding is pending before the board or a reviewing court. This section shall have no applicability to the adoption of rules by the department pursuant to section 4(1) of this act.

**NEW SECTION.** Sec. 8. (1) The fees required by section 3(2) or 4(1) of this act, when due and payable, shall bear interest at the rate of nine percent per annum for each month (or portion thereof) that the fee is not paid.

(2) The department of ecology may levy civil penalties in the amount of up to five hundred dollars for each day fees and interest due and owing under section 4 or 8(1) of this act are unpaid. The procedures relating to levying and collection of penalties set forth in RCW 90.48.144 shall be applied to penalties levied under this section. Moneys collected under this subsection shall be placed in the hazardous waste control and elimination account.

(3) The attorney general is authorized to initiate such actions in the courts as are necessary and appropriate to insure compliance with the provisions of this chapter.

**NEW SECTION.** Sec. 9. (1) If any provision of this chapter or a portion thereof or its application to any person or legal entity or circumstances is held invalid, the remainder of the chapter, or the application of the provision or a portion thereof to other persons or legal entities or circumstances, shall not be affected.

(2) This chapter is exempted from the rule of strict construction, and it shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

(3) Nothing in this chapter relates to radioactive wastes, however characterized, and the department is precluded from using the funds of the hazardous waste control and elimination account for the regulation and control of such wastes.

(4) Consistent with subsection (2) of this section and taking into account the ambiguities of federal law relating to possible preemption of exercise of powers provided to the department in this chapter, the department shall implement this chapter, to the maximum extent reasonably attainable, to insure that no conflict with those preemptive aspects takes place.

**NEW SECTION.** Sec. 10. There is appropriated to the department of ecology from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of one million four hundred sixty-four thousand dollars, or so much thereof as may be necessary, to administer the purposes of section 1(2)(a) through (c) of this act.

**NEW SECTION.** Sec. 11. There is appropriated to the department of revenue from the hazardous waste control and elimination account in the general fund for the biennium ending June 30, 1985, the sum of fifty-nine thousand eight hundred six dollars, or so much thereof as may be necessary, to administer the collection of fees as provided in this act.

**NEW SECTION.** Sec. 12. There is appropriated to the department of ecology from the general fund for the biennium ending June 30, 1985, the sum of four million three hundred thousand dollars, or so much thereof as may be necessary, to administer the purposes of section 1(2)(d) through (f) of this act.

**NEW SECTION.** Sec. 13. The state treasurer is authorized to use revenue collected pursuant to sections 1 through 9 of this act, to the extent this revenue exceeds any legislative appropriation of the revenue to the department of ecology for purposes of section 1(2)(a) through (c) of this act to reimburse general fund expenditures for cleanup and restoration of those sites pursuant to section 1(2)(d) through (f) of this act.

**NEW SECTION.** Sec. 14. Sections 1 through 9 of this act shall constitute a new chapter in Title 70 RCW.

**NEW SECTION.** Sec. 15. (1) This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect as follows:

(a) The powers provided to the department of ecology relating to the adoption of rules under sections 3(2) and 4(1) of this act shall take effect immediately; and

(b) The remainder of this act shall take effect on July 1, 1983.

(2) The annual fee due and payable under section 3 of this act on June 30, 1984, shall, following computation of the annual gross income of the business for the calendar year 1983, be prorated for the period July 1, 1983, through December 31, 1983.

On page 1, beginning on line 1 of the title, after "wastes;" strike the remainder of the title and insert "adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 712.

Representatives Wang, Isaacson, Moon, Hankins, Ebersole and Rust spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Wang yielded to question by Ms. Monohon.

Ms. Monohon: "Representative Wang, Representative Isaacson earlier raised some questions regarding section 13 and the Department of Ecology having the authorization to exceed the legislative appropriation. Could you tell me if that is correct?"

Mr. Wang: "No, Representative Monohon, that is not correct. I think it's a misreading of section 13. Section 13 does not provide for expenditures above the appropriation level. The gentleman read only the first part but not the second part of the sentences involved. This merely provides for reimbursement of the general fund from fees for the super-fund matching portion of the program. The regulatory program is funded out of fees. Anything that is in excess of that is used to reimburse the general fund. In both cases, it is subject to appropriation, both for the fees and for the regulatory portion and for the general fund appropriation. There is no excess over appropriated level."

#### POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Isaacson.

Mr. Isaacson: "I'm very confused by the comments you just made. As I read section 13 it expressly states, 'The state treasurer is authorized to use revenue collected pursuant to sections 1 through 9 of this act, to the extent this revenue exceeds any legislative appropriation of the revenue to the department of ecology for purposes of section 1(2)(a) through (c) of this act to reimburse general fund expenditures for cleanup and restoration of those sites pursuant to section 1(2)(d) through (f) of this act.' Now I would like to have somebody explain to me how the language can state that the treasurer is authorized to use revenues collected pursuant to sections 1 through 9 of this act to the extent this revenue exceeds any legislative appropriation?"

Mr. Wang: "Representative Isaacson, the way this is worded, and it is clear if you read the whole sentence in context, what happens is that you collect fees under section 1 through 9 of this act; those fees are going to be in excess of the amount needed for section 1(2)(a) through (c). Consequently, you use the remainder of those fees, the excess, and give the state treasurer the authority to transfer that over to the general fund for the expenditures pursuant to legislative appropriation for section 1(2)(d) through (f) of the act."

Mr. Isaacson: "Representative Wang, in section 10 an appropriation is made for \$1,464,000. In section 11, an appropriation is made for \$59,600 and in section 12 an appropriation is made for \$4,300,000 for a total appropriation of \$5,823,600. Under section 13, is it possible for the Department of Ecology to exceed that amount of appropriation during the biennium?"

Mr. Wang: "No."

The motion 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 Substitute House Bill No. 712 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 712 as amended by the Senate, 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, 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, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Fuhrman, Padden, West - 4.

Excused: Representatives Belcher, Kaiser - 2.

Substitute House Bill No. 712 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

May 23, 1983

Mr. Speaker:

The Senate adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, and 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

May 22, 1983

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 240, revising procedures for mail voting, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike the entire bill and insert:

"AN ACT Relating to voting by mail; amending section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120; amending section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130; amending section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010; adding new sections to chapter 29.36 RCW; repealing section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. Section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120 are each amended to read as follows:

At any primary or election, general or special, the county auditor (~~as ex officio supervisor of elections, or other officer having jurisdiction of the election;~~) may, ((with regard to)) in any precinct having ((less)) fewer than one hundred registered voters at the time of closing of ((the)) voter registration ((files)) as provided in RCW 29.07.160, ((order)) conduct the voting in ((said)) that precinct ((for the next ensuing election, whether a primary election, general election, special election, or any other election, be)) by mail ballot ((only)). For any precinct having fewer than one hundred registered voters where voting at a primary or a general election is conducted by mail ballot, the county auditor shall, not less than fifteen days prior to the date of that primary or general election, mail or deliver to each registered voter within that precinct a notice that the voting in that precinct will be by mail ballot, an application form for a mail ballot, and a postage prepaid envelope, preaddressed to the issuing officer. A mail ballot shall be issued to each voter who returns a properly executed application to the county auditor no later than the day of that primary or general election. Such application is valid for all subsequent mail ballot elections in that precinct so long as the voter remains qualified to vote.

At any nonpartisan special election not being held in conjunction with a state primary or general election, the county, city, town, or district requesting the election pursuant to RCW 29.13.010 or 29.13.020 may also request that the election be conducted by mail ballot. The

county auditor may honor the request or may determine that the election is not to be conducted by mail ballot. The decision of the county auditor in this regard is final.

In no instance shall any special election be conducted by mail ballot in any precinct with more than one hundred registered voters if candidates for partisan office are to be voted upon.

(Whenever such officer shall so order, he) For all special elections not being held in conjunction with a state primary or state general election where voting is conducted by mail ballot, the county auditor shall, not less than fifteen days prior to the date of such election, mail or deliver to each registered voter ((within said precinct his notice that voting within said precinct shall be by mail voting only. Accompanied with such notice shall be an application form together with a postage prepaid)) a mail ballot and an envelope, preaddressed to the issuing officer. ((In order to be honored such application form, properly executed, must reach the issuing officer no later than the day of the election concerned.

The county auditor may continue to honor such application for all subsequent elections held in the same manner as long as the voter concerned remains qualified to vote at such elections.))

NEW SECTION. Sec. 2. There is added to chapter 29.36 RCW a new section to read as follows:

For any special election conducted by mail, the county auditor shall send a mail ballot with a return identification envelope to each registered voter of the district in which the special election is being conducted not sooner than the twenty-fifth day before the date of the election and not later than the fifteenth day before the date of the election. The envelope in which the ballot is mailed shall be clearly marked 'Do Not Forward - Return to Sender - Return Postage Guaranteed.'

NEW SECTION. Sec. 3. There is added to chapter 29.36 RCW A new section to read as follows:

(1) If a county auditor conducts an election by mail, the county auditor shall designate the county auditor's office or a central location in the district in which the election is conducted as the single place to obtain a replacement ballot. The county auditor also shall designate one or more places for the deposit of ballots not returned by mail. The places designated under this section shall be open on the date of the election for a period of thirteen hours, beginning at 7:00 a.m. and ending at 8:00 p.m.

(2) A registered voter may obtain a replacement ballot as provided in this subsection if the ballot is destroyed, spoiled, lost, or not received by the voter. A registered voter seeking a replacement ballot shall sign a sworn statement that the ballot was destroyed, spoiled, lost, or not received and shall present the statement to the county auditor no later than the day of the election. Each spoiled ballot must be returned to the county auditor before a new one is issued. The county auditor shall keep a record of each replacement ballot provided under this subsection.

NEW SECTION. Sec. 4. There is added to chapter 29.36 RCW a new section to read as follows:

Upon receipt of the mail ballot, the voter shall mark it, sign the return identification envelope supplied with the ballot, and comply with the instructions provided with the ballot. The voter may return the marked ballot to the county auditor by United States mail or to any other place of deposit designated by the county auditor. The ballot must be returned in the return identification envelope. If mailed, a ballot must be postmarked not later than the date of the election. Otherwise, the ballot must be deposited at the office of the county auditor or the designated place of deposit not later than 8:00 p.m. on the date of the election.

Sec. 5. Section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130 are each amended to read as follows:

All ((such absentee)) mail ballots ((as)) authorized by RCW 29.36.120 shall contain the same offices, names of candidates, and propositions ((if any)) to be voted upon, including precinct offices, as if the ballot had been voted in person at the polling place. Except as otherwise provided in RCW 29.36.120 ((through 29.36.149)) and sections 2 through 4 and 6 of this act, such ((absentee)) mail ballots shall be issued ((- completed, returned, received, opened, counted,)) and canvassed ((- recorded and handled)) in the same manner as ((any)) absentee ballots issued pursuant to the request of the voter ((- PROVIDED, That)). The county canvassing board, at the request of the county auditor, may direct that ((such)) mail ballots be counted on the day of the election. If such count is made, it must be done in secrecy in the presence of at least three election officials and the results not revealed to any unauthorized person until the polls have closed. If electronic vote tallying devices are used, political party observers shall be afforded the opportunity to be present, and a test of the equipment must be performed as required by RCW 29.34.163 prior to the count of ballots. Political party observers shall be allowed to count by hand ballots from up to ten precincts selected by the observers. Any violation of the secrecy of such count shall be subject to the same penalties as provided for in RCW 29.54.035.

NEW SECTION. Sec. 6. There is added to chapter 29.36 RCW a new section to read as follows:

(1) A mail ballot shall be counted only if it is returned in the return identification envelope, if the envelope is signed by the registered voter to whom the ballot is issued, and if the signature is verified as provided in this subsection. The county auditor shall verify the signature of each voter on the return identification envelope with the signature on the voter's registration

record. If the county auditor determines that a registered voter to whom a replacement ballot has been issued has voted more than once, the county auditor shall not count any ballot cast by that voter. The county auditor must notify both the county prosecuting attorney and the state attorney general of every instance in which a voter has voted more than once.

(2) Any mail ballot may be challenged in the same manner as an absentee ballot.

Sec. 7. Section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010 are each amended to read as follows:

At least ten days prior to any primary or election, general or special, the ~~((officer having jurisdiction of the election))~~ county auditor shall appoint one inspector and two judges of election for each precinct (or each combination of precincts temporarily consolidated as a single precinct for ~~((am))~~ that primary or election), other than those precincts designated as vote-by-mail precincts pursuant to RCW 29.36.120, from among the names contained on the lists ~~((therefor))~~ furnished by the chairman of the county central committee of the political parties entitled to representation thereon.

Such precinct election officers, whenever possible, should be residents of the precinct in which they serve ~~((but if extenuating circumstances arise, they may be assigned to serve in a different precinct))~~.

The ~~((officer having jurisdiction of the election))~~ county auditor shall designate the inspector and one judge in each precinct from that political party which polled the highest number of votes in the county for its candidate for president at the last preceding ~~((general))~~ presidential election ~~((at which a president of the United States was voted for;))~~ and one judge from that political party polling the next highest number of votes in the county for its candidate for president at the same election.

This shall be the exclusive method for the appointment of inspectors and judges to serve as precinct election officers at any primary or election, general or special, and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements.

NEW SECTION. Sec. 8. There is added to chapter 29.36 RCW a new section to read as follows:

The secretary of state shall adopt rules and regulations not inconsistent with the provisions of this chapter to:

(1) Ensure that standards and procedures are established to prevent fraud and to facilitate the accurate processing and canvassing of mail ballots;

(2) Ensure that standards and procedures are established to guarantee the secrecy of the ballot;

(3) Ensure that uniformity exists among the counties of the state in the conduct of mail ballot elections.

NEW SECTION. Sec. 9. There is added to chapter 29.36 RCW a new section to read as follows:

A person who wilfully violates any provision of this chapter is guilty of a class C felony.

NEW SECTION. Sec. 10. Section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140 are each repealed."

Signed by Senators Talmadge, Pullen, Rinehart; Representatives Pruitt, Tanner, Barnes.

#### MOTION

Mr. Pruitt moved that the House adopt the report of the Free Conference Committee on Engrossed Substitute House Bill No. 240.

Mr. Pruitt 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 Engrossed Substitute House Bill No. 240 as amended by Free Conference Committee.

Representatives Hastings, Fuhrman, Dickie and Barnes spoke against the bill, and Representatives Miller, Lewis, Schoon and Fisch spoke in favor of it.

Mr. Garrett demanded the previous question and the demand was sustained.

Mr. Pruitt closed debate, speaking in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 240 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 67; nays, 29; excused, 2.



Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Betzoff, Braddock, Brekke, Brough, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Miller, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Addison, Barnes, Barrett, Bond, Broback, Cantu, Chandler, Clayton, Dickie, Fuhrman, Garrett, Hankins, Hastings, Holland, Isaacson, McDonald, Mitchell, Nealey, Nelson G, Padden, Patrick, Schmidt, Silver, Taylor, Van Dyken, West, Williams B, Williams J, Wilson - 29.

Excused: Representatives Belcher, Kaiser - 2.

Engrossed Substitute House Bill No. 240 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.

#### REPORT OF CONFERENCE COMMITTEE

May 22, 1983

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3858, authorizing the annexation of areas outside cities and towns upon consent of the property owners, have had the same under consideration, and we recommend that the House recede from its amendments and that the bill pass as originally approved by the Senate.

Signed by Senators Thompson, Benitz, Woody; Representatives Moon, Charnley, Van Dyken.

#### MOTION

Mr. Moon moved that the House adopt the report of the Conference Committee on Engrossed Senate Bill No. 3858.

Representatives Moon and Van Dyken spoke in favor of the motion, and it was carried.

#### FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) declared the question before the House to be the final passage of Engrossed Senate Bill No. 3858 as recommended by Conference Committee.

#### POINT OF INQUIRY

Mr. Moon yielded to question by Ms. Allen.

Ms. Allen: "Representative Moon, where is the repeal of the motor/hotel room tax--is this involved?"

Mr. Moon: "No, that's another bill."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3858 as recommended by the Conference Committee, 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, Betzoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Dellwo, Padden, Taylor, West - 4.

Excused: Representatives Belcher, Kaiser - 2.

Engrossed Senate Bill No. 3858 as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Wang, the House was recessed until 2:00 p.m.

#### AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Belcher and Kaiser, who were excused.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO.	55,
HOUSE BILL NO.	56,
HOUSE BILL NO.	58,
SUBSTITUTE HOUSE BILL NO.	796,
HOUSE BILL NO.	1079.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 996, by Representative Lux

Relating to savings and loan associations.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 996 was substituted for House Bill No. 996, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 996 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.

#### POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Wang, what is the budget for this joint committee between the House and the Senate?"

Mr. Wang: "Representative Sanders, no budget is required since the language provides that it shall make use of the legislative facilities and staff of the House and the Senate."

Representatives Sanders, Taylor, Dickie and Padden spoke against passage of the bill, and Representatives Lux and Vekich spoke in favor of it.

Mr. Lux spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Locke.

Mr. Locke: "Representative Lux, there is some discussion about the lack of subpoena power with this expanded committee. Is it your view that subpoena powers would be necessary to accomplish the mission or the goals of the committee?"

Mr. Lux: "Representative Locke, it was alluded to the fact that there are no subpoena powers. There are no subpoena powers in the bill, but it has been expressed to me by the Speaker that if there was a need for subpoena powers they could be granted."

Mr. Wang spoke again in favor of the bill.

Mr. Locke spoke in favor of the bill, and Mr. Struthers spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 996, and the bill passed the House by the following vote: Yeas, 55; nays, 38; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Johnson, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, West, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J - 38.

Absent: Representatives Egger, King R, Wilson - 3.

Excused: Representatives Belcher, Kaiser - 2.

Substitute House Bill No. 996, having received the 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 CONCURRENT RESOLUTION NO. 120, by Committee on Energy & Utilities (originally sponsored by Senator Williams)

Establishing a joint select committee on telecommunications regulation.

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 D. Nelson and Gallagher spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Concurrent Resolution No. 120, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 95.

Absent: Representative King R - 1.

Excused: Representatives Belcher, Kaiser - 2.

Engrossed Substitute Senate Concurrent Resolution No. 120, having received the constitutional majority, was declared adopted.

#### MOTION

On motion of Mr. Wang, SENATE CONCURRENT RESOLUTION No. 122 was rereferred from the second reading calendar to the Committee on Rules.

SENATE CONCURRENT RESOLUTION NO. 126, by Senators Shipchock, Talmadge, Vognild, McDermott, Moore, Owen, Warnke, Bauer, Bender, Bottiger, Conner, Fleming, Gaspard, Goltz, Granlund, Hansen, Hughes, Hurley, McManus, Peterson, Rinehart, Thompson, Williams, Wojahn and Woody

Relating to reasonable home mortgage financing through state investments.

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 Taylor, West and B. Williams spoke against the resolution, and Mr. Vekich spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 126, and the resolution was not adopted by the following vote: Yeas, 46; nays, 49; absent, 1; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Braddock, Brekke, Broback, Burns, Charnley, Crane, Ellis, Fisch, Fisher, Gallagher, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King J. King P. Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Betzoff, Bond, Brough, Cantu, Chandler, Clayton, Dellwo, Dickie, Ebersole, Egger, Fiske, Fuhrman, Galloway, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Locke, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 49.

Absent: Representative King R - 1.

Excused: Representatives Belcher, Kaiser - 2.

Senate Concurrent Resolution No. 126, having failed to receive the constitutional majority, was declared lost.

SENATE CONCURRENT RESOLUTION NO. 130, by Senators Peterson, Guess, Sellar, Patterson, Haley, Barr, Hansen, Vognild, von Reichbauer, Bender, Granlund and Owen

Assigning topics of study to the Legislative Transportation Committee and the standing committees on transportation.

The resolution was read the second time.

On motion of Mr. Charnley, the following amendment by Representatives Charnley, Martinis and Wilson was adopted:

On page 3, beginning on line 16 strike all of subsection (16) and insert:

"(16) City, county and state transportation needs, revenue sources presently available to meet those needs, and alternatives for providing adequate, stable funding sources to meet long-term needs for all transportation modes."

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

Representatives Martinis and Wilson spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 130 as amended by the House, and the resolution was adopted by the following vote: Yeas, 91; nays, 4; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, 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, King J. King P. Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Fuhrman, Padden, West - 4.

Absent: Representative King R - 1.  
Excused: Representatives Belcher, Kaiser - 2.

Senate Concurrent Resolution No. 130 as amended by the House, having received the constitutional majority, was declared adopted.

#### MOTION

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

#### RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-86, by Representatives Hankins and Isaacson

WHEREAS, It is appropriate to name public facilities and structures after persons who were important in the founding, development, or growth of communities served by the structures; and

WHEREAS, The two I-182 bridges spanning the Yakima River south of Richland intersect lands pioneered and homesteaded in the late 1800s by the R. C. Bremmer family; and

WHEREAS, It would be a most fitting memorial to name these bridges after R. C. Bremmer in recognition of the contributions the Bremmer family made toward the eventual development of the Tri-Cities area;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the House of Representatives hereby recommends to the Washington State Highway Commission and the Washington State Department of Transportation that these two bridges spanning the Yakima River south of Richland which form part of the extension of Interstate Route 182 be named the "R. C. Bremmer Bridges" in memory of the Bremmer family.

Ms. Hankins moved adoption of the resolution. Representatives Hankins and Isaacson spoke in favor of it and the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 83-87, by Representatives Van Dyken, Kreidler, Belcher, Kaiser, Broback and Johnson

WHEREAS, Both Fort Lewis and McChord Air Force Base host outstanding reserve programs which involve many Washington State citizens; and

WHEREAS, The military and civilian personnel of both Fort Lewis and McChord Air Force Base make numerous contributions to their communities and to the State of Washington; and

WHEREAS, These men and women actively participate in state and local civic activities and community events; and

WHEREAS, Civic and community participation by the personnel and families of McChord Air Force Base and Fort Lewis, with the active encouragement of their officers and command staff, have enhanced the communities in which they live and the State of Washington, contributing to the quality of life for us all; and

WHEREAS, These individuals are devoting a major portion of their lives and are making significant sacrifices for the security of the United States; and

WHEREAS, Washington State citizens benefit greatly as a result of this security;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute the efforts of the Base Commanders, Colonel Richard A. Virant and Lieutenant General John N. Brandenburg, the officers, base personnel, and families for their outstanding civic involvement and contributions to their communities and to the State of Washington;

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Base Commanders Lieutenant General John N. Brandenburg and Colonel Richard A. Virant; to the Headquarters, Military Airlift Command; and to the Department of the Army.

Mr. Van Dyken moved adoption of the resolution and spoke in favor of it. The resolution was adopted.

## HOUSE FLOOR RESOLUTION NO. 83-88, by Representative G. Nelson

WHEREAS, The Evergreen Safety Council dba Safety Training and Research Association, a nonprofit Washington corporation affiliated with the National Safety Council, is the oldest and largest safety organization in the state and is engaged in organizing and operating numerous training, educational, and research programs which promote safety in industry, in the home, in highway traffic, and in recreation, and as such performs a valuable accident-prevention service to the people of Washington; and

WHEREAS, The Association is financed by contributions from private business organizations, individuals, and foundations, and not by the taxpayers, although many agencies of the state, and many counties and cities cooperate with it and encourage its activities and programs; and

WHEREAS, The Association is now engaged in planning and arranging the financing of the Safety Training and Research Center, a new physical facility for research, education, and safety training programs, which facility will occupy approximately twenty acres of land with equipment for demonstration and hands-on training in safety practices;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That we commend the Safety Training and Research Association of Washington for its past and present work in safety and accident prevention and endorse the concept of said Association's plans for the new Safety Training and Research Center; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Safety Training and Research Association.

On motion of Mr. G. Nelson, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 83-89, by Representatives Walk, Grimm, Ehlers, Kaiser, Fisher, Wang, Ebersole, Gallagher, Powers, Smitherman, Kreidler, Belcher, Broback, Crane, Todd, Halsan, Johnson, Brough and Schoon

WHEREAS, The Tacoma Youth Symphony has performed for twenty years in the Pacific Northwest and elsewhere; and

WHEREAS, During this period the members of the Tacoma Youth Symphony have superbly performed classical music for Washington citizens and others; and

WHEREAS, The virtuosity of the Tacoma Youth Symphony is well known and appreciated by the citizens of Tacoma and Washington State; and

WHEREAS, The Tacoma Youth Symphony's international reputation as a high quality symphony has resulted in invitations to perform in the United Kingdom, the Netherlands, Switzerland, Austria, Germany and France this summer; and

WHEREAS, During this 1983 concert tour, the Tacoma Youth Symphony will perform eight concerts in the cities of Nottingham, U.K.; Hampshire, U.K.; Amsterdam, Netherlands; Leysin, Switzerland; Innsbruck, Austria; Salzburg, Austria; Munich, Germany; and Paris, France; and

WHEREAS, The Tacoma Youth Symphony members will share with the citizens of Germany, the United Kingdom, the Netherlands, Switzerland, Austria and France their musical talents and serve as goodwill ambassadors from Washington State;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That congratulations and best wishes be extended to the members of the Tacoma Youth Symphony as they prepare to depart on their 1983 European concert tour; and

BE IT FURTHER RESOLVED, By the House of Representatives, That appreciation be expressed to the members of the Tacoma Youth Symphony and its managing board for performing classical music for the citizens of Washington for over twenty years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the members of the Tacoma Youth Symphony.

Mr. Walk moved adoption of the resolution. Representatives Walk and Schoon spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-90, by Representatives Sayan and Vekich

WHEREAS, The Washington Corrections Center at Shelton is staffed by highly trained and skilled correctional facility professionals; and

WHEREAS, The professional actions of the Washington Corrections Center staff have prevented substantial prison violence and helped to protect prisoners and the public's safety; and

WHEREAS, The members of the Washington Corrections Center staff have distinguished themselves on numerous occasions by swiftly dealing with and defusing difficult, volatile prison situations; and

WHEREAS, The swift action by the Washington Corrections Center staff has saved lives and halted the destruction of public property at the Shelton correctional facility; and

WHEREAS, The responsibilities, efforts and achievements of the Washington Corrections Center staff are unrecognized by many citizens of Washington State;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That the past and current efforts and accomplishments of the Washington Corrections Center staff be recognized; and

BE IT FURTHER RESOLVED, By the Washington State House of Representatives, That the efforts and accomplishments by the Washington Corrections Center staff be highly commended; and

BE IT FURTHER RESOLVED, By the Washington State House of Representatives, That the citizens of Washington be invited to communicate to the Washington Corrections Center staff appreciation and support for the efforts of this high quality staff; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Washington Corrections Center staff.

On motion of Mr. Sayan, the resolution was adopted.

#### MOTION

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

#### THIRD READING

Mr. Fiske moved that the Rules Committee be relieved of SUBSTITUTE HOUSE BILL NO. 515, and the bill be placed at the top of today's third reading calendar.

Representatives Fiske, Vander Stoep, Padden, Ballard, G. Nelson, West and Smitherman spoke in favor of the motion, and Representatives Walk, McMullen, Monohon and Heck spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of Substitute House Bill No. 515 and to place it on the third reading calendar, and the motion was lost 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, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, 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, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 50.

Excused: Representatives Belcher, Kaiser - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 50, by Committee on State Government (originally sponsored by Representatives Grimm, Cantu and Kaiser; by Governor Spellman request)

Modifying salaries of elected officials.

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

Mr. McMullen spoke in favor of passage of the bill, and Representatives Stratton and West spoke against it.

#### POINT OF INQUIRY

Mr. Fiske yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Fiske, in the debate yesterday, there was considerable question raised regarding the criteria used to establish judicial salaries and whether, in fact, Washington state judges are fiftieth or forty-seventh, or whether it's done per capita or whether it's done in real figures. Do you have accurate information that indicates the true level of rating of judicial salaries in this state?"

Mr. Fiske: "Yes, Representative Van Dyken, I just happen to have with me a document entitled, 'Study of Judicial Salaries in Washington's Courts of Record,' dated October 1982. It makes two comparisons and it ranks--dated May 31, 1982--it says on an aggregate actual salary, the state of Washington ranks 37th and on a normalized, which is what I understand is a per capita of the total salaries divided by the citizens of the state, the State of Washington ranked 47th. That was May of 1982. This report was updated by the same group and since then the actual salary for the state of Washington, we rank now 44th as of January 31 and 50th on a per capita basis. Since no salary treatment has occurred since January 1st of this year, we are at least 44th in actual and possibly lower. I believe the information that has been laid out by the court system has indicated that we, on a per capita basis, are 50th and we are certainly somewhere between 44th and 50th on an actual basis."

Mr. Van Dyken: "Once again, per capita means taking the total funds spent for all judicial salaries and dividing it by 4.2 million people or whatever the respective population is of the state, is that correct?"

Mr. Fiske: "That's my understanding."

Mr. Van Dyken: "So, in real terms of salary levels, the most recent information indicates that the Washington state judges are ranked 44th out of the 50, and probably lower?"

Mr. Fiske: "That's correct, as of January 31, 1983."

Representatives Mitchell, Smith, Patrick and Schoon spoke against passage of the bill, and Representatives Heck, Locke, Tilly, Charnley and Isaacson spoke in favor of it.

Ms. Stratton again opposed the bill.

Mr. Garrett demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 50, and the bill passed the House by the following vote: Yeas, 50; nays, 45; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Brekke, Burns, Charley, Crane, Dellwo, Fisher, Fiske, Gallagher, Garrett, Grimm, Hankins, Heck, Hine, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McDonald, McMullen, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Powers, Ristuben, Rust, Sayan, Sommers, Struthers, Sutherland, Tanner, Tilly, Todd, Velcich, Walk, Wang, Wilson, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barrett, Betrozoff, Bond, Braddock, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Ellis, Fisch, Fuhrman, Galloway, Halsan, Hastings, Haugen, Holland, Lewis, Long, Miller, Mitchell, Nealey, Padden, Patrick, Prince, Pruitt, Sanders, Schmidt, Schoon, Silver, Smith, Smitherman, Stratton, Taylor, Van Dyken, Vander Stoep, West, Williams B, Williams J, Zellinsky - 45.

Absent: Representative McClure - 1.

Excused: Representatives Belcher, Kaiser - 2.

Engrossed Substitute House Bill No. 50, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## MOTIONS

On motion of Mr. Heck, Engrossed Substitute House Bill No. 50 was ordered immediately transmitted to the Senate.

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

## RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 83-97, by Representatives Locke, Lux, Halsan, D. Nelson, McMullen, Fisher, Jacobsen, Ellis, Appelwick, Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ehlers, Fisch, Fiske, Fuhrman, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, J. King, P. King, R. King, Kreidler, Lewis, Long, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson, Zellinsky

WHEREAS, The administrative aides to the members of the Washington State House of Representatives play an integral part in the efficient and smooth operation of the legislature; and

WHEREAS, Legislators rely so greatly on administrative aides to communicate effectively legislators' positions to constituents; and

WHEREAS, The administrative aides employed by the Washington State Legislature must assume the responsibility for countless details in their efforts to assist legislators; and

WHEREAS, Administrative aides often must work long hours to perform the great and difficult responsibilities assigned to them; and

WHEREAS, Much of the credit for the success of legislation sponsored by, and legislative careers of, members of the House of Representatives truly belongs to their administrative aides;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That the House of Representatives recognizes and honors these administrative aides; and

BE IT FURTHER RESOLVED, That the members of the House of Representatives express their deep gratitude and appreciation for the contributions made by their administrative aides; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to every administrative aide employed by the House of Representatives.

Mr. Locke moved adoption of the resolution. Representatives Locke and Garrett spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-92, by Representatives West, J. Williams, Schmidt, Clayton, Barrett, Long, McDonald, Fiske, Miller, Patrick, P. King, Egger, Brough, G. Nelson, Cantu, R. King, Stratton, Ballard, Chandler, Zellinsky, Smitherman, Martinis, Braddock, Fuhrman and Vander Stoep

WHEREAS, Jake, the semi-retired barber, may at this very moment be teetering on the razor edge of financial ruin; and

WHEREAS, Jake the Barber has been cutting the hair of many respected Washington State citizens and Representative Dick Bond for over thirty-five years; and

WHEREAS, Jake has recently expressed a great deal of concern about the recent tax increases considered by this body; and

WHEREAS, Jake is now cutting hair only two days a week; and

WHEREAS, Jake spent 1200 hours learning his craft; and

WHEREAS, Jake may be considering expanding his schedule to earn extra income that would accommodate his various living expenses; and

WHEREAS, Jake may be considering raising his prices or lowering his quality to offset the possible tax increases; and

WHEREAS, Jake tends to express his opinions about state politics and politicians while he is holding a pair of scissors to the head of a human being; and

WHEREAS, Jake's barbering skills could be adversely affected if he is agitated while he is carrying out his professional duties; and

WHEREAS, At least one member of this House, who has called on Jake for over 15 years, could begin resembling one of his prehistoric ancestors if Jake is mad about something--especially politics--during a haircut;

NOW, THEREFORE, BE IT RESOLVED, That this House transmit its best wishes for success to Jake the Barber, even if we have raised his taxes; and

BE IT FURTHER RESOLVED, That Jake be encouraged not to discuss politics with people--especially politicians--while he is cutting their hair; and

BE IT FURTHER RESOLVED, That Jake give serious thought to moving his operation from the 1-chair, 2-car garage in Spokane to the members' lounge here at the State Capitol; and

BE IT FURTHER RESOLVED, That Jake make an effort to get in touch with Trooper Bob, so he can give Trooper Bob what would probably be the best haircut of his life.

Mr. West moved adoption of the resolution. Representatives West and Bond spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-93, by Representatives Heck and G. Nelson

WHEREAS, The 1983 Regular and First Special Sessions of the Forty-Eighth Legislature are 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 prior to 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 shall 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 1983 Regular and First Special Sessions 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 1983 Regular and First Special Sessions 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 such 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 1983 Regular and First Special Sessions 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.

Mr. Heck moved adoption of the resolution.

POINT OF INQUIRY

Ms. Hine yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Hine, on the second page, the second paragraph makes reference to the fact that the Speaker and the Chief Clerk are authorized and directed to retain employees, and so forth. My question is: Is it implied that the House Employment Committee would be the one that would oversee the final decisions made by them as to the number of people, job descriptions and so forth?"

Ms. Hine: "Yes, Representative Hastings, the House Employment Committee is made up of representatives of both parties. We meet on a regular basis; we do review people for employment and we do make salary adjustments. It is with the advice and consent of the Employment Committee that any changes in employment or wage increase or decrease would occur."

House Resolution No. 83-93 was adopted.

HOUSE FLOOR RESOLUTION NO. 83-95, by Representatives Todd, Crane, Halsan, Vander Stoep, McMullen, Sayan, Patrick, Vekich, Fiske and B. Williams

WHEREAS, The State of Washington has become increasingly involved in international trade with Pacific Rim nations and sincerely desires to build on that involvement in the future for the benefit of the people of our state and nation and the people of our trading partners; and

WHEREAS, We must strive to create and maintain a climate of mutual trust, respect, and confidence in trade relations to further the aims and benefits of all parties; and

WHEREAS, The logging industry is of vital importance to our state economy and to the welfare of independent loggers like Clyde Sprague, who has earned his livelihood in the forests of Washington for more than thirty years; and

WHEREAS, The small entrepreneur is the backbone of the private enterprise system which is integral to the foundation of our state and nation; and

WHEREAS, A foreign firm recently refused to honor its contractual obligation to purchase logs from Mr. Sprague, thereby doing great financial damage to him and creating apprehension and concern among other independent loggers in our state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the members of the House of Representatives express support for the logging industry and the individual loggers, and interest in supporting the industry in the development of better methods to facilitate resolution of disputes involving contracts and compliance with contractual obligations; and

BE IT FURTHER RESOLVED, That foreign governments be requested to exert all necessary pressure on firms of their nation to faithfully adhere to all contractual obligations; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Washington State Department of Commerce and Economic Development, the members of the congressional delegation from Washington State, and the United States Department of State.

Mr. Todd moved adoption of the resolution. Representatives Todd and Crane spoke in favor of the resolution, and Representatives Barrett, Sanders and J. Williams spoke against it.

Mr. Todd spoke again in favor of the resolution.

A division was called.

## ROLL CALL

The Clerk called the roll on adoption of House Floor Resolution No. 83-95, and the resolution was not adopted by the following vote: Yeas, 43; nays, 51; absent, 2; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Betzoff, Chamley, Crane, Ebersole, Ellis, Fisch, Fisher, Fiske, Gallagher, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, King P, King R, Kreidler, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, O'Brien, Patrick, Powers, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 43.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Clayton, Dellwo, Dickle, Fuhrman, Galloway, Garrett, Hankins, Hastings, Holland, Isaacson, Johnson, King J, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Niemi, Padden, Prince, Pruitt, Ristuben, Rust, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, West, Williams B, Williams J, Wilson - 51.

Absent: Representatives Egger, Locke - 2.

Excused: Representatives Belcher, Kaiser - 2.

HOUSE FLOOR RESOLUTION NO. 83-96, by Representatives Sanders, Locke, Niemi, Braddock, Belcher, Fisher, Kaiser, Tanner, Lux, Tilly, G. Nelson, Johnson, Hastings, Barrett, Long, Broback, Fiske, Chandler, Schoon, Allen, J. Williams, Hankins, Struthers, Todd, Halsan and B. Williams

WHEREAS, Washington State ranks first in the United States in export-import activity on a per capita basis; and

WHEREAS, Washington exports a higher percentage of its total gross product than any other state and twice as much as the second leading state; and

WHEREAS, International trade is Washington's number one employer, employing one in every six members of the work force; and

WHEREAS, The ports in this state are the closest continental U.S. ports to Asia-Pacific nations, being days closer by sea and hours nearer by air, than any other point in the United States to Japan, Korea, and Taiwan; and

WHEREAS, Washington's leading trade partner is Japan followed by Canada, Korea and Taiwan respectively, and

WHEREAS, Over two hundred foreign companies have become part of the state's business community within a variety of economic sectors including agriculture, forest products, fisheries, manufacturing, banking, et cetera; and

WHEREAS, Washington State ranks first in the United States in aerospace exports, second in forest products, third in fish and fish products, and fourth in motor vehicles; and

WHEREAS, Nearly fifty-four percent of the 3.9 billion board feet of soft wood lumber and logs exported by Washington, Oregon, Northern California and Alaska in 1982 was from Washington State; and

WHEREAS, Approximately sixty-six percent of this soft wood lumber and logs was exported to Japan in 1982, of which fifty percent was from the State of Washington alone;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the importance of such countries as Japan, Canada, Korea, Taiwan and Hong Kong and their effect on the economic stability of this state and the livelihood of countless thousands; and it encourages a continued spirit of camaraderie between these nations and this state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Washington State Department of Commerce and Economic Development, the members of the congressional delegation from Washington State, the United States Department of State and the governments of Japan, Canada, Korea, Taiwan and Hong Kong.

Mr. Sanders moved adoption of the resolution and spoke in favor of it.

## POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Sanders, in light of the fact that the nation of China is--perhaps not now--a major trading partner with this state and the other

states--but will be--most people believe in the future, would you accept a friendly amendment to add China to the list of countries identified here?"

Mr. Sanders: "Certainly, Representative Nelson. I didn't intend to leave the Republic of China out of this list. I only listed the top four plus Hong Kong. The Republic of China is a developing country and doesn't have much money right now and isn't doing much trade with the State of Washington; however, there is considerable potential there and I would be happy to accept an amendment to insert the Republic of China."

With the consent of the House, "Republic of China" was added to the resolution. The resolution was adopted as amended.

#### MOTION

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

#### SECOND READING

On motion of Mr. Heck, the Rules Committee was relieved of ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, and it was placed on the second reading calendar.

The Speaker declared the House to be at ease until 7:00 p.m.

#### EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker.

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 Representative Kaiser.

On motion of Mr. Wang, the absent member was excused, and the House proceeded with business under the Call of the House.

#### MOTION

On motion of Mr. Heck, the Rules Committee was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 3608 and it was placed on the second reading calendar following Engrossed Senate Concurrent Resolution No. 127.

#### MESSAGES FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 3858 and passed the bill.

Sidney R. Snyder, Secretary.

May 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 55,  
HOUSE BILL NO. 56,  
HOUSE BILL NO. 58,  
SUBSTITUTE HOUSE BILL NO. 796,  
HOUSE BILL NO. 1079,  
SENATE BILL NO. 3858,

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

May 24, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE CONCURRENT RESOLUTION NO. 130 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 240.  
HOUSE BILL NO. 588.  
SUBSTITUTE HOUSE BILL NO. 712.  
SENATE BILL NO. 3858.

## SENATE AMENDMENTS TO HOUSE BILL

May 24, 1983

Mr. Speaker:

The Senate passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 983 with the following amendments:

On page 3, line 12 after "by" strike "uniformed officers" and insert "personnel"

On page 8, line 27 after "act." insert "Three million dollars of this appropriation shall be used by the department of agriculture for noxious weed control."

On page 8, line 33 after "The" strike "one-tenth" and insert "one hundred twenty-five one thousandths"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Martinis moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 983 and ask the Senate to recede therefrom.

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

## SENATE AMENDMENT TO HOUSE BILL

May 23, 1983

Mr. Speaker:

The Senate has passed REENGROSSED SUBSTITUTE HOUSE BILL NO. 57 with the following amendment:

On page 4, line 25 strike "forty million one hundred forty-five thousand" and insert "one hundred eighty-seven million four hundred twenty-five thousand" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, the House concurred in the Senate amendment to Reengrossed Substitute House Bill No. 57.

## 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. 57 as amended by the Senate.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Wang: "Mr. Speaker, does this measure take 59 votes to pass?"

The Speaker: "Yes, it does; it's a bond bill."

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 57 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 34; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, Johnson, King J. King P, King R, Kreidler, Lewis, Locke, Lux, Martinis, McClure, McMullen, Mitchell, Monohon,

Moon, Nelson D, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Struthers, Sutherland, Todd, Vekich, Walk, Wang, Williams B, Wilson, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Addison, Ballard, Barnes, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Fiske, Fuhrman, Hankins, Hastings, Isaacson, Long, McDonald, Miller, Nealey, Nelson G, Padden, Sanders, Schmidt, Schoon, Silver, Smith, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams J - 34.

Excused: Representative Kaiser - 1.

Reengrossed Substitute House Bill No. 57 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 120.

#### MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3780 and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Ms. Brekke moved that the House refuse to recede from its amendments to Engrossed Substitute Senate Bill No. 3780, and ask the Senate for a conference thereon.

Ms. Brekke spoke in favor of the motion, and Mr. G. Nelson spoke against it.

A division was called.

#### ROLL CALL

The Clerk called the roll on the motion that the House do not recede from its amendments to Engrossed Substitute Senate Bill No. 3780 and ask for a conference, and the motion was carried by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Betzoff, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ebersole, Ellis, Fisch, Fisher, Fiske, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Holland, Jacobsen, King J, Kreidler, Locke, Lux, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Patrick, Powers, Pruitt, Ristuben, Rust, Sayan, Schoon, Sommers, Sutherland, Todd, Van Dyken, Vekich, Walk, Wang, Williams B, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fuhrman, Gallagher, Hankins, Hastings, Isaacson, Johnson, King P, King R, Lewis, Long, Martinis, McDonald, Miller, Mitchell, Nealey, Nelson G, O'Brien, Padden, Prince, Sanders, Schmidt, Silver, Smith, Smitherman, Stratton, Struthers, Tanner, Taylor, Tilly, Vander Stoep, West, Williams J, Wilson, Zellinsky - 46.

Excused: Representative Kaiser - 1.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Brekke, Fiske and Kreidler as conferees on Engrossed Substitute Senate Bill No. 3780.

#### SECOND READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, by Senators Vognild, Bottiger, Hayner, Fleming and Jones (by Lieutenant Governor request)

Establishing a joint select legislative committee on international trade, tourism, and investment.

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.

Mr. Heck spoke in favor of the resolution.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 127, and the resolution 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, Haisan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kaiser - 1.

Engrossed Senate Concurrent Resolution No. 127, having received the constitutional majority, was declared adopted.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3608, by Committee on State Government (originally sponsored by Senators McManus, Zimmerman, Woody and Bender)

Modifying provisions relating to cultural arts, stadium and convention districts.

The bill was read the second time.

## POINT OF PARLIAMENTARY INQUIRY

Mr. McDonald: "Mr. Speaker, how does Engrossed Substitute Senate Bill 3608 fall within House Concurrent Resolution No. 23?"

The Speaker: "The Speaker is going to take this question under advisement."

SECOND SUBSTITUTE SENATE BILL NO. 4102, by Committee on Ways & Means (originally sponsored by Senator Gaspard)

Providing tuition incentives for students studying to be math and science teachers.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 29th Day 1st ex. sess. May 23, 1983.)

On motion of Ms. Sommers, the committee amendments were adopted.

On motion of Mr. Vander Stoep, the following amendment by Representatives Vander Stoep and McDonald was adopted:

On page 1, line 14 after "equivalent" insert "and demonstrates achievement of a 3.00 grade point average for each academic year."

On motion of Ms. Sommers, the following amendment was adopted:

On page 2, line 6 after "less" insert ", and the total amount of such loans to an eligible student shall not exceed ten thousand dollars"

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.

## POINT OF INQUIRY

Mr. Vander Stoep yielded to question by Mr. Charnley.

Mr. Charnley: "Representative Vander Stoep, the amendment you proposed is now part of the bill. It says, '...demonstrates achievement of a 3.00 grade point average for each academic year.' I find that still a little cloudy. Do you mean for the total each year the student is in school? Do you intend that to mean for the years that the student may be applying for the loan? What is the criteria to which the 3.00 should be applied?"

Mr. Vander Stoep: "If I were administering that, which of course I won't be, I would ask that the students, each year that they are eligible for this scholarship,

maintain a 3.00 grade average. Remember that the Council for Postsecondary Education will adopt the rules necessary to implement the act."

Mr. Charnley: "I understand that, but the Council on Postsecondary Education can read that and will have to be regulated by that. That's part of the reason I have asked the question. Is it your intent that a student would have to be a B student before they could even apply for this?"

Mr. Vander Stoep: "Yes, I guess that's right. I would say that they have to demonstrate that they can maintain a 3.00 grade average after they have achieved their scholarship."

Representatives Brough, Galloway and McDonald spoke in favor of passage of the bill, and Mr. Struthers spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 4102 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, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Burns, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Haugen, Heck, Hine, Holland, Isaacson, Jacobsen, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, 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 - 92.

Voting nay: Representatives Bond, Cantu, Fuhrman, Hastings, Struthers - 5.

Excused: Representative Kaiser - 1.

Second Substitute Senate Bill No. 4102 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

May 24, 1983

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 72,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

May 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 240,

HOUSE BILL NO. 588,

SUBSTITUTE HOUSE BILL NO. 712,

SENATE CONCURRENT RESOLUTION NO. 127,

SENATE CONCURRENT RESOLUTION NO. 130,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 72,

SENATE CONCURRENT RESOLUTION NO. 127,

SENATE CONCURRENT RESOLUTION NO. 130.

## MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate moved that ENGROSSED SUBSTITUTE SENATE BILL NO. 3434 be returned to the House for further consideration by the Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORT OF CONFERENCE COMMITTEE

May 24, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, 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 Vognild, Sellar, Williams; Representatives Appelwick, Barrett, Niemi.

## MOTION

On motion of Mr. Appelwick, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

## MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4245,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

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

## INTRODUCTION AND FIRST READING

ESSB 4245 by Committee on Parks & Ecology (originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams)

Revising provisions relating to hazardous waste management.

Referred to Committee on Ways & Means.

## MOTION

On motion of Mr. Wang, the House advanced to the sixth order of business.

## SECOND READING

On motion of Mr. Wang, the Ways & Means Committee was relieved of Engrossed Substitute Senate Bill No. 4245, and it was placed at the top of the second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4245, by Committee on Parks & Ecology (originally sponsored by Senators Goltz, Kiskaddon, Hurley and Williams)

Revising provisions relating to hazardous waste management.

The bill was read the second time.

Mr. Wang 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 Substitute Senate Bill No. 4245 to third reading and final passage, 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, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, 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, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Excused: Representative Kaiser - 1.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4245.

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

## POINT OF PERSONAL PRIVILEGE

Mr. McDonald: "Mr. Speaker, this is a bill that has been handled in an unusual way. As Representative Wang represented to us, the bill came over here, it had four signatures on the Conference Committee report, not sufficient to comply with the rules that have been traditional here. We then sent it back to the Senate without a vote 'Yes' or 'No' on the dispute and now it's come back to an equally unusual process. I guess this demonstrates the fact that this bill and many other bills are confused with the lack of Joint Rules, the lack of procedure, the lack of open government that has characterized this special session and the session before it. We object to that; we object to the way this bill has gone through the process and we object to the way parliamentary procedure has been dealt with in this session."

Representative Rust spoke in favor of passage of the bill, and Representatives Hankins, Padden and Isaacson spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4245, and the bill passed the House by the following vote: Yeas, 55; nays, 42; excused, 1.

Voting yea: Representatives Addison, 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, Martinis, McClure, McDonald, McMullen, Monohon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Taylor, Todd, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, Miller, Mitchell, Moon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Tilly, Vander Stoep, West, Williams B, Williams J, Wilson - 42.

Excused: Representative Kaiser - 1.

Engrossed Substitute Senate Bill No. 4245, having received the 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

May 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 72,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 24, 1983

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 983 and insists on its position and again asks the House to concur in the amendments and the same is herewith transmitted. Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Martinis, the House adhered to its position on Engrossed Substitute House Bill No. 983, and again asked the Senate to recede from the amendments.

## MESSAGE FROM THE GOVERNOR

May 17, 1983

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. 784, entitled:

"AN ACT Relating to economic and revenue forecasting."

This bill would establish an economic and revenue forecasting council jointly appointed by the Governor, the Senate, and the House.

While I am not adverse to the concept and appreciate the desire of the legislature to upgrade our state's capabilities for economic and revenue forecasting, I cannot endorse its so doing at the expense of the executive branch.

The economic buffeting that our state has experienced over the past two years has focused attention as never before on the critical nature of the economic and revenue forecasting functions of state government. But to use that unprecedented experience as reason to strip from the executive branch its capacity for economic and revenue forecasting is unacceptable.

Because the governor must, by law, provide by a specific date a budget document containing specific items, he or she must have the resources to complete that task and to furnish advice for the preparation of that document. Both houses of the legislature have, to date, passed proposed budgets for the Office of Financial Management and the Department of Revenue that assume passage of this legislation; however, in so doing, they have applied reductions to those budgets that are excessive. As passed, those budgets would not allow those agencies sufficient resources to review the work of the new forecasting council, participate in its deliberations, or advise the Governor. This is a situation which the Governor cannot accept and still perform his or her assigned functions. For these reasons, I have vetoed Substitute House Bill No. 784.

Respectfully submitted,  
JOHN SPELLMAN, Governor.

## MOTION TO OVERRIDE VETO OF GOVERNOR

Mr. Grimm moved that the House do pass Substitute House Bill No. 784 notwithstanding the veto of the Governor.

Mr. McDonald spoke in favor of the motion.

## POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative McDonald, for the record, in the repassage of Substitute House Bill 784, do we have full concurrence on the part of the Governor for the repassage of this measure in that the appropriation to support the revenue and economic forecasting council is incorporated in the budget already passed by this legislature?"

Mr. McDonald: "Representative Nelson, you are correct. I would read to you the second paragraph of his veto message: It says, 'While I am not adverse to the

concept and appreciate the desire of the legislature to upgrade our state's capabilities for economic and revenue forecasting, I cannot endorse its so doing at the expense of the executive branch.' He goes on to say that the only reason he is vetoing it is because of the \$180,000 and the \$74,000 reductions. Those were restored and he is fully behind the concept and he has conveyed to me that we have his blessing on repassing this bill."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 784 notwithstanding the veto of the Governor, 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky - 95.

Voting nay: Representatives Prince, and Mr. Speaker - 2.

Excused: Representative Kaiser - 1.

Substitute House Bill No. 784 notwithstanding the veto of the Governor, having received the 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

May 22, 1983

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SECOND SUBSTITUTE SENATE BILL NO. 3155, requiring a high technology education training program, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill.

Signed by Senators Gaspard, Talmadge, Patterson; Representatives Heck, Sommers, McDonald.

#### MOTION

Ms. Sommers moved that the House adopt the report of the Conference Committee on Second Substitute Senate Bill No. 3155, and grant the committee the powers of Free Conference.

Representatives Sommers and McDonald spoke in favor of the motion, and it was carried.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 57.

#### SENATE AMENDMENTS TO HOUSE BILL

May 24, 1983

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 245 with the following amendments:

On page 4, line 30 after "board," strike the remainder of the bill and insert the following:

"Sec. 1. Section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080 are each amended to read as follows:

There shall be a fund known as the public facilities construction loan revolving fund, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law; PROVIDED, That seventy-five percent of all principal and interest payments on loans made with the proceeds deposited in the fund under section 901, chapter ... (ESHB 55), Laws of

1983 1st ex. sess. shall be deposited in the general fund as reimbursement for debt service payments on the bonds authorized in RCW 43.83.... (section 1, chapter ... (ESHB 57), Laws of 1983 1st ex. sess.). (Funds remaining in any accounts created under RCW 43.31A.320 shall be automatically transferred to the public facilities construction loan revolving fund when the economic assistance authority is terminated;)) The state treasurer shall be custodian of the revolving fund. Disbursements from the revolving fund shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

Moneys in this fund not needed to meet the current expenses and obligations of the board shall be invested in the manner authorized for moneys in revolving funds. Any interest earned shall be deposited in this fund and shall be used for the purposes specified in this chapter. The state treasurer shall render reports to the board advising of the status of any funds invested, the market value of the assets as of the date the statement is rendered, and the income received from the investments during the period covered by the report."

Renumber the sections consecutively.

On page 1, line 6 of the title after "43.160 RCW" strike "; and making an appropriation"

On page 1, line 6 of the title, after "43.160.070;" insert "amending section 8, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.080;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. J. King moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 245.

Representatives J. King and B. Williams 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 Second Substitute House Bill No. 245 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 245 as amended by the Senate, 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, Braddock, Brekke, Broback, Brough, Burns, 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, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Cantu, Fuhrman, Hastings, Padden - 5.

Excused: Representative Kaiser - 1.

Engrossed Second Substitute House Bill No. 245 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Heck, Engrossed Substitute Senate Bill No. 3780 was ordered immediately transmitted to the Senate.

On motion of Mr. Heck, Reengrossed Senate Bill No. 3909 was placed on the second reading calendar for immediate consideration.

SECOND REENGROSSED SENATE BILL NO. 3909, by Senator McDermott

Relating to revenue and taxation.

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment:  
Strike everything after the enacting clause and insert the following:

\*Sec. 1. Section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230 are each amended to read as follows:

Upon every person engaging within this state in business as an extractor; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, extracted for sale or for commercial or industrial use, multiplied by the rate of ~~((forty-four one-hundredths of one))~~ .484 percent:

The measure of the tax is the value of the products, including byproducts, so extracted, regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 2. Section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240 are each amended to read as follows:

Upon every person except persons taxable under subsections (2), (3), (4), (5), (7), (8), or (9) of RCW 82.04.260 engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of ~~((forty-four one-hundredths of one))~~ .484 percent.

The measure of the tax is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state.

Sec. 3. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 2, chapter 172, Laws of 1981 and RCW 82.04.250 are each amended to read as follows:

(1) Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the applicable rate ~~((of forty-four one-hundredths of one percent))~~ as follows:

(a) With respect to sales at retail which are exempt from the tax imposed under chapter 82.08 RCW by reason of RCW 82.08.0261, 82.08.0262, or 82.08.0263, the rate shall be .484 percent;

(b) With respect to sales at retail in border counties as defined in RCW 82.04.... (section 3, chapter 7, Laws of 1983), other than retail sales described in subsection (1)(a) of this section and other than retail sales of telephone services as defined in section 24 of this 1983 act, the rate shall be .581 percent; and

(c) With respect to all other sales at retail, the rate shall be .471 percent.

(2) For the purposes of this section, where a retail sale occurs shall be determined under RCW 82.14.020.

Sec. 4. Section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255 are each amended to read as follows:

Upon every person engaging within the state as a real estate broker; as to such persons, the amount of the tax with respect to such business shall be equal to the gross income of the business, multiplied by the rate of ~~((two))~~ 1.50 percent ~~((until and including June 30, 1983, and one percent thereafter)).~~

The measure of the tax on real estate commissions earned by the real estate broker shall be the gross commission earned by the particular real estate brokerage office including that portion of the commission paid to salesmen or associate brokers in the same office on a particular transaction: PROVIDED, HOWEVER, That where a real estate commission is divided between an originating brokerage office and a cooperating brokerage office on a particular transaction, each brokerage office shall pay the tax only upon their respective shares of said commission: AND PROVIDED FURTHER, That where the brokerage office has paid the tax as provided herein, salesmen or associate brokers within the same brokerage office shall not be required to pay a similar tax upon the same transaction.

Sec. 5. Section 16, chapter 10, Laws of 1982 as amended by section 4, chapter ... (SSB 3244), Laws of 1983 1st ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of ~~((one one-hundredth of one))~~ .011 percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of ~~((one-eighth of one))~~ .138 percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of ~~((one-quarter of one))~~ .275 percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business



shall be equal to the value of the products manufactured, multiplied by the rate of (~~one-eighth of one~~) .138 percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of (~~three-tenths of one~~) .33 percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of (~~forty-four one-hundredths of one~~) .484 percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of (~~thirty-three one-hundredths of one~~) .363 percent.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of (~~twenty-five one-hundredths of one~~) .275 percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of (~~twenty-five one-hundredths of one~~) .275 percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of (~~twenty-five one-hundredths of one~~) .275 percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of (~~thirty-three one-hundredths of one~~) .363 percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of (~~thirty-three one-hundredths of one~~) .363 percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010: as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460.

Sec. 6. Section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270 are each amended to read as follows:

(1) Upon every person except persons taxable under subsections (1) or (8) of RCW 82.04.260 engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of (~~forty-four one-hundredths of one~~) .484 percent.

(2) The tax imposed by this section is levied and shall be collected from every person engaged in the business of distributing in this state articles of tangible personal property,

owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets, where no change of title or ownership occurs, the intent hereof being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales: PROVIDED, That the tax designated in this section may not be assessed twice to the same person for the same article. The amount of the tax as to such persons shall be computed by multiplying (~~forty-four one-hundredths of one~~), .484 percent of the value of the article so distributed as of the time of such distribution: PROVIDED, That persons engaged in the activities described in this subsection shall not be liable for the tax imposed if by proper invoice it can be shown that they have purchased such property from a wholesaler who has paid a business and occupation tax to the state upon the same articles. This proviso shall not apply to purchases from manufacturers as defined in RCW 82.04.110. The department of revenue shall prescribe uniform and equitable rules for the purpose of ascertaining such value, which value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities by other taxpayers: PROVIDED FURTHER, That delivery trucks or vans will not under the purposes of this section be considered to be retail stores or outlets.

Sec. 7. Section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 132, Laws of 1983 and RCW 82.04.280 are each amended to read as follows:

Upon every person engaging within this state in the business of: (1) Printing, and of publishing newspapers, periodicals or magazines; (2) building, repairing or improving any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used, primarily for foot or vehicular traffic including mass transportation vehicles of any kind and including any readjustment, reconstruction or relocation of the facilities of any public, private or cooperatively owned utility or railroad in the course of such building, repairing or improving, the cost of which readjustment, reconstruction, or relocation, is the responsibility of the public authority whose street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle is being built, repaired or improved; (3) extracting for hire or processing for hire; (4) operating a cold storage warehouse, but not including the rental of cold storage lockers; (5) representing and performing services for fire or casualty insurance companies as an independent resident managing general agent licensed under the provisions of RCW 48.05.310; (6) radio and television broadcasting, excluding network, national and regional advertising computed as a standard deduction based on the national average thereof as annually reported by the Federal Communications Commission, or in lieu thereof by itemization by the individual broadcasting station, and excluding that portion of revenue represented by the out-of-state audience computed as a ratio to the station's total audience as measured by the 100 micro-volt signal strength and delivery by wire, if any; (7) engaging in activities which bring a person within the definition of consumer contained in RCW 82.04.190(6), as now or hereafter amended; as to such persons, the amount of tax on such business shall be equal to the gross income of the business multiplied by the rate of (~~forty-four one hundredths of one~~), .484 percent.

As used in this section, 'cold storage warehouse' means a storage warehouse used to store fresh and/or frozen perishable fruits or vegetables, meat, seafood, dairy products, or fowl, or any combination thereof, at a desired temperature to maintain the quality of the product for orderly marketing.

Sec. 8. Section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290 are each amended to read as follows:

Upon every person engaging within this state in any business activity other than or in addition to those enumerated in RCW 82.04.230, 82.04.240, 82.04.250, 82.04.255, 82.04.260, 82.04.270, and 82.04.280; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of (~~two~~) 1.50 percent (~~until and including June 30, 1983, and one percent thereafter~~); PROVIDED, That as to insurance agents, insurance brokers, and insurance solicitors, the amount of tax on account of activities licensed under chapter 48.17 RCW shall be equal to the gross income of such business multiplied by the rate of 1.10 percent. This section includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a 'sale at retail' or a 'sale at wholesale.' The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his principal or supplier to be used for informational, educational and promotional purposes shall not be considered a part of the agent's remuneration or commission and shall not be subject to taxation under this section.

Sec. 9. Section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the

commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) ~~((From and after the first day of April, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ four percent of the taxes payable under subsections (1) ~~((and)), (2), and (4))~~ of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes due for calendar year 1982 and thereafter.

Sec. 10. Section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section ~~((for April, 1982; through June, 1983))~~.

Sec. 11. Section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except

energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section ~~((for April, 1982, through June, 1983)).~~

Sec. 12. 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 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 13. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) ~~((From and after the first day of May, 1982, until and including the thirtieth day of June, 1983:))~~ An additional tax is imposed equal to ~~((the rate specified in RCW 82.02.030 multiplied by))~~ seven percent of the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The tax imposed under this section shall not apply to 'strong beer' as defined in this title.

Sec. 14. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

~~(4) (From and after the first day of May, 1982, until and including the thirtieth day of June, 1983;) An additional tax is imposed equal to ((the rate specified in RCW 82.02.030 multiplied by)) fourteen percent of the taxes payable under subsections (1), (2), and (3) of this section.~~

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

(6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

(7) As used in this section, the terms, 'spirits,' 'strong beer,' and 'package' shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 15. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020 are each amended to read as follows:

~~((+))~~ There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

~~((a))~~ (1) Railroad, express, railroad car, water distribution, light and power, ~~((telephone))~~ and telegraph businesses: ~~((Three and six tenths))~~ 3.852 percent;

~~((b))~~ (2) Gas distribution business: ~~((Three and six tenths))~~ 3.852 percent;

~~((c))~~ (3) Urban transportation business: ~~((Six tenths of one))~~ .642 percent;

~~((d))~~ (4) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: ~~((Six tenths of one))~~ .642 percent;

~~((e))~~ (5) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: ~~((One and eight tenths of one))~~ 1.926 percent.

~~((2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section;))~~

Sec. 16. Section 82.16.030, chapter 15, Laws of 1961 as amended by section 6, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ~~((a), (b), (c), (d), and (e))~~ (1), (2), (3), (4), and (5) of RCW 82.16.020~~((+))~~, shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 17. Section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010 are each amended to read as follows:

(1) There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, ~~fifty-three and one-half cents~~; and for each additional five hundred dollars or fractional part thereof, ~~fifty-three and one-half cents~~.

~~((2) (From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section;~~

~~((3))~~ This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 18. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020 are each amended to read as follows:

~~((+))~~ There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of ~~((eight and one-half))~~ ten mills per cigarette. For purposes of this chapter and RCW 28A.47.440, 'possession' shall mean both ~~((a))~~; (1) Physical possession by the purchaser; and ~~((b))~~ (2) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

~~((2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section, RCW 82.24.025, and 28A.47.440;))~~

Sec. 19. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

~~((+))~~ From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of ~~((forty-five))~~ 48.15 percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor ~~((a))~~: ~~(1)~~ Brings, or causes to be brought, into this state from without the state tobacco products for sale~~((b))~~; ~~(2)~~ makes, manufactures, or fabricates tobacco products in this state for sale in this state~~((c))~~; or ~~((fe))~~ (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

~~((2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.)~~

Sec. 20. Section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter 284, Laws of 1983 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the commercial possession of food fish, shellfish, and anadromous game fish as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish, shellfish, or anadromous game fish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish, shellfish, or anadromous game fish have been landed. Processing and handling of food fish, shellfish, and anadromous game fish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish, shellfish, and anadromous game fish and liable to this tax may deduct from the price paid to the person from which the food fish, shellfish (except oysters), or anadromous game fish are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish, shellfish, or anadromous game fish. If the food fish, shellfish, or anadromous game fish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish, shellfish, or anadromous game fish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish, shellfish, and anadromous game fish as follows:

(a) Chinook, coho, and chum salmon and anadromous game fish: ~~((Five))~~ 5.35 percent.

(b) Pink and sockeye salmon: ~~((Three))~~ 3.21 percent.

(c) Other food fish and shellfish, except oysters: ~~((Two))~~ 2.14 percent.

(d) Oysters: ~~((Seven one-hundredths of one))~~ .075 percent.

~~((5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (4) of this section.)~~

Sec. 21. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030 are each amended to read as follows:

~~((+))~~ There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of ~~((twelve))~~ 12.84 percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

~~((2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.)~~

Sec. 22. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise tax shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

~~(5) ((From and after the first day of July, 1982, until and including the thirtieth day of September, 1983:)) An additional tax is imposed equal to seven percent of the taxes payable under subsections (1) and (2) of this section ((multiplied by the rate of tax applicable to the periods shown as follows)): PROVIDED, That from and after the first day of July, 1983, until and including the thirtieth day of September, 1983, the rate of such additional tax shall be ten percent.~~

~~((July 1 - September 30, 1982 ----- 4%  
October 1 - June 30, 1983 ----- 7%  
July 1 - September 30, 1983 ----- 3%))~~

Sec. 23. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060 are each amended to read as follows:

~~((1)) There is imposed an excise tax upon each sale of real property at the rate of ((one)) 1.07 percent of the selling price.~~

~~((2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section:))~~

NEW SECTION. Sec. 24. There is added to chapter 82.04 RCW a new section to read as follows:

(1) 'Competitive telephone service' means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

(2) 'Network telephone service' means the providing by any person of access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. 'Network telephone service' includes interstate service, including toll service, originating from or received on telecommunications equipment or apparatus in this state if the charge for the service is billed to a person in this state. 'Network telephone service' does not include the providing of competitive telephone service, the providing of cable television service, or the providing of broadcast services by radio or television stations.

(3) 'Telephone service' means competitive telephone service or network telephone service, or both, as defined in subsections (1) and (2) of this section.

(4) 'Telephone business' means the business of providing network telephone service, as defined in subsection (2) of this section. It includes cooperative or farmer line telephone companies or associations operating an exchange.

Sec. 25. Section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050 are each amended to read as follows:

(1) 'Sale at retail' or 'retail sale' means every sale of tangible personal property (including articles produced, fabricated, or imprinted) to all persons irrespective of the nature of their business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than a sale to a person who (a) purchases for the purpose of resale as tangible personal property in the regular course of business without intervening use by such person, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property without intervening use by such person, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or is a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale, or (d) purchases for the purpose of providing the property to consumers as part of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 24 of this 1983 act. The term shall include every sale of tangible personal property which is used or consumed or to be used or consumed in the performance of any activity classified as a 'sale at retail' or 'retail sale' even though such property is resold or utilized as provided in (a), (b), (c), or (d) above following such use. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsections (2) and (7) and RCW 82.04.290.

(2) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, including charges made for the mere use of facilities in respect thereto, but excluding charges made for the use of coin operated laundry facilities

when such facilities are situated in an apartment house, hotel, motel, rooming house, trailer camp or tourist camp for the exclusive use of the tenants thereof, and also excluding sales of laundry service to members by nonprofit associations composed exclusively of nonprofit hospitals, and excluding services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; and for purposes of this section the term 'janitorial services' shall mean those cleaning and caretaking services ordinarily performed by commercial janitor service businesses including, but not limited to, wall and window washing, floor cleaning and waxing, and the cleaning in place of rugs, drapes and upholstery. The term 'janitorial services' does not include painting, papering, repairing, furnace or septic tank cleaning, snow removal or sandblasting; (d) the sale of or charge made for labor and services rendered in respect to automobile towing and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16 RCW; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same; (f) the sale of or charge made for tangible personal property, labor and services to persons taxable under (a), (b), (c), (d), and (e) above when such sales or charges are for property, labor and services which are used or consumed in whole or in part by such persons in the performance of any activity defined as a 'sale at retail' or 'retail sale' even though such property, labor and services may be resold after such use or consumption. Nothing contained in this paragraph shall be construed to modify the first paragraph of this section and nothing contained in the first paragraph of this section shall be construed to modify this paragraph.

(3) The term 'sale at retail' or 'retail sale' shall include the sale of or charge made for personal business or professional services, including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities(;;):

(a) Amusement and recreation businesses including but not limited to golf, pool, billiards, skating, bowling, ski lifts and tows and others;

(b) Abstract, title insurance and escrow businesses;

(c) Credit bureau businesses; and

(d) Automobile parking and storage garage businesses.

(4) The term shall also include the renting or leasing of tangible personal property to consumers.

(5) The term shall also include the providing of ((competitive)) telephone service, as defined in ((RCW 82-16-010)) section 24 of this 1983 act, to consumers.

(6) The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects but only when such production and subsequent sale are exempt from tax under RCW 82.04.330, nor shall it include sales of chemical sprays or washes to persons for the purpose of post-harvest treatment of fruit for the prevention of scald, fungus, mold, or decay.

(7) The term shall not include the sale of or charge made for labor and services rendered in respect to the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing, or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Nor shall the term include the sale of services or charges made for the clearing of land and the moving of earth of or for the United States, any instrumentality thereof, or a county or city housing authority.

NEW SECTION. Sec. 26. There is added to chapter 82.08 RCW a new section to read as follows:



(1) The tax levied by RCW 82.08.020 shall not apply to sales of:

(a) Network telephone service, other than toll service, to residential customers.

(b) Network telephone service which is paid for by inserting coins in coin-operated telephones.

(2) As used in this section:

(a) 'Network telephone service' has the meaning given in section 24 of this act.

(b) 'Residential customer' means an individual subscribing to a residential class of telephone service.

(c) 'Toll service' does not include customer access line charges for access to a toll calling network.

Sec. 27. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price: PROVIDED, That for retail sales other than retail sales of telephone services, as defined in section 24 of this 1983 act, such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 28. Section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060 are each amended to read as follows:

'Sale at wholesale' or 'wholesale sale' means any sale of tangible personal property, or any sale of telephone services as defined in section 24 of this 1983 act, which is not a sale at retail and means any charge made for labor and services rendered for persons who are not consumers, in respect to real or personal property, if such charge is expressly defined as a retail sale by RCW 82.04.050 when rendered to or for consumers: PROVIDED, That the term 'real or personal property' as used in this section shall not include any natural products named in RCW 82.04.100.

Sec. 29. Section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and 82.04.190 are each amended to read as follows:

'Consumer' means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property irrespective of the nature of ~~(his)~~ the person's business and including, among others, without limiting the scope hereof, persons who install, repair, clean, alter, improve, construct, or decorate real or personal property of or for consumers other than for the purpose

(a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in any business activity taxable under RCW 82.04.290 and any person who purchases, acquires, or uses any telephone services as defined in section 24 of this 1983 act, other than for resale in the regular course of business;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle which is owned by a municipal corporation or political subdivision of the state of Washington or by the United States and which is used or to be used primarily for foot or vehicular traffic including mass transportation vehicles of any kind as defined in RCW 82.04.280, in respect to tangible personal property when such person incorporates such property as an ingredient or component of such publicly owned street, place, road, highway, easement, right of way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle by installing, placing or spreading the property in or upon the right of way of such street, place, road, highway, easement, bridge, tunnel, or trestle or in or upon the site of such mass public transportation terminal or parking facility;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real property which is being constructed, repaired, decorated, improved, or otherwise altered by a person engaged in business, excluding only (a) municipal corporations or political subdivisions of the state in respect to labor and services rendered to their real property which is used or held for public road purposes, and (b) the United States, instrumentalities thereof, and county and city housing authorities created pursuant to chapter 35.82 RCW in respect to labor and services rendered to their real property. Nothing contained in this or any other subsection of this definition shall be construed to modify any other definition of 'consumer';

(5) Any person who is an owner, lessee, or has the right of possession to personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business;

(6) Any person engaged in the business of constructing, repairing, decorating, or improving new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation. Any such person shall be a consumer within the meaning of this subsection in respect to tangible personal property incorporated into, installed in, or attached to such building or other structure by such person.

Sec. 30. Section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460 are each amended to read as follows:

(1) Any person rendering services taxable under RCW 82.04.290 and maintaining places of business both within and without this state which contribute to the rendition of such services shall, for the purpose of computing tax liability under RCW 82.04.290, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state.

(2) Notwithstanding the provision of subsection (1) of this section, persons doing business both within and without the state who receive gross income from service charges, as defined in RCW 63.14.010(8) (relating to amounts charged for granting the right or privilege to make deferred or installment payments) or who receive gross income from engaging in business as financial institutions within the scope of chapter 82.14A RCW (relating to city taxes on financial institutions) shall apportion or allocate gross income taxable under RCW 82.04.290 to this state pursuant to rules promulgated by the department consistent with uniform rules for apportionment or allocation developed by the states.

(3) The department shall by rule provide a method or methods of apportioning or allocating gross income derived from sales of telephone services taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rules shall be, so far as feasible, consistent with the methods of apportionment contained in this section and shall require the consideration of those facts, circumstances, and apportionment factors as will result in an equitable and constitutionally permissible division of the services.

Sec. 31. Section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470 are each amended to read as follows:

Unless a seller has taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property or service was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the department of revenue shall by regulation provide, the burden of proving that a sale of tangible personal property, or of telephone services as defined in section 24 of this 1983 act, was not a sale at retail shall be upon the person who made it.

Sec. 32. Section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080 are each amended to read as follows:

The department of revenue may authorize a seller to pay the tax levied under this chapter upon retail sales of tangible personal property or services made through vending machines and similar devices or where sales are made under conditions of business such as to render impracticable the collection of the tax as a separate item and waive collection of the tax from the customer.

Where sales are made by receipt of a coin or coins dropped into a receptacle that results in delivery of the merchandise in single purchases of smaller value than the minimum sale upon which a one cent tax may be collected from the purchaser, according to the schedule provided by the department under authority of RCW 82.08.060, and where the design of the sales device is such that multiple sales of items are not possible or cannot be detected so as practically to assess a tax, in such a case the selling price for the purposes of the tax imposed under RCW 82.08.020 shall be sixty percent of the gross receipts of the vending machine through which such sales are made. No such authority shall be granted except upon application to the department and unless the department, after hearing, finds that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided.

The department, by regulation, may provide that the applicant, under this section, furnish a proper bond sufficient to secure the payment of the tax.

Sec. 33. Section 82.08.090, chapter 15, Laws of 1961 as amended by section 49, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.090 are each amended to read as follows:

In the case of installment sales and leases of personal property or services, the department of revenue, by regulation, may provide for the collection of taxes upon the installments of the purchase price, or amount of rental, as of the time the same fall due.

Sec. 34. Section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of ((competitive)) telephone service, as defined in ((RCW 82.16.010)) section 24 of this 1983 act, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the ((primary)) telephone or other instrument through which the ((competitive)) telephone service is rendered;

(6) 'City' means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) 'Taxable event' shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) 'Treasurer or other legal depository' shall mean the treasurer or legal depository of a county or city.

Sec. 35. Section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.16.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Railroad business' means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

(2) 'Express business' means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

(3) 'Railroad car business' means the business of renting, leasing or operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

(4) 'Water distribution business' means the business of operating a plant or system for the distribution of water for hire or sale.

(5) 'Light and power business' means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale.

(6) ((Telephone business' means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system: It includes cooperative or farmer line telephone companies or associations operating an exchange. Telephone business' does not include the providing of competitive telephone service, nor the providing of cable television service.

(7)) 'Telegraph business' means the business of affording telegraphic communication for hire.

((8)) (7) 'Gas distribution business' means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

((9)) (8) 'Motor transportation business' means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined by RCW 81.68.010 and 81.80.010: PROVIDED, That 'motor

transportation business' shall not mean or include the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((+0))~~ (9) 'Urban transportation business' means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((+1))~~ (10) 'Public service business' means any of the businesses defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), and (9)~~((-and(+0)))~~ or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone businesses as defined in section 24 of this 1983 act. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, log patrol, pipe line, warehouse, toll bridge, toll logging road, water transportation and wharf businesses.

~~((+2))~~ (11) 'Tugboat business' means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((+3))~~ (12) 'Gross income' means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses: PROVIDED, That gross income of a light and power business means those amounts or value accruing to a taxpayer from the last distribution of electrical energy which is a taxable event within this state.

~~((+4))~~ (13) The meaning attributed, in chapter 82.04 RCW, to the term 'tax year,' 'person,' 'value proceeding or accruing,' 'business,' 'engaging in business,' 'in this state,' 'within this state,' 'cash discount' and 'successor' shall apply equally in the provisions of this chapter.

~~((+5))~~ Competitive telephone service' means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made:)

Sec. 36. Section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710 are each amended to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. The taxing authority granted to cities for taxes upon business activities measured by gross receipts or gross income from sales shall not exceed a rate of .0020; except that any city with an adopted ordinance at a higher rate, as of January 1, 1982 shall be limited to a maximum increase of ten percent of the January 1982 rate, not to exceed an annual incremental increase of two percent of current rate: PROVIDED, That any adopted ordinance which classifies according to different types of business or services shall be subject to both the ten percent and the two percent annual incremental increase limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on business and occupation classifications in effect as of January 1, 1982, shall expire no later than December 31, 1982, or by expiration date established by local ordinance. Cities which impose a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales shall be required to submit an annual report to the state auditor identifying the rate established and the revenues received from each fee or tax. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW-82-16-010))~~ section 24 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 37. Section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050 are each amended to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW. For purposes of this section, the providing to consumers of competitive telephone service, as defined in ~~((RCW-82-16-010))~~ section 24 of this 1983 act, shall be deemed to be the retail sale of tangible personal property.

Sec. 38. Section 8, chapter 144, Laws of 1981 and RCW 35.21.712 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 24 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 24 of this 1983 act.

Sec. 39. Section 9, chapter 144, Laws of 1981 and RCW 35A.82.055 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010))~~ section 24 of this 1983 act, which is measured by gross receipts or gross income from the business shall impose the tax at a uniform rate on all persons engaged in the telephone business in the code city.

This section does not apply to the providing of competitive telephone service as defined in ~~((RCW 82.16.010))~~ section 24 of this 1983 act.

Sec. 40. Section 10, chapter 144, Laws of 1981 and RCW 35.21.714 are each amended to read as follows:

Any city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010;))~~ section 24 of this 1983 act, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from intrastate toll telephone services subject to the fee or tax; PROVIDED, That the city shall not impose the fee or tax on that portion of network telephone service, as defined in section 24 of this 1983 act, which represents access to, or charges for, interstate services for which rates are contained in tariffs filed with the federal communications commission.

Sec. 41. Section 11, chapter 144, Laws of 1981 and RCW 35A.82.060 are each amended to read as follows:

Any code city which imposes a license fee or tax upon the business activity of engaging in the telephone business, as defined in ~~((RCW 82.16.010;))~~ section 24 of this 1983 act, which is measured by gross receipts or gross income may impose the fee or tax, if it desires, on one hundred percent of the total gross revenue derived from intrastate toll telephone services subject to the fee or tax; PROVIDED, That the city shall not impose the fee or tax on that portion of network telephone service, as defined in section 24 of this 1983 act, which represents access to, or charges for, interstate services for which rates are contained in tariffs filed with the federal communications commission.

Sec. 42. Section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860 are each amended to read as follows:

(1) No city or town may impose a franchise fee or any other fee or charge of whatever nature or description upon the light and power, ~~((telephone;))~~ or gas distribution businesses, as defined in RCW 82.16.010, or telephone business, as defined in section 24 of this 1983 act, except that (a) a tax authorized by RCW 35.21.865 may be imposed and (b) a fee may be charged to such businesses that recovers actual administrative expenses incurred by a city or town that are directly related to receiving and approving a permit, license, and franchise, to inspecting plans and construction, or to the preparation of a detailed statement pursuant to chapter 43.21C RCW.

(2) Subsection (1) of this section does not prohibit franchise fees imposed on an electrical energy, natural gas, or telephone business, by contract existing on April 20, 1982, with a city or town, for the duration of the contract, but the franchise fees shall be considered taxes for the purposes of the limitations established in RCW 35.21.865 and 35.21.870 to the extent the fees exceed the costs allowable under subsection (1) of this section.

Sec. 43. Section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270 are each amended to read as follows:

Any public service company engaging in the sale of merchandise or appliances or equipment shall keep separate accounts, as prescribed by the commission, of its capital employed in such business and of its revenues therefrom and operating expenses thereof. The capital employed in such business shall not constitute a part of the fair value of said company's property for rate making purposes, nor shall the revenues from or operating expenses of such business constitute a part of the operating revenues and expenses of said company as a public service company. For purposes of this section, the providing of competitive telephone service, as defined in ~~((RCW 82.16.010))~~ section 24 of this 1983 act, shall not constitute the sale of merchandise, appliances, or equipment, unless the commission determines that it would be in the public interest to hold otherwise.

Sec. 44. Section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) 'Aircraft' means any weight-carrying device or structure for navigation of the air~~((;))~~ which is designed to be supported by the air~~((; -but which is heavier than air;))~~

(2) 'Director' means the director of licensing; ~~((and))~~

(3) 'Person' includes a firm, partnership or corporation;

(4) 'Small multi-engine fixed wing' means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of less than seventy-five hundred pounds; and

(5) 'Large multi-engine fixed wing' means any piston-driven multi-engine fixed wing aircraft with a maximum gross weight as listed by the manufacturer of seventy-five hundred pounds or more.

Sec. 45. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

(1) ~~The amount of the tax imposed by this chapter for each calendar year shall be ((fifteen dollars for each single engine aircraft, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification. PROVIDED: That the calendar year))~~ as follows:

<u>Type of aircraft</u>	<u>Registration fee</u>
Single engine fixed wing	\$ 50
Small multi-engine fixed wing	65
Large multi-engine fixed wing	80
Turboprop multi-engine fixed wing	100
Turbojet multi-engine fixed wing	125
Helicopter	75
Sailplane	20
Lighter than air	20
Home built	20

(2) The amount of tax imposed under subsection (1) of this section for each calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED ((FURTHER)), That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made.

Sec. 46. Section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_ are each amended to read as follows:

An excise tax is imposed for the privilege of using a vessel ((for which registration is required under chapter 88.\_\_\_\_\_ RCW (sections 14 through 22 of this act))) upon the waters of this state, except vessels ((covered by a dealer's registration number under this chapter)) exempt under section 47 of this 1983 act. The annual amount of the excise tax is one-half of one percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.

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.\_\_\_\_ (section 18 ((of this act)), chapter 7, Laws of 1983). 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. The excise tax on vessels required to be registered in this state on the effective date of this section shall be paid by June 30, 1983.

NEW SECTION. Sec. 47. There is added to chapter 82.\_\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section 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.\_\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983);

(2) Vessels used exclusively for commercial fishing purposes;

(3) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

(4) 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) Vessels owned and held for sale by a dealer, but not rented on a regular commercial basis.

Sec. 48. Section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

Vessel registration is required under this chapter except for the following:

(1) ~~((Vessels owned and operated by the United States, another state, or a political subdivision thereof))~~ Military or public vessels of the United States, except recreational-type public vessels;

(2) ~~Vessels owned ((and operated by this state, or by any municipality or political subdivision thereof)) 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 ((tender or)) 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) Vessels under sixteen feet in overall length ((or whose primary propulsion is human power)) which have no propulsion machinery of any type;~~

~~((7)) (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 ((and vessels which are designed and used exclusively for racing));~~

~~((8) Vessels used exclusively for commercial fishing purposes; and~~

~~(9)) (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 which are primarily engaged in commerce)); and~~

~~(11) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.~~

Sec. 49. Section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_ are each amended to read as follows:

Application for a vessel registration shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department. The application shall state the name and address of each owner of the vessel and such other information as may be required by the department, shall be signed by at least one owner, and shall be accompanied by a vessel registration fee of six dollars per year and the excise tax imposed under chapter 82.\_\_\_\_ RCW (sections 9 through 13 ((of this act)), chapter 7, Laws of 1983). Any fees required for licensing agents under RCW 46.01.140 shall be in addition to the six-dollar annual registration fee.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be issued and affixed to the vessel in a manner prescribed by the department consistent with the standard numbering system for vessels set forth in volume 33, part 174, of the code of federal regulations. A valid decal affixed as prescribed shall indicate compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable every year in a manner prescribed by the department upon payment of the vessel registration fee and excise tax. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel from a dealer or a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration, and the application shall be accompanied by a transfer fee of one dollar.

**NEW SECTION.** Sec. 50. There is added to chapter 88.\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The department shall provide for the issuance of vessel certificates of title through the agents appointed under RCW 88.\_\_\_\_ (section 17, chapter 7, Laws of 1983). The fee for a vessel certificate of title is five dollars. Fees for vessel certificates of title shall be deposited in the general fund. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

Sec. 51. Section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:

(1) Except as provided in this chapter, no person may (~~own or~~) operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter, except that a vessel which has or is required to have a valid marine document as a vessel of the United States is only required to display a valid decal.

(2) No person may use any vessel to which this chapter applies:

(a) In a negligent manner so as to endanger the life, limb, or property of any person; or

(b) While under the influence of alcohol, narcotic drugs, hallucinogens, or other controlled substances.

NEW SECTION. Sec. 52. There is added to chapter 88.\_\_\_\_\_ RCW (sections 14 through 22, chapter 7, Laws of 1983) a new section to read as follows:

(1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

NEW SECTION. Sec. 53. There is added to chapter 82.\_\_\_\_\_ RCW (sections 9 through 13, chapter 7, Laws of 1983) a new section 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.\_\_\_\_\_ (section 9, chapter 7, Laws of 1983) 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 the effective date of this section. The annual amount of the tax shall be up to fifty cents per foot of the vessel.

(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.\_\_\_\_\_ (section 18, chapter 7, Laws of 1983). 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.

(3) The tax imposed under this section is due and payable to the department of licensing or its agents at the time of registration of a vessel.

(4) The moneys collected under this section shall be distributed by the county monthly to the parties to the interlocal agreement 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.

Sec. 54. Section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_ are each amended to read as follows:



(1) A violation of this chapter is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

(a) For the second violation, a fine of two hundred dollars per vessel;

(b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) ~~After subtraction of court costs and administrative collection fees, moneys collected under this section shall be (used by the jurisdiction collecting the fine exclusively for law enforcement purposes)~~ credited to the current expense fund of the arresting jurisdiction.

(3) All law enforcement officers shall have the authority to enforce this chapter within their respective jurisdictions.

Sec. 55. Section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are exempt from excise tax under subsection ~~((s)(8) and (9) of section 16 of this 1983 act)~~ (2) of section 47 of this 1983 act and subsection (10) of RCW 88. —, — (section 48 of this 1983 act) shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

NEW SECTION. Sec. 56. There is added to chapter 43.51 RCW a new section to read as follows:

The state parks and recreation commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

NEW SECTION. Sec. 57. One-half of any tax paid for a vessel at the tax rate provided under section 9, chapter 7, Laws of 1983, before the amendment of that section under this act, shall be allowed as a credit against tax due for the vessel in 1984 or 1985 under section 46 of this act.

Sec. 58. Section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within ~~((the number of))~~ twenty-five days ~~((specified in the following table))~~ after the end of the month in which the taxable activities occur.

(For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15)

(2) ~~((A monthly taxpayer may elect to remit an estimated amount of the tax due for each month on or before the due date set forth in subsection (1) of this section. The estimated amount of tax remitted shall be at least the greater of ninety percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year. Each taxpayer filing an estimated return shall file a separate quarterly return on the last day of the month after the end of each calendar quarter. Each quarterly return shall be on forms prescribed by the department, include such information as the department may require to correctly determine tax liability during the quarter, and be accompanied by a remittance of the balance of the tax actually due for the quarter.~~

~~((3))~~ The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

~~((4))~~ (3) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability.

Sec. 59. Section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090 are each amended to read as follows:

If payment of any tax due is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than two dollars.

If payment of any tax is received within the first ten days of the month next succeeding the month in which the tax is payable, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the fiscal year which includes the month preceding the month in which such due date falls. Effective June 30, 1985, and thereafter if the payment of any tax is received during the first ten days in ~~((the month in which the tax is payable))~~ July, the amount of such payment shall be credited to, and shall be treated for all purposes as having been collected during, the preceding fiscal year ~~((which includes the month preceding the month in which such due date falls))~~.

If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than five dollars.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five percent of the tax due, or seven dollars, whichever is greater.

Sec. 60. Section 33, chapter 7, Laws of 1983 and RCW 82.32. . . . 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.

Sec. 61. Section 7, chapter 98, Laws of 1980 as amended by section 7, chapter 284, Laws of 1983 and RCW 82.27.070 are each amended to read as follows:

All taxes collected by the department of revenue under this chapter shall be deposited in the state general fund ~~((except for the excise tax on anadromous game fish, which shall be deposited in the game fund))~~.

NEW SECTION. Sec. 62. There is added to chapter 82.01 RCW a new section to read as follows:

(1) Beginning in January, 1984, and in January of every even-numbered year thereafter, the department of revenue shall submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing shall include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or part of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program.

(2) The department of revenue shall prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

(3) The department of revenue shall present the listing to the ways and means committees of each house in public hearings.

(4) Beginning in January, 1984, and every four years thereafter, the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house shall hold public hearings and take appropriate action on the recommendations submitted by the governor.

(5) As used in this section, 'tax exemption' means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate.

NEW SECTION. Sec. 63. No act, law or bill shall be passed by either the House of Representatives or the Senate of the State of Washington which creates or expands any exemption from any tax levied by the state of Washington unless the tax exemption created or expanded is the sole, specific subject matter of the act, law or bill. No act, law or bill passed by the House of Representatives or the Senate of the state of Washington which creates or expands any exemption from any tax levied by the state of Washington shall become effective within ninety days after the adjournment of the session in which it was enacted into law. Notwithstanding any other provision of this section, any act, law or bill creating a new tax may include exemptions from that tax in the act, law or bill creating the tax.

NEW SECTION. Sec. 64. The following acts or parts of acts are each repealed:

(1) Section 31, chapter 35, Laws of 1982 1st ex. sess., section 1, chapter 14, Laws of 1982 2nd ex. sess., section 8, chapter 7, Laws of 1983 and RCW 82.02.030;

(2) Section 32, chapter 35, Laws of 1982 1st ex. sess. (unmodified);

(3) Section 3, chapter 9, Laws of 1983 and RCW 82.04....;

(4) Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess., section 1, chapter 324, Laws of 1977 ex. sess., section 2, chapter 35, Laws of 1982 1st ex. sess., section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; and

(5) Section 10, chapter 172, Laws of 1981 and RCW 82.04.265.

Sec. 65, Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 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, and June 30, 1984, inclusive, for sale or for commercial or industrial use multiplied by the ~~((appropriate))~~ rate ~~((as follows:~~

~~For timber harvested between October 1, 1974 and June 30, 1983, inclusive;))~~ 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  
1973 and thereafter

ACCOUNT A  
100%

RESERVE  
ACCOUNT  
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. 66. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 3 of this 1983 act and RCW 82.04.250 are each amended to read as follows:

~~((+))~~ Upon every person except persons taxable under RCW 82.04.260(8) engaging within this state in the business of making sales at retail, as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the applicable rate as follows:

~~((a))~~ (1) With respect to sales at retail which are exempt from the tax imposed under chapter 82.08 RCW by reason of RCW 82.08.0261, 82.08.0262, or 82.08.0263, the rate shall be .484 percent; and

~~((b))~~ With respect to sales at retail in border counties as defined in RCW 82.04.... (section 3, chapter 7, Laws of 1983), other than retail sales described in subsection (1)(a) of this section and other than retail sales of telephone services as defined in section 24 of this 1983 act, the rate shall be .581 percent; and

(c)) (2) With respect to all other sales at retail, the rate shall be .471 percent.

~~((2))~~ For the purposes of this section, where a retail sale occurs shall be determined under RCW 82.14.020.)

Sec. 67. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 27 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price ~~((-PROVIDED, That for retail sales other than retail sales of telephone services, as defined in section 24 of this 1983 act, such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price))~~.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

**NEW SECTION.** Sec. 68. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

**NEW SECTION.** Sec. 69. 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. 70. (1) This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect July 1, 1983, except that:

(a) Sections 46 through 54, and 56, and 57 of this act shall take effect June 30, 1983;

(b) Sections 44, 45, and 55 of this act shall take effect January 1, 1984. Section 55 of this act shall be effective for property taxes levied in 1983 and due in 1984, and thereafter;

(c) Section 58 of this act shall take effect April 1, 1985, and shall be effective in respect to taxable activities occurring on and after April 1, 1985; and

(d) Sections 66 and 67 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(i) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(ii) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final.

(2) The extension under this act of the retail sales tax to certain sales of telephone service shall apply to telephone service billed on or after July 1, 1983, whether or not such service was rendered before that date."

Mr. Grimm moved adoption of the following amendments to the amendment:

On page 2, line 4 strike "(1)"

On page 2, beginning on line 13 strike all material down to and including "percent;" on line 17.

On page 2, beginning on line 20 strike all material down to and including "RCW 82.14.020." on line 21.

Renumber the remaining subsections consecutively.

On page 25, beginning on line 11 after "price" strike all material down to and including "price" on line 14 and insert "((-PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price))"

Beginning on page 53, line 21 strike all of section 66 and 67.

Renumber the remaining sections consecutively and correct reference accordingly.

Mr. Grimm spoke in favor of the amendments to the amendment, and Representatives Tilly and Tanner spoke against them.

#### POINT OF INQUIRY

Mr. Egger yielded to question by Mr. Smitherman.

Mr. Smitherman: "Representative Egger, I understand you have made an extensive study on this matter. What type of data have you revealed on the border county differential?"

Mr. Egger: "The study revealed that the sales tax seemed to go up for the last several years--up until 1982. Also the City of Portland has not necessarily gained that much business percentage-wise; therefore, the loss of business in these border counties is not due to taxation, it's due to the depressed industry at this time and the general conditions throughout the United States, but it's not due to the increase in taxation."

The amendments to the amendment were adopted.

Mr. Tilly moved adoption of the following amendments to the amendment:

On page 2, beginning on line 15 of the amendment after "section" strike all material through "act" on line 17

On page 15, line 15 of the amendment strike "((telephone))" and insert "telephone"

On page 20, beginning on line 15 of the amendment strike all material through line 18 on page 37.

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

On page 53, beginning on line 34 of the amendment after "section" strike all material through "act" on line 36.

On page 54, beginning on line 5 of the amendment strike all material through "82.12.020." on line 17 and insert the following:

"Sec. 67. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 7, Laws of 1983 and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price((-PROVIDED, That such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price)).

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020."

Renumber the sections consecutively and correct any internal references accordingly.

On page 54, line 27 of the amendment strike "(1)"

On page 55, beginning on line 12 of the amendment strike all material through "date" on line 15.

Renumber the subsections consecutively.

Representatives Tilly and Brough spoke in favor of the amendments to the amendment, and Mr. Grimm spoke against them.

## ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Tilly to the Grimm amendment to Reengrossed Senate Bill No. 3909, and the amendments were not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

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

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, King J, King P, King R, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Kaiser - 1.

Representative Kaiser appeared at the bar of the House.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Vekich, Locke, Braddock and Wang to the Grimm amendment:

On page 9, line 12 strike "sixteen" and insert "(~~sixteen~~) ninety-three"

Mr. Lux spoke in favor of the amendment to the amendment, and Mr. Sanders spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux and others to the Grimm amendment to Reengrossed Senate Bill No. 3909, and the amendment to the amendment was not adopted by the following vote: Yeas, 35; nays, 63; excused, 0.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Crane, Dellwo, Ellis, Fisch, Fisher, Garrett, Halsan, Haugen, Jacobsen, Kaiser, King R, Kreidler, Locke, Lux, McMullen, Moon, Nelson D, Niemi, Pruitt, Rust, Smitherman, Sommers, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Ebersole, Egger, Fiske, Fuhrman, Gallagher, Galloway, Grimm, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Johnson, King J, King P, Lewis, Long, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson G, O'Brien, Padden, Patrick, Powers, Prince, Ristuben, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 63.

Mr. Tanner moved adoption of the following amendment by Representatives Tanner and Cantu to the Grimm amendment:

On page 24 after line 27 insert the following new sections:

**NEW SECTION.** Sec. 26. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion. For purposes of this section, 'precious metal bullion' means any elementary precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and chromium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins, or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

**NEW SECTION.** Sec. 27. There is added to chapter 82.12 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 does not apply to the sale of precious metal bullion or monetized bullion. For purposes of this section, 'precious metal bullion' means any elementary precious metal which has been put through a process of smelting or refining, including, not limited to, gold, silver, platinum, rhodium, and chromium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws

of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art."

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

Mr. Tanner spoke in favor of the amendment to the amendment, and Mr. Grimm spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tanner and Cantu to the Grimm amendment to Reengrossed Senate Bill No. 3909, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51; excused, 0.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Egger, Fiske, Fuhrman, Gallagher, Hankins, Hastings, Holland, Isaacson, Johnson, King P, Lewis, McDonald, Miller, Mitchell, Monohon, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, West, Williams B, Williams J, Wilson - 47.

Voting nay: Representatives Addison, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Ebersole, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Haugen, Heck, Hine, Jacobsen, Kaiser, King J, King R, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Ms. Miller moved adoption of the following amendment to the Grimm amendment:

On page 39, beginning on line 19, strike all material through "1971." on page 47, line 24 and insert the following:

**"NEW SECTION, Sec. 47.** It is the policy of the state and the purpose of this chapter to improve boating safety, to make uniform laws affecting the registration and licensing of watercraft, to provide that authorized persons, governmental agencies, and law enforcement authorities have access to convenient, expeditious, and accurate identification of registered and legal ownership of watercraft, and to achieve a higher degree of reciprocity, cooperation, and assistance among the several states in accordance with the applicable federal boating and safety legislation and United States coast guard regulations.

**NEW SECTION, Sec. 48.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Vessel' includes every description of watercraft, other than a seaplane, used or capable of being used as a means of transportation on the water, and includes all boats except those specifically exempted by this chapter.

(2) 'Powered vessel' means any motorboat, auxiliary powered sailboat, or other vessel designed in whole or in part for the conveyance of persons on water and propelled by inboard or outboard combustion, steam, or electric machinery.

(3) 'Documented vessel' means a vessel which has or is required to have a valid marine document as a vessel of the United States.

(4) 'Use' means operate, navigate, or employ.

(5) 'Manufacturer' means any person engaged in the manufacture, construction, or assembly of vessels subject to registration and titling under this chapter.

(6) 'Owner' means a person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles that person to such possession.

(7) 'Dealer' means any person, partnership, association, or corporation engaged in the business of buying, selling, exchanging, offering, brokering, leasing with an option to purchase, auctioning, soliciting, or advertising the sale of new or used vessels subject to registration and titling under this chapter. The term 'dealer' does not include:

(a) Receivers, trustees, administrators, executors, guardians, or other persons appointed by, or acting under a judgment or order of any court;

(b) Public officers while performing their official duties;

(c) Employees of dealers who are engaged in the specific performance of their duties as employees; or

(d) Any person engaged in an isolated sale of a vessel of which the person is the owner.

(8) 'Commission' means the state parks and recreation commission.

(9) 'Department' means the department of licensing.

(10) 'Waters of this state' means any waters within the territorial jurisdiction of the state.

(11) 'Operate' means to navigate or otherwise use a vessel for transportation.

(12) 'Operator' means the person who operates or has charge of the navigation or use of a vessel.

(13) 'Decal' means any device used for the purpose of identifying a vessel validly registered under this act.

**NEW SECTION.** Sec. 49. It is unlawful for any person to own or operate a vessel on any waters of the state unless the vessel properly displays a number for which a valid certificate of registration is carried on board the vessel. Certificates of registration shall be issued annually in accordance with the provisions of this chapter in the name of the registered owner. Identification of the legal owner of vessels subject to this chapter shall be evidenced by a certificate of title issued under this chapter.

**NEW SECTION.** Sec. 50. (1) Any person charged with the enforcement of this chapter may request for inspection the certificate of registration from any vessel owner or operator to ascertain that the vessel is currently registered. Refusal to provide such certificate for inspection upon the request of any person charged with enforcement of this chapter constitutes a violation of this chapter and subjects the person requested to produce such document to the penalties provided by section 97(1) of this act.

(2) All law enforcement officers have the authority to enforce this chapter within their respective jurisdictions.

(3) Violations of section 83 of this act are subject to the following penalties:

(a) A fine of not more than one hundred dollars for the first violation;

(b) A fine of two hundred dollars per vessel for the second violation; and

(c) A fine of four hundred dollars per vessel for the third and successive violations.

(4) Moneys collected under this section shall be used by the jurisdiction collecting the fine exclusively for law enforcement purposes.

**NEW SECTION.** Sec. 51. For the purpose of expeditiously identifying vessel owners, any official of a marina or moorage facility, public or private, in which a vessel is moored, parked, or anchored shall be granted prompt access to vessel owner identification records administered by the department under this chapter.

**NEW SECTION.** Sec. 52. Section 83 of this act does not apply to vessels:

(1) In commercial service which are required to have valid marine documents as vessels of the United States or foreign vessels registered for commercial service;

(2) 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;

(3) Owned by the United States or a state or subdivision of a state, clearly identifiable as such, and not used for recreational purposes;

(4) Used exclusively as a ship's lifeboat for lifesaving purposes or vessel tender;

(5) Being operated under a valid temporary certificate of registration which is carried on board;

(6) Whose primary mode of propulsion is human power;

(7) 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;

(8) Which are temporarily in this state undergoing repair or alteration; or

(9) Amphibious vehicles with valid licenses or permits issued under chapter 46.09 or 46.16 RCW.

**NEW SECTION.** Sec. 53. No local authority may enact any regulation governing the equipment of vessels, their licensing, or their registration differing from the provisions of this chapter. Except as limited by this chapter, the operation of vessels on waters of this state remains subject to the jurisdiction of local authorities to adopt and enforce local regulations.

**NEW SECTION.** Sec. 54. The commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with the intent of this chapter and with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section and section 95 of this act;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

(7) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.



**NEW SECTION.** Sec. 55. The department shall:

(1) Provide for the issuance of vessel registrations and certificates of title and may appoint agents for collecting fees and issuing registration numbers and decals. Fees for vessel registrations and titles collected by the department shall be deposited in the general fund to be used for the support of titling and registration costs, boating safety education programs, and maintenance and operation of marine state parks and marine-related facilities at other state parks, and for the creation and enhancement of marine-related recreational facilities and programs as authorized by the legislature;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with the intent of this chapter and with United States coast guard regulations, standards, and precedents, as needed for the efficient administration of the titling, registration, and fee collection requirements of this chapter; and

(3) Implement an effective program for the provision of registration numbers, certificates of registration, and certificates of title for vessels subject to this chapter. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

**NEW SECTION.** Sec. 56. On or before June 30, 1983, application for a vessel registration for the fiscal year beginning July 1, 1983, shall be made to the department or its authorized agent in the manner and upon forms prescribed by the department and shall be accompanied by the vessel registration fee required under section 92 of this act. Any fees required for licensing agents under RCW 46.01.140 are in addition to the annual registration fee.

An owner of a vessel covered by a current certificate of registration issued pursuant to federal law may continue to operate such vessel in this state under that current federal registration until January 31, 1984. The provisions of this chapter, however, shall apply to all such vessels after January 31, 1984, and the registration fee imposed under section 92 of this act shall be assessed as if such vessels had been required to be registered on July 1, 1983.

Upon receipt of the application and the registration fee, the department shall assign a registration number and issue a decal for each vessel. The registration number and decal shall be affixed to the vessel in a manner prescribed by the department. A valid decal affixed as prescribed indicates compliance with the annual registration requirements of this chapter.

The vessel registrations and decals are valid for a period of one year, except that the director of licensing may extend or diminish vessel registration periods, and the decals therefor, for the purpose of staggered renewal periods as provided for in RCW 46.16.225. For registration periods of more or less than one year, the department may collect prorated annual registration fees and excise taxes based upon the number of months in the registration period. Vessel registrations are renewable in a manner prescribed by the department upon payment of the vessel registration fee. Upon renewing a vessel registration, the department shall issue a new decal to be affixed as prescribed by the department.

A person acquiring a vessel already validly registered under this chapter shall, within fifteen days of the acquisition or purchase of the vessel, apply to the department or its authorized agent for transfer of the vessel registration. The application shall be accompanied by a transfer fee of five dollars.

**NEW SECTION.** Sec. 57. (1) All certificates of registration and all titles and licenses required by this chapter shall be issued by or under the authority of the department by whatever method it finds most efficient and economical as specified in section 89 of this act.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter shall within fifteen days thereof apply for a new certificate of title which shows the vessel's change of ownership. Failure to apply for a new certificate of title within fifteen days results in the penalties prescribed in section 84(3) of this act.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Transfer of any part or all of the ownership of a vessel registered under this chapter; any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

**NEW SECTION.** Sec. 58. (1) The fees for obtaining an identification number and certificate of registration under this chapter are as follows:

(a) Powered vessels less than sixteen feet in length, ten dollars for each three-year period. Notwithstanding any other provisions of this chapter, the registration period for powered vessels less than sixteen feet in length is three years;

(b) Vessels sixteen feet or more in length but less than twenty feet, twenty-five dollars per year;

(c) Vessels twenty feet or more in length but less than twenty-six feet, forty dollars per year; and

(d) Vessels twenty-six feet or more in length, fifty-five dollars plus five dollars for each foot or part of a foot in excess of twenty-six feet in length, per year.

Length is determined by means of a straight line measurement of the overall length from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins or boomkins, rudders, outboard motor brackets, and similar fittings or attachments are not included in the measurement.

(2) The fee for applying for and obtaining a certificate of title is five dollars.

(3) Owners of vessels used for commercial fishing purposes and which are not required to have a valid marine document as a vessel of the United States shall pay an annual registration fee of five dollars for each vessel.

**NEW SECTION. Sec. 59.** (1) Any county may, by ordinance or resolution, impose a tax upon the privilege of using a vessel registered under this chapter which is moored or stored in the county if the population of the unincorporated areas of the county together with the population of the cities which are parties to an interlocal agreement pursuant to chapter 39.34 RCW equal or exceed two-thirds of the total population of the county. The annual amount of the tax shall be up to fifty cents per foot per calendar year or part thereof.

(2) The tax imposed under this section is due and payable at the time of registration of a vessel.

(3) The moneys collected under this section shall be collected by the county jurisdiction and shall be distributed by such county monthly to the county and the municipalities within its boundaries in proportion to these moneys collected for vessels registered from the unincorporated area and each municipality within the county. 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. 60.** (1) Each manufacturer or dealer of vessels required to be registered in this state shall register with the department in the manner and upon forms prescribed by the department. Upon receipt of such application for registration and the registration fee provided in subsection (2) of this section, the dealer or manufacturer shall be registered and a registration number assigned.

(2) The registration fee for manufacturers or dealers is fifty dollars per year. The fee covers all vessels owned by the manufacturer or dealer for sale and not rented on a regular commercial basis by the dealer.

(3) The operator of a boat livery holding five or more powered vessels which are each under sixteen feet in length and available for hire shall pay an annual registration fee of five dollars plus one dollar for each such vessel instead of the individual vessel registration fees otherwise required by this chapter.

(4) Section 83 of this act does not apply to any dealer or employee or prospective customer of the dealer with respect to any vessel covered by the dealer's registration number and used for a business purpose of the dealer, such as demonstration, testing, or making repairs.

**NEW SECTION. Sec. 61.** (1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the commission and any person injured and to the owner of any property damaged. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

**NEW SECTION. Sec. 62.** (1) No person may use any vessel to which this chapter applies unless the vessel complies with the requirements of this chapter and the applicable standards and rules promulgated thereunder.

(2) No person may use any vessel to which this chapter applies:

(a) In a negligent manner so as to endanger the life, limb, or property of any person; or

(b) While under the influence of alcohol, narcotic drugs, hallucinogens, or other controlled substances.

**NEW SECTION. Sec. 63.** (1) A violation of section 96(2) or section 84(1) of this act is punishable by a fine of not less than fifty nor more than five hundred dollars or imprisonment not to

exceed six months, or by both such fine and imprisonment. Except as otherwise provided, violations of this chapter are punishable by a fine of not more than two hundred fifty dollars.

(2) Any person convicted of a violation of section 96(2) of this act may, at the court's discretion, be denied the privilege of operating a vessel in this state for a period of up to one year. A person operating a vessel subject to this chapter during the period of denial set by the court shall be punished by a fine of not less than one hundred nor more than five hundred dollars or imprisonment not to exceed six months, or by both such fine and imprisonment.

NEW SECTION, Sec. 64. All fines collected from violators of section 96 of this act shall, after subtraction of court costs and administrative fees for collection of such fines, be distributed as follows: Fifty percent shall be sent to the state treasurer to be deposited in the state general fund and fifty percent shall be credited to the current expense fund of the jurisdiction in which the offense occurred.

NEW SECTION, Sec. 65. This chapter may be known and cited as the boating registration and safety act of 1983.

Sec. 66. Section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080 are each amended to read as follows:

All ships and vessels which are ~~((exempt))~~ exempted by section 86(1) of this 1983 act from ~~((excise tax under subsections (8) and (9) of section 16))~~ the registration fees imposed by section 92 of this 1983 act shall be and are hereby made exempt from all ad valorem taxes, except taxes levied for any state purpose.

NEW SECTION, Sec. 67. There shall be allowed a credit against any fees due for a vessel under section 92 of this act for 1983 for any property taxes paid for the vessel for 1983 and any excise taxes paid for the vessel in 1983 under chapter 7, Laws of 1983.

NEW SECTION, Sec. 68. The following acts or parts of acts are each repealed:

- (1) Section 9, chapter 7, Laws of 1983 and RCW 82.--.---
- (2) Section 10, chapter 7, Laws of 1983 and RCW 82.--.---
- (3) Section 11, chapter 7, Laws of 1983 and RCW 82.--.---
- (4) Section 12, chapter 7, Laws of 1983 and RCW 82.--.---
- (5) Section 13, chapter 7, Laws of 1983 and RCW 82.--.---
- (6) Section 14, chapter 7, Laws of 1983 and RCW 88.--.---
- (7) Section 15, chapter 7, Laws of 1983 and RCW 88.--.---
- (8) Section 16, chapter 7, Laws of 1983 and RCW 88.--.---
- (9) Section 17, chapter 7, Laws of 1983 and RCW 88.--.---
- (10) Section 18, chapter 7, Laws of 1983 and RCW 88.--.---
- (11) Section 19, chapter 7, Laws of 1983 and RCW 88.--.---
- (12) Section 20, chapter 7, Laws of 1983 and RCW 88.--.---
- (13) Section 21, chapter 7, Laws of 1983 and RCW 88.--.---
- (14) Section 22, chapter 7, Laws of 1983 and RCW 88.--.---
- (15) Section 25, chapter 7, Laws of 1983 and RCW --.---
- (16) Section 26, chapter 7, Laws of 1983 (uncodified); and
- (17) Section 36, chapter 7, Laws of 1983 (uncodified).

NEW SECTION, Sec. 69. Sections 81 through 99 of this act shall constitute a new chapter in Title 88 RCW.

NEW SECTION, Sec. 70. There is appropriated from the general fund to the department of licensing for the remainder of the 1981-83 biennium the sum of two hundred fifty-five thousand dollars or so much thereof as may be necessary to implement the registration and titling provisions of sections 81 through 99 of this act."

Renumber the sections consecutively and correct any internal references accordingly.

On page 54, beginning on line 31 strike all material through line 1, on page 55 and insert the following:

"(a) Section 69 of this act shall take effect immediately. Sections 46 through 65, and 67 through 69 of this act shall take effect June 30, 1983;

(b) Section 66 of this act shall be effective for property taxes levied in 1983, and due in 1984, and thereafter;"

Ms. Miller spoke in favor of the amendment to the amendment, and Mr. R. King spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller to the Grimm amendment to Reengrossed Senate Bill No. 3909, and the amendment was not adopted by the following vote: Yeas, 46; nays, 52; excused, 0.

Voting yeas: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Canlu, Chandler, Clayton, Crane, Dickie, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B. Williams J, Wilson, Zellinsky - 46.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 52.

Mr. Cantu moved adoption of the following amendment to the Grimm amendment:

On page 55, after line 15 of the amendment insert the following:  
 "NEW SECTION. Sec. 71. This act shall expire on June 30, 1985."

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

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Cantu to the Grimm amendment to Reengrossed Senate Bill No. 3909, and the amendment was 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, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 44.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 54.

The Grimm amendment as amended was adopted.

On motion of Mr. Grimm, the following amendment to the title was adopted:

On page 1, line 1 of the title after "taxation;" insert "amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 2, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1981 and RCW 82.04.240; amending section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255; amending section 16, chapter 10, Laws of 1982 as amended by section 4, chapter ... (SSB 3244), Laws of 1983 1st ex. sess. and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 4, chapter 172, Laws of 1981 and RCW 82.04.270; amending section 2, chapter 8, Laws of 1970 ex. sess. as last amended by section 1, chapter 132, Laws of 1983 and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025; 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 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 5, Laws of 1982 2nd ex. sess. and RCW 82.16.020; amending section 82.16.030, chapter 15, Laws of 1961 as amended by section 6, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.16.030; amending section 82.20.010, chapter 15, Laws of 1961 as amended by section 7, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 8, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 as last amended by section 6, chapter 284, Laws of 1983 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. as amended by section 11, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.29A.030; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1982 2nd ex. sess. and RCW 82.44.020; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 14, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.45.060; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending

section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080; amending section 82.08.090, chapter 15, Laws of 1961 as amended by section 49, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.090; amending section 3, chapter 94, Laws of 1970 ex. sess. as last amended by section 1, chapter 211, Laws of 1982 and RCW 82.14.020; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 9, Laws of 1982 2nd ex. sess. and RCW 82.16.010; amending section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 99, Laws of 1983 and RCW 35.21.710; amending section 7, chapter 134, Laws of 1972 ex. sess. as amended by section 7, chapter 144, Laws of 1981 and RCW 35A.82.050; amending section 8, chapter 144, Laws of 1981 and RCW 35.21.712; amending section 9, chapter 144, Laws of 1981 and RCW 35A.82.055; amending section 10, chapter 144, Laws of 1981 and RCW 35.21.714; amending section 11, chapter 144, Laws of 1981 and RCW 35A.82.060; amending section 2, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.860; amending section 80.04.270, chapter 14, Laws of 1961 as amended by section 5, chapter 144, Laws of 1981 and RCW 80.04.270; amending section 82.48.010, chapter 15, Laws of 1961 as last amended by section 239, chapter 158, Laws of 1979 and RCW 82.48.010; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; amending section 9, chapter 7, Laws of 1983 and RCW 82.\_\_\_\_\_; amending section 16, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 18, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 15, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 22, chapter 7, Laws of 1983 and RCW 88.\_\_\_\_\_; amending section 84.36.080, chapter 15, Laws of 1961 as amended by section 23, chapter 7, Laws of 1983 and RCW 84.36.080; amending section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 32, chapter 7, Laws of 1983 and RCW 82.32.090; amending section 33, chapter 7, Laws of 1983 and RCW 82.32.\_\_\_\_\_; 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 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 2, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.071; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 3 of this 1983 act and RCW 82.04.250; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 27 of this 1983 act and RCW 82.08.020; adding a new section to chapter 43.51 RCW; adding a new section to chapter 82.01 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding new sections to chapter 82.-- RCW (sections 9 through 13, chapter 7, Laws of 1983); adding new sections to chapter 88.-- RCW (sections 14 through 22, chapter 7, Laws of 1983); creating new sections; repealing section 31, chapter 35, Laws of 1982 1st ex. sess., section 1, chapter 14, Laws of 1982 2nd ex. sess., section 8, chapter 7, Laws of 1983 and RCW 82.02.030; repealing section 32, chapter 35, Laws of 1982 1st ex. sess. (uncodified); repealing section 3, chapter 9, Laws of 1983 and RCW 82.04.\_\_\_\_\_; repealing section 3, chapter 130, Laws of 1975-'76 2nd ex. sess., section 1, chapter 324, Laws of 1977 ex. sess., section 2, chapter 35, Laws of 1982 1st ex. sess., section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; repealing section 10, chapter 172, Laws of 1981 and RCW 82.04.265; prescribing penalties; providing effective dates; and declaring an emergency."

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 Representatives Patrick, Cantu and Broback spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 3909 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 48; excused, 0.

Yoting 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Rust, Sayan, Smitherman, Sommers, Sutherland, Todd, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 50.

Yoting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Broback, Brough, Cantu, Chandier, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Patrick, Prince, Ristuben, Sanders, Schmidt, Schoon, Silver, Smith, Stratton, Struthers, Tanner, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson - 48.

Reengrossed Senate Bill No. 3909 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, Reengrossed Senate Bill No. 3909 was ordered immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate has adopted the revised report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

May 24, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3434, modifying definition of "member" for gambling enforcement purposes, have had the same under consideration, and we recommend that the bill be amended to read as follows, and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

\*Sec. 1, Section 1, chapter 139, Laws of 1981 and RCW 9.46.020 are each amended to read as follows:

(1) 'Amusement game' means a game played for entertainment in which:

(a) The contestant actively participates;

(b) The outcome depends in a material degree upon the skill of the contestant;

(c) Only merchandise prizes are awarded;

(d) The outcome is not in the control of the operator;

(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter: PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) 'Bingo' means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee of said organization takes any part in the management or operation of said game, and no person who takes any part in the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or any other branch of the same organization, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its

primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) 'Bona fide charitable or nonprofit organization' means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same. Such an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. It must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, and board members, if any, who determine the policies of the organization in order to receive a gambling license. An organization must demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) 'Commercial stimulant'. An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) 'Commission' means the Washington state gambling commission created in RCW 9.46.040.

(7) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) 'Fishing derby' means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) 'Gambling device' means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism

which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chute for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(11) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(12) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(13) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(14) 'Lottery' means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

For the purpose of this chapter, the following activities do not constitute 'valuable consideration' as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof(~~---PROVIDED---That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet~~); or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15.76 or 36.37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either



directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

Notwithstanding any other provision of this subsection (14), where any contest of chance is held by or on behalf of in-state retail grocery outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than seven consecutive days: PROVIDED, That if the sponsoring organization has more than one outlet in the state such contests of chance must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate contest of chance in connection with the initial opening of any such outlet: PROVIDED FURTHER, That such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.

(15) 'Member' and 'bona fide member'. As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit; and

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) 'Player' means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(17) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a), except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the

person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling; PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter; PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) 'Punch boards' and 'pull-tabs' shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) 'Social card game' means a card game, including but not limited to the game commonly known as 'Mah Jongg', which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players; PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of one dollar per half hour of playing time by that person collected in advance; PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed twenty-five dollars, including all separate fees which might be paid by a player for various phases or events of the tournament; PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) 'Fund raising event' means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles; PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings, taxes, license fees, and for the purchase cost of prizes given as winnings do not exceed ((five)) ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect

to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; ~~((and))~~ (d) such event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and (e) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Sec. 2. Section 2, chapter 139, Laws of 1981 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members ~~((and)), their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution,~~ to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed ~~((five))~~ ten thousand dollars; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together ~~((does))~~ do not exceed ~~((five))~~ ten thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to 'win', 'place' or 'show' and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not

preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.

Sec. 3. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same: PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government: PROVIDED FURTHER, That (1) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and (2) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and (3) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and (4) when any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which does not discriminate in full membership on the basis of sex and race, and which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding ((five)) ten thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games."

On page 1, line 1 of the title after "gambling;" insert "modifying the definition of membership, the eligibility for exemption from the gambling tax, the maximum allowable gross receipts for nonprofit organizations engaged in gambling activities, and retail outlets' contests of chance;"

Signed by Senators Vognild, Sellar, Williams; Representatives Appelwick, Barrett, Niemi.

#### MOTION

On motion of Mr. Appelwick, the report of the Free Conference Committee was adopted.

#### 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. 3434 as amended by Free Conference Committee.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3434 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 71; nays, 27; excused, 0.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Belcher, Braddock, Brekke, Broback, Brough, Chandler, Crane, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine,

Holland, Isaacson, Jacobsen, Kaiser, King J, King P, King R, Lewis, Locke, Long, Lux, Martinis, McClure, McMullen, Mitchell, Monohon, Moon, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Pruitt, Ristuben, Rust, Sanders, Schmidt, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Taylor, Todd, Vekich, Walk, Wang, West, Wilson, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Barnes, Betzozoff, Bond, Burns, Cantu, Charnley, Clayton, Dellwo, Fuhrman, Garrett, Johnson, Kreidler, McDonald, Miller, Nealey, Patrick, Prince, Sayan, Schoon, Sutherland, Tanner, Tilly, Van Dyken, Vander Stoep, Williams B, Williams J - 27.

Engrossed Substitute Senate Bill No. 3434 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

May 24, 1983

Mr. Speaker:

The Senate adopted the report of the Conference Committee on SECOND SUBSTITUTE SENATE BILL NO. 3155 and has granted powers of Free Conference.

Sidney R. Snyder, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

May 24, 1983

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SECOND SUBSTITUTE SENATE BILL NO. 3155, requiring a high technology education training program, have had the same under consideration, and we recommend that the bill do pass as follows:

AN ACT Relating to high-technology education and training; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW; creating a new section; repealing section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; repealing section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140; making appropriations; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. This act may be known and cited as the Washington high-technology education and training act.

NEW SECTION. Sec. 2. The legislature finds that:

(1) A coordinated state policy is needed to stimulate the education and training of individuals in high-technology fields, in order to improve productivity, strengthen the state's competitive position, and reindustrialize declining areas;

(2) The Washington high-technology education and training program will give persons from all backgrounds opportunities to pursue training and education programs leading to baccalaureate and graduate degrees consistent with present and future needs of high-technology industries;

(3) Incentives to stimulate increased collaboration between community colleges, regional universities, and the state universities and private-sector industrial, commercial, and labor interests are essential to the development of a pool of skilled high-technology workers; and

(4) Investment in education is the most feasible method for state assistance to the high-technology industry.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Board' means the high-technology coordinating board.

(2) 'High technology' or 'technology' includes but is not limited to the modernization, miniaturization, integration, and computerization of electronic, hydraulic, pneumatic, laser, mechanical, robotics, nuclear, chemical, telecommunication, and other technological applications to enhance productivity in areas including but not limited to manufacturing, communications, medicine, bioengineering, and commerce.

NEW SECTION. Sec. 4. A Washington state high-technology education and training program is hereby established. The program shall be designed to:

(1) Develop the competence needed to make Washington state a leader in high-technology fields, to increase the productivity of state industries, and to improve the state's competitiveness in regional, national, and international trade;

(2) Develop degree programs to enable students to be productive in new and emerging high-technology fields by using the resources of the state's two-year community colleges.

regional universities, the University of Washington, Washington State University, and The Evergreen State College; and

(3) Provide industries in the state with a highly-skilled work force capable of producing, operating, and servicing the advancing technology needed to modernize the state's industries and to revitalize the state's economy.

NEW SECTION. Sec. 5. (1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of fourteen members as follows:

(a) Eight shall be citizen members appointed by the governor, with the consent of the senate, for four-year terms. In making the appointments the governor shall ensure that a balanced geographic representation of the state is achieved and shall attempt to choose persons experienced in high-technology fields, including at least one representative of labor. Any person appointed to fill a vacancy occurring before a term expires shall be appointed only for the remainder of that term; and

(b) Six of the members shall be as follows: One representative from each of the state's two research universities, one representative of the state college and regional universities, the director for the state system of community colleges or the director's designee, the superintendent of public instruction or the superintendent's designee, and a representative of the council for postsecondary education.

(3) Members of the board shall not receive any salary for their services, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060 for each day actually spent in attending to duties as a member of the board.

(4) A citizen member of the board shall not be, during the term of office, a member of the governing board of any public or private educational institution, or an employee of any state or local agency.

NEW SECTION. Sec. 6. (1) The board shall oversee and coordinate the high-technology education and training program.

(2) The board shall:

(a) Determine the specific high-technology occupational fields in which technical training is needed and advise the institutions of higher education and the council for postsecondary education on their findings;

(b) Identify economic areas with high-technology industries in need of technical training critical to economic renewal or economic development and advise the institutions of higher education and the council for postsecondary education on their findings;

(c) Oversee and coordinate the Washington high-technology education and training program to insure high standards, efficiency, and effectiveness;

(d) Work cooperatively with the superintendent of public instruction to identify the skills prerequisite to the high-technology programs in the institutions of higher education;

(e) Work cooperatively with and provide any information or advice which may be requested by the council for postsecondary education during the council's review of new baccalaureate degree program proposals which are submitted under this chapter. Nothing in this chapter shall be construed as altering or superseding the powers or prerogatives of the council for postsecondary education over the review of new degree programs as established in RCW 28B.80.035;

(f) Prepare and submit a report to the 1984 legislature on whether or not high-technology education and training consortiums should be established between the state's community colleges and four-year colleges and universities pursuant to section 9 of this act, including their geographic division and the pattern of cooperation between the community colleges and the four-year colleges and universities and shall investigate the establishment of such consortiums within existing resources; and

(g) Prepare and submit to the legislature before the first day of each regular session an annual report on the Washington high-technology education and training program including, but not limited to:

(i) An evaluation of the program;

(ii) A determination of the feasibility of expanding the program; and

(iii) Recommendations, including recommendations for further legislation as the board deems necessary.

(3) The board may adopt rules under chapter 28B.19 RCW as it deems necessary to carry out the purposes of this chapter.

(4) The board shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 7. Staff support for the high-technology coordinating board shall be provided by the council for postsecondary education.

NEW SECTION. Sec. 8. The board may solicit gifts, grants, conveyances, bequests and devises, whether real or personal property, or both, in trust or otherwise, to be directed to institutions of higher education for the use or benefit of the high-technology education and training program. The board shall actively solicit support from business and industry and from the federal government for the high-technology education program.

NEW SECTION. Sec. 9. (1) The high-technology coordinating board shall make recommendations regarding:

(a) The establishment of regional consortiums for the establishment and development of high-technology education and training;

(b) The establishment of baccalaureate degree training programs in high-technology fields; and

(c) The offering of high-technology education and training programs at both community college facilities and at state colleges and regional universities.

(2) If the program is approved, the first two years of the baccalaureate degree program offered by the respective state colleges and regional universities at community college facilities shall be administered and operated by the respective community colleges. The third and fourth years of the baccalaureate degree program offered at the community college facilities shall be administered and operated by the respective state colleges and regional universities. Each community college participating in the program shall offer two-year associate degrees in high-technology fields which shall be transferrable to and accepted by the state colleges and regional universities.

(3) The high-technology coordinating board shall oversee and coordinate the operation of the consortiums.

(4) Any such consortiums shall be implemented upon approval by the high-technology coordinating board: PROVIDED, That if the fiscal impact of any program recommendations exceeds existing resources plus the two hundred fifty thousand dollars appropriated in section 15 of this act, such programs shall require legislative approval.

**NEW SECTION.** Sec. 10. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW a new section to read as follows:

The board of regents of the University of Washington may offer masters level and doctorate level degrees in technology subject to review and approval by the council for postsecondary education.

**NEW SECTION.** Sec. 11. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW a new section to read as follows:

A Washington high-technology center is created at the University of Washington. The Washington high-technology center shall provide: (1) An interdisciplinary program to support major high-technology education and research initiatives within the state; (2) the resources necessary for research and development programs in high technology; (3) quality training for advanced undergraduate and graduate students in high technology; and (4) interdisciplinary approaches to instruction and research in high-technology fields.

The Washington high-technology center shall be administered by the board of regents with the advice of the high-technology coordinating board. The University of Washington shall make the facilities of the Washington high-technology center available to other institutions of higher education when specific program needs so require.

**NEW SECTION.** Sec. 12. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW a new section to read as follows:

The board of regents of Washington State University may offer masters level and doctorate level degrees in technology subject to review and approval by the council for postsecondary education.

**NEW SECTION.** Sec. 13. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW a new section to read as follows:

The board of regents of Washington State University, in cooperation with the board of trustees of Clark Community College, is hereby authorized to establish a Southwest Washington joint center for education to provide graduate and continuing education in high-technology fields to the citizens of the Southwest Washington area. The Southwest Washington joint center for education shall be administered by Washington State University with the advice of the high-technology coordinating board. Washington State University shall make the facilities of the Southwest Washington joint center for education available to other institutions of higher education when specific program needs so require.

**NEW SECTION.** Sec. 14. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.30 RCW a new section to read as follows:

The board of regents of Washington State University is hereby authorized to establish a state-wide off-campus telecommunications system to provide for graduate and continuing education in high-technology fields to citizens of the state of Washington. The state-wide telecommunications system shall be administered by Washington State University with the advice of the high-technology coordinating board. Washington State University shall make the facilities of the state-wide telecommunications system available to other institutions of higher education when specific program needs so require.

**NEW SECTION.** Sec. 15. The following amounts, or so much thereof as may be necessary, are appropriated from the general fund for the biennium ending June 30, 1985:

(1) \$1,589,000 is appropriated to the University of Washington for specialized technology educational programs and for planning for a permanent center for technology to be located in the Seattle area pursuant to section 11 of this act. No more than \$200,000 of this appropriation shall be expended for planning for a permanent center for technology. It is the intent of the legislature that all program requirements and a plan for ongoing maintenance, operations and provision of equipment using public and private sources be developed prior to consideration of physical space requirements. To this end, a plan detailing such program requirements



shall be provided to the council for postsecondary education prior to expenditure of moneys on physical plant planning.

(2) \$1,000,000 is appropriated to Washington State University to provide for administrative support and specialized technology education programs at the Southwest Washington Joint Center for education under section 13 of this act.

(3) \$1,496,000 is appropriated to Washington State University for the purposes of the state-wide off-campus telecommunications system under section 14 of this act.

(4) \$320,000 is appropriated to the University of Washington to provide telecommunications services in conjunction with the state-wide off-campus telecommunications system under section 14 of this act.

(5) \$3,500,000 is appropriated to the state board for community college education to establish demonstration programs for training technicians needed by industries most affected by rapid technological change. To this end, the board shall select no more than four projects for demonstration purposes. In its selection of demonstration projects, the state board shall consider cooperation and matching efforts with technology development industries as a primary criteria in making final awards. The proposed projects shall be submitted to the high-technology coordinating board for review and comment.

(6) \$2,236,000 is appropriated to the superintendent of public instruction to establish the following programs:

(a) \$1,600,000 for the establishment of regional computer demonstration centers in the educational service districts.

(b) \$236,000 to administer and coordinate these technology programs and coordinate regional computer centers. No more than three full time equivalent staff may be added to provide these services.

(c) \$400,000 to contract with the Pacific science center for the purchase of computer, science, and mathematics education services.

(7) \$166,750 is provided to the council for postsecondary education to serve as financial agent for the board and its staff.

(8) \$250,000 is appropriated to the high-technology coordinating board to carry out the purposes of this act.

NEW SECTION, Sec. 16. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; and

(2) Section 2, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.140.

NEW SECTION, Sec. 17. Sections 2 through 9 of this act are each added to chapter 223, Laws of 1969 ex. sess. as a new chapter in Title 28B RCW.

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 July 1, 1983."

Signed by Senators Gaspard, Talmadge, Patterson; Representatives Heck, Sommers, McDonald.

#### MOTION

On motion of Ms. Sommers, the report of the Free Conference Committee was adopted.

#### 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 Second Substitute Senate Bill No. 3155 as amended by Free Conference Committee.

Ms. Sommers 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. 3155 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Sloep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Second Substitute Senate Bill No. 3155 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, Second Substitute Senate Bill No. 3155 was ordered immediately transmitted to the Senate.

#### MESSAGES FROM THE SENATE

May 24, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 57,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 24, 1983

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 466 and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3608, by Committee on State Government (originally sponsored by Senators McManus, Zimmerman, Woody and Bender)

Modifying provisions relating to cultural arts, stadium and convention districts.

The House resumed consideration of the bill on second reading.

#### SPEAKER'S RULING

The Speaker: "Representative McDonald, earlier you asked for a ruling on this bill. The Speaker has examined the bill, looked at the intent of the original bill, examined the portions having to do with revenue and has found that when we determined our budget and revenue levels this issue was considered. Thus I feel it is a bill that is necessary to implement the budget and revenue."

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 102nd Day, Regular Session, April 21, 1983.)

Mr. Wang moved adoption of the committee amendment to page 3, line 8, striking all of section 2.

Representatives Moon, Sanders, P. King and Isaacson spoke in favor of the committee amendment, and Representatives Barnes and Barrett spoke against it.

Mr. Moon spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 3 of Engrossed Substitute Senate Bill No. 3608, and the amendment was adopted by the following vote: Yeas, 50; nays, 48; excused, 0.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Egger, Ellis, Fisch, Fisher, Galloway, Garrett, Grimm, Halsan, Hankins, Isaacson, Jacobsen, Kaiser, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nealey, Nelson D, Niemi, Powers, Prince, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Struthers, Tanner, Van Dyken, Vekich, Walk, Wang, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Fiske, Fuhrman, Gallagher, Hastings, Haugen, Heck, Hine, Holland, Johnson, King J, King R, Lewis, McDonald, Miller, Mitchell, Nelson G, O'Brien, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith, Sutherland, Taylor, Tilly, Todd, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 48.

On motion of Mr. Moon, the committee amendments to the title of the bill 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 Substitute Senate Bill No. 3608 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, 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, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute Senate Bill No. 3608 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

May 24, 1983

Mr. Speaker:

The Senate has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 3780,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

REESB 3780 by Committee on Ways & Means (originally sponsored by Senators Fleming, Jones, McManus, McDermott and Deccio - by Department of Social and Health Services request):

Modifying provisions relating to nursing homes.

On motion of Mr. Heck, the rules were suspended, the bill 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 bill was placed on final passage.

Representatives Brekke and Fiske spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. J. King.

Mr. J. King: "Representative Kreidler, on page 23, lines 12 through 13 there is an amendment which disallows dues to national organizations. This amendment is unclear. May a state association pay its national dues from moneys retained through cost savings' programs or nondue revenue sources, without penalty to the member nursing homes?"

Mr. Kreidler: "Yes, Representative King, the intent of this language is that a state association may choose to pay for national dues through savings from cost reducing programs provided that there is no direct national dues' assessment made by the state association to members for national dues."

Mr. B. Williams spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3780, and the bill passed the House by the following vote: Yeas, 82; nays, 16; excused, 0.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Broback, Brough, Burns, Cantu, Chandler, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Ellis, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hastings, Haugen, Heck, Hine, Holland, Isaacson, Johnson, Kaiser, King J, King P, King R, Lewis, Locke, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, Nelson G, Niemi, O'Brien, Patrick, Powers, Prince, Pruitt, Ristuben, Sanders, Sayan, Schmidt, Silver, Smith, Smitherman, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Walk, Wang, West, Williams J, Wilson, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Appelwick, Belcher, Braddock, Brekke, Charnley, Fuhrman, Jacobsen, Kreidler, Long, Nelson D, Padden, Rust, Schoon, Sommers, Vekich, Williams B - 16.

Reengrossed Substitute Senate Bill No. 3780, having received the 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

This evening the House Majority has once again violated the spirit and letter of parliamentary practice by sending RESSB 3780 to the Senate on a motion to immediately transmit in spite of the fact that the bill was in dispute and no effort was made to resolve the dispute in accordance with Reeds' Rules.

DAN McDONALD, 48th District.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 245,  
SUBSTITUTE HOUSE BILL NO. 466.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Mr. Speaker, what time is it?"

The Speaker: "11:59 p.m., Pacific daylight time."

## MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 983 and again asks the House to concur, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## POINT OF ORDER

Ms. Stratton: "Mr. Speaker, I'd like a ruling on scope and object of the Senate amendments to Engrossed Substitute House Bill No. 983, please."

## SPEAKER'S RULING

The Speaker: "The Speaker has examined the Senate amendments to Engrossed Substitute House Bill No. 983, and has examined the scope and object of the original bill, and has determined that the Senate amendments change the scope and object of the original bill. Therefore, the bill is rereferred to Committee on Transportation."

## MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 245,  
SUBSTITUTE HOUSE BILL NO. 466,  
SECOND SUBSTITUTE SENATE BILL NO. 3155,  
SUBSTITUTE SENATE BILL NO. 3780.

SECOND SUBSTITUTE SENATE BILL NO. 4102,  
SUBSTITUTE SENATE BILL NO. 4245,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 3155,  
SUBSTITUTE SENATE BILL NO. 3780,  
SECOND SUBSTITUTE SENATE BILL NO. 4102,  
SUBSTITUTE SENATE BILL NO. 4245.

STATEMENT FOR THE JOURNAL

On motion of Mr. Charnley, the following letter was ordered inserted into the Journal:

Department of Agriculture  
General Administration Building  
Olympia, Washington  
April 12, 1983

Representative Nancy Rust, Chairperson  
House Committee on Environmental Affairs  
Olympia, Washington

Dear Representative Rust:

By way of this letter I would like to inform you of the Department's intended administrative actions affecting the use of Endrin in the state of Washington. First, let me assure you that during the entire period of debate on the subject of Endrin, our goal has been to develop or seek the best data available on which to base decisions to protect the public interest.

Since the regulatory restrictions were placed on Endrin use last fall, it has always been the Department's intention to review annually those restrictions through the public hearing process. The idea was to continue the collection of data and then determine if the restrictions on use needed to be adjusted in light of newly collected data. We now believe, though, that in light of legislative action and at the urging of Representative Kaiser, the regulatory process needs to be started immediately.

We intend to take to public hearing, hopefully before the end of May, a proposed rule that would follow the spirit of the measure that passed the Senate (SSB 4079), which, by the way, is not inconsistent with our desire to regulate the product into a nonuse status. Our proposal will provide for a phase out of general use over a three-year period. Following that period, a situation similar to what exists in New York will be established where only emergency uses would be allowed, with those uses approved by a scientifically competent panel. The Department's Assistant Attorney General is now discussing the provisions of a proposed rule with the attorney representing the Audubon Society, and my technical staff is working to develop the details of the proposal. Developing rules that are effective when applied to real world situations is always a challenge, but I am confident that agreement can be reached.

I appreciate your support for the funding of research to seek alternatives to Endrin, as I believe that is a very commendable position. A scientifically credible method for determining the level of meadow vole populations will be key to a successful regulatory/emergency use system. I hope a method will be found to fund research in that area.

It is my sincere desire that our efforts be viewed as a step toward resolution of all aspects of the Endrin-use question and I would welcome your assistance or any advice you may have in this regard.

Sincerely,  
M. Keith Ellis, Director.

## MOTION

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

## INTRODUCTION AND FIRST READING

HCR 28 by Representatives Heck and G. Nelson

Returning all legislative measures to their house of origin.

## MOTIONS

On motion of Mr. Heck, the rules were suspended, and House Concurrent Resolution No. 28 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 adopted.

## MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 28,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 28.

## MESSAGES FROM THE SENATE

May 24, 1983

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 28,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 24, 1983

Mr. Speaker:

Under the provisions of House Concurrent Resolution No. 28, we are returning the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO.	50,
SUBSTITUTE HOUSE BILL NO.	71,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	181,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	213,
SUBSTITUTE HOUSE BILL NO.	271,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	307,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.	352,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	406,
SUBSTITUTE HOUSE BILL NO.	410,
ENGROSSED HOUSE BILL NO.	411,
ENGROSSED HOUSE BILL NO.	412,
HOUSE BILL NO.	524,
SUBSTITUTE HOUSE BILL NO.	583,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	605,
SUBSTITUTE HOUSE BILL NO.	689,
SUBSTITUTE HOUSE BILL NO.	717,
ENGROSSED HOUSE BILL NO.	752,
SUBSTITUTE HOUSE BILL NO.	784,
SUBSTITUTE HOUSE BILL NO.	996,
SUBSTITUTE HOUSE BILL NO.	1050,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	1051,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Heck, reading of the Journal of the Thirtieth Day of the 1983 First Special Session of the 48th Legislature was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Heck, the 1983 First Special Session of the 48th Legislature was adjourned sine die.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**FIRST DAY  
1983 SECOND SPECIAL SESSION**

MORNING SESSION

---

House Chamber, Olympia, Wash., Wednesday, May 25, 1983

The House was called to order at 1:45 a.m. by the Speaker.

PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has concluded the 1983 First Extraordinary Session without resolving the revenue needs of the state. It is therefore necessary for me to convene the legislature in a second extraordinary session for the purpose of addressing only the following:

RESB 3909  
ESHB 52  
SSB 3290  
ESHB 605

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in a second extraordinary (special) session immediately for a period up to 4:00 p.m., on May 25, 1983, subject to agreement by both Houses to the said time limitation and limitations of purposes. This Proclamation shall not remain in effect unless each House adopts said time and purposes limitations before proceeding with this business.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at 1:08 a.m., this 25th day of May, A.D., nineteen hundred and eighty-three.

(Seal)

JOHN SPELLMAN, Governor.

MOTION

On motion of Mr. Heck, the House was recessed until 1:00 a.m.

SECOND MORNING SESSION

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 except Representatives Belcher, Betzoff, Bond, Kaiser, Patrick and Smith, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kirsten Fischer and Jeff Malloy. Prayer was offered by The Reverend Maurice Haehlen, Retired Minister of the United Churches of Olympia.

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, in his proclamation the Governor lists four bills to be considered, states the legislature must adjourn by 4:00 p.m. today, and attempts to condition the effect of the proclamation upon agreement by the legislators. My point of inquiry is: May the Governor limit the legislature in this fashion?"

The Speaker (Mr. O'Brien presiding): "Representative Nelson, Article II, Section 12 of our State Constitution as amended by the 68th Amendment, provides that special legislative sessions may be convened for a period of time not more than thirty consecutive days by a proclamation of the Governor. It also provides that the resolution concerning the legislature shall specify purpose or purposes for the convening of the special session and notes that specification of purpose shall be considered by the legislature, but shall not be mandatory, nor may he attempt to condition his proclamation on agreement by the legislature. In answer to your



point of parliamentary inquiry, the Speaker would rule that in accordance with the State Constitution, the Governor may not limit the subject matter this body may consider and may not restrict the legislature's time to act to less than thirty days given to us by the Constitution."

## INTRODUCTION AND FIRST READING

HCR 30 by Representatives Heck and G. Nelson

Limiting measures of 1983 Second Special Session.

## MOTIONS

On motion of Mr. Wang, the rules were suspended and House Concurrent Resolution No. 30 was advanced to second reading and read the second time in full.

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

Mr. Wang spoke in favor of the resolution.

## POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Padden.

Mr. Padden: "Representative Wang, is it the intent of the majority party to abide by the proclamation, as we agreed, to end the session at 4:00 p.m. today?"

Mr. Wang: "I think we are certainly going to make every effort to conclude our business in a timely fashion."

Mr. Padden spoke against the resolution.

## MOTION

Mr. Padden moved that further consideration of House Concurrent Resolution No. 30 be deferred.

## SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Representative Padden, your motion is out of order. You have prefaced the motion by your remarks."

## POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Padden.

Mr. Padden: "Representative Wang, as far as a specific time, what is the intention as far as the time limitation on this special session?"

Mr. Wang: "Representative Padden, our best efforts will be made to conclude this special session by 4:00 p.m."

The resolution was adopted.

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 Belcher, Betrozoff, Bond, Kaiser, Patrick and Smith.

On motion of Mr. Heck, the absent members were excused and the House proceeded with business under the Call of the House.

## MOTION

On motion of Mr. Heck, ENGROSSED SUBSTITUTE HOUSE BILL NO. 605 was advanced to third reading and final passage.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 605, by Committee on Ways & Means (originally sponsored by Representatives O'Brien, Sommers, Betrozoff and Miller)

Revising provisions relating to the state convention and trade center.

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. 605, and the bill passed the House by the following vote: Yeas, 75; nays, 17; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Braddock, Brekke, Broback, Brough, Cantu, Chandler, Charnley, Clayton, Crane, Dellwo, Dickie, Ebersole, Egger, Fisch, Fisher, Fiske, Gallagher, Galloway, Garrett, Halsan, Hankins, Hastings, Heck, Hine, Holland, Isaacson, Johnson, King J, King P, King R, Kreidler, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nelson G, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Williams B, Williams J, Wilson, Zellinsky - 75.

Voting nay: Representatives Burns, Ellis, Fuhrman, Grimm, Haugen, Jacobsen, McMullen, Nealey, Nelson D, Niemi, Padden, Schmidt, Taylor, Walk, Wang, West, and Mr. Speaker - 17.

Excused: Representatives Belcher, Betrozoff, Bond, Kaiser, Patrick, Smith - 6.

Engrossed Substitute House Bill No. 605, having received the 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, Engrossed Substitute House Bill No. 605 was ordered immediately transmitted to the Senate.

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

## MESSAGE FROM THE SENATE

May 25, 1983

Mr. Speaker:

The Senate has passed SECOND REENGROSSED SENATE BILL NO. 3909, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

2RESB 3909 by Senator McDermott

Relating to revenue and taxation.

## MOTIONS

On motion of Mr. Heck, the rules were suspended and Second Reengrossed Senate Bill No. 3909 was advanced to second reading.

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

Representatives Belcher and Kaiser appeared at the bar of the House.

## SECOND READING

2ND REENGROSSED SENATE BILL NO. 3909, by Senator McDermott

Relating to revenue and taxation.

The bill was read the second time.

On motion of Mr. Heck, the rules were suspended to consider all of the House amendments at once.

Mr. Grimm moved adoption of the following amendments to the Senate amendment:

On page 3, strike line 12 and insert "~~((4) This section shall expire July 1, 1983.))~~"

On page 3, beginning on line 16 strike all material through "there" on line 17 and insert "~~((From and after the first day of April 1982, until and including the thirtieth day of June 1983.))~~ There"

On page 20, beginning on line 34 strike all material through line 30 on page 21.

Re-number the sections consecutively and correct internal references accordingly.

On page 37 of the amendment after line 33 strike all of section 43.

Re-number the sections consecutively and correct internal references accordingly.

On page 54, line 6 strike "24."

On page 54, line 7 strike "Sections 24 and" and insert "Section"

On page 47, beginning on line 32 strike all material through line 32 on page 48.

Renumber the sections consecutively and correct internal references accordingly.

On page 53 of the amendment, after line 16, insert the following:

"Sec. 66. Section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within ~~((the number of))~~ twenty-five days ~~((specified in the following table))~~ after the end of the month in which the taxable activities occur.

<del>((For activities occurring in</del>	<del>Days</del>
<del>October, 1981 through March, 1982</del>	<del>25</del>
<del>April, 1982 through March, 1983</del>	<del>20</del>
<del>April, 1983 and thereafter</del>	<del>15))</del>

(2) ~~((A monthly taxpayer may elect to remit an estimated amount of the tax due for each month on or before the due date set forth in subsection (1) of this section. The estimated amount of tax remitted shall be at least the greater of ninety percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year. Each taxpayer filing an estimated return shall file a separate quarterly return on the last day of the month after the end of each calendar quarter. Each quarterly return shall be on forms prescribed by the department, include such information as the department may require to correctly determine tax liability during the quarter, and be accompanied by a remittance of the balance of the tax actually due for the quarter.~~

(3) ~~((The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.~~

~~((4)) (3) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability."~~

Renumber the sections consecutively and correct internal references accordingly.

On page 54 of the amendment, line 10, after "(d)" insert the following:

"Section 66 of this act shall take effect April 1, 1985, and shall be effective in respect to taxable activities occurring on and after April 1, 1985; and

(e)"

On page 53, after line 16, insert the following:

"Sec. 66. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901 are each amended to read as follows:

Until and including the thirtieth day of June, 1985, there is levied and shall be collected from every person, other than persons taxed under RCW 82.04.... (section 3, chapter 9, Laws of 1983), for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.250, an additional tax equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under the provisions of RCW 82.04.250 ~~((PROVIDED: That as to such persons making sales at retail in border counties other than retail sales of telephone services, as defined in section 26 of this 1983 act, such additional tax shall be levied and collected from such persons with respect to such sales in border counties in an amount equal to thirty-two percent multiplied by the tax payable under the provisions of RCW 82.04.250)); PROVIDED ((FURTHER)), That the additional tax under this section shall be imposed only if all of the amendments contained in sections 1 through 3 of this 1983 act become law.~~

To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 67. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 42 of this 1983 act and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price ~~((PROVIDED: That for retail sales other than retail sales of telephone services, as defined in section 25 of this 1983 act, such tax shall be levied and collected in border counties in an amount equal to five and four-tenths percent of the selling price)).~~

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020."

Renumber the sections consecutively and correct any internal references accordingly.

On page 54, after line 13, insert the following:

"(e) Sections 66 and 67 of this act shall take effect on the day either of the following events occurs, whichever is earlier:

(i) A temporary or permanent injunction or order becomes effective which prohibits in whole or in part the collection of taxes at the rates specified in section 6, chapter 7, Laws of 1983; or

(ii) A decision of a court in this state invalidating in whole or in part section 6, chapter 7, Laws of 1983, becomes final."

On page 49, beginning on line 7 strike section 62.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 56, beginning on line 3 after "82.32.090;" strike all material through "84.36.800;" on line 5.

On page 56, line 31 after "82.08.020;" strike all material down through "82.08.0273;" on line 33

On page 57, beginning on line 4 after "84.36.080;" strike all material through "82.14.060;" on line 8

On page 57, line 11 of the title, after "84.33.071;" insert "amending section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045;"

On page 57 of the amendment, line 11, after "84.33.071;" insert "amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4 of this 1983 act and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 42 of this 1983 act and RCW 82.08.020;"

On page 57, line 18 of the title amendment after "84.09 RCW;" strike everything down to and including "35.21.285;" on line 20

Mr. Grimm spoke in favor of the amendments, and Mr. G. Nelson spoke against them.

The 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 Grimm, Gallagher, Garrett and R. King spoke in favor of the bill, and Representatives McDonald, Cantu, Tilly and G. Nelson spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Reengrossed Senate Bill No. 3909 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 43; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charney, 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, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, O'Brien, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, Wang, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Dickie, Egger, Fiske, Fuhrman, Hankins, Hastings, Holland, Isaacson, Johnson, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, West, Williams B, Williams J, Wilson, Zellinsky - 43.

Excused: Representatives Berozoff, Bond, Patrick, Smith - 4.

Second Reengrossed Senate Bill No. 3909 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, Second Reengrossed Senate Bill No. 3909 was ordered immediately transmitted to the Senate.

#### MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 3290.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Heck, Reengrossed Substitute Senate Bill No. 3290 was placed on the second reading calendar.

REENGROSSED SUBSTITUTE SENATE BILL NO. 3290, by Committee on Natural Resources (originally sponsored by Senators Moore, Barr, Goltz and Williams)

Modifying provisions relating to the lease of aquatic lands.

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 Stratton, Wang and Mitchell spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3290, and the bill passed the House by the following vote: Yeas, 91; nays, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, 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, Long, Lux, Martinis, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Padden, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Belcher, Locke, Moon - 3.

Excused: Representatives Berozoff, Bond, Patrick, Smith - 4.

Reengrossed Substitute Senate Bill No. 3290, having received the 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, Reengrossed Substitute Senate Bill No. 3290 was ordered immediately transmitted to the Senate.

## POINT OF PERSONAL PRIVILEGE

Mr. G. Nelson: "My point of personal privilege is that we have just voted on a measure, Reengrossed Substitute Senate Bill No. 3290, that was not in our books. We voted on it in blind faith and even though some one might say that you had a bill that was previously acted upon in this House, and the amendments, it is really something that is unlikely, or, I suspect, uncommon to the have happen in this body. I think we essentially violate the process and the confidence of the institution by voting on bills like that. I'm personally affronted by it. I don't believe we needed to wait until 4:29 p.m. to finally pass the bill out when it was passed to this body at 10:00 a.m. this morning with ample time to have the measure engrossed and distributed on the House floor so that everybody could know the accuracy and the contents of the bill before they voted on it."

## MESSAGE FROM THE SENATE

May 24, 1983

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND REENGROSSED SENATE BILL NO. 3909 except the following amendments:

On page 49, beginning on line 7 strike section 62.

Reumber the remaining sections consecutively and correct internal references accordingly.

On page 57, line 18 of the title amendment after "84.09 RCW;" strike everything down to and including "35.21.285;" on line 20.

and asks the House to recede therefrom and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Grimm moved that the House refuse to recede from its amendments and insist on its position with regard to the amendments on page 49 and page 57.

Representatives Barnes, Tilly, Padden, Isaacson, Vander Stoep and Barrett spoke against the motion, and Representatives Grimm and Heck spoke in favor of it.

Mr. Barnes again opposed the motion.

## ROLL CALL

The Clerk called the roll on the motion that the House refuse to recede from the amendments to pages 49 and 57 of Second Reengrossed Senate Bill No. 3909, and the motion was carried by the following vote: Yeas, 51; nays, 43; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Hankins, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickle, Ebersole, Fiske, Fuhrman, Hastings, Haugen, Heck, Holland, Johnson, King R, Lewis, Long, McDonald, Miller, Mitchell, Nealey, Nelson G, O'Brien, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Tilly, Todd, Vander Stoep, West, Williams B, Williams J, Wilson - 43.

Excused: Representatives Betrozoff, Bond, Patrick, Smith - 4.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-98, by Representatives Lewis, Ellis, Dickie and Clayton

WHEREAS, Chet Hatfield, a distinguished former member of the Washington State House of Representatives, passed away on May 23; and

WHEREAS, This legislative body has many fond and enduring memories of Mr. Hatfield; and

WHEREAS, Mr. Hatfield was born in Yakima in 1911 and was a member of the first class of Yakima Valley College in 1928, also serving as the first student body president of the college; and

WHEREAS, Mr. Hatfield graduated from the School of Business at the University of Washington in 1932 and returned to his hometown to begin a successful career with Yakima Cement Products; and

WHEREAS, In 1937 Chet married Mary Ingalsbe and moved to Wenatchee to manage Yakima Cement Products' plant there; and

WHEREAS, Mr. and Mrs. Hatfield lived in Wenatchee for ten years, where Chet was a charter member of the Chamber of Commerce and was active in church and civic affairs; and

WHEREAS, In 1947 the Hatfields returned to Yakima where Chet joined his father's retail fabric business which he operated for twenty-one years, overseeing its expansion into Wenatchee and Kennewick; and

WHEREAS, In 1955 Mr. Hatfield was licensed as a Certified Public Accountant; and

WHEREAS, Chet had a long history of service to many civic clubs, including the Lions, Elks, and Masons, as well as service to local school, charitable, and public service bodies; and

WHEREAS, In 1958 Mr. Hatfield was elected to the State House of Representatives, serving until 1973; and

WHEREAS, Chet is survived by his wife Mary, three daughters and one son, and four grandchildren; and

WHEREAS, Chet will be greatly missed by his family, his community, and this legislative body;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House does express its deepest and most sincere condolences to the family of Chet Hatfield; and

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be sent to Mary Hatfield in Yakima.

Mr. Lewis moved adoption of the resolution. Representatives Lewis and Ellis spoke in favor of the resolution, and it was adopted.

Representative Barrett was excused.

HOUSE FLOOR RESOLUTION NO. 83-99, by Representative Halsan

WHEREAS, In the past four years, the Iranian government has executed thousands of persons for their religious beliefs; and

WHEREAS, Members of the Baha'i faith in Iran have suffered the loss of property and jobs as a result of their religious convictions; and

WHEREAS, In addition to executions and the loss of property and jobs, members of the Baha'i faith in Iran have been subjected to extreme governmental harassment, persecution, and imprisonment; and

WHEREAS, At least one hundred twenty-five Baha'is were arrested in Shiraz in a single month this year, and these arrests continue; and

WHEREAS, Those Baha'is arrested are often executed without the benefit of a trial and without being convicted of any crime except their refusals to renounce their religious beliefs; and

WHEREAS, The members of the Baha'i faith in Iran have been specifically excluded from civil protection under the current Iranian Constitution; and

WHEREAS, The Baha'i faith is recognized around the world and its members are a peace loving people who believe in the basic principles of justice, equality, and unity; and

WHEREAS, The denial of religious freedom and the persecution of a group of human beings is a threat to the freedom of all people;

NOW, THEREFORE, BE IT RESOLVED, By The House of Representatives of the State of Washington, That we support United States Senate Concurrent Resolution No. 73 which condemned the Iranian persecution of the Baha'i community; and

BE IT FURTHER RESOLVED, That we urge Congress and President Ronald Reagan to persevere in their efforts to halt the persecution of members of the Baha'i faith in Iran; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to President Ronald Reagan, the President of the United States Senate, the Speaker of the House of Representatives, and to the members of the congressional delegation from Washington State.

On motion of Mr. Halsan, the resolution was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

May 25, 1983

Mr. Speaker:

The Senate insists on its position on SECOND REENGROSSED SENATE BILL NO. 3909 and again asks the House to recede from its amendments as follows:

On page 49, beginning on line 7 strike section 62.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 57, line 18 of the title amendment after "84.09 RCW," strike everything down to and including "35.21.285;" on line 20.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Grimm moved that the House again refuse to recede from the amendments and again insist on its position, and ask the Senate to concur therewith.

Mr. Barnes spoke against the motion, and Mr. Grimm spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the motion that the House again insist on its position with regard to Second Reengrossed Senate Bill No. 3909, and the motion was carried by the following vote: Yeas, 52; nays, 41; excused, 5.

  Voting yea: Representatives Allen, Appelwick, Armstrong, Belcher, Braddock, Brekke, Burns, Charnley, Dellwo, Egger, Ellis, Fisch, Fisher, Gallagher, Galloway, Garrett, Grimm, Halsan, Heck, Hine, Isaacson, Jacobsen, Kaiser, King J, King P, Kreidler, Locke, Long, Lux, Martinis, McClure, McMullen, Monohon, Moon, Nelson D, Niemi, Powers, Pruitt, Ristuben, Rust, Sayan, Smitherman, Sommers, Stratton, Sutherland, Tanner, Van Dyken, Vekich, Walk, Wang, Zellinsky, and Mr. Speaker - 52.

  Voting nay: Representatives Addison, Ballard, Barnes, Broback, Brough, Cantu, Chandler, Clayton, Crane, Dickie, Ebersole, Fiske, Fuhrman, Hankins, Hastings, Haugen, Holland, Johnson, King R, Lewis, McDonald, Miller, Mitchell, Nealey, Nelson G, O'Brien, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Struthers, Taylor, Tilly, Todd, Vander Stoep, West, Williams B, Williams J, Wilson - 41.

  Excused: Representatives Barrett, Betrozoff, Bond, Patrick, Smith - 5.

## RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-100, by Representatives Todd, Heck, Sayan, Vekich, McMullen and D. Nelson

WHEREAS, The Bearded Caucus is an extremely effective but little recognized group; and

WHEREAS, This Bearded Caucus is a highly distinguished and august group; and

WHEREAS, The Bearded Caucus believes that bald chins are cold and going out of style; and

WHEREAS, The Bearded Caucus believes all razors should be outlawed as dangerous weapons; and

WHEREAS, The Bearded Caucus believes only old, rusty razor blades should be sold in stores; and

WHEREAS, The Bearded Caucus believes a one-hundred percent Business and Shaving Tax should be added to all barbers shaving their customers, except that such a tax shall be ten percent on Jake the Barber so that he may continue to pass on his wisdom to Representative Bond; and

WHEREAS, The Bearded Caucus knows that former distinguished legislators have sported beards and in past sessions bald chinned members were in the minority; and

WHEREAS, The Bearded Caucus supports the use of mustache cups; and

WHEREAS, Sociology Professor Herb Taylor of Western Washington University indicates beards will be common practice in the year 2025; and

WHEREAS, Representatives Braddock and Van Dyken, although beardless, may become honorary members of this esteemed Caucus for having such a valuable research University in their district, provided that they sport beards by the end of 1983;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State House of Representatives, That the House of Representatives offer its due respect to the humble yet strong, gifted yet forgiving, loved and gracious men of the 1983 Bearded Caucus; and

BE IT FURTHER RESOLVED, That Representative McMullen be especially honored for recognizing the need to grow a beard in order to represent effectively the people of his district and the alumni of Western Washington State University in particular.

On motion of Mr. Todd, the resolution was adopted.

Representatives Ballard, Kaiser and Locke were excused.

## MESSAGES FROM THE SENATE

May 25, 1983

Mr. Speaker:

The President has signed:



## SUBSTITUTE SENATE BILL NO. 3290.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

May 25, 1983

Mr. Speaker:

The Senate has concurred in all of the House amendments to SECOND REENGROSSED SENATE BILL NO. 3909, including those on page 49, line 7 and page 57, line 18, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3290.

## MOTION

On motion of Mr. Heck, the House dispensed with the Call of the House.

## SENATE AMENDMENTS TO HOUSE BILL

May 25, 1983

Mr. Speaker:

The Senate has passed ENGGROSSED SUBSTITUTE HOUSE BILL NO. 605 with the following amendments:

On page 2, line 36 reinsert stricken language and strike "one or more offerings"

On page 4, after line 2 add "Provided that no proceeds from the sale of bonds or earnings from the investment of the proceeds shall be used to fund (4) or (8) of this section."

On page 5, line 34 strike all of section 7 and renumber the remaining sections accordingly.

On page 6, line 10 after "1985" strike "\$4,234,000" and insert "\$2,024,360"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Grimm moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 605.

Mr. Grimm spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Grimm, we've been under the Call of the House so we haven't been able to go over to the Senate to learn what happened over there, but the appropriation change from \$4.2 million to \$2 million is a substantial reduction—it's over a fifty percent reduction—can you give us any detail on how we are able to do this and function?"

Mr. Grimm: "In my opinion, Representative Sanders, that reduction that has been provided at the last, with which I am asking you to concur, is not beneficial and we are most likely going to be in a situation during the next legislative session to redress that error because the expenditures as passed the House originally still are in the best interest of not only the legislature, but also the Seattle Trade Convention Center. I cannot tell you, specifically, what basis the decision was made for the reduction in the Senate."

Mr. Sanders 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. 605 as amended by the Senate.

Mr. O'Brien 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. 605 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 16; excused, 7.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Belcher, Braddock, Brekke, Broback, Brough, Cantu, Charnley, Clayton, Crane, Dellwo, Egger, Fisch, 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, Martinis, McClure, McDonald, Miller, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, O'Brien, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schoon, Silver, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, West, Williams B, Williams J, Wilson, Zellinsky - 75.

Voting nay: Representatives Burns, Chandler, Dickie, Ebersole, Ellis, Fisher, Fiske, Fuhrman, McMullen, Niemi, Padden, Schmidt, Taylor, Walk, Wang, and Mr. Speaker - 16.

Excused: Representatives Ballard, Barrett, Betrozoff, Bond, Kaiser, Patrick, Smith - 7.

Engrossed Substitute House Bill No. 605 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

May 25, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3909,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3909.

## INTRODUCTION AND FIRST READING

HCR 29 by Representatives Heck and G. Nelson

Notifying the Governor that the legislature will adjourn sine die.

## MOTIONS

On motion of Mr. Heck, the rules were suspended and House Concurrent Resolution No. 29 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 adopted.

## INTERIM COMMITTEE ASSIGNMENTS

The Speaker announced the following interim committee assignments:

Nuclear Waste Policy and Review Board: Representatives Hankins, Miller, D. Nelson, Rust.

Legislative Advisory Committee on State Government Organization: Representatives Belcher, Ellis, Hankins, Holland, Niemi, Sommers, Taylor, B. Williams.

Washington State Arts Commission: Representatives Fisher, Miller.

Education Commission of the States: Representative Burns.

Governor's Recreation Resource Advisory Committee: Representatives Ballard, Rust.

Statute Law Committee: Representatives Dellwo, Padden.

Judicial Council: Representatives Armstrong, Padden, Wang.

Municipal Research Council: Representatives Allen, Hine, Powers, West.

State High-Level Nuclear Waste: Representative Locke.

Joint Select Sunset Committee: Representatives Barnes, Ebersole, Lewis, Niemi, Smitherman.

Advisory Committee on Minority & Women's Business Enterprises: Representatives Allen, Belcher.

Joint Ad Hoc Committee on Science & Technology: Representatives Barnes, Brough, Charnley, Sutherland.

Western State Legislative Forest Task Force: Representatives Mitchell, Sayan.  
 Legislative Budget Committee: Representatives Brekke, Heck, G. Nelson,  
 Sommers, Vander Stoep, B. Williams.

LEAP: Representatives Cantu, Grimm, McClure, McDonald.

Legislative Transportation Committee: Representatives Charnley, Clayton,  
 Fisch, Fisher, Gallagher, Garrett, Martinis, Prince, Schmidt, Smith, Walk, Wilson.

Washington State Centennial Commission: Representative Betrozoff.

Capital Area Master Plan: Representative J. Williams.

Columbia Interstate Compact Commission: Representative Nealey.

Law Revision Commission: Representative Schoon.

Executive Rules Committee: Representatives Ehlers, Hastings, Heck, Hine, G.  
 Nelson.

#### RESOLUTION

HOUSE FLOOR RESOLUTION NO. 83-94, 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.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 605.

#### APPOINTMENT OF SPECIAL COMMITTEE

In accordance with House Concurrent Resolution No. 29, the Speaker  
 appointed Representatives Moon, Martinis and Hankins to notify the Governor that  
 the Legislature was about to adjourn sine die.

#### APPOINTMENT OF SPECIAL COMMITTEE

In accordance with House Floor Resolution No. 83-94, the Speaker appointed  
 Representatives Powers, P. King and Nealey to notify the Senate that the House was  
 ready to adjourn sine die.

#### REPORT OF SPECIAL COMMITTEE

A Special Committee from the Senate, Senators Hemstad, Guess and Peterson,  
 appeared at the bar of the House and notified the House that the Senate was ready  
 to adjourn sine die.

The report was received and the committee returned to the Senate.

#### REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that  
 they had notified the Governor the Legislature was about to adjourn sine die.

The report was received and the committee was discharged.

#### REPORT OF SPECIAL COMMITTEE

The Special Committee returned from the Senate and reported that they had  
 notified the Senate that the House was ready to adjourn sine die.

The report was received and the committee was discharged.

#### MESSAGE FROM THE SENATE

May 25, 1983

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 29,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
HOUSE CONCURRENT RESOLUTION NO. 29.

## MESSAGE FROM THE SENATE

May 25, 1983

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 605,  
HOUSE CONCURRENT RESOLUTION NO. 29,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTIONS

On motion of Mr. Heck, reading of the Journal of the Second Special Session of the 48th Legislature was dispensed with and it was ordered to stand approved.

On motion of Mr. Heck, the Second Special Session of the 48th Legislature was adjourned sine die.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk

**FIRST DAY  
1983 THIRD SPECIAL SESSION**

**MORNING SESSION**

---

House Chamber, Olympia, Wash., Saturday, September 10, 1983

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 Armstrong, Fuhrman, P. King, Kreidler, Miller and Prince, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Renee Cormier and Jeff Malloy. Prayer was offered by Representative Paul Pruitt of Seattle.

**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:

We herewith respectfully transmit the attached Proclamation of the Governor of the State of Washington convening a Special Session of the Legislature at 10:00 a.m. on Saturday, September 10, 1983.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington, this tenth day of September, 1983.

(Seal)

RALPH MUNRO, Secretary of State.

**PROCLAMATION BY THE GOVERNOR**

It is desirable that the attached law be enacted providing for a special primary election for nominating candidates to be elected in the November 1983, general election to fill the vacancy in the representation of this state in the Senate of the United States.

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session in the Capitol at Olympia at 10:00 a.m. on September 10, 1983, for the express purpose of enacting the attached bill.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 9th day of September, A.D. nineteen hundred and eighty-three.

(Seal)

JOHN SPELLMAN, Governor.

**MOTION**

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

**RESOLUTIONS**

HOUSE FLOOR RESOLUTION NO. 83-101, by Representatives Martinis, R. King, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Clayton, Crane, Delwo, 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, Kreidler, Lewis, Locke, Long, Lux, McClure, McDonald, McMullen, Miller, Mitchell, Monohon, Moon, Nealey, D. Nelson, G. Nelson, Niemi, O'Brien, Padden, Patrick, Powers, Prince, Pruitt, Ristuben, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith,

Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, West, B. Williams, J. Williams, Wilson and Zellinsky

WHEREAS, Senator Henry M. Jackson was a great statesman whose efforts were recognized not only in Washington State, but also throughout the United States and in foreign nations; and

WHEREAS, Senator Jackson, known to friends, colleagues, and the world as "Scoop," rose from prosecuting attorney of Snohomish County to a powerful Senator and presidential candidate through his ability to relate to people from all walks of life, regardless of party affiliation; and

WHEREAS, Throughout his career, Scoop's politics evidenced his compassion for people and love for Washington State and the United States, resulting in his being strongly concerned with domestic issues, an advocate of a strong national defense, and a defender of global freedoms; and

WHEREAS, Senator Jackson, instrumental in creating the Environmental Protection Agency, chaired the Senate Energy and Natural Resources Committee for many years, remaining a powerful member of that committee until his death, and was the ranking Democrat on the Armed Services Committee; and

WHEREAS, Senator Jackson's position and seniority in the United States Senate assisted Washington's economic development and the protection of its natural resources; and

WHEREAS, The passing of this state's favorite son, who earned his nickname while a schoolboy delivering newspapers in Everett, will leave a void in this state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Washington State acknowledges its great debt to its great statesman, the late Senator Henry M. "Scoop" Jackson, and offers condolences to the Jackson family; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted to Senator Jackson's family.

Mr. Martinis moved adoption of the resolution. Representatives Martinis, G. Nelson, R. King and O'Brien spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 83-102, by Representatives West, Bond, Padden, Holland, Sanders, Patrick, B. Williams, Nealey, Van Dyken, Ballard, Schoon, Broback, J. Williams, Isaacson, Chandler, Long, G. Nelson, Tilly, Cantu, Brough, Wilson, Addison, Barnes, Taylor, Mitchell, Barrett, Schmidt, Hastings, Hankins and Allen

WHEREAS, The Soviet Union shot down an unarmed South Korean jetliner on September 1, 1983, killing 269 innocent people; and

WHEREAS, The State of Washington purchased almost half a million dollars worth of Russian vodka for our state liquor stores in fiscal 1983; and

WHEREAS, The State of Washington has yet to take any formal action condemning the Russians for their deplorable action; and

WHEREAS, Several states, including Ohio and New Jersey, have asked their state liquor stores to suspend purchases of Russian liquor;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives urge the Washington State Liquor Control Board to suspend all state purchases of Russian vodka immediately; and

BE IT FURTHER RESOLVED, That this suspension be in effect until the Russians make a formal apology for their action; and

BE IT FURTHER RESOLVED, That a copy of this resolution be delivered to Governor John Spellman and to Robert Hannah, Chairman of the State Liquor Control Board; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Soviet Embassy in Washington, D.C.

On motion of Mr. West, the resolution was adopted.

## MOTION

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

## MESSAGE FROM THE SENATE

September 10, 1983

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 4279,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SB 4279 by Senators Talmadge, Barr, Bauer, Bender, Benitz, Bluechel, Bottiger, Clarke, Conner, Craswell, Deccio, Fleming, Fuller, Gaspard, Goltz, Granlund, Guess, Haley, Hansen, Hayner, Hemstad, Hughes, Hurley, Kiskaddon, Lee, McDermott, McManus, Metcalf, Moore, Newhouse, Owen, Patterson, Peterson, Pullen, Quigg, Rasmussen, Rinehart, Sellar, Shinpoch, Thompson, Vognild, von Reichbauer, Warnke, Williams, Wojahn, Woody and Zimmerman

Providing for a special primary and general election for the United States Senate.

## MOTIONS

On motion of Mr. Heck, the rules were suspended and Senate Bill No. 4279 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 bill was placed on final passage.

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

## POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Grimm, as Chairman of the Ways & Means Committee, the state legislature, by this act, has required a statewide special election. Is it your understanding that the cost of this election must be borne by the state rather than by the counties?"

Mr. Grimm: "Yes, Representative Tilly, this will be a state election required by the state, and the cost will be borne by the state consistent with the provisions in statute. References were made earlier by Representative Heck, and there are copies available of a letter to Senator George Sellar from the Secretary of State, Ralph Munro, detailing the process by which those reimbursements will be made."

Mr. Tilly: "Representative Grimm, then I take it from your answer that during the next regular session this will be handled through the Ways & Means process?"

Mr. Grimm: "Yes."

Representative West spoke against passage of the bill, and Representative Heck spoke again in favor of it.

Representatives G. Nelson and McDonald spoke in favor of the bill, and Representatives Padden and Bond spoke against it.

Mr. Heck spoke again in favor of the bill, and Mr. West again opposed it.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4279, and the bill passed the House by the following vote: Yeas, 88; nays, 4; excused, 6.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betozoff, Braddock, Brekke, Broback, Brough, Burns, Cantu, Chandler, Charnley, Crane, Dellwo, Dickle, 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, Lewis, Locke, Long, Lux, Martinis, McClure, McDonald, McMullen, Mitchell, Monohon, Moon, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Powers, Pruitt, Ristuben,

Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith, Smitherman, Sommers, Stratton, Struthers, Sutherland, Tanner, Taylor, Tilly, Todd, Van Dyken, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bond, Clayton, Padden, West - 4.

Excused: Representatives Armstrong, Fuhrman, King P, Kreidler, Miller, Prince - 6.

Senate bill No. 4279, having received the 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

The following letter was ordered inserted into the Journal:

September 10, 1983

Honorable George Sellar  
State Senator  
Legislative Building  
Olympia, Washington  
Dear George:

In response to your question about the procedures for reimbursing counties for the costs of the special primary to nominate candidates for the U.S. Senate, we understand that:

(1) The counties will temporarily assume the costs of this special primary on October 11, 1983;

(2) County auditors will submit their costs for the special primary to the Secretary of State using the same procedures which already apply to state primary and general elections under RCW 29.13.047;

(3) The Secretary of State will assemble these reimbursement claims and submit a bill to provide for the payment of these costs and a supplemental appropriation request to the 1984 regular session of the Legislature.

We understand that the Governor indicated, when he called the special session, that all of the costs of the special primary would be reimbursed out of the state general fund and I fully support this position.

Sincerely,  
RALPH MUNRO, Secretary of State.

#### MOTION

On motion of Mr. Heck, Senate Bill No. 4279 was immediately transmitted to the Senate.

#### MESSAGES FROM THE SENATE

September 10, 1983

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4279,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

September 10, 1983

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 136,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.



## SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
SENATE BILL NO. 4279.

## INTRODUCTION AND FIRST READING

SCR 136 by Senators Bottiger, Fleming, Hayner and Sellar

Adjourn sine die.

## MOTIONS

On motion of Mr. Heck, the rules were suspended, and Senate Concurrent Resolution No. 136 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 adopted.

## MESSAGE FROM THE SENATE

September 10, 1983

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 136.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 136.

## STATEMENT FOR THE JOURNAL

During the committee weekend which was held September 9-10, 1983 in Olympia, I was involved in district business within my district, therefore was unable to attend.

As I wasn't in Olympia, and wasn't informed of a special session of the Legislature being called until five minutes prior to its convening, I was not able to make it to Olympia in time for the special session which lasted one hour and forty-five minutes. Had I been notified in sufficient time, I would have supported the actions of the body.

EUGENE A. PRINCE, 48th District.

## MOTIONS

On motion of Mr. Heck, reading of the Journal of the First Day of the 1983 Third Special Session of the 48th Legislature was dispensed with and it was ordered to stand approved.

On motion of Mr. Heck, the 1983 Third Special Session of the 48th Legislature was adjourned sine die.

WAYNE EHLERS, Speaker

DEAN R. FOSTER, Chief Clerk



## HOUSE LEGISLATIVE LEADERS

1983

## DEMOCRATIC LEADERSHIP

Speaker .....	Wayne Ehlers
Speaker Pro Tempore .....	John L. O'Brien
Majority Leader .....	Dennis L. Heck
Assistant Majority Leader .....	Art Wang
Democratic Caucus Chair .....	Lorraine A. Hine
Democratic Caucus Vice Chair/Secretary .....	Avery Garrett
Majority Whip .....	Donn Charnley
Assistant Majority Whip .....	Janice Niemi
Assistant Majority Whip .....	Doug Sayan

## REPUBLICAN LEADERSHIP

Minority Leader .....	Gary A. Nelson
Republican Caucus Chair .....	Doc Hastings
Minority Floor Leader .....	Dan McDonald
Minority Whip .....	Gene Struthers
Republican Organization Leader .....	Bruce Addison
Assistant Minority Floor Leader .....	Dick Barrett
Assistant Minority Floor Leader .....	Ren Taylor
Assistant Minority Whip .....	Mike Patrick
Assistant Minority Whip .....	Eugene A. Prince

APPENDIX  
HOUSE ROSTER - 1983  
FORTY-EIGHTH SESSION

NAME OF MEMBER	Mailing Address	Age	Birthplace
Addison, Bruce	4509 SW Holgate Seattle 98116	30	Oregon
Allen, Katherine	21712-85th Pl.SW Edmonds 98020	58	Colorado
Appelwick, Marlin	12721-30th Ave. NE Seattle 98125	30	Minnesota
Armstrong, Seth	1715 Bigelow N. Seattle 98109	41	California
Ballard, Clyde	1790 N. Baker St. E. Wenatchee 98801	47	Arkansas
Barnes, Richard O.	18118 6th Ave. SW Seattle 98166	61	Iowa
Barrett, Richard	N.9819 Nez Perce Ct. Spokane 99208	52	Washington West
Belcher, Jennifer	6015 Hansen Rd. SE Olympia 98503	39	Virginia
Betrozoff, John W.	11818-156th Ave. NE Redmond 98052	48	Washington
Bond, R. M. "Dick"	S. 4226 Crestline Spokane 99203	59	Washington
Braddock, Dennis	112 Grand Ave. Rm F Bellingham 98225	38	Washington
Brekke, Joanne J	6525 Sycamore NW Seattle 98117	48	Washington
Broback, Art	3616 Soundview Dr. W. Tacoma 98466	52	Washington
Brough, Jean Marie	1118 S. 287th Place Federal Way 98003	41	Washington, D.C.
Burns, Bill	2511 W. Montlake PLE. Seattle 98112	55	Arkansas
Cantu, Emilio	4416 138th Ave. SE Bellevue 98006	56	Texas
Chandler, Glyn	1816 Dunn St. Moses Lake 98837	57	Arkansas
Charnley, Donn	19344 11th Ave. NW Seattle 98177	55	Michigan
Clayton, Harold R.	412 Bolin Drive Toppenish 98948	62	Idaho
Crane, Ernest F.	220 First NE Auburn 98002	61	Iowa
Dellwo, Dennis A	424 Old Ntl Bank Bldg. Spokane 99201	37	Washington, D.C.
Dickie, Lyle J	Rt.1, Box 1365A Grandview 98930	59	Oregon
Ebersole, Brian	4325 S. 41st St. Tacoma 98409	35	Maryland
Egger, Louis M.	Box 262 Colville 99114	64	Washington

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Associate Realtor	34 R	King, pt . . . . .	1979 thru 1982 2 Ex.
Legislator/ Homemaker	21 R	Snohomish, pt . . . . .	None
Attorney	46 D	King, pt . . . . .	None 1981 2 Ex. thru
Attorney	36 D	King, pt . . . . . Chelan, Douglas, Grant, pt., Kittitas, pt.	1982 2 Ex.
Ballard Serv., Owner	12 R	Okanogan, pt . . . . .	None
Systems Analyst	33 R	King, pt . . . . .	1974 Ex. thru 1982 2 Ex.
Boeing Marketing Consultant	5 R	Spokane, pt . . . . .	1981 thru 1982 2 Ex.
Management Consultant	22 D	Thurston, pt . . . . .	None
Property Manager	45 R	King, pt . . . . .	None 1975 thru
Gas Company President	6 R	Spokane, pt . . . . .	1982 2 Ex.
Planning Consultant	42 D	Whatcom, pt . . . . .	None 1977 Ex. thru 1982 2 Ex.
Homemaker Gen. Contr./ Realtor	32 D 28 R	King, pt . . . . . Pierce, pt . . . . .	None
Legislator/ Homemaker	30 R	King, pt., Pierce, pt . . . . .	None
State Representative	43 D	King, pt . . . . .	1977 thru 1982 2 Ex.
Engr. Design Mgr., Boeing	41 R	King, pt . . . . . Adams, pt., Grant, pt., Kittitas, pt.,	1981 thru 1982 2 Ex.
Farm Equip. Dealer	13 R	Yakima, pt . . . . .	None
Professor of Geology	1 D	King, pt., Snohomish, pt . . . . . Benton, pt.	1971-80; Sen- 1981-82 2 Ex. 1977 thru
Farmer	15 R	Yakima, pt . . . . . King, pt.,	1982 2 Ex.
Attorney	31 D	Pierce, pt . . . . .	None
Attorney	3 D	Spokane, pt . . . . .	None
Apple Farmer	15 R	Benton, pt., Yakima, pt . . . . .	1981 thru 1982 2 Ex.
Education Administrator	29 D	Pierce, pt . . . . . Ferry, Lincoln, Pend Oreille, Stevens, Okanogan, pt.	None
Mayor	7 D	Spokane, pt . . . . .	None

NAME OF MEMBER	Mailing Address	Age	Birthplace
Ehlers, Wayne	Legislative Bldg. Olympia 98504	44	Washington
Ellis, Jerry	6610 Chinook Dr. Yakima 98908	39	Washington
Fisch, Richard E	620 W. 9th Street Pt Angeles 98362	49	Washington
Fisher, Ruth	1922 N. Prospect Tacoma 98406	58	Washington
Fiske, Pat	P.O. Box 336 Mt. Vernon 98273	37	Ohio
Fuhrman, Steve	Rt. 1, Box 320 Kettle Falls 99141	37	Washington
Gallagher, P.J. "Jim"	125 S. 72nd Tacoma 98408	67	Washington
Galloway, Shirley A	1602 N. Divine Rd. Vancouver 98661	48	Arkansas
Garrett, Avery	602 SW Langston Rd. Renton 98055	66	Georgia
Grimm, Dan	904-1/2 7th Ave. SW Puyallup 98371	33	Washington
Halsan, Stuart A	1701 Daniels Road Centralia 98531	31	Washington
Hankins, Shirley	2120 Duportail #8 Richland 99352	51	Kansas
Hastings, Richard "Doc"	5505 W. Sylvester Pasco 99301	41	Washington
Haugen, Mary Margaret	1268 W. Olsen Rd. Camano Isl 98292	42	Washington
Heck, Dennis L	707 NE 118th Vancouver 98664	30	Washington
Hine, Lorraine	1834 S. 229th Des Moines 98188	52	S. Dakota
Holland, Bruce	16216-133rd Pl. SE Renton 98155	31	Washington
Isaacson, Ray	2106 Lee Blvd. Richland 99352	54	Arizona
Jacobsen, Ken	7307 40th NE Seattle 98105	38	Nebraska
Johnson, Stanley C	7302 66th Ave. W. Tacoma 98467	52	Minnesota
Kaiser, Duane L	4802 180th St. E Tacoma 98446	62	Wyoming
King, Joseph	817 W. 4th Plain Blvd. Vancouver 98668	37	Texas
King, Paul H	22909-61st Ave. W Mountlake Terrace	33	Washington
King, Richard A	309 77th Place SW Everett 98203	48	Washington
Kreidler, Myron B	129 San Mar Dr. Olympia 98506	39	Washington

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Educator	2 D	Pierce, pt., Thurston, pt	1973 thru 1982 2 Ex.
Business Management	14 D	Yakima, pt	None
Community College		Clallam, Grays Harbor, pt.,	
Instructor Chair, Pierce Co. Ping. Com.	24 D	Jefferson	None
Office Supply Business	26 D	Pierce, pt	None
	40 R	San Juan, Skagit, pt., Whatcom, pt	1981 thru 1982 2 Ex.
Grain Elevator Farm Supply	7 R	Ferry, Lincoln, Pend Oreille, Stevens, Okanogan, pt. Spokane, Pt	None 1961 thru 1982 2 Ex.
Retired	29 D	Pierce, pt	1979 thru 1982 2 Ex.
Homemaker Boeing Facilities	49 D	Clark, pt	1982 2 Ex.
Self-employed Housing Indus.	11 D	King, pt.	1959-69 Ex.; 1979-82 2 Ex.
	25 D	Pierce, pt	1977 thru 1982 2 Ex.
Attorney Program Anal. Nuclear Indust.	20 D	Lewis, Thurston, pt	None 1981 thru 1982 2 Ex.
Businessman Inst./Janitorial Supplies	8 R	Benton, pt	1982 2 Ex.
School Director	16 R	Benton, pt., Franklin, pt., Walla Walla, pt	1979 thru 1982 2 Ex.
Public Relations State Representative Financial Controls Mgr., Boeing Sr. Engr. Advisor Hanford Business Representative Pres./Owner Gerrish, Inc. Christmas Tree Farmer Owner Ins. Agency	10 D	Island-Skagit, pt., Snohomish, pt	None
	17 D	Skamania, Klickitat, Clark, pt	1977 thru 1982 2 Ex.
	33 D	King, pt.	1981 thru 1982 2 Ex.
	47 R	King, pt.	None 1979 thru
	8 R	Benton, pt	1982 2 Ex.
	46 D	King, pt.	None 1981 thru
	28 R	Pierce, pt	1982 2 Ex.
	2 D	Pierce, pt. Thurston, pt.	6/22/81 thru 1982 2 Ex.
	49 D	Clark, pt	1981 thru 1982 2 ex.
Attorney College Teacher	44 D	King, pt., Snohomish, pt	None 1965 thru 1982 2 Ex.
	38 D	Snohomish, pt	1977 thru
Optomtrist	22 D	Thurston, pt	1982 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Lewis, Jim	P.O. Box 2869 Yakima 98908	39	California
Locke, Gary F	5150 S. Wildwood Lane Seattle 98118	32	Washington
Long, Jeanine H	14730-24th Ave. SE Bothell 98011	54	Utah
Lux, Eugene V	5537 S. 119th Seattle 98178	56	Nebraska
Martinis, John	212 Skyline Dr. Everett 98201	52	Washington
McClure, Barney	613 "F" Street Pt. Townsend 98368	42	Ohio
McDonald, Dan	4650 92nd NE Bellevue 98004	38	Washington
McMullen, Patrick R	P.O. Box 152 Sedro Woolley	38	Washington
Miller, Louise	17005-191st Ave. NE Woodinville 98072	45	California
Mitchell, James B	1015 Stich Rd. Lake Stevens 98258	58	Washington
Monohon, Carol	P.O. Box 626 Raymond 98577	37	Washington
Moon, Charles	13201 Old Snohomish- Monroe Highway Snohomish 98290	60	Wyoming
Nealey, Darwin R	Box 365 LaCrosse 99143	64	Washington
Nelson, Dick	3612 Whitman N. Seattle 98103	46	Washington
Nelson, Gary A	9710 Wharf St. Edmonds 98020	46	Washington
Niemi, Janice	226 Summit Ave. E. Seattle 98102	54	Michigan
O'Brien, John L	1305 Joseph Vance Bldg. Seattle 98101	71	Washington
Padden, Mike	E 13021 9th Ave. Spokane 99216	36	Oregon
Patrick, Michael E	13232 SE 192nd Renton 98055	42	Washington
Powers, Carolyn	825 Ada Street Pt. Orchard 98366	57	Florida
Prince, Eugene	P. O. Box 69 Thornton 99176	52	Washington
Pruitt, Paul	7537 31st Ave. SW Seattle 98126	60	Nebraska
Ristuben, Oliver	P. O. Box 82 Woodland 98674	47	Wisconsin
Rust, Nancy	18747 Ridgefield NW Seattle 98177	54	Iowa
Sanders, Paul	2680 169th SE Bellevue 98008	55	Maine



Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Owner, PR Agency	14 R	Yakima, pt.	1981 thru 1982 2 ex.
Attorney	37 D	King, pt.	None
Legislator/ Homemaker	44 R	King, pt. Snohomish, pt.	None
Building Contractor	11 D	King, pt.	1975 thru 1982 2 Ex. 1969 thru
Retired	38 D	Snohomish, pt. Clallam, Grays Harbor, pt., Jefferson	1982 2 Ex.
Jazz Pianist	24 D	Jefferson	None
Engineer	48 R	King, pt.	1979 thru
Economist	48 R	King, pt. San Juan-Skagit, pt., Whatcom, pt.	1982 2 Ex.
Attorney	40 D	Whatcom, pt.	None
Priv. Music Teacher	45 R	King, pt.	None
Pharmacist	39A R	Snohomish, pt. Pacific, Grays Harbor, pt. Wahkiakum, pt.	1979 thru 1982 2 Ex. Sen.-1977 Ex. House-1977, 1979-82 2 Ex.
Homemaker	19B D	Wahkiakum, pt.	1979-82 2 Ex.
Veterinarian	39B D	Snohomish, pt. Adams,pt., Asotin, Columbia-Franklin,pt.	1963 thru 1976 2Ex.
Farmer	9 R	Columbia-Franklin,pt.	None
Energy Consultant	32 D	King, pt.	1977 thru 1982 2 Ex.
Staff Mgr. Priv. Utility	21 R	King, pt. Snohomish, pt.	1973 thru 1982 2 Ex.
Attorney	43 D	King, pt.	None
C.P.A.	37 D	King, pt.	1941-1945; 1949-1982 2 Ex. 1981 thru
Attorney Seattle	4 R	Spokane, pt.	1982 2 Ex. 1981 thru
Police Officer Admin.	47 R	King, pt. Kitsap, pt., Pierce, pt.	1982 2 Ex.
Secretary	26 D	Pierce, pt. Adams, pt., Asotin, Columbia, Franklin,pt., Garfield,	None
Farmer	9 R	Whitman	1981 thru 1982 2 Ex. 1977 thru
Minister	34 D	King, pt. Clark, pt., Cowlitz, pt.	1982 2 Ex.
Teacher State Representative	18 D 1 D	King, pt. Snohomish, pt.	None 1981 thru 1982 2 Ex.
Boeing Executive	48 R	King, pt.	1976 2nd Ex. thru 1982 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Sayan, Doug	E. 211 Shore Dr. Grapeview 98546	54	Washington
Schmidt Karen	10805 Bill Pt View Bainbridge Is.	37	California
Schoon, Dick	2669 S. 300th St. Federal Way 98003	50	Indiana
Silver, Jean B	N. 7102 Audubon Dr. Spokane 99208	57	Washington
Smith, C. P	Rt. 2, 875 I NW Ephrata 98823	66	Nebraska
Smitherman, Bill	3408 N. Vassault St. Tacoma 98407	40	Oklahoma
Sommers, Helen	2516 14th W. Seattle 98119	50	New Jersey
Stratton, Lois J.	1724 W. Mansfield Spokane 99205	56	Washington
Struthers, Gene	601 Village Way 50 Walla Walla 99362	58	Washington
Sutherland, Dean A.	23503 NE 108th St. Vancouver 98662	29	Minnesota
Tanner, Joe	16121 NE 35th Ave. Ridgefield 98642	36	Texas
Taylor, Ren	N. 4710 Ella Rd. Spokane 99219	58	Washington
Tilly, Earl F	1509 Jefferson Wenatchee 98801	48	Oregon
Todd, Mike	17123 SE 339th St. Auburn 98002	35	Oregon
Vander Stoep, J.	727 SW 16th St. Chehalis 98532	25	Washington
Van Dyken, Roger	1251 Garden Circle Lynden 98264	37	California
Vekich, Jr., Max	200 Holly Lane Cosmopolis 98537	29	Washington
Walk, George W	11607 98th Ave. E. Puyallup 98373	33	Washington
Wang, Art	3319 N. Union Tacoma 98407	33	Massachusetts
West, James E	E. 3613 Congress Spokane 99203	33	Oregon
Williams, Bob	111 Victoria St. Longview 98632	40	Pennsylvania
Williams, Joseph L.	4 Lindley Road Mercer Isl 98040	51	California
Wilson, Simeon	P.O. Box 145 Marysville 98270	55	Oregon

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Retired	35	D	Grays Harbor, pt., Kitsap, pt., Mason- Thurston, pt.	None 1981 thru
Travel Agcy. Owner	23	R	Kitsap, pt.	1982 2 Ex.
Purchasing agent Weyerhaeuser	30	R	King, pt., Pierce, pt.	None
C.P.A.	5	R	Spokane, pt., Adams, pt., Kittitas, pt., Grant, pt.,	None 1979 thru
Farmer	13	R	Yakima, pt.	1982 2 Ex.
Mgmt.-Planning Consultant	26	D	Kitsap, pt., Pierce, pt.	None 1973 thru
Economist	36	D	King, pt.	1982 2 Ex. 1980 thru
Retired	3	D	Spokane, pt., Benton, pt.	1982 2 Ex.
Retired Businessman	16	R	Walla Walla, pt., Franklin, pt.	1977 thru 1982 2 Ex.
Electrician, Apiary, Owner Pres., Columbia R.	17	D	Clark, pt., Klickitat-Skamania	None
Eco. Dev. Council Ret. Supt.	18	D	Clark, pt., Cowlitz, pt.	None 1979 thru
School Dist.	4	R	Spokane, pt., Chelan, Douglas, Grant, pt., Kittitas, pt.,	1982 2 Ex. 1973 thru
Mgr/Tilly Equipment	12	R	Okanogan, pt., King, pt.,	1982 2 Ex.
Dir., Heating Contractor	31	D	Pierce, pt.	None
Securities Broker	20	R	Lewis, Thurston, pt.	1981 thru 1982 2 Ex.
Owner, San Juan Sailing	42	R	Whatcom, pt., Grays Harbor, pt., Kitsap, pt., Mason- Thurston, pt.	1979 thru 1982 2 Ex.
Longshoreman	35	D	Thurston, pt.	None 1977 thru
Teacher	25	D	Pierce, pt.	1982 2 Ex. 1981 thru
Law Student Licensed Realtor	27	D	Pierce, pt.	1982 2 Ex.
	6	R	Spokane, pt., Wahkiakum, pt.,	None 1979 thru
C.P.A. Construction Consultant	19A	R	Cowlitz, pt.	1982 2 Ex.
	41	R	King, pt., Island,	None
Newspaper Publisher	10	R	Skagit, pt., Snohomish, pt.	1973 thru 1982 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Zellinsky, Sr. Paul .....	7476 Woodridge Lane NW Bremerton 98310	50	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

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Owner-Car Dealership	23 D	Kitsap, pt	None
Birthplace	Age	Occupation	Previous Sessions
Washington	41	Chief Clerk Assistant	1973 thru 1980
Washington	36	Chief Clerk Retired	None 1975 thru
Washington	53	USAF	1980

**HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Eighth Legislature  
1983 Regular Session  
First, Second and Third Special Sessions

House No.	Relating to:	Chapter No.	Effective Date
	1 Unem. benefits ext . . . . .	1	1/28/83
S	16 School dist. emp. serv. per . . . . .	69	7/24/83
S	20 Redist. comm/temporary . . . . .	6	2/9/83
	23 Indus. ins/com. carrier . . . . .	170	5/16/83
S	24 Self-ins. emp. discipline . . . . .	21	7/24/83
	25 Vocational rehab . . . . .	86	4/22/83
	32 Credit union regs . . . . .	37	4/19/83
	35 Fire protection services . . . . .	87	7/24/83
	36 Sewer districts formation . . . . .	88	7/24/83
S	37 Bread loaves, size, weight . . . . .	89	7/24/83
S	39 Sunset review procedures . . . . .	PV 27 E1	5/14/83
S	43 Limited casualty prog., \$500 . . . . .	43 E1	7/1/83
S	44 Solid waste facility, county . . . . .	171	7/24/83
S	47 Municipal research council . . . . .	22	6/30/83
S	51 Postretirement adjustments . . . . .	56 E1	7/1/83
S	55 Capital budget 1983-85 . . . . .	57 E1	7/1/83
	56 Higher ed., cap. improv. bonds . . . . .	58 E1	8/23/83
S	57 St. bldgs. & fac., bonds . . . . .	54 E1	8/23/83
	58 Fisheries fac., bonds . . . . .	59 E1	8/23/83
	59 Apprenticeship agrmts., fees . . . . .	90	7/24/83
	61 Timber tax reserve transf. . . . .	8	2/23/83
	63 Licensed practical nurses . . . . .	55	7/24/83
S	64 Hazardous waste penalties . . . . .	172	7/24/83
S	72 Tax provisions, misc . . . . .	55 E1	*7/1/83
	*Section 12 . . . . .		1/1/84
	74 Contracts, loc. gov., limits . . . . .	44 E1	8/23/83
	76 Reserve funds, cities, towns . . . . .	173	7/24/83
	77 Port dist. property acq . . . . .	24	7/24/83
	78 Water, sewer dist.; contracts . . . . .	38	7/24/83
S	81 Wash. state heritage council . . . . .	91	6/30/83
	83 Higher ed. pers. board mtgs . . . . .	23	7/24/83
	87 Metro municipal corp. council . . . . .	92	7/24/83
	89 Nuclear attack; emerg. funds . . . . .	Vetoed	
S	95 Oil permit, marine waters . . . . .	138	7/24/83
S	99 Insanity, defend. acquitted . . . . .	25	7/24/83
	102 Voc. rehab., injured workers . . . . .	70	4/22/83
	106 Educational service dist . . . . .	56	7/24/83
	107 Self-ins., hosp., school districts . . . . .	174	7/24/83
	111 Water & sewer dist. treasurer . . . . .	57	7/24/83
	112 Water well contractors . . . . .	93	7/24/83
S	114 Heating services districts . . . . .	94	7/24/83
S	116 Civil actions; settlement . . . . .	282	7/24/83
S	117 Comm. college faculty; reduction . . . . .	Vetoed	
S	118 Agricultural fees . . . . .	95	7/24/83

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	125 Corrections, civil serv. exempt	175	7/24/83
S	126 Retire. contrib. withdrawn	PV 233	5/17/83
S	127 Travel, state reimbursement	29 E1	8/23/83
S	129 Vacation leave, state employ.	283	7/24/83
S	134 Civil serv.; public employees	Vetoed	
	136 Unfair labor prac.; filing	58	7/24/83
S	139 Insurance provisions	PV 32 E1	8/23/83
S	143 Vehicle license fees	26	7/24/83
	144 License plates	27	7/24/83
	146 Asian-Amer. Affairs Commission	119	6/30/83
	147 Homicide; definition	10	2/24/83
S	148 School dist. budgets & funds	59	9/1/83
	150 Campaign contrib. over \$500	176	7/24/83
	153 Funds transf., political cand	96	7/24/83
	164 British Expo 86; participate	177	7/24/83
	174 Money judgments; court clerk	28	7/24/83
	175 Worker comp. definition worker	97	7/24/83
S	177 Water heaters max. setting	178	7/24/83
S	179 Uniform Unclaimed Prop. Act	179	6/30/83
	180 Snowmobile adv. comm.; termin	139	7/24/83
	183 Eminent domain laws	140	7/24/83
	184 DOT to make contracts	29	4/18/83
	185 Highway routes, revisions	180	7/24/83
S	187 Handicapped services	60	4/21/83
S	189 Bond sales; metro parks	61	7/24/83
S	197 Jurors excused	181	7/24/83
	198 Hearing aids regulated	39	7/24/83
	203 Motor vehicle; underinsured	182	7/24/83
S	207 Railroad crossing signs	19	7/24/83
	208 Purch. amount, max. w/o competition	141	7/24/83
	216 Model traffic ordinance	30	4/18/83
	219 Merchandise coupons	40	7/24/83
2S	226 Export assistance centers	20 E1	8/23/83
2S	231 Job skill program	21 E1	8/23/83
S	232 Bids; in-state preference	183	7/24/83
S	233 Anadromous game fish	284	7/24/83
S	234 Transportation budget	PV 53 E1	5/23/83
S	235 Gas tax provisions, 83-85	49 E1	7/1/83
	239 Exit polling	33 E1	8/23/83
S	240 Mail voting	71 E1	8/23/83
S	241 Juvenile offenders/education	98	7/24/83
2S	245 Economic development	60 E1	8/23/83
S	251 State employ. & conserv. corps	50 E1	8/23/83
	256 Penalty tax, land, 84.34 RCW	41	7/24/83
	259 Hulk haulers, veh. repair	142	7/24/83
	260 Criminal records; fees	184	7/24/83
S	263 Local tax; alternative rates	99	4/22/83
S	266 Vote devices; single precinct	143	7/24/83
	269 Taxes; exempt property	185	7/24/83
	270 Developmentally disabled	145	7/24/83
	274 Savings & loan assoc., names	42	7/24/83
	275 Mutual savings banks; provisions	44	7/24/83
S	278 Fisheries code; reorganizing	46 E1	1/1/84

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	284 Marriage solemnization	186	7/24/83
	285 Motor veh. funds; cities	43	7/24/83
	288 Corporation residence; define	31	7/24/83
S	289 DWI; license revocation	165	*7/1/83
	*Secs. 2 - 12, 14, 16, 18, 22, 24, 26		1/1/85
2S	295 St. employ. pay, twice-month	PV 28 E1	8/23/83
S	296 School transportation	61 E1	8/23/83
S	297 Sentencing guidelines	115	7/24/83
	300 School directors' assn.	187	6/30/83
	304 WSP spec. dep.; state employee	144	7/24/83
	305 Professional service corp	100	7/24/83
S	309 Physical therapist; licensing	116	7/24/83
	312 Mutual savings bank; conversion	45	7/24/83
	313 Fire protect; plan & comm. aff	146	7/24/83
	318 Moorage facilities procedures	188	5/16/83
S	323 PUD; annex. & consolidation	101	7/24/83
S	325 Funds & accounts; obsolete, abol	189	*7/24/83
	*Section 8		5/16/83
S	328 Judgments; equal interest	147	7/24/83
S	334 Resident student 5/31/82	285	5/17/83
S	336 Chiropractic service; coverage	286	7/24/83
	348 Corporation laws	32	4/18/83
	357 Veterinary board provisions	102	7/24/83
S	359 Health professions guidelines	PV 168	7/24/83
S	366 Public entities; energy	62	7/24/83
	371 Health care service contracts	63	7/24/83
	373 Drug abuse admin. boards; county	148	7/24/83
S	383 Health care provider; negligence	149	7/24/83
	387 Medical disciplinary account	71	7/24/83
S	390 Bonds; registration	PV 167	*5/16/83
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S	393 Streets; abutters, improving	103	7/24/83
	399 Timber sales; state land	12 E1	3/31/83
S	409 Tuition waivers; nonresident	104	7/24/83
	413 Port dist. property leases	64	7/24/83
	419 Cemeteries; filing reports	190	7/24/83
	420 Cemetery board; certif. of author	PV 5 E1	8/23/83
S	426 Political activ.; public employ	Vetoed	
	428 Court procedures modify	45 E1	8/23/83
	430 Ed. policies; temp. committee	105	4/22/83
S	431 Juvenile offender; sentencing	191	*7/24/83
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	441 Liquor service; international expo	13	3/21/83
	446 Personnel files access	Vetoed	
S	452 Blind persons provisions	194	*6/30/83
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S	458 Anti-trust; consumer protection	288	7/24/83
S	463 Judges, full-time; definition	195	7/24/83



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S 470	State funds; provision . . . . .	17 E1	5/13/83
471	Judiciary education account . . . . .	9 E1	5/11/83
S 476	Parole revocation & records . . . . .	196	7/24/83
479	Safe deposit companies . . . . .	289	7/24/83
S 482	MV license plates; standards . . . . .	72	7/24/83
S 484	Long-term care; ombudsman . . . . .	290	7/24/83
487	Chattel liens . . . . .	33	7/24/83
S 488	Health maint. organizations . . . . .	106	7/24/83
S 493	Termination; various agencies . . . . .	197	7/24/83
S 495	Public retir. systems. adj . . . . .	Vetoed	
S 496	Senior citizens tax relief . . . . .	11 E1	*5/11/83
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S 498	Driving while intoxicated . . . . .	150	7/24/83
511	Aquatic programs; local powers . . . . .	291	7/24/83
520	Low income utility users . . . . .	198	7/24/83
S 522	Deportation; guilty plea . . . . .	199	*7/24/83
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S 533	Deadbeat list; collect agency . . . . .	107	7/24/83
534	Pub. transp. benefit areas . . . . .	65	7/24/83
S 539	Transit for elderly; fuel tax . . . . .	108	7/24/83
S 540	Pub. transp. areas; treasurer . . . . .	151	7/24/83
S 546	Wheelchair conveyances . . . . .	200	5/16/83
S 547	Public depositories . . . . .	66	7/24/83
S 548	Water supply operations . . . . .	292	7/24/83
555	Discrim. provisions; revisions . . . . .	293	7/24/83
569	Public disclosure reports . . . . .	294	7/24/83
570	Agric. education; voc. program . . . . .	34 E1	8/23/83
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S 579	Prison work programs . . . . .	296	7/24/83
585	Salmon delivery permits . . . . .	297	7/24/83
588	Jail improv. & const. funds . . . . .	63 E1	6/13/83
595	Reservoir project; East Selah . . . . .	18 E1	8/23/83
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S 620	Insurance fund; state employ . . . . .	Vetoed	
643	Insur. claim; deceased . . . . .	201	7/24/83
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653	Livestock markets . . . . .	298	7/24/83
S 661	Forest protection provisions . . . . .	299	7/24/83
S 667	Health service contractors . . . . .	202	7/24/83
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683	Workers comp. awards; interest . . . . .	301	7/24/83
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S 719	School closure procedures . . . . .	109	7/24/83
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S 740	Cost control task force . . . . .	26 E1	7/13/83
741	Deaths reporting; age change . . . . .	110	7/24/83
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	787 Military reserv. pay; unempl. comp	67	7/24/83
S	790 Higher ed. course designation	304	7/24/83
S	793 Agricultural commodities	305	*7/24/83
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S	796 Community development depart	Vetoed	
	804 Agencies; program goals, objectives	306	7/24/83
	817 Industrial accidents; damages	111	7/24/83
S	848 Vietnam vets; tuition limit	307	5/17/83
S	855 Emergency medical services	112	7/24/83
S	865 Contractual expend., cities	308	7/24/83
	867 Public arts program	204	7/24/83
S	882 Interest rates; express agree	309	7/24/83
S	888 Criminal sentencing	162	7/24/83
	905 Group training homes; eligib	310	7/24/83
S	906 Dev. disabled juv.; out-of-home	311	7/24/83
	919 Self-insurer; ind. ins. payments	312	7/24/83
	925 Uniform conflict of laws	152	7/24/83
S	1011 Energy; state owned bldgs	313	7/24/83
S	1035 Collective barg.; state patrol	Vetoed	
S	1038 Congressional redistricting	17	3/29/83
	1075 Revenue and taxation	9	3/1/83
	1079 Operating budget 1983-85	PV 76 E1	6/15/83
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	1094 Local government	48 E1	5/23/83

**HOUSE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Eighth Legislature  
1983 Regular Session  
1983 First, Second and Third Special Sessions

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S 2	City-county consolidation study
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3009	Deadly weapons and rape . . . . .	73	7/24/83
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S 3026	Hazardous waste-state patrol . . . . .	205	5/16/83
S 3034	Consumer warranties . . . . .	240	7/24/83
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3037	Obsolete statutory reference . . . . .	3	7/24/83
3038	WUTC corrections . . . . .	4	2/3/83
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S 3042	Higher ed. labor relations . . . . .	Vetoed	
S 3043	Furlough notice . . . . .	122	4/23/83
S 3052	Elevators, moving walks . . . . .	123	7/24/83
S 3053	Contractor registration fees . . . . .	74	*7/24/83
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S 3067	Fuel tax . . . . .	35 E1	5/17/83
S 3068	Food donations to needy . . . . .	241	7/24/83
3076	Garbage trucks weight . . . . .	68	7/24/83
S 3079	Sewer officials insurance . . . . .	37 E1	8/23/83
S 3081	Barber regulation . . . . .	75	4/22/83
3084	Boundary review board . . . . .	76	7/24/83
2S 3085	Unemployment comp. payments . . . . .	PV 13 E1	5/11/83
S 3087	Unemployment insurance . . . . .	207	7/31/83
S 3088	Cosmetology regulation . . . . .	208	5/16/83
3089	Private school purchases . . . . .	125	7/24/83
3090	Budget and Accounting Act . . . . .	PV 47 E1	8/23/83
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3096	School dist. payment schedule . . . . .	14	3/25/83
3097	Motor vehicle fees . . . . .	77	7/24/83
2S 3100	Supplemental budget . . . . .	PV 12	3/18/83
S 3101	Liquor control board . . . . .	160	7/24/83
3106	Vehicular homicide; assault . . . . .	PV 164	7/24/83

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S 3110	Credit union guaranty share	48	4/19/83
S 3112	State redistricting act		
	*Effective date per passage of Initiative 19		
3120	Port commissioner vacancies	11	3/10/83
3123	Reducing hearing transcriptions	209	7/24/83
S 3124	Wash. health care facilities	210	5/16/83
S 3127	Industrial insurance awards	211	7/24/83
3130	Attorney fees	127	7/24/83
3134	Special fuels license fees	212	5/16/83
3140	City councils	128	7/24/83
3142	Public treasurers	213	7/24/83
3144	Special fuel trip permits	78	7/24/83
3145	Special fuel taxes	242	7/24/83
S 3151	Special county attorneys	129	7/24/83
2S 3155	High tech. education training	72 E1	7/1/83
S 3156	Puget Sound water quality auth.	243	7/24/83
S 3161	County road service district	130	7/24/83
3162	Nonprofit org. taxation	25 E1	8/23/83
S 3163	Japanese-American reparation	15 E1	8/23/83
S 3164	Domestic insurers	46	7/24/83
3165	State route 21, Kahlotus to Linden	79	7/24/83
S 3166	Notary fees	214	7/24/83
3167	State Route 530	131	7/24/83
3172	Elude police, license revoke	80	7/24/83
S 3174	WSP retirement system	81	7/1/83
3182	Financial institutions	PV 157	4/25/83
3184	Double amendment	244	7/24/83
3185	Limited jurisdiction	156	4/23/83
3188	Timeshare offerings	22 E1	8/1/83
S 3197	Mastectomy, ins. coverage	113	7/24/83
3198	WSDOT appropriation	18	4/13/83
3203	Child restraints	215	7/24/83
S 3206	Open public meetings	155	7/24/83
3211	Aircraft fuel taxes	49	5/1/83
S 3217	Outlaw certain salmon fish	245	7/24/83
3221	Veterans affairs advis. commission	34	7/24/83
3224	Heating services	216	7/24/83
2S 3230	Minority and women business	120	7/1/83
S 3239	Cold storage warehouse	132	7/24/83
S 3244	Excise taxes	66 E1	8/23/83
2S 3245	Housing finance commission	161	*5/11/83
	*Section 10		1/1/84
S 3248	Comparable worth salaries	75 E1	8/23/83
3250	Ferry contractor prequal	133	4/23/83
S 3251	Portable oil fueled heater	134	7/24/83
3252	Aircraft dealer registration	135	7/24/83
S 3253	Abused children, custody	246	7/24/83
3255	Pedestrians, toll facilities	247	7/24/83
3258	Modifications, 1983-85 taxes	PV 7	*3/1/83
	*Sections 9 - 22 & 25 - 27		6/30/83
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	Sections 1, 2, 4, 5, 28-31	Vetoed	

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S 3266	WPPSS executive board	3 E1	8/23/83
2S 3272	Coroners' system	16 E1	7/1/83
S 3273	Radioactive waste commission	19 E1	5/13/83
	3282 Multistate highway transport	82	7/24/83
S 3290	Aquatic land lease	2 E2	6/13/83
	3297 Department of agriculture	248	7/24/83
S 3299	Personal leases	158	4/29/83
S 3308	Home health care coverage	249	7/1/83
S 3311	Unemploy. insurance, modify	23 E1	*8/23/83
	*Sections 17, 18, 19, 25		6/30/83
	Sections 6 & 8		7/3/83
	Sections 4, 7, 11, 12 & 13		10/1/83
	3314 OASI revolving fund	6 E1	8/23/83
	3363 Port district treasurer	250	7/24/83
	3364 RIF school employees, hearing	83	7/24/83
S 3372	Wildlife value, civil penalty	8 E1	8/23/83
S 3380	Residential students, return comm	50	4/19/83
	3383 Professional corporations	51	7/24/83
	3390 Personalized licenses	24 E1	*7/1/84
	*Section 2		7/1/83
	3392 Electric utility install. charge	217	7/24/83
	3393 National guard, judges	218	7/24/83
	3413 State parks, nonresid. surcharge	38 E1	5/19/83
	3416 Revising sentencing laws	163	*7/24/83
	*Sections 1 thru 5		7/1/84
	3426 Homestead, provisions modified	251	7/24/83
S 3433	Higher ed. facilities auth	PV 169	7/24/83
	3442 Agreed dissolutions	219	7/24/83
	3448 Intercol. nursing center fee	220	7/24/83
S 3453	Traffic offenses on campus	221	7/24/83
S 3480	Entertainers, indust. insur	252	7/24/83
S 3483	Oil and gas exploration	253	7/24/83
S 3490	Home rules, health officer	39 E1	8/23/83
	3492 Higher ed. tuition reciproc	166	7/24/83
S 3494	Judgments, small claims court	254	1/1/83
S 3497	Propane fuel placard	237	7/24/83
	3501 Interpreter, legal proceedings	222	7/24/83
S 3511	Hydroelectric facilities	47	4/19/83
S 3516	Leg. joint commission, abolish	52	7/24/83
	3519 Mt. St. Helens, damage repair	1 E1	5/2/83
S 3520	Elections, voters, contest	30 E1	8/23/83
S 3522	County assess. review tax levy	223	7/24/83
	3523 Prisoner furloughs	255	7/24/83
	3531 College, university fees, refunds	256	7/24/83
	3532 Community college, trustees, remove	224	7/24/83
	3535 Milk/soy based beverage container	257	7/24/83
	3537 Firefighters, guard animals	258	7/24/83
S 3538	Traffic safety, sunset	PV 14 E1	8/23/83
	3585 Harbor leases	259	*11/8/83
	*Subject to voter approval SJR 105		
	3588 State archivists	84	7/24/83
S 3595	Veteran services	260	5/17/83
	3613 Gender-neutral language	20	7/24/83

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2S 3624	Conservation corps	40 E1	8/23/83
S 3628	Hood Canal shrimp license	31 E1	1/1/84
S 3630	Irrigation district board	262	7/24/83
S 3637	Municipal corp. bond issue	263	7/24/83
S 3640	Landlord-tenant act, modify	264	7/24/83
S 3642	Charitable solicitations	265	*1/1/84
	*Section 19		7/24/83
	3644 Higher ed. credential exempt	266	7/24/83
S 3645	Mental health insurance	35	7/1/83
S 3646	Juvenile offenders	267	7/24/83
	3655 Podiatry, health care reimburse	154	7/24/83
S 3657	State-owned armories	268	7/24/83
S 3660	DSHS powers	41 E1	8/23/83
S 3664	Water quality	269	7/24/83
	3674 Pollution control	270	7/24/83
S 3742	Precinct committeemen	136	7/24/83
S 3757	Nursing homes	236	7/24/83
	3760 Local economic development	51 E1	8/23/83
	3763 Guardians income reporting	271	7/24/83
S 3780	Nursing homes	67 E1	*7/1/83
	*Section 28		1/1/85
S 3782	Firearms, provisions modified	232	7/24/83
	3784 Federal unemployment trust fund	7 E1	5/11/83
S 3811	Local gov't., housing authority	225	7/24/83
S 3812	Surveys, plats, fees	272	7/24/83
S 3817	Body search restrictions	42 E1	7/1/83
	3840 Commission, deferred compensation	226	7/24/83
	3843 State board, geographic names	273	7/24/83
	3846 Impounded vehicle, redemption	274	5/17/83
S 3856	Criminal law	4 E1	8/23/83
	3857 Used car air pollution	PV 238	5/17/83
	3858 Annexation, cities, towns	68 E1	8/23/83
S 3864	Commodity commissions, assess	73 E1	8/23/83
S 3880	School dist., employee leave	275	7/24/83
3909	1983-85 taxes, modifications	PV 3 E2	*7/1/83
	*Sections 42-50, 52, 53, 65, 66		6/30/83
	Sections 21, 22, 51		1/1/84
	Section 63		4/1/85
	Sections 61 & 62 (See Sec. 67(1)(f))		
	3991 Hood Canal toll end	Vetoed	
	3993 Joint admin. rules review comm	53	7/24/83
S 4007	Refunding bond act	69 E1	6/13/83
	4021 Insurance provider, fin. state	85	7/24/83
S 4022	Insurance commissioner, jurisdiction	36	7/24/83
S 4034	Motor veh. fuel, deceptive pricing	PV 114	7/24/83
S 4059	Central stores revolving fund	Vetoed	
S 4066	Consumer finance comp	227	7/24/83
	4082 Good behavior, prisoners	276	7/24/83
	4088 Archaeological research	159	5/5/83
S 4092	Property, casualty insurance	Vetoed	
S 4101	Parimutuel machine	228	7/24/83
2S 4102	Math/science teacher incentive	74 E1	8/23/83

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	4103 Teacher contact hours	229	7/24/83
S	4107 Model litter control	277	7/24/83
	4112 Vehicle size and load	278	5/17/83
S	4135 Institutional impact account	279	5/17/83
S	4137 Adult corrections	52 E1	8/23/83
	4153 Veterans' special license plates	230	7/24/83
	4156 Wheelchair/fishing license	280	7/24/83
S	4201 Automotive oil recycle	137	7/24/83
	4204 Board of health extended	PV 235	*7/24/83
	*Sections 16 & 17		5/17/83
	4205 Productivity board	54	4/19/83
S	4226 Tree fruit sanitation	281	7/24/83
S	4245 Hazardous waste	70 E1	8/23/83
	4279 Special primary/U.S. Senate	1 E3	9/10/83



**SENATE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Forty-Eighth Legislature - 1983  
1983 First, Second and Third Special Sessions

No.                      Subject:

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SENATE JOINT MEMORIALS

106	Nuclear freeze requested
110	Columbia River Gorge, federal restraint
116	National Grand Coulee Dam day
118	Public TV matching funds

SENATE JOINT RESOLUTIONS

S 103	Redistrict commission, constitutional amendment
105	Harbor leases, fifty years
S 112	Energy conservation financing, local government

SENATE CONCURRENT RESOLUTIONS

103	Cut-off dates established
105	Washington participation, Nat'l. History Contest
108	Congratulating Roslynn Sumners, national skating champion
S 113	Joint committee, state government organization
118	Andrew W. Anderson, recreational fishing area
S 120	Joint select committee telecommunications regulation
125	Cutoff dates extended
127	Select Committee, International Trade
130	Legislative Transportation Committee studies
136	Adjourn sine die

**GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED****1983 REGULAR SESSION  
First, Second and Third Special Sessions**

May 14, 1983

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, Substitute House Bill No. 39, entitled:

"AN ACT Relating to sunset review."

Sections 11, 12, and 13 of this bill were amended into the bill in an attempt to clarify state regulation of escrow agents. The current regulatory picture is unclear as a result of the Supreme Court's issuance of Admission to Practice Rule 12, which became effective January 21, 1983. I agree that a resolution to the many questions of escrow agent regulation must be reached, and have directed the Department of Licensing to work with the Supreme Court toward this end. Unfortunately, these three sections would merely raise additional separation of powers questions. In addition, their content is inconsistent with the bill's title.

With the exceptions of sections 11, 12, and 13, Substitute House Bill No. 39 is approved.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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. 89, entitled:

"AN ACT Relating to emergency services plans."

This bill modifies our emergency planning laws by stating, "No political subdivision may be required to include in its plan provisions for the emergency evacuation or relocation of residents in anticipation of nuclear attack." But RCW 38.52.050 requires the Governor to "cooperate with the President and the heads of armed forces, (and) the emergency services agency of the United States . . . in matters . . . including the direction or control of . . . the evacuation and reception of the civilian population." The offending sentence in House Bill No. 89 would therefore create a conflict

by placing the Governor and his executive agent in violation of RCW 38.53.050 whenever wartime evacuation involving the possibility of nuclear attack was considered.

I note that, although the Federal Emergency Management Agency's (FEMA) Emergency Management Assistance program incorporates nuclear civil preparedness planning, the state Department of Emergency Services is not now requiring local governments to prepare nuclear attack evacuation plans. In fact, out state is currently working with local governments and other states in order to reduce the emphasis on nuclear attack planning that is inherent in FEMA programs. Nevertheless, it is essential that our civil defense policy be consistent with, and ultimately subordinate to, Federal policy in this as well as other areas.

Additionally, House Bill No. 89 could endanger local governments' ability to receive approximately \$700,000 per year in Federal matching funds as well as \$300,000 per year the Department of Emergency Services receives in administrative monies. Although this loss is not a certainty, it is unreasonable to risk this amount of support before coordination efforts are complete and without any new planning flexibility being offered to local governments.

Finally, I note that the sunset review of the Department of Emergency Services is now underway. That is the proper place to address any changes in chapter 38.52 RCW. Piecemeal approach to policy making, exemplified by House Bill No. 89, injects confusing contradictions into the law.

For the foregoing reasons, I have vetoed House Bill No. 89.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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. 117, entitled:

"AN ACT Relating to the reduction-in-force of tenured or probationary community college faculty members due to a financial emergency."

Substitute House Bill No. 117 amends the reduction-in-force process established by Chapter 13, Laws of 1981 for use during state financial emergencies. Since its enactment, the 1981 law has been used at only two community colleges and has affected only six faculty members. It has also been challenged but found to be

constitutional in a unanimous decision by the state Supreme Court. Changes to it should therefore be carefully considered.

If Substitute House Bill No. 117 is approved, the intent of the 1981 law will be undone. It will henceforth be difficult, if not impossible, for community colleges to absorb additional budget reductions. Salaries and benefits of tenured faculty constitute a large part of total community college operating costs. This legislation requires negotiations and agreement between boards of trustees and faculty representatives on procedures for reductions in force before such reductions take place. If agreement even on procedures cannot be achieved, the entire process stops. In other words, either party could frustrate the intent of this legislation merely by failing to agree on the necessary procedures.

Further, this legislation gives final decision-making authority to a hearing officer rather than to the appointed trustees in cases of appeal by affected employees. Hearing officers are not responsible for colleges; trustees are, and they cannot exercise their responsibility and remain accountable if another makes final decisions with which they must live. Moreover, giving final authority to a hearing officer is contrary to the fundamental precept of Article XIII of the State Constitution, which places in the trustees the responsibility for management on behalf of the public. I am also concerned that "final" authority may deny the right of appeal by a faculty member or a board to a court of law.

The 1981 law provided a fair and reasonably expeditious method for coping with the difficult task of reducing institutional budgets in times of financial emergency. This legislation not only would negate the advantages gained by that law but could conceivably create a more unmanageable situation that existed prior to 1981.

For the foregoing reasons, I have vetoed substitute House Bill No. 117.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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 1(2), 2(3), and 3, Substitute House Bill No. 126, entitled:

"AN ACT Relating to retirement from public service."

Similar provisions were contained in Substitute House Bill No. 138 of the 1981 Regular Session. At that time I vetoed language relating to the reestablishment of retirement credits. Current law

provides more than ample opportunity for members of the Teachers' Retirement System and the Public Employees' Retirement System to regain credit for previous service. When members reenter service they have a number of years in which to restore their credits. An extension of that period would result in a significant increase in the liabilities of the pension systems, an increase which cannot be justified in light of the state's financial difficulties and the retirement systems' existing liabilities.

I have signed into law, however, provisions of the bill that require the state to notify employees, within 90 days of resuming service, of the date by which they must exercise their option to "buy back" into the retirement system, and the amount of money required to be paid.

With the exceptions of sections 1(2), 2(3), and 3, which I have vetoed, Substitute House Bill No. 126 is approved.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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. 134, entitled:

"AN ACT Relating to public employees."

In 1960, the citizens of our state voted to establish a state personnel system to be "based on merit principles." This goal is contained in RCW 41.06.010, the declaration-of-purpose section of the State Civil Service Law. Until last year, with the passage of Substitute House Bill 1226 (Chapter 53, Laws of 1982, 1st Ex. Sess.), competitive examination for placement on the certified rosters was one of the few examples of application of the principle of merit in our state personnel system. Indeed, as many observers have noted, before 1982, our personnel system had very little relationship to the merit principle.

Last year the legislature took a modest step in fulfilling the original goal of the State Civil Service Law by permitting performance, together with seniority, to be given consideration in matters of compensation and reduction in force. I view much of Substitute House Bill 134, which removes that basic merit principle of performance from the state personnel system, as an unfortunate step backward in our efforts to meet the people's original mandate.

Substitute House Bill 134 must be viewed against this background of original intent as well as in terms of the motivational concept of recognition for good work. State government is no

longer a "growth industry" in which we can afford simply to bring in new, highly competent, and motivated people in order to keep our agencies and institutions operating efficiently and effectively. Instead, we must look primarily to maintaining and improving our current work force and establish some way to distinguish the best employees, give them rewarding responsibilities and positions of leadership, and compensate them accordingly. The current law governing performance-based pay is helping us to do that. It should therefore be retained.

In addition, this legislation prescribes additional procedures for termination of employment. I am not convinced that those procedures are necessary. Existing law is working. Managers already have adequate rules and procedures governing the dismissal of employees.

This legislation also requires that the ratio between management and nonmanagement positions must never increase during periods of hirings or reduction in force. Such an approach to staffing is far too rigid because it encompasses all the various organizations and situations of state government and allows no flexibility. Establishment of fixed management-nonmanagement ratios by statute removes the administrative discretion that is necessary in order to operate complex state programs.

For these reasons I have vetoed Substitute House Bill No. 134.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval section 19, Substitute House Bill No. 139, entitled:

"AN ACT Relating to insurance."

Section 19 of this bill would alter the health insurance conversion rights of people who lose their group coverage because of labor disputes. Because of the technical operation of the law referenced in this amendment, such individuals could lose their conversion rights entirely. I do not believe that represents the legislature's intent.

With the exception of section 19, which is vetoed, Substitute House Bill No. 139 is approved.

Respectfully submitted,  
John Spellman, Governor

May 23, 1983

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 17(5), Substitute House Bill No. 234, entitled:

"AN ACT Relating to transportation."

Section 17(5) is identical to Senate Bill No. 3991, which I vetoed on April 23, 1983. It would set statutory tolls for crossing the Hood Canal Bridge. The Transportation Commission has lowered the tolls for the Hood Canal Bridge to amounts identical to those contained in this subsection, which is therefore unnecessary.

With the exception of Section 17(5), which I have vetoed, Substitute House Bill No. 234 is approved.

Respectfully submitted,  
John Spellman, Governor

May 14, 1983

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 (6), Second Substitute House Bill No. 295, entitled:

"AN ACT Relating to state officers and employees."

Section 3, subsection (6) of this bill would repeal the existing, specific payroll deduction for labor or employee organization dues and replace it with a payroll deduction for "contributions to labor or employee organizations." As used in the bill, the undefined word "contributions," might be interpreted to include deductions for political activities. If the legislature chooses to change public policy to allow payroll deductions for political contributions, it should do so in an open and specific way so that everyone is aware of the change being made. For that reason, I have vetoed section 3, subsection (6).

With the exception of section 3 (6), which I have vetoed, Second Substitute House Bill No. 295 is approved.

Respectfully submitted,  
John Spellman, Governor

May 16, 1983

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. 359, entitled:

"AN ACT Relating to the regulation of health professions and occupations licensure."

Section 16 of this bill would make immediately effective the new dental hygienist examining committee. Unfortunately, the June examination has already been announced, and it would be impossible to appoint and orient the new committee in time to properly administer that examination.

By allowing the new examining committee to become effective in the normal 90 days rather than immediately, the June examination can be properly administered and the new committee smoothly established.

With the exception of Section 16, which I have vetoed, Substitute House Bill No. 359 is approved.

Respectfully Submitted,  
John Spellman, Governor

May 16, 1983

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 52, Substitute House Bill No. 390, entitled:

"AN ACT Relating to government borrowing."

Section 52 of this bill would duplicate section 1 of Substitute House Bill No. 189, which I already have signed.

With the exception of section 52, which I have vetoed, Substitute House Bill No. 390 is approved.

Respectfully Submitted,  
John Spellman, Governor

May 11, 1983

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, House Bill No. 420, entitled:

"AN ACT Relating to the cemetery board."

Section 2 of this bill would allow purchasers of cemeteries, under certain circumstances, to renege on the previous owners' prearrangement contracts for cemetery merchandise and services. I can find no justification for this deviation from the state law



requiring that new owners be bound by previous owners' obligations to provide merchandise and services that people have already paid for.

With the exception of section 2, which I have vetoed, House Bill No. 420 is approved.

Respectfully submitted,  
John Spellman, Governor

May 16, 1983

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. 426, entitled:

"AN ACT Relating to public employees."

Present law permits local governments to forbid the participation by public employees in the management of nonpartisan campaigns. These employees may vote, express opinions on issues and candidates, hold political office, and manage partisan campaigns. They may also participate fully in campaigns that do not involve candidates.

This legislation would allow participation by public employees in the management of all political campaigns, and would thus authorize expansion of the political activities of employees of all jurisdictions with nonpartisan elections. Such jurisdictions include cities and towns, port and school districts, and other local jurisdictions below the county level.

One provision would affect employees of only counties, cities, and towns. Section 1, subsection 6, requires such employees to take leaves of absence from their positions while holding elected office in those jurisdictions. Current practice generally requires such employees to resign. Because this provision would allow employees elected to public office to retain ties to previously held positions, it could clearly create conflicts of interest.

In my opinion, the present law safeguards against conflicts of interest and also properly defers to local governments in determining rules applying to local elections. I have therefore vetoed Substitute House Bill No. 426.

Respectfully submitted,  
John Spellman, Governor

May 16, 1983

The Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 446, entitled:

"AN ACT Relating to employees' personnel files."

This bill requires all employers - public or private - to permit employees to inspect their personnel files at a place convenient to the employee. Moreover, disputes between employer and employee over information in the file are to be resolved with the Department of Labor and Industries in the absence of a collective bargaining agreement that specifies alternative procedures. The Department is given authority to purge material from the file. I do not find that such a substantial departure from current practice in this area is warranted. I have therefore vetoed House Bill No. 446.

Respectfully submitted,  
John Spellman, Governor

May 13, 1983

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. 495, entitled:

"AN ACT Relating to retirement from public service."

I have been requested to veto this bill by the bill's sponsor. An error was made in drafting an amendment to the bill. As a result, the bill has the unintended effect of making post-retirement adjustment payments retroactive to July 1, 1978, rather than beginning on July 1, 1983. Not only would such a law be unconstitutional, but also the appropriation in the bill would not cover the costs.

I have been assured that corrective legislation is being prepared and will be acted upon promptly.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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. 620, 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 affected.

I am aware that self-insuring is a common practice among large employers in the private sector and that, under the right circumstances, self-insuring can result in substantial savings. Furthermore, the low number of bidders for SEIB coverages in recent years raises significant questions as to the cost-effectiveness of our current contractual arrangements.

I am also aware that there are high risks involved in self-insurance. The state should not rush into this type of program without adequate preparation. Both the House and Senate budget bills currently under consideration recognize this risk by directing the Office of Financial Management to study the self-insurance alternative.

I consider it prudent to await the results of that study before enacting legislation. I hope that the study will tell us whether self-insurance is desirable for the SEIB programs and, if so, exactly what features the enabling legislation should contain in order to ensure the highest probability of success.

For these reasons I have vetoed Substitute House Bill No. 620.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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 12(8), new language in section 14(7), and section 14(8), Substitute House Bill No. 646, entitled:

"AN ACT Relating to public accounting."

Section 12(8) would allow disciplinary action against Certified Public Accountants for "conduct disparaging to the public accounting profession." This standard is too vague to set in motion disciplinary action.

The new language added to section 14(7) would require a stenographic record of Board hearings and transcripts filed with the Board. This requirement exceeds the normal requirements contained in the Administrative Procedures Act.

Section 14(8) would allow the Board of Accountancy to employ outside counsel to represent it at appeals hearings. This would be contrary to the established policy that the Attorney General represent state agencies.

With the exceptions of these sections, Substitute House Bill No. 646 is approved.

Respectfully submitted,  
John Spellman, Governor

May 17, 1983

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. 784, entitled:

"AN ACT Relating to economic and revenue forecasting."

This bill would establish an economic and revenue forecasting council jointly appointed by the Governor, the Senate, and the House.

While I am not adverse to the concept and appreciate the desire of the legislature to upgrade our state's capabilities for economic and revenue forecasting, I cannot endorse its so doing at the expense of the executive branch.

The economic buffeting that our state has experienced over the past two years has focused attention as never before on the critical nature of the economic and revenue forecasting functions of state government. But to use that unprecedented experience as reason to strip from the executive branch its capacity for economic and revenue forecasting is unacceptable.

Because the governor must, by law, provide by a specific date a budget document containing specific items, he or she must have the resources to complete that task and to furnish advice for the preparation of that document. Both houses of the legislature have, to date, passed proposed budgets for the Office of Financial Management and the Department of Revenue that assume passage of this legislation; however, in so doing, they have applied reductions to those budgets that are excessive. As passed, those budgets would not allow those agencies sufficient resources to review the work of the new forecasting council, participate in its deliberations, or advise the Governor. This is a situation which the Governor cannot accept and still perform his or her assigned functions.

For these reasons, I have vetoed Substitute House Bill No. 784.  
(Attachment not included)

Respectfully submitted,  
John Spellman, Governor

June 14, 1983

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute House Bill No. 796, entitled:

"AN ACT Relating to state government."

This bill would create a Department of Economic and Community Development in July, 1984. The programs of the Planning and Community Affairs Agency and the Department of Commerce and Economic Development would be transferred to the new agency, and the two existing agencies would be abolished.

The programs affected by this reorganization are severely underfunded for fiscal year 1985 in the biennial budget bill (HB 1079). I believe that this bill was passed without a thorough examination of the impacts that consolidation, coupled with the severe underfunding, would have on the delivery of vital services.

As a reorganization measure, this bill specifies an unworkable internal organization for the new department. Three new statutory offices are created as administrative subdivisions. Moreover, the bill is ambiguous with respect to the transfer of employees from the two existing agencies to the new agency and to their existing civil service rights. The bill imposes other impediments to the new director's flexibility in organizing and staffing the new agency in order to carry out the effective administration of existing and contemplated community and economic development programs.

I am not convinced that a merger of the two existing agencies is the best means of ensuring the most effective delivery of economic and community development programs. Even if such a reorganization were prudent, a more flexible and effective reorganization bill could be drafted.

Under existing law, the current agencies will continue to operate during the next fiscal year. In the interim, I will work with the affected agency directors, the constituencies of both agencies, and the legislature in order to identify alternative plans for organizing and funding the most effective means of fostering community and economic development. I invite concerned legislators to work with me in this effort.

Respectfully submitted,  
John Spellman, Governor

April 23, 1983

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. 1035, entitled:

"AN ACT relating to collective bargaining."

This bill would give Washington State Patrol officers collective bargaining rights not over wages but over other working conditions. The critical mission of the State Patrol requires strict command and authority throughout the organization. I fear that if the management of the agency were subject to collective bargaining, the discipline of the patrol — and therefore public safety — might be eroded. For that reason, I have vetoed Substitute House Bill No. 1035.

Respectfully submitted,  
John Spellman, Governor

June 15, 1983

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 provisions HB 1079 entitled:

"AN ACT Relating to the budget."

The provisions I have vetoed and the reasons therefore are as follows:

1. State Auditor

On page 8, section 20, I have vetoed subsection (2), which states that:

The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

RCW 43.09.418 currently allows the director of the Office of Financial Management to approve payments to the State Auditor in excess of the legislative appropriation in cases of necessity. This proviso would require OFM to approve any additional payments required by the State Auditor. This proviso modifies RCW 43.09.418 and is therefore in conflict with legal findings that changes in substantive law must be made by amendment to that law and cannot be made through an appropriations act.

2. Office of Financial Management

On page 9, section 22, I have vetoed subsection (2), which states that:

The Director of Financial Management shall make every effort to limit equipment purchases by agencies so that total state general fund expenditures for equipment purchases by state agencies at the end of the 1983-85 biennium is two million dollars less than the amount appropriated for equipment in the 1983-85 biennium.

This is an example of the legislature's failure to properly address the budget issues that were before them. If the legislature felt the need to reduce the overall General Fund budget by \$2 million, it should have identified the agencies and programs it wanted to fund at a lower level. If the legislature felt the amounts requested for equipment were in excess of need, it should have identified those excesses and reduced agency budgets accordingly.

### 3. Economic and Revenue Forecasting Council

On page 15, I have vetoed Section 50, which states that:

NEW SECTION. Sec. 50. FOR THE ECONOMIC AND REVENUE FORECASTING COUNCIL

General Fund Appropriation ..... \$ 804,000

The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 784 is not enacted by July 1, 1983, then the appropriation in this section shall lapse.

This appropriation was contingent upon enactment of House Bill 784, which I vetoed.

### 4. Department of Social and Health Services (DSHS)

On page 17, I have vetoed subsection (1) of section 52 which states that:

Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. The initial allotments of all appropriations made by this act to the department of social and health services shall not be modified before October 1, 1983. Except as otherwise provided in this act, these initial allotments may be modified on and after October 1, 1983, only with the approval of the office of financial management after consultation with the ways and means committees of the senate and house of representatives: PROVIDED, That the allotment modifications shall not include transfers of moneys between sections of this act, nor shall the allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

This proviso is a modification of substantive law and, as such, is not appropriate for an appropriations act. RCW 43.88 establishes and directs the allotment process, and any changes to that process should be incorporated into that statute.

### 5. DSHS - Long Term Care Services

On page 23, I have vetoed the second sentence of subsection (1) of section 56, which states that:

These services shall be provided in the least restrictive and most cost-effective manner appropriate for individual clients.

I am concerned that this section could create internal inconsistencies. It is not realistic to require any system-wide approach

to be capable of responding to each client's individually perceived needs. While I expect the department to make every effort to provide a coherent system of long-term care services, the language in this section might result in individual client expectations that cannot be reasonably met, and thus expose the state to lawsuits. Directives such as this are modifications of substantive law, and, if added, should be amendments to statutes, not imposed by way of the appropriations act.

6. DSHS - Income Assistance

On page 26, I have vetoed subsection (2) of section 57, which states that:

The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1983, the department shall report to the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

Currently, the WIN program is a joint effort of the Employment Security Department and the Department of Social and Health Services. The program's goal is to achieve a reduction in welfare dependency by helping AFDC recipients to become self-sufficient. The WIN program has two essential elements, which are (1) to ensure the health and welfare of the participants and (2) to secure unsubsidized gainful employment for them. Because of these requirements, both agencies should be integral parts of the program.

7. K - 12 Compensation Increases

On page 49, I have vetoed subsection (1) of section 97, which permits the November, 1984, pay increase to be accelerated by up to fourteen months.

This portion of the act is flawed in several respects. First, it does not relate to the title of the act, having nothing to do with appropriations. The prior legislature's action in adopting House Bill 166 was intended to limit salary increases to funded increases properly included under an appropriation act title. Second, it authorizes salary increases at local districts but provides no funds. The vetoed language could cost local school districts or the state up to \$80 million, enough to employ over 2,400 classroom teachers during the fourteen-month period. It is possible that authorized but unfunded increases paid after Judge Doran's July 1, 1984, deadline would become an obligation of the state.



If the legislature wishes to grant salary increases, it must accept the responsibility for funding those increases. If it wishes to abolish salary controls or to increase average class sizes, it must amend existing state laws on these subjects.

In vetoing section 97 (1), I was forced to eliminate language imposing a penalty for violation of state salary guidelines. I expect the legislature to reenact such a penalty at its next session. In the interim, it should be remembered that any contract granting increases in excess of state guidelines violates RCW 28A.58.095 and is not a legal agreement. I expect local school boards to continue to obey the law.

8. K - 12 Health Insurance Benefits

On page 57, I have vetoed subsection 103 (6) (b), which would have permitted districts to increase health insurance benefits up to a rate of \$159 per individual. This language contains the same flaws as subsection 97 (1). The legislature has failed to provide the up-to-\$24 million needed to fund this increase. The most recent data available, for 1981-82, show that districts, on average, follow the state funding practice by providing benefits on a full-time-equivalent basis. While the intent is laudable, failure to provide the needed funding is fiscally irresponsible.

9. Salary Increase Lid

On page 58, section 103, I have vetoed subsection (7), which states that:

The salary increases authorized in subsections (4) and (5) of this section shall not apply to any employee whose annual salary is \$40,000 or greater. Money saved pursuant to this subsection shall be placed in reserve.

On page 75, section 134, I have vetoed subsection (9), which states that:

The compensation increases authorized in subsections (7) (a) and (b), and (8) of this section shall not apply to any state employee whose annual salary is \$40,000 or greater. Money saved pursuant to this section shall be placed in reserve.

This type of salary limit is unfair, arbitrary, and unnecessary. It is this type of salary-setting policy that causes the greatest difficulty in the recruitment and retention of quality state employees and faculty.

10. The Evergreen State College

On page 69, I have vetoed subsection (6) of section 122, which states that:

The appropriations in this section are subject to the following conditions and limitations:

(a) The board of trustees of The Evergreen State College is directed to limit the use of campus space to that amount sufficient

to serve enrollments of up to two thousand five hundred students during each year of the biennium.

(b) The board of trustees shall cooperate with the director of the department of general administration, who is directed to use such space in excess of that provided in subsection (6) (a) of this section to reduce the amount of leased space in Thurston County for offices, warehouses, and similar purposes as are required by elected state officials, institutions, departments, commissions, or other state agencies: PROVIDED, That this subsection (6) (b) shall not restrict the ability of The Evergreen State College from regaining that space if the college achieves an enrollment in excess of two thousand five hundred students.

This proviso restricts Evergreen's use of its own campus and improperly delegates authority over the campus facilities to the Department of General Administration. The college currently rents space to state agencies and will continue this practice to the extent the trustees feel appropriate.

With the exceptions of the aforementioned sections, which I have vetoed, HB 1079 is approved.

Respectfully submitted,  
John Spellman, Governor

## HISTORY OF HOUSE 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.
1. ....	25	51	61	61		131 Ch. 1
2. ....	25	122	146	165, 1632	1766- 1768	
3. ....	25					
4. ....	26					
5. ....	26					
6. ....	26	330	438			
6. (Sub) .....			438	453-455	457, 461-463	
7. ....	27					
8. ....	27				51	
9. ....	27	626	767			
9. (Sub) .....			767	767		
10. ....	27					
11. ....	27					
12. ....	27					
13. ....	27					
14. ....	27					
15. ....	28					
16. ....	28	491	518			
16. (Sub) .....			518	544		Ch. 69
17. ....	28					
18. ....	28					
19. ....	28					
20. ....	28	60	74			

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.
20. (Sub)			74-77	86, 164	152-153, 164	Ch. 6
21.	29	162			489	
22.	42	626	768			
22. (Sub)			768	780		
23.	42	123	127	147, 1336	1335	Ch. 170
24.	42	330	439			
24. (Sub)			439	439		Ch. 21
25.	42	208	321	321, 1119	1119	Ch. 86
26.	42					
27.	43				60	
28.	43					
29.	43					
30.	43	611				
31.	43	295	338	450		
32.	43	123	127	148, 1003	1002	Ch. 37
33.	43					
34.	44					
35.	44	144	163	173		Ch. 87
36.	44	295	337, 448	448, 449		Ch. 88
37.	44	171	183			
37. (Sub)			183	193		Ch. 89
38.	44					
39.	44	85	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.
39. (Sub)			127	148, 1632, 1798	1575-1577, 1768, 1798	PV Ch. 27 E1
40.	45					
41.	45					
42.	45					
43.	45	144	202			
43. (Sub)			202	334,1638, 1857	1837, 1857	Ch. 43 E1
44.	45	513	662			
44. (Sub)			662	662, 1413	1412	Ch. 171
45.	46					
46.	46					
47.	46	319	337		107	
47. (Sub)			337	449		Ch. 22
48.	46					
49.	46	953	969			
49. (Sub)			969- 999	999	1681, 1832	
50.	46	2224, 2286	2299			
50. (Sub)			2299	2300, 2319	2300	
51.	46	2064	2106			
51. (Sub)			2106	2106		Ch. 56 E1
52.	46	1631	2008		1893	
52. (Sub)			2008- 2062	2062, 2113	2062, 2113	

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.
53. ....	47	1510				
54. ....	47	1700	1708	1710, 1719	1710, 1718	
55. ....	47	1700	1782		1719	
55. (Sub) .....			1782- 1792	1792, 2283	1949-2004, 2231,2232- 2282	Ch. 57 E1
56. ....	47	1707	1797, 2228	1817, 2283	1719, 2228	Ch. 58 E1
57. ....	47	1707	1818			
57. (Sub) .....			1818, 2230	2284, 2327	2327	Ch. 54 E1
58. ....	48	1707	1819, 2229	2284		Ch. 59 E1
59. ....	48	162,181, 627	696	729		Ch. 90
60. ....	48					
61. ....	48	123	128	148		Ch. 8
62. ....	48					
63. ....	48	145	163	174		Ch. 55
64. ....	49	171	184			
64. (Sub) .....			184	193, 1306	1306	Ch. 172
65. ....	49					
66. ....	49	155	163	174		
67. ....	49					
68. ....	49					
69. ....	50					
70. ....	50					

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.
71.	50	181,191. 650	934			
71. (Sub)			934	945, 1661		
72.	53	457, 2286	510	534,1633, 2296- 2298	2145- 2151, 2298	Ch. 55 E1
73.	53	331	439	456		
74.	53	145	164	175, 1633, 1876	1714, 1837, 1875	Ch. 44 E1
75.	53					
76.	53	145	165	176, 1414	1413	Ch. 173
77.	53	295	337	450		Ch. 24
78.	54	145	165	176		Ch. 38
79.	54	240	337			
79. (Sub)			337	448		
80.	54					
81.	54	171	184			
81. (Sub)			184	222		Ch. 91
82.	55	650			1847	
83.	55	208	322	322		Ch. 23
84.	55	240	375			
84. (Sub)			375	460		
85.	55	569	695			
85. (Sub)			695			
86.	55					
87.	55	209	321	322		Ch. 92

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.
88.	55					
89.	56	651	697	903		Vetoed
90.	56					
91.	56					
92.	56					
93.	56					
94.	56					
95.	57	319	468			
95. (Sub)			468	468		Ch. 138
96.	57	331	510	535		
97.	57					
98.	57					
99.	57	296	338			
99. (Sub)			338	450		Ch. 25
100.	57					
101.	57	611	696	729		
102.	58	201	439	461, 1120	1120	Ch. 70
103.	58					
104.	58					
105.	58	474	623			
105. (Sub)			623	624		
106.	58	155	165	176		Ch. 56
107.	59	171	300-301, 306-307	335, 1530	1530	Ch. 174
108.	59					



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.
109.	63					
110.	63					
111.	63	331	439	453, 1004	1003	Ch. 57
112.	63	191	323	323		Ch. 93
113.	64	331			539	
114.	64	442	518			
114. (Sub)			518	518, 1109	1109	Ch. 94
115.	69					
116.	69	570	823			
116. (Sub)			823	823, 1406	1405	Ch. 282
117.	69	332	464			
117. (Sub)			464-466, 469, 475-476	522-523, 1415	1414	Vetoed
118.	69	172	184			
118. (Sub)			184	193		Ch. 95
119.	70					
120.	70					
121.	70					
122.	70	209	322	322		
123.	70					
124.	70	570				
125.	70	209	323	323		Ch. 175
126.	71	627	696			

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.
126. (Sub)			696	730, 1609	1607- 1609	PV Ch. 233
127.	71	627	696			
127. (Sub)			696, 709	730,1664, 1799	1798	Ch. 29 E1
128.	71				73	
129.	71	172	184			
129. (Sub)			184	336, 1416	1415	Ch. 283
130.	71					
131.	71					
132.	72	627	787			
132. (Sub)			787	803		
133.	72	201,319				
134.	72	514	660			
134. (Sub)			660-662, 663-665	677,681, 1417	1416	Vetoed
135.	78					
136.	78	319	439	440		Ch. 58
137.	78					
138.	78	627	854	854		
139.	78	504	576			
139. (Sub)			576	576, 1634, 1846	1330,1583, 1839- 1846	PV Ch. 32 E1
140.	79	372	619	687		
141.	79	372	518	519		
142.	79					

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.
143.	79	332	519			
143. (Sub)			519	519		Ch. 26
144.	79	162	184	194		Ch. 27
145.	80	120	129	149		
146.	81	701	771	781		Ch. 119
147.	81	182	192	223		Ch. 10
148.	81	182	192			
148. (Sub)			192	223		Ch. 59
149.	82	372	436			
149. (Sub)			436	444		
150.	82	182	437	445		Ch. 176
151.	82					
152.	82	172	437	446		
153.	82	209	438	447		Ch. 96
154.	82					
155.	82					
156.	83					
157.	83					
158.	83					
159.	83	209,332				
160.	83					
161.	83					
162.	84	514,684				
163.	84	541				
164.	84	442	479	535,1306	1305	Ch. 177

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.
165.	84					
166.	85					
167.	88	651	905			
167. (Sub)			905			
168.	88					
169.	88					
170.	89					
171.	89					
172.	89					
173.	89					
174.	89	296	338	451		Ch. 28
175.	90	505	623	656		Ch. 97
176.	90					
177.	90	296	468			
177. (Sub)			468	468, 1531	1530	Ch. 178
178.	90	712				
179.	90	514	576			
179. (Sub)			576,594- 595,659	659, 1533	1532	Ch. 179
180.	91	491	577	577		Ch. 139
181.	91	491,1511	1685			
181. (Sub)			1685	1694		
182.	91					
183.	91	155	173	184		Ch. 140
184.	91	332	519	520,969	968	Ch. 29

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.
185.	91	155	165	177. 1406	1406	Ch. 180
186.	92					
187.	92	541	678			
187. (Sub)			678	678		Ch. 60
188.	92					
189.	92	458	509			
189. (Sub)			509	590		Ch. 61
190.	92					
191.	92					
192.	92					
193.	92					
194.	92					
195.	93					
196.	93					
197.	95	611	680			
197. (Sub)			680	680, 1407	1407	Ch. 181
198.	95	201	324	324		Ch. 39
199.	96				105,2298	
200.	97					
201.	97					
202.	98					
203.	98	570	793	794, 1336	1336	Ch. 182
204.	98					
205.	98					

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.
206.	98					
207.	98	210	324			
207. (Sub)			324	324		Ch. 19
208.	98	443	520	520		Ch. 141
209.	98					
210.	98					
211.	98					
212.	99					
213.	99	740,1343	1670			
213. (Sub)			1670- 1674	1695		
214.	99					
215.	99					
216.	99	434	577	577		Ch. 30
217.	99	332	440	440		
218.	99					
219.	100	482	662	673		Ch. 40
220.	100					
221.	100					
222.	100					
223.	100					
224.	100					
225.	101					
226.	101	210,514	545			
226. (2nd Sub)			545- 547	600,1638, 1777	1777	Ch. 20 E1

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.
227.	101					
228.	101	918,1343				
229.	101					
230.	101					
231.	102	333,570	595			
231. (2nd Sub)			595-597	601,1639, 1773	1770	Ch. 21 E1
232.	102	542	606			
232. (Sub)			606	642, 1337	1337	Ch. 183
233.	102	320	487			
233. (Sub)			487	488, 1578	1578	Ch. 284
234.	102	651	922			
234. (Sub)			922	936,1627, 1907	1900	PV Ch. 53 E1
235.	102	651	923			
235. (Sub)			923-925	937,1628, 2102	2093- 2102	2302 Ch. 49 E1
236.	102					
237.	102					
238.	103					
239.	103	458	509	536, 1634, 1827	1337, 1410-1411, 1714, 1802, 1826	Ch. 33 E1
240.	103	740	845			

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.
240. (Sub)			845-846	890-892, 1862, 1635, 2224, 2310-2312	1822, 1862, 2310-2312	Ch. 71
241.	103	210	478			
241. (Sub)			478	530		Ch. 98
242.	103				177	
243.	103					
244.	103					
245.	103	182,515	547			
245. (2nd Sub)			547-549, 564-565	602, 1641, 2335	1640, 2334	Ch. 60 E1
246.	104					
247.	104				698	
248.	104	652				
249.	104					
250.	104					
251.	104	372,515	549			
251. (Sub)			549	601, 1641, 1898	1896	2302 Ch. 50 E1
252.	104	320,740				
253.	109					
254.	109	373	483			
254. (Sub)			483-487, 492-497, 530	529, 530		
255.	109					
256.	110	183	192	299,1007	1007	Ch. 41



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.
257.	110	373	467	533	111	
258.	110					
259.	110	320	374	452		Ch. 142
260.	110	373	549	688,1338	1338	Ch. 184
261.	110	350				
262.	110					
263.	113	458	510			
263. (Sub)			510	536		Ch. 99
264.	113					
265.	113					
266.	113	483	549			
266. (Sub)			549	589		Ch. 143
267.	113					
268.	113				672	
269.	113	571	622	641		Ch. 185
270.	114	685	876	877		Ch. 145
271.	114	1343	1651			
271. (Sub)			1651	1652		
272.	114	542				
273.	114					
274.	114	434	480	480		Ch. 42
275.	114	435	479	479		Ch. 44
276.	114					
277.	114					
278.	115	351	476			

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.
278. (Sub)			476-478	536,1635, 1856	1823-1826 1856	Ch. 46 E1
279.	119					
280.	119					
281.	119					
282.	119	701			916	
283.	119					
284.	119	611	668	668, 1517	1517	Ch. 186
285.	121	435	565	565		Ch. 43
286.	121					
287.	121					
288.	121	505	578	578		Ch. 31
289.	121	458	497			
289. (Sub)			497-503	529, 1602	1533-1548, 1587-1602	Ch. 165
290.	121					
291.	121					
292.	121	351				
293.	122					
294.	122					
295.	122	241,1200	1652			
295. (2nd Sub)			1652- 1654	1654, 1800	1799	PV Ch. 28 E1
296.	122	505	679			
296 (Sub)			679	688, 2117	1642, 2114	Ch. 61 E1
297.	125,131	183	203			

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.
297. (Sub)			203	336, 1119	1110	Ch. 115
298.	125,131					
299.	125					
300.	125	202	516-517	805, 1307	1307	Ch. 187
301.	125					
302.	126	628				
303.	126					
304.	126	373	481	481		Ch. 144
305.	126	628	825, 826	826		Ch. 100
306.	126	458	521			
306. (Sub)			521	537		
307.	126	722	856			
307. (Sub)			856	857, 2121	2119	
308.	132					
309.	132	612	755			
309. (Sub)			755	756		Ch. 116
310.	132				143,172	
311.	132	723	814			
311. (Sub)			814	819		
312.	132	435	480	480		Ch. 45
313.	132	443	488	488		Ch. 146
314.	132				604-606	
315.	133	723			916	

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.
316.	133	741	888			
316. (Sub)			888		916	
317.	133					
318.	133	351	440	440, 1520	1518	Ch. 188
319.	133	628	780			
319. (Sub)			780, 807-809			
320.	133					
321.	134					
322.	134					
323.	134	515	680			
323. (Sub)			680	680		Ch. 101
324.	134					
325.	134	652	757			
325. (Sub)			757,758- 759	781		Ch. 189
326.	135					
327.	135					
328.	136	571	769			
328. (Sub)			769	770		Ch. 147
329.	136					
330.	136					
331.	136					
332.	136					
333.	136	202,320				
334.	137	202	469			

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.
334. (Sub)			469	534, 1577	1339, 1577	Ch. 285
335.	137					
336.	137	542	666			
336. (Sub)			666- 667	673, 1520	1520	Ch. 286
337.	137					
338.	137					
339.	137					
340.	137				177	
341.	137					
342.	138	701			916	
343.	138					
344.	138	296	374	451		
345.	139	741			177,916	
346.	139	723				
347.	139					
348.	139	296	374	452		Ch. 32
349.	140					
350.	140					
351.	140					
352.	140	953,1002, 1659	1686			
352. (2nd Sub)			1686	1696		
353.	142					
354.	150					
355.	150					

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.
356.	150					
357.	150	321	469	469		Ch. 102
358.	150					
359.	151	374	478			
359. (Sub)			478	478, 1549	1548	PV Ch. 168
360.	153					
361.	153					
362.	153					
363.	154					
364.	154					
365.	154					
366.	154	459	618			
366. (Sub)			618	618		Ch. 62
367.	157					
368.	157					
369.	157					
370.	158					
371.	158	374	667	690		Ch. 63
372.	158					
373.	158	435	521	521		Ch. 148
374.	158	459	578	578		
375.	158					
376.	159					
377.	159	583,628				
378.	159	584	709	734		

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.
379.	159					
380.	159					
381.	159					
382.	159					
383.	159	741	906			
383. (Sub)			906	906		Ch. 149
384.	160					
385.	160					
386.	160					
387.	160	713	905	905		Ch. 71
388.	160					
389.	160					
390.	160	652	766			
390. (Sub)			766	766, 1506	1417- 1505	PV Ch. 167
391.	160					
392.	160	459	510	537		
393.	160	443	511			
393. (Sub)			511	511, 1209	1209	Ch. 103
394.	168					
395.	168					
396.	168	241	307		246,488	
397.	168					
398.	169					
399.	169	474	606	622,1635, 1774	1774	Ch. 12 EI

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.
400.	169					
401.	169	652			916	
402.	169					
403.	169	741				
404.	169					
405.	179					
406.	179	1125	1649			
406. (Sub)			1649- 1651	1651		
407.	179					
408.	179					
409.	179	459	668			
409. (Sub)			668	674		Ch. 104
410.	179	702	934			
410. (Sub)			934	935, 1661		
411.	180	443	604	656.1662		
412.	180	443	606	675, 1662		
413.	180	435	509	538		Ch. 64
414.	180					
415.	180					
416.	180					
417.	180	723	879	879		
418.	180					
419.	181	436	658	658		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.
420.	181	443	479	479, 1636, 1715	1359, 1714	PV Ch. 5 E1
421.	181					
422.	181					
423.	181					
424.	181					
425.	181					
426.	186	741	837			
426. (Sub)			837	892, 1408	1407	Vetoed
427.	186					
428.	186	515	578	579, 1636, 1872	1716, 1827,1870- 1872	Ch. 45 E1
429.	186					
430.	186	599	820	821		Ch. 105
431.	187	612	763			
431. (Sub)			763- 765	782, 1564	1549- 1564	Ch. 191
432.	187	702	858-859, 861	862		
433.	187	532	662			
433. (Sub)			662, 665-666	690, 1566	1564	Ch. 192
434.	187	571	617			
434. (Sub)			617	675, 1521	1521	Ch. 287
435.	187	584	679			
435. (Sub)			679	691		

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.
436.	187	702	792	793, 1506	1506	Ch. 193
437.	187					
438.	187					
439.	188	612	669			
439. (Sub)			669	676		
440.	188	444.1061				
441.	189	333	507	508		Ch. 13
442.	189					
443.	195					
444.	195					
445.	195					
446.	196	505	679, 694	694, 1341	1340	Vetoed
447.	196					
448.	196	723	864			
448. (Sub)			864	865		
449.	196	571	816	826-828		
450.	196					
451.	196	505	752-755, 757-758			
452.	196	599	681			
452. (Sub)			681	681, 1567	1566	Ch. 194
453.	197	702				
454.	197					
455.	197				228	

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.
456.	197					
457.	197					
458.	198	572	739			
458. (Sub)			739	739, 1507	1507	Ch. 288
459.	198					
460.	198					
461.	198					
462.	198					
463.	199	724	859			
463. (Sub)			859	889, 1568	1568	Ch. 195
464.	199					
465.	199					
466.	199	1701	1821			
466. (Sub)			1821	1861	2303	Ch. 62 E1
467.	199					
468.	199					
469.	199	713			916	
470.	200	241	307		246	
470. (Sub)			307	325,1662, 1775	1774	Ch. 17 E1
471.	200	241	307	334, 1663	246	Ch. 9 E1
472.	205					
473.	205					
474.	206					

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.
475.	206	672	857			
475. (Sub)			857	858		
476.	206	629	838			
476. (Sub)			838	838, 1340	1339	Ch. 196
477.	206					
478.	206	653	710			
478. (Sub)			710	731		
479.	206	612	790	791	1568, 1603	Ch. 289
480.	206	702	821			
480. (Sub)			821	822		
481.	207					
482.	207	629	757			
482. (Sub)			757	782, 1212	1212	Ch. 72
483.	207					
484.	207	685	937			
484. (Sub)			937-938	945		Ch. 290
485.	207					
486.	207	742			878	
487.	207	516	579	579		Ch. 33
488.	208	460	510			
488. (Sub)			510	538, 1213	1213	Ch. 106
489.	208				307	
490.	208					

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.
491.	231					
492.	232					
493.	232	629	771			
493. (Sub)			771, 788	800, 1528	1528	Ch. 197
494.	238					
495.	238	629	927			
495. (Sub)			927	934,1642, 1778	1778	Vetoed
496.	238	1200	1629,1655			
496. (Sub)			1655,1666	1667		Ch. 11 E1
497.	238	506,778				
498.	238	724	859			
498. (Sub)			859	860		Ch. 150
499.	239					
500.	239	629				
501.	239					
502.	239					
503.	239					
504.	240					
505.	240					
506.	240	630			861	
507.	240					
508.	286					
509.	287	506	669			
509. (Sub)			669	692		

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.
510.	289					
511.	289	742	878	878, 1579	1579	Ch. 291
512.	289					
513.	290					
514.	290					
515.	290	1691	1889			
515. (Sub)			1889- 1892		2319	
516.	290					
517.	290	724	815,817	818		
518.	290					
519.	290					
520.	290	572	786	786, 1569	1569	Ch. 198
521.	290	742				
522.	290	724	860			
522. (Sub)			860	860		Ch. 199
523.	291					
524.	291	460	517	538,1643		
525.	291					
526.	291					
527.	291					
528.	291					
529.	291					
530.	291				376	
531.	292	506	566	590		

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.
532.	292	630				
533.	292	542	668			
533. (Sub)			668	669, 1214	1213	Ch. 107
534.	292	572	717	731		Ch. 65
535.	292	612				
536.	292	572	710	732		
537.	292	613				
538.	292	573	710			
538. (Sub)			710	710		
539.	293	573	711			
539. (Sub)			711	711		Ch. 108
540.	293	573	757			
540. (Sub)			757	783		Ch. 151
541.	293	613	695		695	
542.	293					
543.	293				307	
544.	293					
545.	293					
546.	293	474	711			
546. (Sub)			711	712		Ch. 200
547.	294	532	579			
547. (Sub)			579	580		Ch. 66
548.	294	734	876			
548. (Sub)			876	876		Ch. 292
549.	294					

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.
550.	294	685	766			
550. (Sub)			766		916	
551.	294	653	715			
551. (Sub)			715	732		
552.	295	613	715			
552. (Sub)			715	716		
553.	302					
554.	302	742				
555.	302	743	860	861,1571	1570	Ch. 293
556.	303					
557.	303					
558.	304					
559.	304					
560.	304					
561.	304					
562.	304					
563.	304,327	543				
564.	304					
565.	304	703, 1691				
566.	305					
567.	305					
568.	305					
569.	305	703	779	780		Ch. 294



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.
570.	305	492	716	733,1637 1839	1304, 1838	Ch. 34 E1
571.	305	630	822			
571. (Sub)			822	822		
572.	305					
573.	314					
574.	314	533	679	693		
575.	314					
576.	314	743	881			
576. (Sub)			881	881		Ch. 295
577.	315					
578.	315					
579.	315	725	868			
579. (Sub)			868	868, 1572	1572	Ch. 296
580.	315	713,778				
581.	315	725				
582.	315					
583.	315	631	861			
583. (Sub)			861	895,1663		
584.	315					
585.	315	543	617	642,1609	1609	Ch. 297
586.	315					
587.	316					
588.	316	1701	1847	2143, 2304	2304	Ch. 63 E1
589.	316					

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.
590.	316					
591.	316					
592.	316					
593.	316					
594.	316					
595.	317	528, 1061	1646	1647		Ch. 18 E1
596.	317	703	831	897		
597.	317	734			916	
598.	317					
599.	317					
600.	317					
601.	317					
602.	317					
603.	317	703	770			
603. (Sub)			770	783		
604.	318					
605.	318	1344	1647			
605. (Sub)			1647	1649,2385, 2394	2393	Ch. 1 E2
606.	327	516	607-608	805		
607.	327					
608.	327	725	882			
608. (Sub)			882-883	898		
609.	327					
610.	327					

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.
611.	328	492	580	580		
612.	328					
613.	328					
614.	328					
615.	328					
616.	328					
617.	328					
618.	328	704	788	789		
619.	328					
620.	329	725	794			
620. (Sub)			794-799	802		Vetoed
621.	329	506				
622.	329					
623.	329					
624.	329					
625.	329					
626.	347					
627.	347					
628.	347					
629.	348					
630.	348					
631.	348	725				
632.	348					
633.	348					
634.	348					

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.
635.	348	1660				
636.	348					
637.	349					
638.	349				581	
639.	349					
640.	349	726				
641.	349					
642.	349					
643.	349	631	769	769,1409	1409	Ch. 201
644.	349					
645.	349					
646.	350	713	771			
646. (Sub)			771	784, 1330	1330	PV Ch. 234
647.	363					
648.	363					
649.	363					
650.	363					
651.	363				376	
652.	364					
653.	364	543	768	768		Ch. 298
654.	364					
655.	364					
656.	364					
657.	364					
658.	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.
659.	365	726				
660.	365					
661.	365	704	845			
661. (Sub)			845	845		Ch. 299
662.	365					
663.	365					
664.	365					
665.	366	743	838			
666.	366					
667.	366	685	823			
667. (Sub)			823, 830	831, 1573	1573	Ch. 202
668.	366					
669.	366					
670.	366					
671.	367				456	
672.	367					
673.	367					
674.	367	543	658	677,1574	1573	Ch. 300
675.	367					
676.	367					
677.	368					
678.	368					
679.	368					
680.	368					
681.	368	631				

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.
682.	368					
683.	368	704	809-810	811,1308	1308	Ch. 301
684.	368					
685.	368	743	832			
685. (Sub)			832-834	834		
686. 369	743					
687.	369	704			916	
688.	369					
689.	369	714	789			
689. (Sub)			789	789,1643		
690.	369					
691.	369					
692.	369					
693.	369	653, 1848	1909		376	
693. (2nd Sub)			1909	1909		Ch. 64 E1
694.	370					
695.	370					
696.	370					
697.	370					
698.	370					
699.	370					
700.	370	726	862			
700. (Sub)			862	862		
701.	370	584	678			
701. (Sub)			678	693		

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.
702.	379					
703.	379					
704.	379					
705.	379					
706.	379	735			430	
707.	379					
708.	380	533	657			
708. (Sub)			657	657		
709.	380					
710.	380	631	862-864	899		
711.	380	744			916	
712.	380	1125	1833		430	
712. (Sub)			1833	1834, 2310	2304- 2309	Ch. 65 E1
713.	380	705	904			
713. (Sub)			904			
714.	380					
715.	381					
716.	381					
717.	381	1701	1832			
717. (Sub)			1832	1833		
718.	381					
719.	381	614	764			
719. (Sub)			764	784.1210	1210	Ch. 109
720.	381					
721.	382					

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.
722.	382					
723.	382					
724.	382	705	812	813		
725.	382	653	926	926,1645		Ch. 10 E1
726.	382	744	825		597	
726. (Sub)			825	897		
727.	382	912				
728.	382					
729.	382					
730.	382					
731.	383					
732.	383					
733.	383					
734.	383					
735.	384					
736.	384					
737.	384	1040				
738.	384					
739.	384	631	792	792	430	
740.	384	585	778			
740. (Sub)			778	779,1645, 1776	1775	Ch. 26 E1
741.	384	653	790	801		Ch. 110
742.	385					
743.	385					
744.	385				430	



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.
745.	385					
746.	385					
747.	385	714	864	864, 1410	1409	Ch. 302
748.	385					
749.	386	735	865			
749. (Sub)			865	866		
750.	386					
751.	386	744				
752.	386	1620	1667	1668	1581	
753.	386	745	881, 883-884	885, 1527	1522- 1527	Ch. 303
754.	386					
755.	386					
756.	386	705	878	878		
757.	386					
758.	387					
759.	387					
760.	387					
761.	387	745,800				
762.	387	1660				
763.	387					
764.	387					
765.	387	507	659	693,720		Ch. 203
766.	387					
767.	388	735			926	

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.
768.	388					
769.	388	475	768	769		
770.	388					
771.	388					
772.	388					
773.	389					
774.	389					
775.	389					
776.	389					
777.	390	735				
778.	390					
779.	391					
780.	392					
781.	392					
782.	392					
783.	392					
784.	392	574	617			
784. (Sub)			617	640, 2334	2333	2333 Vetoed
785.	393					
786.	393	745			916	
787.	393	705	814	828-829		Ch. 67
788.	393					
789.	393					
790.	393	706	813			

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.
790. (Sub)			813	813, 1339	1339	Ch. 304
791.	393	746,778				
792.	394					
793.	395	472	717		429	
793. (Sub)			717	733, 1329	1308- 1329	Ch. 305
794.	395					
795.	395					
796.	396	614	718			
796. (Sub)			718	728,1646, 1801	1801	Vetoed
797.	397					
798.	397					
799.	397					
800.	398					
801.	398					
802.	398					
803.	398	746	839-840, 841	841		
804.	398	706	811	811		Ch. 306
805.	398					
806.	398	746	867			
806. (Sub)			867	889,899		
807.	398	746,800			525	
808.	398					
809.	398					

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.
810.	399					
811.	399					
812.	399					
813.	399					
814.	399					
815.	399				456	
816.	399	736	875			
816. (Sub)			875	875		
817.	400	632	815	815		Ch. 111
818.	400					
819.	400					
820.	400					
821.	400					
822.	400					
823.	400					
824.	400				430	
825.	401					
826.	401					
827.	401					
828.	401					
829.	401					
830.	401					
831.	401					
832.	401					
833.	401					

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.
834.	401	685				
835.	402					
836.	402					
837.	402				430	
838.	402					
839.	402	632	867	901	902	
840.	402	706			916	
841.	402					
842.	402					
843.	403					
844.	403					
845.	403					
846.	403					
847.	403					
848.	403	654	824			
848. (Sub)			824	824. 1341	1341	Ch. 307
849.	403					
850.	403					
851.	404					
852.	404					
853.	404	654				
854.	404					
855.	404	726	877			
855. (Sub)			877	877		Ch. 112
856.	404	706	793			

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.
856. (Sub)			793	793		
857.	404					
858.	404					
859.	405					
860.	405	706	869	869		
861.	405	632	678			
861. (Sub)			678	714		
862.	405	654			789	
863.	405	654	847			
863. (Sub)			847-849	900-901, 907	907	
864.	405	747	842			
864. (Sub)			842-844, 846	893		
865.	405	736	872			
865. (Sub)			872	872, 1508	1507	Ch. 308
866.	405					
867.	406	747	885-888	903, 1508	1508	Ch. 204
868.	406	632	765			
868. (Sub)			765	801		
869.	406					
870.	406				720	
871.	406					
872.	406	686	885	885		
873.	407					

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.
874.	407					
875.	407					
876.	407	747				
877.	407					
878.	407					
879.	407					
880.	407	714				
881.	407					
882.	407	727	811			
882. (Sub)			811	812		Ch. 309
883.	407					
884.	407					
885.	408					
886.	408					
887.	408	614			858	
888.	408	727	873			
888. (Sub)			873	873		Ch. 162
889.	408					
890.	408					
891.	408					
892.	408					
893.	409					
894.	409					
895.	409					
896.	409					

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.
897.	409					
898.	409					
900.	409					
901.	409					
902.	409					
903.	410	727			916	
904.	410					
905.	410	686	873	874		Ch. 310
906.	410	707	882			
906. (Sub)			882	882, 1605	1604	Ch. 311
907.	410					
908.	410					
909.	411					
910.	411					
911.	411	727	879	879		
912.	411					
913.	411					
914.	411					
915.	411	728			916	
916.	411					
917.	411					
918.	412					
919.	412	686	853	853		Ch. 312
920.	412					
921.	412	707				



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.
922.	412					
923.	412					
924.	412					
925.	412	747	881	881		Ch. 152
926.	412					
927.	412					
928.	412					
929.	413					
930.	413					
931.	413					
932.	413					
933.	413					
934.	413					
935.	413					
936.	414					
937.	414					
938.	414					
939.	414	747	880	880		
940.	414					
941.	414					
942.	414					
943.	414					
944.	415					
945.	415					
946.	415					

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.
947.	415					
948.	415					
949.	415					
950.	415					
951.	415					
952.	415					
953.	416					
954.	416	748	825			
954. (Sub)			825	825		
955.	416					
956.	416					
957.	416					
958.	416					
959.	416					
960.	416					
961.	416					
962.	416					
963.	416					
964.	417					
965.	418					
966.	418					
967.	418					
968.	418	585				
969.	418	585				
970.	418					

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.
971.	418					
972.	418					
973.	418					
974.	418					
975.	418					
976.	419					
977.	419					
978.	419					
979.	419					
980.	419	528,1009				
981.	419	585				
982.	419					
983.	419	1405, 1581	1865			
983. (Sub)			1865-1868, 1880- 1889	2303	2327, 2333, 2380	
984.	419					
985.	419	528,655	842			
985. (Sub)			842, 850-851			
986.	419					
987.	419					
988.	419					
989.	419					
990.	419					
991.	420					

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.
992.	420					
993.	420					
994.	420					
995.	420					
996.	420	1869, 1895	2314			
996. (Sub)			2314	2315		
997.	420					
998.	420					
999.	420					
1000.	420					
1001.	420					
1002.	420					
1003.	420					
1004.	420				2006	
1005.	421					
1006.	421					
1007.	421					
1008.	421					
1009.	421					
1010.	421					
1011.	421	585,614	839			
1011. (Sub)			839	841, 1342	1342	Ch. 313
1012.	421					
1013.	421					

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.
1014.	421					
1015.	421					
1016.	421	633,736	855			
1016. (Sub)			855-856	902		
1017.	421	633,736	874			
1017. (Sub)			874	874		
1018.	421					
1019.	421					
1020.	422					
1021.	422					
1022.	422					
1023.	422					
1024.	422					
1025.	422					
1026.	422					
1027.	422					
1028.	422					
1029.	422					
1030.	422					
1031.	422					
1032.	422					
1033.	422					
1034.	423					
1035.	423	528,599	718			
1035. (Sub)			718-719	729		Vetoed

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.
1036.	423					
1037.	423					
1038.	423	604	615		581	
1038. (Sub)			615-616	642		Ch. 17
1039.	423					
1040.	423					
1041.	423					
1042.	423					
1043.	423					
1044.	423	585,655 1358				
1045.	423					
1046.	423					
1047.	423					
1048.	423					
1049.	424					
1050.	424	1002.1041	1669			
1050. (Sub)			1669	1697		
1051.	424	1359	1683		1332	
1051. (Sub)			1683- 1685	1697		
1052.	424					
1053.	424					
1054.	424					
1055.	424					
1056.	424					

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.
1057.	424					
1058.	424					
1059.	424					
1060.	424					
1061.	424					
1062.	424					
1063.	425					
1064.	425					
1065.	425					
1066.	425					
1067.	425					
1068.	425					
1069.	425					
1070.	425					
1071.	425					
1072.	425					
1073.	425					
1074.	425					
1075.	425		431-432	433	431	Ch. 9
1076.	425					
1077.	426					
1078.	426					
1079.	426		1913-1948	1948, 2221	1893,2151-2185,2186-, 2221	PV Ch. 76 E1
1080.	426					

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.
1081.	426					
1082.	426		1780	1781	1779	Ch. 36 E1
1083.	426					
1084.	426					
1085.	426					
1086.	426					
1087.	426					
1088.	426					
1089.	426	483,737	823			
1089. (Sub)			823	824		Ch. 314
1090.	426					
1091.	427					
1092.	427					
1093.	427	516,655	785			
1093. (Sub)			785	786, 1606	1580, 1606	Ch. 315
1094.	427	1620	1668	1668, 1899	1581, 1899	2302 Ch. 48 E1
1095.	427					
1096.	427					
1097.	427					
1098.	427					
1099.	427					
1100.	427					



## 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.
1.	29					
2.	29					
3.	50					
4.	60	183	192	299		
5.	60	615	765,767		916	
6.	73					
7.	85					
8.	120					
9.	127					
10.	143					
11.	160	192	203	203		
12.	170					
13.	200					
14.	200					
15.	200	574	597	602		
16.	318	655	762	762		
17.	318	655	759-761	761		
18.	318					
19.	318	633	806			
19. (Sub)			806	807		
20.	371					
21.	371					
22.	391					
23.	391					
24.	427					

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.
25. ....	427					
26. ....	427					
27. ....	428					
28. ....	428					
29. ....	428					
30. ....	428	599	875	875		
31. ....	428	748	830	830		
32. ....	428	544	617	641		

## 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.
1. ....	29					
2. ....	29					
3. ....	29					
4. ....	29					
5. ....	29					
6. ....	50					
7. ....	51					
8. ....	51					
9. ....	51					
10. ....	60					
11. ....	60	615	737	801		
12. ....	73				73	
13. ....	85					
14. ....	93					
15. ....	93					
16. ....	93					
17. ....	93					
18. ....	105	574	737-739		916	
19. ....	105	460	617			
19. (Sub) .....			617	618		
20. ....	120					
21. ....	120					
22. ....	120					
23. ....	127					
24. ....	161					

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.
25.	161					
26.	170					
27.	181	483	566	591		
28.	191					
29.	191	615	669			
29. (Sub)			669	676		
30.	295					
31.	295					
32.	318					
33.	319					
34.	371					
35.	391	748	844	844		
36.	428					
37.	428					
38.	428					
39.	428					
40.	428					
41.	429	778,929			419	

## 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.
1. ....	25		25	25	40	
2. ....	60	444	521			
2. (Sub) .....			521	521		
3. ....	60	297	375	452. 1606	1605	
4. ....	60					
5. ....	85					
6. ....	105	162	192			
6. (Sub) .....			192	297. 1575	1574	
7. ....	105					
8. ....	127					
9. ....	171		171	171	185	
10. ....	305					
11. ....	329				330,1878	
12. ....	719	748			951	
13. ....	429					
14. ....	429	707				
15. ....	434					
16. ....	721					
17. ....	1199					
18. ....	1510					
19. ....	1622		1622	1622		
20. ....	1622		1622	1622		
21. ....	1627		1627	1627		
22. ....	1627		1627	1627		

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.
23. ....	1627		1627	1627		
24. ....	1675					
25. ....	1675					
26. ....	1714		1714	1714		
27. ....	2143					
28. ....	2382		2382	2382		
29. ....	2394		2394	2394		
30. ....	2385		2385	2385		

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**HISTORY OF HOUSE FLOOR RESOLUTIONS**


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NUMBER AND SUBJECT	Introduced	Other Action	Adopted
1. Rules Comm meet 1/14/83: perm rules.	4		17
2. Notify Senate House is organized.	24		24
3. Rules Comm/temp rules as permanent.	64	64-67	67
4. Death of Tom McCall/OR Governor.	40		41
5. Dr. M.L. King, Jr. birthday.	51		52
6. Apprec to Karen Allen for service.	94		94
7. Eunice R. Cole/Amer Nurses Assoc.	107		107
8. Georgianna Adams Miller apprec.	112		112
9. MV Pres Washington state ship.	166		166
10. WA apple growers/marketers apprec.	166		167
12. Cmte apptd to select photographer.	523		523
13. Tacoma/Pantages Theatre.	230		230
14. Bonneville Power Adm policies.	230		231
15. Future Homemakers of America.	231		231
16. James R. Currieo/VFW Command.	229		229
18. GSA transfer McNeil Island.	639		639
19. A.H. Bingham/contrib to humanity.	352		352
20. Kite Flying Festival.	524		524
21. Columbia River/deepen mouth.	639		639
22. Attention on public ed 3/9-11.	524		524
23. Orting Cardinals/83 Class A BB.	524		525
24. Cle Elem-Roslyn girls' BB champs.	567		567
25. Grays Harbor deeper draft project.	640		640
26. Onalaska Loggers Class B/BB champs.	567		568
27. Tacoma Titans/NAACC BB champs.	568		568
28. PNW World Trade Council.	644		644
30. Community College commendation.	687		687
32. Women's History Week.	646		647
33. Sehome Mariners commendation.	644		645
34. Ken McLeod/Game commission & dept.	645		645
35. King Cnty outdoor sports council.	645		646
36. Olympic HS Trojans/Class AA BB.	646		646
37. Garfield HS Bulldogs/Class AAA BB.	647		648
38. Student congress commendation.	943		943
39. Academic decathlon representatives.	672		673
41. Auburn HS Trojans/AAA girls' BB.	691		691

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
42. Women's Olympic Marathon Trials.	762		763
43. Senior citizen interns/commend.	1008		1008
44. Explorer Scout Post 718.	943		944
45. Youth Legis/House facilities use.	944		944
46. Phil Mahre/3rd world cup ski title.	944		944
47. Blaine Freer/service recognition.	946		946
48. Ntl POW & MIA recognition day.	967		968
49. Frances Perkins recognition.	1303		1303
50. Laws to resolve agent orange prob.	1334		1335
51. Longacres anniv/thoroughbred racing.	1333		1334
53. Dr. Barney Clark/condolences.	1202		1202
54. Arbor Day recognition.	1058		1058
55. Teachers profsnl imprvmnt recomm.	1722		1722
56. School curric imprvmnt recomm.	1722		1725
57. Business/Ed cooperation recomm.	1723		1725
58. Teacher ed imprvmnt recomm.	1724		1725
59. Rosalyn Sumners/welcome & birthday.	1250		1250
60. MSgt L.M. Chilson/posthumous award.	1303		1304
61. WA state spring clean week support.	1335		1335
62. WA state logging industry support.	1676	1676	
63. Seattle Supersonics support.	1412		1412
65. Tricentennial/German immigration.	1676		1677
66. Municipal Clerks' Week.	1677		1678
67. Tacoma Dome/completion congrats.	1678		1678
69. WSU Cougars superior accomplishmnt.	1678		1679
70. Honor adm aides/sec of legislature.	1682		1683
71. House ready to adjourn sine die.	1622		1622
72. House ready to conduct business.	1627		1627
73. City of Everett/90th anniversary.	1640		1640
74. Organ donation week/participation.	1750		1751
75. Edmonds Comm Coll/Soundsation jazz.	1751		1751
76. House adjourn for 3 day periods.	1751	1751,1829, 1835,1879	
77. Ntl recognition week/RNs & LPNs.	1876		1876
78. Bremerton/Olympic HS/knowledge bowl.	1877		1877
81. Glynn Ross/retirement Seattle Opera.	1877		1878
82. Tom Paur/1983 Small Business Person.	1878		1878



NUMBER AND SUBJECT	Introduced	Other Action	Adopted
83. Olympia HS Knowledge Bowl champions.	1879		1880
84. Larry Nielson mountaineering achve.	2110		2110
85. Norwegian Independence Day commemor.	2064		2064
86. R.C. Bremmer bridges/rte 182.	2317		2317
87. Ft Lewis/McChord base commanders.	2317		2317
88. Sfty & Trng Rsrch Cntr endorsement.	2318		2318
89. Tacoma Youth Symph/1983 world tour.	2318		2318
90. Shelton Corr. Cntr staff congrats.	2319		2319
92. Jake the Barber taxes/best wishes.	2321		2322
93. Providing for interim business.	2322		2324
94. House ready to adjourn sine die.	2395		2395
95. Support of logging industry.	2324	2325	
96. Encourage camaraderie/WA & Asian.	2325	2325	2326
97. Honoring administrative aides.	2321		2321
98. Chet Hatfield/condolences.	2390		2391
99. Supprt US SCR 73/persecution.	2391		2391
100. Lauding Bearded Caucus.	2392		2392
101. Henry M. "Scoop" Jackson.	2397		2398
102. Russian Vodka/WA stores remove.	2398		2398

## 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.
3003. (Sub)	835					
3006. (Sub)	751	1151	1257	1297		Ch. 117
3007. (Sub)	870	1041	1252	1252		Ch. 118
3009.	625	928	1121	1121		Ch. 73
3015.	473					
3018.	540	1061	1252	1252		Ch. 121
3019. (2nd Sub)	683					
3021. (Sub)	870				926	
3022. (Sub)	471	1151	1260	1261, 1611	1582,1603, 1610	Ch. 239
3026. (Sub)	699	1009	1380	1386		Ch. 205
3034. (Sub)	870	1041	1253	1285		Ch. 240
3035. (Sub)	93	599	925	935		Ch. 231
3036.	73	124	128	128		Ch. 2
3037.	73	124	128	128		Ch. 3
3038.	73	124	129	129		Ch. 4
3039.	73	124	129	129		Ch. 5
3042. (Sub)	430	919	1059,1177- 1189	1215		Vetoed
3043. (Sub)	532	1009	1222	1280		Ch. 122
3044.	1794	1869				
3045.	170	953				
3051. (2nd Sub)	540	1009			1405	
3052. (Sub)	482	1042	1229	1229		Ch. 123
3053. (Sub)	700	1010	1204	1204		Ch. 74

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.
3054. (Sub)	751	1061	1223	1223	840, 1250	Ch. 124
3055. (Sub)	870	1061	1245	1290	926	Ch. 206
3056. (Sub)	835	1010	1204	1205, 1680	1610	Ch. 2 E1
3057. (Sub)	512	1151				
3059.	512					
3060.	751					
3062. (Sub)	306					
3066. (Sub)	835	1062	1253	1253		Ch. 153
3067. (Sub)	471	1511	1850	1850		Ch. 35 E1
3068. (Sub)	700	1062	1370	1371		Ch. 241
3074. (Sub)	582	1043				
3076.	161	728	1109	1203		Ch. 68
3079. (Sub)	240	919, 1691	1207,1210, 1850	1287, 1851	1582, 1674	Ch. 37 E1
3081. (Sub)	625	1012	1192	1192		Ch. 75
3082.	473					
3083.	319	1012				
3084.	170	919	1195	1196		Ch. 76
3085. (2nd Sub)	774	1125	1713	1713		PV Ch. 13 E1
3087. (Sub)	371	953	1189-1190	1214		Ch. 207
3088. (Sub)	625	1012	1191,1196	1197		Ch. 208
3089.	473	940	1225	1295		Ch. 125
3090.	240	633	1205- 1207	1218, 1698, 1908	1776, 1874, 1907	PV Ch. 47 E1

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.
3094. (Sub)	610	920	1223	1280		Ch. 126
3096.	512	633	719	719		Ch. 14
3097.	610	940	1193	1193		Ch. 77
3098. (Sub)	527	1125				
3099.	625					
3100. (2nd Sub)	200	210	222, 224-228	228, 564	362,525, 549-564	PV Ch. 12
3101. (Sub)	910	1152	1394- 1396	1396		Ch. 160
3103. (Sub)	540	1043				
3104. (2nd Sub)	684				720	
3106.	161	1043	1262	1263		PV Ch. 164
3107. (Sub)	473					
3108. (Sub)	457	574	634-638	660		Ch. 15
3110. (Sub)	474	940	1037	1037		Ch. 48
3112. (Sub)	154	585	619-621	643		Ch. 16
3114.	910	1152				
3117.	471					
3118.	371	1043				
3119.	598					
3120.	161	507	522	522		Ch. 11
3121.	471					
3122. (Sub)	161	1062				
3123.	625	940	1379	1385		Ch. 209
3124. (Sub)	540	940	1038	1038		Ch. 210

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.
3127. (Sub)	306	1043	1257, 1263	1286		Ch. 211
3128.	700	1126				
3130.	512	633	1257	1293		Ch. 127
3131.	391	1152				
3132.	474	1126				
3133. (Sub)	541					
3134.	391	707	1106	1106		Ch. 212
3135.	626					
3140.	598	1063	1229	1281		Ch. 128
3142.	835	1126	1222	1222		Ch. 213
3143.	774					
3144.	513	737	1212	1212		Ch. 78
3145.	541	749	1230	1291		Ch. 242
3151. (Sub)	751	929	1198	1219		Ch. 129
3152. (Sub)	774	1044				
3154. (Sub)	774	1063				
3155. (2nd Sub)	1690	1701	1749	1749, 2377	2102,2334, 2374- 2377	Ch. 72 E1
3156. (Sub)	774	1063	1249	1249		Ch. 243
3158. (Sub)	626					
3161. (Sub)	671	929	1198	1219, 1266	1220, 1265	Ch. 130
3162.	527	1511	1779	1779		Ch. 25 E1
3163. (Sub)	527	1512	1764	1804		Ch. 15 E1
3164. (Sub)	482	954	1037	1037		Ch. 46

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.
3165. ....	319	436	1106	1106		Ch. 79
3166. ....	457	929	1369	1369	503	Ch. 214
3167. ....	319	436	1253	1253		Ch. 131
3169. ....	513	954				
3172. ....	610	954	1193	1193		Ch. 80
3173. (Sub) .....	939	1344	1855, 1909-1911	2105, 2144	2106, 2119	
3174. (Sub) .....	513	913	1121	1201		Ch. 81
3178. (Sub) .....	513	1044				
3181. (Sub) .....	306	1045				
3182. ....	774	1153	1300- 1302	1356, 1617	1412, 1603,1613- 1617	PV Ch. 157
3183. (Sub) .....	774				852	
3184. ....	161	920	1397	1397		Ch. 244
3185. ....	474	1126	1254	1254		Ch. 156
3187. (2nd Sub) ...	1756					
3188. ....	482	575, 1512	1764	1804		Ch. 22 E1
3191. ....	504	708				
3194. (Sub) .....	910	1156				
3196. ....	490					
3197. (Sub) .....	319	941	1107	1108		Ch. 113
3198. ....	430	475	926	935		Ch. 18
3203. ....	371	954	1194	1194		Ch. 215
3205. (Sub) .....	582	920				
3206. (Sub) .....	910	1063	1266	1293		Ch. 155

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.
3211.	457	708	926	936		Ch. 49
3217. (Sub)	617	1156	1254	1282		Ch. 245
3221.	490	920	947	1000		Ch. 34
3222.	582					
3224.	513	1013	1399	1399		Ch. 216
3225. (Sub)	371	1157				
3226. (Sub)	1820	2064	2122- 2126	2144	2295	
3230. (2nd Sub)	774	1127	1229	1295- 1297		Ch. 120
3233.	528	955				
3238.	775	1127				
3239. (Sub)	541	913	1254	1294		Ch. 132
3243.	684					
3244. (Sub)	1200	1795	1912, 2107-2109	2109		Ch. 66 E1
3245. (2nd Sub)	532	1127	1246- 1249	1283		Ch. 161
3248. (Sub)	1218	1692	1809- 1811	1858, 2229	2229	Ch. 75 E1
3250.	528	913	1254	1254		Ch. 133
3251. (Sub)	582	1013	1232	1292		Ch. 134
3252.	541	913	1255	1255		Ch. 135
3253. (Sub)	775	1157	1255, 1264	1264, 1612	908,1582, 1604, 1611	Ch. 246
3255.	490	913	1107	1107		Ch. 247
3256. (Sub)	371	1137				

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.
3258.	208	241	247-283	284-285, 361	246,308- 310,326, 338-344, 353-361	PV Ch. 7
3259. (Sub)	649	1046			1405	
3260.	541					
3262.	910					
3263.	541					
3264.	684					
3266. (Sub)	569	955	1122- 1124	1201, 1681		Ch. 3 E1
3267. (Sub)	775	1796	1849	1857		
3272. (2nd Sub)	1200	1381, 1660	1687, 1694, 1706	1721		Ch. 16 E1
3273. (Sub)	910	1158	1400- 1403	1803		Ch. 19 E1
3276. (Sub)	569					
3277. (Sub)	392					
3282.	306	941	1109	1109		Ch. 82
3290. (Sub)	1581	1796	1851, 2389	2389		Ch. 2 E2
3297.	700	955	1255	1256		Ch. 248
3299. (Sub)	700	958	1120	1202		Ch. 158
3306.	541	1046				
3308. (Sub)	836	1047	1347	1348		Ch. 249
3309.	775					
3310.	610					
3311. (Sub)	722	1013	1705, 1711	1805		Ch. 23 E1



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.
3314. ....	371	1014	1705	1705		Ch. 6 E1
3363. ....	392	920	1198	1220		Ch. 250
3364. ....	490	941	1195	1195		Ch. 83
3372. (Sub) .....	583	958	1712	1712		Ch. 8 E1
3376. ....	775	1139				
3379. ....	371	1014			1405	
3380. (Sub) .....	910	941	1036	1058		Ch. 50
3382. (Sub) .....	775	1163			1348	
3383. ....	583	921	947	1001		Ch. 51
3386. ....	491					
3387. (Sub) .....	722	1163			1405	
3390. ....	471	958, 1512	1765	1766		Ch. 24 E1
3392. ....	649	959	1036	1058		Ch. 217
3393. ....	372	1139	1380, 1392	1393		Ch. 218
3395. (Sub) .....	775	1050				
3408. ....	626					
3412. ....	583	921	950		1059	
3413. ....	583	1164	1852	1860		Ch. 38 E1
3414. (Sub) .....	482					
3416. ....	491	921	948	1000	1001, 1035	Ch. 163
3417. ....	583					
3422. ....	583	929			1229	
3424. ....	626					
3426. ....	491	1139	1348	1348		Ch. 251

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.
3427.	836					
3433. (Sub)	598	1164	1379	1384	1606, 1610	PV Ch. 169
3434. (Sub)	775	1165, 1757	1371- 1373, 1853-1855	1374, 1860, 2295, 2373	1719,1911, 2103-2105, 2225,2287- 2295,2331, 2366-2373	
3437.	722					
3438.	610					
3442.	583	1166	1349	1349		Ch. 219
3447.	649					
3448.	626	871	1398	1398		Ch. 220
3449.	722	1140			1405	
3453. (Sub)	751	1014	1349	1350		Ch. 221
3455. (Sub)	775					
3475.	504	1063				
3480. (Sub)	836	1064	1227	1227		Ch. 252
3483. (Sub)	836,918	959	1299	1360		Ch. 253
3490. (Sub)	722	1140, 1692	1368, 1852	1368, 1852	1674	Ch. 39 E1
3492.	583	871	1227	1227		Ch. 166
3494. (Sub)	775	1168	1350	1350		Ch. 254
3497. (Sub)	598	914	1211	1211		Ch. 237
3501.	722	1168	1350	1350		Ch. 222
3504. (Sub)	1200	1359				
3507.	836	1141	1276, 1289	1365		
3511. (Sub)	836	959	1036	1037		Ch. 47

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.
3516. (Sub)	649	930	950	1001		Ch. 52
3519.	836	959, 1359	1629	1630		Ch. 1 E1
3520. (Sub)	650	931	1249, 1374- 1375	1376, 1637, 1826	1718, 1826	Ch. 30 E1
3521.	650					
3522. (Sub)	650	1064	1377	1382		Ch. 223
3523.	722	1015	1230	1230		Ch. 255
3524. (Sub)	650					
3525.	491					
3526.	610					
3527.	610					
3528.	672					
3529.	504					
3530.	672					
3531.	610	1020	1378	1384		Ch. 256
3532.	513	942	1397	1397		Ch. 224
3535.	672	915	1377	1383		Ch. 257
3537.	910,918	1141	1351	1351		Ch. 258
3538. (Sub)	513	708	1712	1721		PV Ch. 14 E1
3539. (Sub)	928					
3585.	650	960	1365	1365		Ch. 259
3586.	672					
3588.	513	933	1194	1194		Ch. 84
3589. (Sub)	700	1021				

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.
3595. (Sub)	836	1141	1226	1291		Ch. 260
3605.	910	1064				
3608. (Sub)	952	1381	2329, 2378	2379	2326	
3613.	776	933	947	947		Ch. 20
3614. (Sub)	776	1064	1351	1351		Ch. 261
3616. (Sub)	836	1168			1405	
3617. (Sub)	836					
3622. (Sub)	700	1142			1405	
3624. (2nd Sub)	1277	1513	1811- 1817	1861		Ch. 40 E1
3628. (Sub)	672	960	1748	1805		Ch. 31 E1
3630. (Sub)	513	960	1378	1383		Ch. 262
3636.	870					
3637. (Sub)	684	1168	1352	1352		Ch. 263
3640. (Sub)	722	1050	1270, 1278- 1279	1366, 1613	1582, 1604, 1612	Ch. 264
3642. (Sub)	870	1142	1223	1223		Ch. 265
3644.	836	1050	1399	1399		Ch. 266
3645. (Sub)	700	942	1038	1039		Ch. 35
3646. (Sub)	776	1050	1370	1370		Ch. 267
3647.	684					
3655.	598	1051	1222	1222		Ch. 154
3657. (Sub)	513	922	950	1299		Ch. 268
3660. (Sub)	910	1021	1726- 1748	1806		Ch. 41 E1
3664. (Sub)	910,918	1065	1377	1382		Ch. 269

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.
3674.	610	915	1378	1396		Ch. 270
3694. (Sub)	911					
3722. (2nd Sub)	1631					
3739. (Sub)	837					
3740. (Sub)	837					
3741. (Sub)	684	1051				
3742. (Sub)	776	1142	1243	1243		Ch. 136
3750.	2006		2111	2112	2110, 2287	
3757. (Sub)	700	1051	1380	1386		Ch. 236
3758. (Sub)	752					
3760.	939	1142	1862-1864	2106		Ch. 51 E1
3763.	911	1169	1379	1385		Ch. 271
3766. (Sub)	837	1169	1279	1280, 1749	1802, 1828	
3768. (2nd Sub)	911	1051	1376			
3777.	684					
3780. (Sub)	1821, 2379	2074	2127- 2142	2142, 2380	2328	Ch. 67 E1
3782. (Sub)	776	960	1270	1281		Ch. 232
3784.	650	1032	1712	1712		Ch. 7 E1
3800. (Sub)	870	966				
3811. (Sub)	911	1052	1221, 1224	1285		Ch. 225
3812. (Sub)	911	1065	1378	1383		Ch. 272
3814. (Sub)	776				1698	
			1271-	1288, 1750.	1802, 1829, 1872-	

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.
3817. (Sub)	837	1169	1276	1874	1874	Ch. 42 E1
3834.	1794					
3838. (Sub)	1720					
3840.	776	966	1352	1352		Ch. 226
3843.	776	1143	1244	1244		Ch. 273
3846.	700	1143	1353	1353		Ch. 274
3847.	776					
3850.	1794				2142	
3856. (Sub)	752	1171	1300	1366, 1679	1583	Ch. 4 E1
3857.	911	1147	1369	1369		PV Ch. 238
3858.	776	1055	1230	1231, 1679, 1831, 2313	1718,1803, 1829-1831, 1908, 2313	Ch. 68 E1
3864. (Sub)	776	1032	1864	1865, 2118	1900, 2118	Ch. 73 E1
3866. (Sub)	777	1065				
3868. (Sub)	777	1032				
3873. (Sub)	870	1148				
3880. (Sub)	952	1147	1267	1283		Ch. 275
3909.	2006, 2386		2335- 2365, 2386- 2388	2365, 2388, 2390	2335, 2389, 2391, 2393	PV Ch. 3 E2
3910.	2121					
3955. (Sub)	1381					
3981.	939					
3982. (Sub)	1690	1756				

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.
3984. (Sub)	777	1148				
3985.	911	1172, 2222	2225	2226		
3991.	837,918	966	1194	1221		Vetoed
3993.	598	922	947	1034		Ch. 53
4007. (Sub)	1795	2222	2227	2227		Ch. 69 E1
4010.	777	1032			1405	
4015. (Sub)	911	1056				
4018.	700					
4019. (Sub)	911	1172	1387- 1390	1390, 1403	1390, 1403	
4021.	701	942	1205	1205		Ch. 85
4022. (Sub)	684	915	949	1034		Ch. 36
4034. (Sub)	871	942	1211	1211		PV Ch. 114
4055. (Sub)	1200					
4059. (Sub)	1711	2222	2227	2227		Vetoed
4063. (Sub)	1711					
4066. (Sub)	837	1172	1391	1392		Ch. 227
4079. (Sub)	871				2381	
4082.	777	1057	1353	1354		Ch. 276
4084. (Sub)	777					
4088.	610	933	1244	1284		Ch. 159
4089.	777	1033				
4090. (Sub)	871	1175			1405	
4092. (Sub)	911	1057	1361	1362		Vetoed
4093.	1008					

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.
4099. (Sub)	1358					
4101. (Sub)	911	1148	1362	1363		Ch. 228
4102. (2nd Sub)	1690	2286	2329	2330	1699	Ch. 74 E1
4103.	912	1033	1192	1192		Ch. 229
4105.	777					
4107. (Sub)	777	1066	1363	1363		Ch. 277
4110.	777	1175			840	
4111. (Sub)	777					
4112.	701	942	1354	1354		Ch. 278
4135. (Sub)	912,918	1066	1354	1355		Ch. 279
4137. (Sub)	871	1066	1228	1228, 1680, 1808	1718, 1776, 1806	Ch. 52 E1
4145.	912	1175				
4153.	837	1068	1355	1355		Ch. 230
4156.	610	1175	1391	1391		Ch. 280
4158. (Sub)	1690					
4164. (Sub)	912					
4174.	912					
4201. (Sub)	778	966	1268- 1270	1283		Ch. 137
4202.	837	1148				
4204.	778	1069	1232- 1243	1367		PV Ch. 235
4205.	778	933	949	1035		Ch. 54
4226. (Sub)	701	1033	1355	1356		Ch. 281
4237.	611	943				



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.
4245. (Sub) .....	871, 2331	1149, 1692	1834, 1835, 2331	1836, 2332	1880	Ch. 70 E1
4251. (Sub) .....	1200	1252, 1333				
4259. (Sub) .....	912					
4279. ....	2399		2399	2399		Ch. 1 E3

### 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.
104. ....	471					
106. ....	472	507	591-594	603		
110. ....	871	1105	1299	1361		
112. (Sub) ....	778	1344				
116. ....	650	966	1363	1364		
118. ....	939	1057	1367	1367		
120. ....	939					
121. ....	778	1150				

### HISTORY OF SENATE JOINT 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.
103. (Sub) ....	154	575	621	643		
105. ....	161	967	1368	1368		
112. (Sub) ....	528	1176	1393	1393		
119. (Sub) ....	912	1105				

## 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.
101.	93					
103.	105		105	106		
105.	191		191	191		
107.	528					
108.	200		200	201		
112. (Sub)	928					
113. (Sub)	778	1150	1704	1705	1675	
116. (Sub)	928					
118.	1659		1659	1659		
119.	952					
120. (Sub)	1895		2315	2315		
121.	1008					
122.	1200				2315	
123.	1251					
124.	1251					
125.	1343		1345	1346		
126.	1581		2316	2316		
127.	1581		2328	2329	1675. 2326	
128.	1690					
129.	1690					
130.	1691		2316	2316		
131.	1691					
133.	1720					
134.	1821					
136.	2401		2401	2401		

**ABORTIONS**

Informed consent required: HB 468

Wrongful birth or wrongful life suits, prohibiting: HB 178, SHB 178

**ACCOUNTANTS**

CPA examination account created: HB 19

Public accountancy act of 1983: \*SHB 646, CH 234

**ADULTS (See also ELDERLY)**

Age discrimination, employment: SB 3196, \*HB 555, CH 293

Agriculture commissions and boards, membership age 18: HB 90

Cognitively impaired adults protected: HB 944

Custodial interference, gross misdemeanor or felony: SSB 3387

Dependent or vulnerable, protection, criminal justice system: SB 3060

Retirement age, mandatory provisions: HB 338

**ADVERTISING (See also CAMPAIGNS; SIGNS)**

Age discrimination, employment: SB 3196, \*HB 555, CH 293

**AGRICULTURE (See also LIVESTOCK)**

Attachment, farm equipment, exempt amount increased to \$4,000: SB 3408

Birds, exotic, importation laws: HB 945

Cold storage warehouse defined, tax purposes: \*SSB 3239, CH 132

Commission merchants: HB 457, \*SHB 793, CH 305

Commissions and boards, membership age: HB 90

Commodity warehouses regulated: SHB 440

Conservation commission, director of agriculture ex officio member: HB 272

Conservation corps established: \*2SSB 3624, CH 40 E1

Conservation futures, ad valorem taxation: HB 692

Crops, security interest, perfected lien priority: HB 543

Dairy products, coupons: HB 219, SB 4082

Dairy products, standards and definitions: SB 4010

Department organization: \*SB 3297, CH 248

Development authority, farm machinery, credit: HB 768

Districts, formation authorized: HB 690

Endrin prohibited: HB 751

Endrin, three-year phase out: SSB 4079

Fireworks use: HB 41

Food donation program: \*SSB 3068, CH 241

Horticulture association recognized: HFR 10

Institutional industries, surpluses, sold, donated: SB 3527

Irrigation equipment leased, exempt from use tax: \*SHB 72, CH 55 E1

Noxious weed control, special vehicle tax license: SSB 3205

Nursery and horticultural advisory committee: SSB 3866, \*SSB 3864, CH 73 E1

Pest control consultant license increased: \*SHB 118, CH 95

Pesticide application notice to schools and residences: HB 885

Pesticides, authority transferred to ecology: HB 901

Pesticides, records kept by applicators: HB 648

Security interests in crops, lien priority: HB 543

Tree fruit diseases: HB 887, \*SSB 4226, CH 281

Trespassing is a misdemeanor: HB 844

Vocational education program: \*HB 570, CH 34 E1

Workers' compensation, agricultural workers, conditions: HB 257

**AIR POLLUTION**

Emission credits banking program: SSB 3616

Emission inspections, motor vehicle fleet redefined: HB 389, HB 611

Emission standards, motor vehicles, propane exempt: HB 491, \*SSB 3497, CH 247

Emission testing, used cars: \*SB 3857 CH 238

Vehicle emission control account, noncompliance areas, testing: HB 465

**ALCOHOL (See also DRUNK DRIVING; LIQUOR CONTROL BOARD)**

Abuse, education provided: SB 4237

Abuse, liquor control board profits to offset cost: HB 937

Alcohol and drug treatment programs for offenders: HB 763

Alcohol awareness program funded by penalty assessments: SSB 3617

Alcohol information school: \*SHB 498, CH 150

Alcohol safety office created: HB 444

**ALCOHOL—cont.**

- Alcoholism hospital not health care facility: \*SSB 3660, CH 41 E1
- Alcohol-related problems, study: HCR 18
- Beer, class G retailers, purchase: HB 528
- Beer to list alcohol content: HB 329
- Businesses, financial interest definition modified: HB 675, SB 4145
- Caterer's license, alcoholic beverages: HB 612
- Crimes, drug, alcohol abuse, rehabilitative treatment: HB 137
- Diagnostic evaluations, drunk drivers: SSB 3382
- Drinking deterrence and treatment fund: HB 227, HB 870
- Furnishing to intoxicated person, misdemeanor: HB 825
- International trade expositions and receptions: \*HB 441, CH 13
- Military base tax exemption, eliminate: HJM 1
- Minor, consumption in home: SB 3521
- Minors in taverns, relative contributory fault: HB 639
- Motor vehicle sports facilities, no alcohol: \*SSB 3101, CH 160
- Ombudsmen program, long-term health care facilities: \*SHB 484, CH 290
- Retail sale, wine, beer, liquor control board phase-out: SHB 319
- Schools to educate about abuse: SHB 681, SB 4237

**AMUSEMENT PARKS**

- Carnival operators, liability insurance: HB 517
- Rides, regulation and inspections: SSB 3003

**ANIMALS (See also GAME, DEPARTMENT OF; LIVESTOCK)**

- Birds, exotic, importation laws: HB 945
- Cruelty: 2SSB 3051
- Dogs, guard dogs, firefighters to be notified: \*SB 3537, CH 258
- Pets, may live in or visit nursing homes: SB 3059

**AQUATIC LANDS (See NATURAL RESOURCES, DEPARTMENT OF)****ARBITRATION**

- Electrical rules of towns versus states: \*SSB 3055, CH 206
- Landlord tenant disputes: HB 499
- Uniformed personnel, panel: SHB 85

**ARSON (See CRIMES)****ARTS**

- Adult correctional facility construction projects: HB 34, SB 3243
- Joint legislative committee established: SCR 129
- Public arts program revised: \*HB 867, CH 204
- Public buildings, 1% for arts repealed: HB 104
- State arts commission, sunset termination: \*SHB 493, CH 197
- Tacoma youth symphony: HFR 89

**ASIAN-AMERICAN AFFAIRS COMMISSION**

- Sunset termination extended: SB 3233, \*HB 146, CH 119

**ATHLETICS**

- Health studios, regulating: SSB 3021
- Kite flying festival: HFR 20
- Phil Mahre recognized: HFR 46
- Rosalynn Summers championship and birthday recognized: HFR 59
- Rosalynn Summers victory congratulated: HFR 11, SCR 108
- Sports official, assault is a misdemeanor: HB 290
- Women's marathon trials in Olympia, support urged: HFR 42

**ATTORNEY GENERAL (See also CONSUMER PROTECTION)**

- Consumers' counsel office: SHB 563
- Drinking deterrence and treatment fund: HB 227
- Initiative measures, review, attorney general: HB 429
- Lottery, unfair acts prohibited: SSB 3814
- Parole revocation, AG recommendations: \*SHB 476, CH 196
- Public records, illegally held records: SHB 478
- Salary increase: SHB 50
- WUTC hearings, consultants may be hired: HB 709
- WWII discriminatory dismissals, state employees: HB 268, \*SSB 3163, CH 15 E1

**ATTORNEYS** (See also CIVIL ACTIONS AND PROCEDURES)

Bond or debt services for state, contract obtained competitively: HB 652  
 Child custody, malpractice or misrepresentation, new proceeding: HB 407  
 Contracts with counties: \*SSB 3151, CH 129  
 Counselor-patient privilege: HB 188  
 Damages, no evidence allowed, damages on per diem basis: HB 386  
 Education, low-income services, trust account interest: HB 854  
 Ethics standards, client confidences: HB 924  
 Fees allowable expanded: \*HB 428, CH 45 E1  
 Fees, awarded to prevailing party, frivolous action: HB 138, \*SB 3130, CH 127  
 Fees, constitutional or administrative challenges, fees: HB 647  
 Fees, costs in condemnation proceedings: SB 3128  
 Fees, defining costs awarded prevailing party: SB 3131  
 Fees, land use planning suit, award to prevailing party: HB 27  
 Fees, list awarded in civil actions: HB 738  
 Fees, mortgagee fails to release mortgage upon satisfaction: SB 3132  
 Fees, prevailing party in waste disposal suits: \*SHB 64, CH 172  
 Fees, prevailing party, lie detectors as conditions of employment: HB 449  
 Fees, worker's compensation: \*SSB 3127, CH 211  
 Interpreters, non-English speaking: HB 460, \*SB 3501, CH 222  
 Judgments, rate of interest equalized: \*SHB 328, CH 147  
 Nurse-patient privilege: HB 688  
 Professional corporations, shareholders: \*SB 3383, CH 51  
 Satisfaction of judgments, creditor and debtor: \*HB 174, CH 28  
 Settlement offers, adverse party: \*SHB 116, CH 282

**AVIATION**

Air navigation facilities, fire code responsibility: HB 903  
 Aircraft dealer regulations: \*SB 3252, CH 135  
 Aircraft excise tax, failure to pay, misdemeanor: \*SB 3258, CH 7  
 Airports, discharge of weapons, gross misdemeanor: HB 542  
 Business or commercial purposes, excise tax changed: HB 847  
 Excise tax, registration fee: SHB 52  
 Fee and registration schedule: \*SB 3909, CH 3 E2  
 Mischief, 1st degree, airplane tampering: \*SSB 3856, CH 4 E1  
 State agencies procedures for use or purchase: SHB 406

**BANKRUPTCY** (See DEBTS)**BANKS AND BANKING**

Activities which may be performed: HB 687, SHB 687  
 Export import bank funding: HJM 19  
 Federal reserve act, repeal: SJM 121  
 Financial institutions department created: HB 676  
 Holding company acquisitions, out-of-state purchasers: \*SB 3182, CH 157  
 Interest rates, absence of written agreement: \*SHB 882, CH 309  
 Joint committee on financial institutions membership modified: SHB 996  
 Public assistance, bank account investigations: HB 397  
 Residential financing, public pension guarantee fund: HB 267  
 Safe deposit vault rent, notice procedures: \*HB 479, CH 289  
 Savings account, 10% interest withheld, eliminate: SJM 104  
 Savings banks, conversion, federal charter: \*HB 312, CH 45  
 Savings banks given powers of savings and loan associations: HB 276  
 Savings banks, purchase of shares approved: \*HB 275, CH 44  
 Savings banks, savings and loan associations: HB 277  
 Seattle First National Bank, joint select committee created: SCR 128  
 State bank created: HB 682, HJR 34  
 Uniform unclaimed property act enacted: \*SHB 179, CH 179

**BARBERING** (See COSMETOLOGY)**BICYCLES**

Bicycle transportation committee established: HB 375

**BLIND**

Advisory council for the blind: \*SHB 452, CH 194  
 Disabled parking law modified: SHB 448  
 Financial responsibility act, DSHS: HB 343

**BLIND**—cont.

School, retirement system, service period computation: SSB 3062, \*SHB 16, CH 69  
 Superintendents of institutions, minimum age reduced to 18: HB 90

**BOARDING HOMES** (See also HOTEL—MOTEL)

Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273

**BOATS** (See also NAVIGATION)

Boat trailers exempt from vehicle dealer laws: HB 966  
 Excise tax of 1/2 of 1%: \*SB 3909, CH 3 E2  
 Excise tax, 1% of fair market value: HB 255, \*SB 3258, CH 7  
 Excise tax, 1/2 of 1% of fair market value: HB 967  
 Fisheries patrol boat: HB 785  
 Honorary state ship: HCR 4, HFR 9  
 Marine transportation benefit area authority: HB 464  
 Moorage and storage regulations: HB 211, \*HB 318, CH 188  
 Registration required: HB 255, HB 967, \*SB 3258, CH 7  
 Registration, safety program: \*SB 3909, CH 3 E2  
 Undocumented vessels, limit exemptions: HJM 21

**BOILER RULES BOARD**

Industrial development bonds, developmentally disabled facilities: SSB 3173  
 Licensing department, membership: HB 477

**BONDS** (See also INSURANCE)

Agricultural development authority: HB 768  
 Convention center bond scope expanded: \*SHB 605, CH 1 E2  
 Convention center, debt limit formula: HB 54, \*HB 1082, CH 36 E1  
 Declaratory judgments: \*SSB 3637, CH 263  
 Elections, disclosure, annual principal, interest costs: HB 702  
 Electric generating project financing (Merwin Dam): HB 838  
 Energy efficiency financing: HB 883  
 Energy financing voter approval act, repealed: HB 810  
 Fish enhancement general obligation bonds: HB 965  
 Fisheries, capital improvement bonds authorized: \*HB 58, CH 59 E1  
 Grant county arterial highway construction: SSB 4055  
 Hazardous waste cleanup: SHB 717  
 Health care facilities authority: \*SSB 3124, CH 210  
 Higher education facility: \*SSB 3433, CH 169  
 Higher education institutions, capital improvement bonds: \*HB 56, CH 58 E1  
 Hood Canal bridge, tolls: SB 3991  
 Industrial development revenue bonds, off-street parking: SSB 3955  
 Industrial development revenue bonds, research and industrial parks: SHB 302, \*SB 3760, CH 51 E1  
 Jail construction and improvements: SSB 3539, \*HB 588, CH 63 E1  
 Joint operating agency board authority bond sales: SHB 631  
 Joint operating agency default unlawful: HB 892  
 Legal services for bonds, obtained in competitive manner: HB 652  
 Legislature and state agencies, capital improvement bonds authorized: \*SHB 57, CH 54 E1  
 Metropolitan park districts, sale and issuance provisions modified: \*SHB 189, CH 61  
 Nursing homes, retirement community facilities, industrial development bonds: HB 242, SSB 3173  
 Park and recreation service area, proposals, levies: SHB 597, SSB 4015  
 Public facilities, bonds authorized: HB 356  
 Refunding bond act, bond exception removed: \*SSB 4007, CH 69 E1  
 Registration of ownership, local and state government: \*SHB 390, CH 167  
 School community service districts: HB 461  
 School plant facilities, construction and modernization: HB 427  
 TESC bond retirement fund: HB 809  
 Veteran's home loan financing program established: HB 186  
 Voter pamphlets to discuss bond measures: HB 193  
 WPPSS default unlawful: HB 892  
 WPPSS financial resolution called for: HJM 11, SCR 107

**BORDER AREAS** (See CITIES; COUNTIES)**BOTTLES AND CANS**

Litter control and recycling act: \*SSB 4107, CH 277

**BOTTLES AND CANS—cont.**

Milk-based or soy-based canned product, beverage container: \*SB 3535, CH 257

**BRITISH COLUMBIA**

Camraderie maintained with Pacific Northwest and Canada: HFR 96  
 Higher education tuition reciprocity: SHB 306, \*SB 3492, CH 166  
 Salmon interception treaty, reject: HJM 20  
 World expo of 1986, international planning: SCR 122  
 World expo of 1986, state participation: \*HB 164, CH 177

**BUDGET AND ACCOUNTING (See also FUNDS)**

Allotment reduction, municipal research council: \*SHB 47, CH 22  
 Allotment reduction procedures: \*SB 3090, CH 47 E1  
 Annual state budget required: HB 527  
 Appropriations advisory council: HB 928  
 Balanced budget, directives to governor and legislature: HB 15  
 Balanced federal budget requested: HJM 8, HJR 4, HFR 17  
 Capital budget adopted: \*SHB 55, CH 57 E1  
 Capital debt management program: HB 942  
 Central stores revolving fund, expenditure procedures: SSB 4059  
 Cost control task force: \*SHB 740, CH 26 E1  
 Deficit spending prevented: HJR 14  
 Emergency funding, general fund repayment procedures: SHB 406  
 Ferry system, capital expenditures, operations and maintenance: SHB 701  
 Fiscal emergency account: HB 194  
 Fisheries, capital improvement bonds: \*HB 58, CH 59 E1  
 Geothermal account, appropriation conditions: SHB 71  
 Governor's budget document, restrictions: HB 957  
 Higher education institutions, capital improvement bonds: \*HB 56, CH 58 E1  
 Joint operating agency board authority: SHB 631  
 Legislature and state agencies, capital improvement bonds: \*SHB 57, CH 54 E1  
 Omnibus appropriations act: HB 936  
 Operating budget adopted: SHB 49, \*HB 1079, CH 76 E1  
 Revenue, not to exceed 50% average personal income growth: HJR 40  
 Revolving funds, bid procedures: SSB 4063  
 School districts, apportionment schedule: \*SB 3096, CH 14  
 School transportation budget allocation formula: \*SHB 296, CH 61 E1  
 Schools, appropriation penalty continued: HB 961  
 Schools, categorical programs: SB 4093  
 Session law publication, appropriation: \*HB 725, CH 10 E1  
 Supplemental budget, governor's request: \*2SSB 3100, CH 12  
 Tourism promotion funding restored: HB 833  
 Transportation budget adopted: HB 236, HB 237, \*SHB 234, CH 53 E1  
 Water supply facilities appropriation: HB 881

**BUILDINGS (See also HOUSING)**

Art, 1% for art repealed: HB 104  
 Energy efficiency, commercial, residential buildings: HB 2  
 Fires, fire safety director, liability: HB 91, SSB 3057  
 Housing finance commission established: SHB 254, \*2SSB 3245, CH 161  
 Industrial parks and research, industrial development facilities: SHB 302, \*SB 3760, CH 51 E1  
 Investment projects, sales tax deferrals: HB 161  
 Model conservation standards for new structures: SHB 162  
 Single family residences, separate quarters for relatives: SB 3777  
 State building code act: HB 557  
 Uninhabitable dwellings, enforcement procedures: HB 939

**BUSINESS LICENSE CENTER (See LICENSES)****BUSINESSES (See also ECONOMIC RECOVERY)**

Alcohol, financial interest definition modified: HB 675, SB 4145  
 Aluminum, manufacturing tax extended to: HB 798  
 Collective bargaining agreement enforceable against successor agreement: HB 606  
 Employment stabilization, one year notices: HB 694  
 Export assistance centers: \*2SHB 226, CH 20 E1  
 Hazardous waste regulation and fees: 2SSB 3722, \*SHB 712, CH 65 E1  
 Industry and job retention study: HCR 27  
 Inventory tax exemption modified: \*SHB 466, CH 62 E1



**BUSINESSES—cont.**

Manufacturers, tax increased: SHB 52  
 Minority and women-owned businesses: SHB 163, \*2SSB 3230, CH 120  
 School teachers, math, B&O tax credit for employing: SHB 807  
 Small business assistance coordinating council: SHB 689  
 Small business improvement council: SSB 3982  
 Small business investment authority: HB 592

**CAMPAIGNS (See also ELECTIONS)**

Charitable solicitations, registration and disclosure: HB 553, \*SSB 3642, CH 265  
 Contributions, limitations: HB 800  
 Contributions over \$100, need an accompanying form: HB 154  
 Contributions over \$500, special reports: \*HB 150, CH 176  
 Endorsements, must have source permission: HB 730  
 Exit polling, prohibited: HB 214  
 Financial affairs statement, must file to appear on ballot: HB 355  
 Financing task force, research possible statutory regulation: HB 615  
 Fund raising prohibited during session for political parties: HB 247  
 Fund raising regulated: SHB 152  
 Funds, transfer, reporting requirements: \*HB 153, CH 96  
 Funds, transfer to other candidates prohibited: HB 244  
 Political advertising, sponsor identification: HB 326, SHB 316  
 Political committee contributions, unlawful, labor unions: HB 123  
 Public employees, participation, conditions: SHB 426  
 Recall procedures: SSB 3984  
 Write-in candidates, procedures provided: HB 258

**CAMPERS (See MOTOR VEHICLES)****CAMPING (See PARKS AND RECREATION, DEPARTMENT OF)****CANADA (See BRITISH COLUMBIA)****CANCER**

Cigarettes, excise tax proceeds go to DSHS for research: SB 3309  
 Smoking in public places restricted: HB 229

**CEMETERIES**

Improvement fund, may use principal and income: HB 322  
 Prearrangement contracts: \*HB 419, CH 190  
 Prearrangement trust account: HB 786, SB 4110  
 Regulatory charge: \*HB 420, CH 5 E1  
 Veterans, memorial parks and cemeteries: HB 575

**CHILDREN (See also FAMILY LAW)**

Abuse, law enforcement officers, custody: \*SSB 3253, CH 246  
 Age limits, decreased: HB 90  
 Aid to families with dependent children, modifications: HB 735  
 Alcohol awareness program funded by penalty assessments: SSB 3617  
 Alcohol consumption in home: SB 3521  
 Car seats required: HB 66, \*SB 3203, CH 215  
 Child abuse reporting by family court: \*SB 3442, CH 219  
 Child support, excused from payments: HB 900  
 Child support obligations: SHB 345  
 Children and family services act: \*SHB 433, CH 192  
 Crime victim compensation, juvenile penalty: \*SSB 3022, CH 239  
 Custody, attorney malpractice or misrepresentation: HB 407  
 Custody, interference, gross misdemeanor or felony: SSB 3387  
 Custody, joint child custody provided: SHB 403, HB 695  
 Day care registration: HB 350, SSB 3739  
 Delinquency prevention services, treatment facilities: HB 10  
 Developmentally disabled, parent participation: \*HB 905, CH 310  
 Driver's licenses, provisional licenses for under 18: HB 130  
 Education programs, detention facilities: HB 241  
 Emergency care facilities for minors: HB 829  
 Family courts, laws modified: SHB 167  
 Financial responsibility act, DSHS: HB 343  
 Firewood distribution project: HB 212  
 Fishing licenses, steelhead punchcard free under 16: SSB 3800

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**CHILDREN**—cont.

Foster care for developmentally disabled: \*SHB 906, CH 311  
 Foster care, group homes, goals: HB 573  
 Future homemakers of America, leadership skills: HFR 15  
 Glue sniffing, toxic vapors or fumes, category broadened: SB 3117  
 Grandparents, visitation rights: HB 86  
 Guardians, financial statements: \*SB 3763, CH 271  
 Handicapped children, preschool education provided: HB 168  
 Handicapped training programs for children under 3: HB 196  
 Health care consent: HB 703  
 Health care providers, statute of limitations: HB 483  
 Insurance coverage, age limits and dependency exceptions: HB 472  
 Juvenile court system record procedures: HB 918  
 Juvenile disposition standards, record destruction: \*SHB 431, CH 191  
 Juvenile offender community service insurance fund: HB 417  
 Juvenile offenders, community involvement: HB 349  
 Juvenile offenders, health and dental care: \*SSB 3646, CH 267  
 Juvenile offenders, photographing, waiver: \*SSB 3646, CH 267  
 Juveniles, financial recovery systems consolidated: HB 742, HB 811  
 Mental health prevention projects for schools: HB 221  
 Minors in tavern, contributory fault: HB 639  
 Parent liable for child's theft and fraud: SB 3119  
 Placement, appeals from decision: \*SSB 3380, CH 50  
 Pornography, access at newsstands regulated: HB 697  
 Prostitution, classification enhanced, minor participation: HB 29  
 School attendance, compulsory age lowered: HB 492  
 Seat belts required: HB 66, SB 3203  
 Shelters, emergency facilities: HB 829  
 Truant school children, policy and procedures: SHB 282  
 Wrongful birth or wrongful life suits, prohibiting: SHB 178  
 X-rated movies shown to minors, penalties: HB 370  
 Youth employment exchange: \*SHB 251, CH 50 E1

**CHINA**

Camaraderie with Pacific Northwest and Canada: HFR 96  
 China exhibition council created: \*SHB 1089, CH 314  
 Trade barriers, mutual bilateral elimination: SSJM 112

**CHIROPRACTORS**

Chiropractic disciplinary board, sunset termination: HB 493, \*SHB 493, CH 197  
 Health care service contracts: \*SHB 336, CH 286

**CITIES** (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES)

Adult correctional facility construction projects exempted: HB 34  
 Air navigation facilities, fire code responsibility: HB 903  
 Annexation, all owners, written consent: HB 581, \*SB 3858 CH 68 E1  
 Annexation, consent annex agricultural fair land: SHB 777  
 Aquatic plant control programs: \*HB 511, CH 291  
 Bike routes: HB 375  
 Bonds, declaratory judgments: \*SSB 3637, CH 263  
 Bonds, registration of ownership: \*SHB 390, CH 167  
 Border areas, additional funds: HB 159  
 Cemetery improvement fund, principal and income: HB 322  
 City council, number of positions: \*SB 3140, CH 128  
 Community corporation, land use authority: HB 879  
 Community rights act of 1983: HB 779  
 Conservation analyses, financing, electricity providers: SSB 3256  
 Consolidated employers, retirement plan procedures: SSB 3226  
 Consolidation with counties: SHCR 2  
 Construction contracts, 2nd and 3rd class cities: HB 760  
 Contractors, prequalification procedures: SHB 749  
 Correctional facility, inmate release, notice: SHB 307  
 Court bonds, writs, not required of political subdivisions: HB 752  
 Crime victim programs established by prosecutor: HB 933  
 Criminal justice cost reimbursements for crimes committed: \*SSB 4135, CH 279  
 Debt limitation, 1 1/2% of taxable property: HB 73  
 Deferred compensation, employee participation: HB 618, \*SB 3840, CH 226

## CITIES—cont.

- Drunk driver enforcement impact account: SHB 983
- Drunk drivers special detention facilities: HB 367, SSB 3107, \*SHB 289, CH 165
- Economic development areas established: HB 917
- Economic development councils, matching funds: SHB 580
- Economic recovery, participation, nonprofit corporations: SSB 3276
- Electric distribution subdivisions, heating systems: SHB 113, \*SB 3224, CH 216
- Electric energy contracts, dollar amount: \*SHB 865, CH 308
- Electric generation of sewer and water system: HB 710
- Electric utility privilege tax: HB 913
- Electric utility service installation charge: \*SB 3392, CH 217
- Electrical code, dispute arbitration: HB 895, \*SSB 3055, CH 206
- Electrical utilities, conservation credits: HB 930
- Enterprise zone act, local zoning displaced: HB 115
- Fees, fines, forfeitures, and penalties, uniformity: HB 508
- Fees, fines, forfeitures, procedures for remittance: HB 510
- Fire chief excluded from civil service: HB 577
- Flood zone new construction, county or city is liable: HB 628
- Gambling tax rate lowered: HB 815
- Harbor areas and tidelands, lease money: \*SSB 3066, CH 153
- Hazardous materials incidents, procedures: HB 505
- Health departments, monetary support: \*SSB 3490, CH 39 E1
- Health departments, city contributions: SHB 713
- Health districts: SHB 509
- Hydroelectric development, irrigation districts and cities or public utility districts: \*SSB 3511, CH 47
- Impounded automobiles, redemption procedures: \*SB 3846, CH 274
- Insurance coverage, not added compensation: \*SSB 3079, CH 37 E1
- Investments regulated: \*SHB 547, CH 66
- Lending of credit for public purposes modified: SHJR 41
- Levy for taxing, maximum amount: HB 916
- Local improvement assessments, lien foreclosure: HB 659
- Local improvement district formation procedures modified: HB 392
- Local improvement protests: \*HB 753, CH 303
- Marine transportation benefit area authority: HB 464
- Martin Luther King birthday, state and school holiday: HB 69
- Master permit process, environmental coordination: HB 165
- Moorage and storage regulations: HB 211, \*HB 318, CH 188
- Motor carrier back taxes: HB 824
- Motor vehicle excise tax, rate increased: HB 537
- Motor vehicle excise tax revenue restrictions modified: HB 536
- Motor vehicle fund distribution: \*HB 285, CH 43
- Municipal clerks week: HFR 66
- Noise levels, off-road vehicles: HB 562
- Nuclear attack, emergency services plan: HB 89
- Open public meetings, governing bodies: \*SSB 3206, CH 155
- Police power, conflict with state law: HB 586
- Public improvement boundaries, tax purposes: HJR 28, HJR 32, SSJR 119
- Public retirement, creditable service: HB 51
- Public transportation benefit area: SB 3847, \*HB 534, CH 65
- Public transportation benefit areas, treasurer: \*SHB 540, CH 151
- Public transportation, conduct: SHB 538
- Public transportation sales and use tax: HB 541
- Public transportation, sales and use tax authority equalized: SHB 535, SB 3834
- Public works and improvements, bids: HB 619
- Purchase contracts, consider tax revenue: HB 574
- Purchasing, public disclosure: \*HB 74, CH 44 E1
- Reserve fund, cumulative fund, revenue stabilization: \*HB 76, CH 173
- Salaries must be lower than governor: SB 3427
- Sales and use tax, additional tax: HB 158
- Self-insurance, local government risk exposure studies: HB 531
- Sewer and water hook up, share of costs: SHB 79
- Speed limits, local regulation: SB 3191
- State building code act: HB 557
- State facilities, local services, reimburse city: HB 5

**CITIES—cont.**

Storm water control facilities, rates and charges: HB 601, \*SHB 1093, CH 315  
 Street improvement latecomer fees: \*SSB 3094, CH 126  
 Street improvements, assist property owner: \*SHB 393, CH 103  
 Street vacation, salt or fresh water in proximity: HB 820  
 Streets and associated improvements: HB 748  
 Surface mines, regulation: SHB 480  
 Tax ordinances, petitions: \*SHB 263, CH 99  
 Taxes, B&O and sales, local governments exempt: HB 529, HB 805  
 Taxes, B&O, hotel/motel tax, convention, trade centers: SHB 806  
 Teachers' retirement, elective position may stay in system: HB 549  
 Torts, charter and noncharter cities, claim filing: HB 530  
 Traffic safety plan duties modified: \*SSB 3538, CH 14 E1  
 Transit employees, collective bargaining: SHB 985  
 Utilities, in county, taxed at true and fair value: HB 654  
 Utility rates, low-income: SHB 550  
 Warrants for claims, issuance procedure: HB 374  
 Water supply operators, certification changes: SSB 3395, \*SHB 548, CH 292  
 Zoning, residences, separate living quarters for relatives: SB 3777

**CITIZEN COUNCILORS COMMISSION**

Citizen assessment and public information division created: HB 672

**CIVIL ACTIONS AND PROCEDURES (See also ATTORNEYS)**

Administrative challenges, fees to successful party: HB 647  
 Attachment and execution, personal property, exempt amount increased: SB 3408  
 Bonds, declaratory judgments, local governments: \*SSB 3637, CH 263  
 Chattel, totally destroyed, recovery: HB 723  
 Child custody: SHB 403, HB 695  
 Contract reformation to reduce payments: HB 754  
 Contractors, suits against, service procedures: SHB 862  
 Contributory fault, taverns and minors on premises: HB 639  
 Counselor-patient privilege: HB 188  
 Court reporters, electronic recording: HB 704  
 Creditor claims, deceased person, filing period: \*HB 643, CH 201  
 Damages, no evidence allowed, damages on per diem basis: HB 386  
 Deadbeat lists: \*SHB 533, CH 107  
 Execution and redemption, personal, real property: SSB 4111  
 Fees, list of what may be awarded in civil actions: HB 738  
 Frivolous actions or defenses, attorney fees: HB 138, SB 3130  
 Hazardous materials incidents, assistance, immunity: HB 505  
 Health care providers, collateral source compensation: HB 381  
 Health care providers, damage agreements: HB 380  
 Health care providers, negligence, proof: HB 385  
 Health care providers, negligence, standard of care modified: HB 384, \*SHB 383, CH 149  
 Health care providers, statute of limitations, minors: HB 483  
 Homestead, powers of attorney: \*SB 3426, CH 251  
 Homesteads, value increased: SHB 521, SB 3447  
 Industrial accidents, personal property, claims: \*HB 817, CH 111  
 Interpreters: HB 460, \*SB 3501, CH 222  
 Journalists, news source, confidentiality: HB 655  
 Judgment debtor special proceedings: \*HB 428, CH 45 E1  
 Judgments, rate of interest equalized: \*SHB 328, CH 147  
 Jury duty, twice every five years: \*SHB 197, CH 181  
 Landowner liability, recreational users of land or water: HB 755  
 Lie detector tests as conditions of employment: HB 449  
 Local improvement assessments, lien foreclosure: HB 659  
 Malicious prosecution, wrongful civil proceedings: HB 388  
 Malicious prosecution, suits filed, public officials: SB 3437  
 Nurse-patient privilege: HB 688  
 Personal injuries, drunk driving: HB 960  
 Physician-patient privilege, against provider: HB 382  
 Public records, illegally held records: SHB 478  
 Public works contracts, nonperformance, remedies: HB 750  
 PUD commissioner immunity: HB 898  
 Rent, welfare recipient tenant, collection procedures: HB 3

**CIVIL ACTIONS AND PROCEDURES—cont.**

Satisfaction of judgments: \*HB 174, CH 28  
 Settlement offers, adverse party: \*SHB 116, CH 282  
 Small claims court judgment enforcement: SHB 554, \*SSB 3494, CH 254  
 Subpoena, restrictions, justice of the peace: SB 4105  
 Torts against charter and noncharter cities, filing: HB 530  
 Torts of state, judgment forwarded to ways and means: HB 823  
 Underground utilities, damage procedures: HB 857  
 Uniform conflict of laws—limitations act: \*HB 925, CH 152  
 Uniform unclaimed property act enacted: \*SHB 179, CH 179  
 Waste disposal violation, civil action, attorney fees: \*SHB 64, CH 172  
 Wills, statutory will adopted: HB 684  
 Wiretaps for drugs by state or subdivisions: SHB 315  
 Workers' compensation distribution: \*SSB 3127, CH 211  
 Workers' compensation awards to receive interest: \*HB 683, CH 301  
 Wrongful birth or wrongful life suits, prohibiting: SHB 178

**CLALLAM COUNTY**

Olympic county created: HB 372, SB 3264

**CLARK COLLEGE**

Southwest Washington joint center for education, technology training: HB 869, \*2SSB 3155, CH 72 E1

**CODE REVISER**

Corrections: \*SB 3036, CH 2, \*SB 3037, CH 3, \*SB 3038, CH 4, \*SB 3039, CH 5, \*SB 3184, CH 244  
 Cutoff dates established: SCR 103  
 Gender-neutral language, rules, publications: HB 321, \*SB 3613, CH 20  
 Plain language in state agency documents: HB 874, HB 875  
 Session law publication, appropriation: \*HB 725, CH 10 E1  
 Severability, person or circumstance, act not invalidated: HB 707

**COLLECTIVE BARGAINING (See LABOR RELATIONS; STATE AND PUBLIC EMPLOYEES)****COLLEGES AND UNIVERSITIES**

Academic program termination, review procedures: SHB 621  
 Alcohol awareness program funded by penalty assessments: SSB 3617  
 Capital improvement bonds authorized: \*HB 56, CH 58 E1  
 Collective bargaining, higher education personnel board: HB 128  
 Collective bargaining power transferred: HB 792  
 Comparable worth in salary schedules: \*SSB 3248, CH 75 E1  
 Continuing education credential conditions: \*SB 3644, CH 266  
 Council for postsecondary education, review degree programs: SHB 497  
 Draft registration proof required: HB 93  
 Emergency financial problems, transfer, institutional loan fund to school's funds: HB 53  
 Employment needs commission authorized: HB 206  
 Faculty peer review committees, immunity: HB 915, SHB 915  
 Financial aid: SB 4089, SHB 640, \*2SHB 693, CH 64 E1  
 Higher education facility: \*SSB 3433, CH 169  
 Higher education personnel board meetings: \*HB 83, CH 23  
 Higher education personnel board transferred to state personnel board: HB 778  
 High-technology education and training act: HB 869, \*2SSB 3155, CH 72 E1  
 Intercollegiate center for nursing, fee waiver: \*SB 3448, CH 220  
 Labor relations, collective bargaining procedures authorized: SSB 3042  
 LEOFF, children tuition benefit age lowered: SHB 856  
 Loans for teachers in math and science: \*2SSB 4102, CH 74 E1  
 Operating fees to be used solely for schools: HB 299  
 Pay period, twice a month: \*2SHB 295, CH 28 E1  
 Payroll deductions authorized: HB 665  
 Performance evaluation procedure to be instituted: SHB 134  
 Personal service contracts, purchasing conditions: HB 405  
 Public retirement, increase, creditable service: SHB 495, SB 3910, \*SHB 51, CH 56 E1  
 Purchasing, emergency procedures: SB 3412, \*HB 208, CH 141  
 Resident student, definition modified: HB 335, SB 3306, \*SHB 334, CH 285  
 Retirement, salary computation: HB 218  
 Retirement system, service period computation modified: SSB 3062, \*SHB 16, CH 69  
 Science stressed, eliminate duplication, prioritize: HCR 8  
 Social security system withdrawal authorized: HB 830

**COLLEGES AND UNIVERSITIES—cont.**

- Student housing is not mandatory: HB 90
- Teacher education, math and science, loans: HB 951
- Teacher education, math, science, foreign languages: HB 950
- Teachers, math and science, scholarships: HB 952
- Technology training fund and nonprofit corporation created: HB 75
- Temporary committee on educational policies: \*HB 430, CH 105
- Traffic infractions on campus: \*SSB 3453, CH 221
- Transfer of credit, state-wide policy: \*SHB 790, CH 304
- Tuition and fee refund procedure: \*SB 3531, CH 256
- Tuition and fees, formula for increasing: SHB 640
- Tuition exemption, LEOFF, age lowered: SHB 856
- Tuition increase exemption, Vietnam veterans: SSB 3589, \*SHB 848, CH 307
- Tuition, nonresident exemption, military personnel children and spouse: HB 133, HB 335, SB 3044
- Tuition, reciprocity with Idaho and British Columbia: SHB 306, \*SB 3492, CH 166
- Tuition reciprocity with Oregon, conditions: \*SHB 409, CH 104
- Tuition, two credit hour category removed: HB 532
- Tuition, 18 hours or more, additional fee deleted: HB 333, HB 335
- Unemployment compensation not provided, recipients of financial aid: HB 437
- Unemployment compensation, retroactive benefits: \*SSB 3311, CH 23, E1
- UW building account, funds transferred: SHB 470, CH 17 E1
- Workshops, seminars, credentials and conditions: \*SB 3644, CH 266

**COLUMBIA RIVER**

- Crossing the bar, channel improvement: HFR 21
- Gorge, refrain from imposing federal control: HJM 18, SJM 110
- Salmon fishing, commercial, prohibited below Bonneville dam: HB 291, \*SSB 3217, CH 245
- Sturgeon fishing with a set line, endorsement necessary: \*HB 674, CH 300

**COMMERCE AND ECONOMIC DEVELOPMENT (See also ECONOMIC RECOVERY)**

- China exhibition council created: \*SHB 1089, CH 314
- Community development finance corporation established: HB 213, SHB 213
- Economic and community development department created: SHB 796
- Economic development councils, matching funds: SHB 580
- Employment stabilization, notice prior to layoffs: HB 694
- Enterprise zone act: HB 115
- Export assistance centers: \*2SHB 226, CH 20 E1
- High technology in south Puget Sound: SHB 565
- Investment projects, sales tax deferrals: HB 161
- Small business improvement council: SSB 3982
- Sunset termination: \*SHB 493, CH 197
- Technology training fund and nonprofit corporation created: HB 75
- Tourism promotion funding restored: HB 833
- Tourist promotion duties: HB 450
- World expo of 1986, state participation: \*HB 164, CH 177

**COMMITTEES**

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**COMMON CARRIERS (See also UTILITIES AND TRANSPORTATION COMMISSION)**

- Back taxes of motor carriers: HB 824
- Commercial vehicles, proportional registration: SB 3135
- Contract carriers, license plates reduced to one: HB 4
- Courier services of 100 pounds or less exempt: HB 877
- Hazardous materials exempt from motor freight carrier law: HB 819
- Hazardous materials incident command agency designation: SSB 3740
- Hazardous materials incidents, procedures, immunities: HB 505
- Industrial insurance coverage: \*HB 23, CH 170
- License fee refunds, modification: \*SHB 143, CH 26
- License plates, number reduced to one: HB 4
- Motor freight carriers, handling hazardous materials: HB 33
- Railroad track motor car, flashing warning light: HB 204
- School buses, axle requirements: SHB 1017

\* - Measures Passed by Both House and Senate and Confirmed Governorial Appointments

**COMMON CARRIERS—cont.**

- Size, load restrictions, conformity federal standards: HB 769, \*SB 4112, CH 278
- Weight control division of WSP transferred to WUTC: HB 837
- Weight limits depending on axle number for garbage trucks: \*SB 3076, CH 68

**COMMUNITY COLLEGES**

- Academic program termination, review procedures: SHB 621
- Age, entering and attending, student housing: HB 90
- Alcohol awareness program, funded by penalty assessments: SSB 3617
- Capital improvement bonds authorized: \*HB 56, CH 58 E1
- Collective bargaining, higher education personnel board: HB 128
- Collective bargaining power transferred: HB 792
- Comparable worth in salary schedules: \*SSB 3248, CH 75 E1
- Continuing education credential conditions: \*SB 3644, CH 266
- Draft registration proof, required for acceptance: HB 93
- Emergency financial problems, transfer from institutional loan fund: HB 53
- Employment needs commission authorized: HB 206
- Faculty peer review committees, immunity: HB 915, SHB 915
- Financial aid, factors to consider: \*2SHB 693, CH 64 E1
- Financial aid, need-based, funded by operating fees: SHB 640
- Higher education facility authority, financing for private nonprofit institutions: \*SSB 3433, CH 169
- Higher education personnel board meetings: \*HB 83, CH 23
- Higher education personnel board transferred to state personnel board: HB 778
- High-technology education and training act: HB 869, \*2SSB 3155, CH 72 E1
- Industrial training program: HB 662
- Joint ad hoc committee on community college financing and governance: SCR 116
- Labor relations, collective bargaining: SSB 3042
- LEOFF, children tuition benefit age lowered: SHB 856
- Loans for teachers in math and science: \*2SSB 4102, CH 74 E1
- Operating fees to be used solely for schools: HB 299
- Pay period, twice a month: \*2SHB 295, CH 28 E1
- Payroll deductions authorized: HB 665
- Performance evaluation procedures: SHB 134
- Personal service contracts, purchasing conditions: HB 405
- Public retirement, increase, creditable service: \*SHB 51, CH 56 E1, HB 495, SHB 495, SB 3910
- Purchasing, emergency procedures: \*HB 208, CH 141, SB 3412
- Reciprocity, Idaho and British Columbia: SHB 306, \*SB 3492, CH 166
- Reciprocity with Oregon: \*SHB 409, CH 104
- Reduction in force procedures: SHB 117
- Resident student, definition modified: HB 335, SB 3306, \*SHB 334, CH 285
- Retirement, salary computation, not include employee contributions: HB 218
- Retirement system, service period computation: \*SHB 16, CH 69, SSB 3062
- Science stressed, duplication eliminated, prioritize: HCR 8
- Social security system withdrawal authorized: HB 830
- Teacher education, math and science, loans: HB 951
- Teacher education, math, science, foreign language: HB 950
- Teachers, math and science, scholarships: HB 952
- Technology training fund and nonprofit corporation created: HB 75
- Temporary committee on educational policies: \*HB 430, CH 105
- Traffic infractions, on campus, jurisdiction: \*SSB 3453, CH 221
- Transfer of credit, state-wide policy: \*SHB 790, CH 304
- Trustees, removal: \*SB 3532, CH 224
- Tuition and fee refund procedure: \*SB 3531, CH 256
- Tuition increase exemption, veterans: \*SHB 848, CH 307, SSB 3589
- Tuition, nonresident exemption for military personnel children and spouse: HB 133, HB 335, SB 3044
- Tuition, two credit hour category removed: HB 532
- Tuition, 18 hours or more, additional fee deleted: HB 333, HB 335
- Unemployment compensation, retroactive benefits: \*SHB 311, CH 23, E1
- Workers' compensation, not for recipients of financial aid: HB 437
- Workshops, seminars, credentials and conditions: \*SB 3644, CH 266

**COMMUNITY ECONOMIC REVITALIZATION BOARD**

- Economic development councils, matching funds, conditions: SHB 580
- Grant and loan criteria: \*2SHB 245, CH 60 E1

**COMMUNITY ECONOMIC REVITALIZATION BOARD—cont.**

Investment projects, sales tax deferrals: HB 161  
 Investment tax deferral program: HB 108

**COMMUNITY SERVICES**

Community action council, weatherization or home repair assistance, tax deduction: HB 160,  
 \*SSB 3244, CH 66 E1  
 School community service districts: HB 461

**COMPARABLE WORTH (See DISCRIMINATION)****CONFERENCE COMMITTEES**

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**CONGRESS**

Modifying the 12th and 13th districts: HB 243  
 Redistricting, commission established: HB 14, HB 38, HJR 3, HJR 7, HJR 8, SSJR 103, \*SHB 20, CH  
 6, \*SSB 3112, CH 16  
 Redistricting, congressional district boundaries specified: HB 12, HB 13, HB 18  
 Redistricting in accordance with SHB 20: \*SHB 1038, CH 17

**CONSERVATION (See also ECOLOGY, DEPARTMENT OF; ENERGY; ENVIRONMENT)**

Agricultural district formation authorized: HB 690  
 Arbor day: HFR 54  
 Civilian conservation corps called for: HJM 15  
 Civilian conservation corps, former members to receive lifetime passes: HB 459  
 Columbia River Gorge, federal control restraint: HJM 18, SJM 110  
 Commission, membership increased: HB 272  
 Conservation corps established: HB 330, \*2SSB 3624, CH 40 E1  
 Conservation easements authorized: SB 3310  
 Conservation futures, holdings exempt, ad valorem tax: HB 692  
 Electromagnetic spectrum, state benefit: HB 744, 2SSB 3768  
 Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178  
 Litter control and recycling act: \*SSB 4107, CH 277  
 Litter control and recycling advisory committee: HB 929  
 Motor oil to be recycled: SHB 252, HB 802, \*SSB 4201, CH 137  
 Natural resource management hampered by federal government: HB 638  
 Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686

\* - Measures Passed by Both House and Senate and Confirmed Governorial Appointments



**CONSERVATION—cont.**

- Oil and gas severance and conservation act: 2SSB 3187
- Oil recycling tanks: HB 873
- Pollution authority of DOE modified: \*SB 3674, CH 270
- Real property status, no transfer tax penalty: \*HB 256, CH 41
- Youth employment exchange: \*SHB 251, CH 50 E1

**CONSTITUTIONAL AMENDMENTS**

- Budget, balanced budget called for: HJR 4
- Constitutional amendment proposed, title only: HJR 41
- Current use valuation: HJR 20
- Deficit spending prevented: HJR 14
- District of Columbia voting rights: HJR 27
- Education funding, tax levy limit modified: HJR 33
- Energy financing for conservation: HJR 19, SHJR 19, SSJR 112
- Food and drugs, sales and use tax prohibited: HJR 25
- Gasoline excise tax revenues, public transportation: HJR 6
- Governor, reorganization of executive branch: HJR 13
- Harbor leases, lease period extended to 50 years: HJR 10
- Harbor leases, lease period extended to 55 years: SJR 105
- Home loans for veterans: HJR 15
- Homestead partial property tax exemption: HJR 38
- House of representatives terms increased to 4 years: HJR 17, HJR 21, HJR 22
- Income tax in lieu of B&O tax: HJR 37
- Income tax, persons and corporations, conditions: HJR 26
- Income tax, uniform tax after business expenses deducted: HJR 1
- Initiative reform act of 1983: HJR 39
- Initiatives, review or amend, prohibition time extended: HJR 36
- Legislative terms: HJR 17, HJR 21, HJR 22
- Lending of credit for public purposes modified: SHJR 41
- Public corporations to provide capital funds: HJR 24
- Public improvement debts through ad valorem taxes: HJR 16
- Public improvement financing: HJR 28, HJR 32, SSJR 119
- Redistricting, commission established: HJR 3, HJR 7, HJR 8, SSJR 103
- Retirement systems, full funding by state: HJR 5
- Revenue increase limitation: HJR 40
- School district excess levies: SHJR 29
- School district levies, simple majority vote: HB 774, HJR 18, HJR 31
- State bank created: HJR 34
- State employees salaries or benefits, law or collective bargaining, paid from state treasury: HJR 12
- Superior court judge election provision repealed: HJR 11
- Tax increases, no new or increase: HJR 30
- Unicameral legislature: HJR 9
- Voters, nonresidential, obsolete provision repealed: HJR 35

**CONSUMER PROTECTION (See also LANDLORD TENANT)**

- Anti-trust/consumer protection improvements act: \*SHB 458, CH 288
- Automobile dealers, unfair practices filing period: HB 142
- Automobile repairs, estimate alternatives, liens, parts: HB 489
- Automobile warranties and repair: SHB 840, \*SSB 3034, CH 240
- Consumer counselor: SHB 563
- Consumer finance companies, fees and charges: \*SSB 4066, CH 227
- Coupons, distributed, newspapers or packages: SB 3082, \*HB 219, CH 40
- Credit file access and accurate reporting: SHB 311
- Gasoline pricing, deceptive methods prohibited: \*SSB 4034, CH 114
- Health studios, regulating: SSB 3021
- Hearing aid fitting and dispensing: \*HB 198, CH 39
- Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178
- Leases, not a loan or forbearance: HB 92, \*SSB 3299, CH 158
- Life insurance, designated beneficiaries: HB 507
- Lottery, unfair acts prohibited: SSB 3814
- Real estate brokers and salesmen: HB 599, HB 600, HB 604 Real estate conveyance consumer protection without cost act: HB 602
- Real estate forms to state commissions are negotiable: SHB 603
- Sexual orientation, may not discriminate: HB 556

**CONSUMER PROTECTION—cont.**

Time share regulation: HB 927, \*SB 3188, CH 22 E1

**CONTRACTORS (See also GENERAL ADMINISTRATION)**

Competitive sealed proposals for state agencies: HB 286

Construction, 2nd and 3rd class cities: HB 760

Electric utility service installation: SB 3392

Ferry contractors, prequalification procedures: \*SB 3250, CH 133

Industry and job retention study: HCR 27

Mechanics/materialmen liens, protect subcontractors and claimants: HB 914

Minority and women-owned businesses, participation enhanced: SHB 163, \*SSB 3230, CH 120

Nursing homes, community-based care: HB 850, \*SSB 3757, CH 236

Out of state vendors: SB 3422, \*SHB 232, CH 183

Prequalify for municipalities: SHB 749

Public works contracts, lien for protection of owner: HB 217

Public works, nonperformance: HB 750

Registration fees: \*SSB 3053, CH 74

Registration renewal and issuance: SHB 862

Registration, violation of law: \*SSB 3056, CH 2 E1

Underground utilities, damage procedures: HB 857

Worker's compensation definition of worker: \*HB 175, CH 97

WSDOT contract authority, indemnity provisions: \*HB 184, CH 29

**CONVENTION AND TRADE CENTERS**

Bonds, scope expanded: \*SHB 605, CH 1 E2

Bonds, state debt limitation formula: HB 54, \*HB 1082, CH 36 E1

Corporation's authority: HB 959

Cultural arts, stadium, and convention district creation, no competition: HB 909

Cultural arts, stadium and convention district formation: HB 122, SSB 3608

District formation, special election: HB 122, SSB 3608

Districts, cultural arts, stadium, and convention, taxes: SSB 3161

Hotel/motel, small cities, fund convention or trade center: SHB 806

Hotel/motel tax transferred to cultural arts, stadium, and convention districts: HB 912

Martin Luther King, dedicate center to: HB 151, HCR 5

Pantagosa Theatre restoration efforts commended: HFR 13

Public function and use, design, construction, and operation: HB 959

**CORPORATIONS (See also NONPROFIT CORPORATIONS; SECRETARY OF STATE)**

Community development finance corporation: SHB 213

Dissolution, reinstatement procedures: SB 3386, \*HB 348, CH 32

Health maintenance organizations: \*HB 305, CH 100

Job skills program: \*2SHB 231, CH 21 E1

Professional corporations, merger or consolidation: HB 344, \*SB 3383, CH 51

Public corporations to provide capital funds: HJR 24

Residence of corporation: \*HB 288, CH 31

Technology development corporation established: HB 190

Unemployment coverage: HB 224, \*SSB 3311, CH 23 E1

**CORRECTIONS (See also JAILS; PRISON TERMS AND PAROLE)**

Adult correctional facility construction projects exempted from local codes: HB 34, SB 3243

Alcohol and drug treatment programs for offenders: HB 763

Body/strip searches: HB 645, \*SSB 3817, CH 42 E1

Choke holds: SSB 3766

Civil service exemptions: \*HB 125, CH 175

Death penalty, confinement requirements: \*SB 3523, CH 255

Death sentence prisoners, confined in single cells: SB 3530

Employees injured by assault on job, paid leave: HB 593

Furloughs and leaves: \*SB 3523, CH 255

Furloughs, release, escape, notice: HB 307, SHB 307

Institutional impact account: \*SSB 4135, CH 279

Institutional industries, surpluses, sold or donated: SB 3527

Judiciary's jurisdiction over construction removed: HJM 25

McNeil, requests that the island be given to the state: HFR 18

Personal property, inmates, unclaimed: \*SSB 4137, CH 52 E1

Prisoners from other institutions, housing procedures: SB 3525

Prisoners' leaves of absence, reasons enlarged: SSB 3524

Prisoners, transfer to foreign countries: SB 3529

**CORRECTIONS—cont.**

Reimbursement to local government, housing state prisoners: HB 996  
 Shelton staff recognized: HFR 90  
 Standard board report: HB 764  
 Vocational education products, auction provision removed: SB 3528  
 Work programs, record storage: \*SHB 579, CH 296  
 Work release programs: HB 572

**COSMETOLOGY**

Apprenticeship training: HB 368, HB 795  
 Barbering, instructor age: HB 90  
 Examination, licenses, procedures: HB 368, HB 795  
 Licensing functions for cosmetology and barbering studied: HB 368, HB 369, HB 964  
 Regulations provided and repealed: HB 442  
 Sunset termination removed for cosmetology regulations: HB 200, HB 368, HB 369, HB 795, HB 964, \*SSB 3081, CH 75, \*SSB 3088, CH 208

**COUNTIES (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES)**

Adult correctional facility construction projects: HB 34  
 Adult offender community service insurance fund: HB 417  
 Agricultural district formation authorized: HB 690  
 Aquatic plant control programs: \*HB 511, CH 291  
 Attorneys, contracts for services: \*SSB 3151, CH 129  
 Bike routes: HB 375  
 Bonds, declaratory judgments, local governments: \*SSB 3637, CH 263  
 Bonds, registration of ownership: \*SHB 390, CH 167  
 Border areas, additional funds: HB 159  
 Border, sales tax varied: SHB 52  
 Buses, prohibited conduct: SHB 538  
 Cemetery improvement fund, principal and income may be used: HB 322  
 Choke holds: SSB 3766  
 Community corporation, land use authority: HB 879  
 Community economic revitalization board loan limitations: \*2SHB 245, CH 60 E1  
 Community rights act of 1983: HB 779  
 Conservation analyses, financing, electricity providers: SSB 3256  
 Consolidated employers, retirement plan procedures: SSB 3226  
 Consolidation with cities: SHCR 2  
 Contractors, prequalification procedures: SHB 749  
 Coroners, death investigation account: HB 408, \*2SSB 3272, CH 16 E1  
 Correctional facility, inmate release, notice: SHB 307  
 County road tax revenues, use: HB 11  
 Court bonds, writs, not required of political subdivisions: HB 752  
 Criminal justice cost reimbursements: \*SSB 4135, CH 279  
 Criminally insane, acquitted, release standards: HB 99  
 Criminally insane, conditional release, tracking system: HB 351  
 Criminally insane, escape, notify law enforcement officers: SHB 9  
 Current use valuation, vacant lots, single family residences: HJR 20  
 Debt limitation, 1 1/2% of taxable property: HB 73  
 Deferred compensation, employees authorized: HB 618, \*SB 3840, CH 226  
 Drug abuse administrative board: \*HB 373, CH 148  
 Drunk driver enforcement impact account: SHB 983  
 Drunk drivers special detention facilities: HB 367, SSB 3107, \*SHB 289, CH 165  
 Economic development councils, matching funds: SHB 580  
 Economic recovery, participation, nonprofit corporations: SSB 3276  
 Electric distribution, heating systems: SHB 113, \*SB 3224, CH 216  
 Electric generation of sewer and water system: HB 710  
 Electric utilities privilege tax: HB 913  
 Electrical code may exceed states: HB 895  
 Electrical installation, county regulations: HB 716  
 Electrical utilities, conservation credits, model conservation standards: HB 930  
 Emergency medical services, advisory council: \*SHB 855, CH 112  
 Enterprise zone act, local zoning displaced: HB 115  
 Equalization board, petition process: HB 173  
 Federal property, local services, reimburse counties: HJM 2  
 Fees, fines, forfeitures, penalties, collection, distribution: HB 508  
 Fees, fines, forfeitures, remittance to state treasurer: HB 510

## COUNTIES—cont.

Ferry advisory committees, critical counties: \*SSB 3108, CH 15  
 Ferry system, auto license and renewal fees, island counties: HB 230  
 Flood zone new construction, county or city is liable: HB 628  
 Flooding disaster areas, federal assistance: HJM 9  
 Forest land, reforestation land reclassified: HB 425  
 Freeholders, appointments to fill vacancies: SSB 3098  
 Gambling tax rate lowered: HB 815  
 Game department in lieu of taxes: SHB 105  
 Handicapped, utility rates reduced: HB 550  
 Harbor areas and tidelands, lease money: \*SSB 3066, CH 153  
 Hazardous materials designation: SSB 3740  
 Hazardous materials incidents, procedures, immunities: HB 505  
 Health departments, county owned, city contributions: SHB 713  
 Health departments, support: \*SSB 3490, CH 39 E1  
 Health districts: SHB 509  
 Hospitals, low-income patients have preference: HB 791  
 Housing authorities, loan capability: SHB 816, \*SSB 3811, CH 225  
 Hydroelectric development, irrigation, cities, PUDs: \*SSB 3511, CH 47  
 Impounded automobiles, redemption procedures: \*SB 3846, CH 274  
 Insurance coverage, not compensation: \*SSB 3079, CH 37 E1  
 Juvenile offenders, community involvement: HB 349, HB 417  
 Juveniles confined in detention facilities, education: \*SHB 241, CH 98  
 Juveniles, confinement costs: HB 431  
 Law enforcement service districts authorized: HB 560, HB 673  
 Lending of credit for public purposes modified: SHJR 41  
 Levy for taxing, maximum amount deemed levied, 106% modified: HB 916  
 License fees may be set by legislative authority: SB 3263  
 Local improvements protests: \*HB 753, CH 303  
 Marine transportation benefit area authority: HB 464  
 Martin Luther King birthday, state and school holiday: HB 69  
 Master permit process, environmental coordination: HB 165  
 Misdemeanors, violations of police and sanitary regulations: HB 896  
 Moorage and storage regulations: HB 211, \*HB 318, CH 188  
 Motor vehicle excise tax, municipality rate increased: HB 537  
 Motor vehicle excise tax revenue restrictions modified: HB 536  
 Motor vehicle fund distribution, maintenance, streets: \*HB 285, CH 43  
 Noise levels, off-road vehicles: HB 562  
 Noxious weed control, special tax, vehicle licenses: SSB 3205  
 Nuclear attack, need not include in emergency services plan: HB 89  
 Olympic County created subject to voter approval: HB 362, SB 3264  
 Open public meetings, governing bodies: \*SSB 3206, CH 155  
 Park and recreation service area, proposals, levies: HB 597  
 Police and sanitary regulations, violations: SSB 4164  
 Police power exercised, not in conflict with state law: HB 587  
 Public improvement boundaries, tax purpose: HJR 28, HJR 32, SSJR 119  
 Public transportation, merged, annexed areas: \*HB 534, CH 65  
 Public transportation treasurer: \*SHB 540, CH 151  
 Public transportation tax apportionment, distribution: HB 541  
 Public transportation, tax authority: SHB 535, SB 3834  
 Purchase contracts by local governments: HB 574  
 Purchasing, public disclosure: \*HB 74, CH 44 E1  
 Road administration board, sunset termination: HB 589  
 Road improvement district formation alternative: HB 911  
 Rural arterial program: HB 773, \*SHB 235, CH 49 E1, HB 773  
 Salaries must be lower than governor: SB 3427  
 Sales and use equalization account: \*SHB 263, CH 99  
 Sales and use tax, additional tax: HB 158  
 Self-insurance, local government risk exposure studies: HB 531  
 Service districts, procedures, formation: \*SSB 3161, CH 130  
 Special purpose districts, powers: HB 728  
 State building code act: HB 557  
 Storm water control facilities, rates and charges: \*SHB 1093, CH 315  
 Storm water facilities, rates and charges: HB 601  
 Street improvement latecomer fees: \*SSB 3094, CH 126

**COUNTIES—cont.**

Street maintenance, fund distribution: \*HB 285, CH 43  
 Streets and associated improvements: HB 748  
 Surface mines, regulation: SHB 480  
 Tax ordinances, petitions to repeal or alter: \*SHB 263, CH 99  
 Taxes, B&O and sales, local governments exempt: HB 529, HB 805  
 Teachers' retirement, local government elective position: HB 549  
 Timber excise tax authorized: SSB 4158  
 Timber tax may be imposed: HB 797, HB 902  
 Traffic safety plan duties modified: \*SSB 3538, CH 14 E1  
 Transit employees, collective bargaining: SHB 985  
 Utilities, city-owned, true and fair value: HB 654  
 Utility rates, political subdivisions, low-income: SHB 550  
 Vital services, benefit state agencies, reimburse county: HB 5  
 Warrants for claims, issuance procedure: HB 374  
 Water supply operators, certification changes: SSB 3395, \*SHB 548, CH 292  
 Write-in candidates, procedures provided: HB 258  
 Zoning, residences, separate living quarters for relatives: SB 3777

**COUNTY ASSESSOR**

Business inventory tax exemption modified: \*SHB 466, CH 62 E1  
 Current use assessment, residences, vacant lots: HB 46  
 Equalization board, delinquencies, schedule: SB 3262  
 Farm and agricultural land valuation: HB 690  
 Forest land, reforestation land reclassified: HB 425  
 Property tax levies reviewed: HB 698, \*SSB 3522, CH 223  
 Real property revaluation, restricting increases: HB 60  
 Real property tax delinquency interest, 2% above prime: HB 889  
 Real property tax delinquency penalties waived: HB 706  
 Vital services provided to state, reimburse county: HB 5

**COUNTY AUDITOR (See also ELECTIONS)**

Deaths, list, 18 and over: HB 90, \*HB 741, CH 110  
 Motor vehicle license fee, \$2 collection fee: HB 394  
 Motor vehicle use tax, collection fee: \*SB 3097, CH 77  
 Public disclosure reports, index for access: \*HB 569, CH 294

**COUNTY TREASURER**

Audits, quarterly audits eliminated: SSB 3103  
 County and local treasurers, filing requirements: \*SB 3142, CH 213  
 Fees, fines, forfeitures, penalties, uniformity: HB 508  
 Port districts, serving as treasurer for: \*SB 3363, CH 250  
 Real property tax delinquency interest, 2% above prime: HB 889  
 Real property tax delinquency penalties waived: HB 706

**COURTS (See also DRUNK DRIVING; JUDGES; SUPREME COURT)**

Administrator for courts, salary set by supreme court: HB 627, SB 3376  
 Adoption, rights of natural parent: HB 629  
 Bonds, political subdivisions not required: HB 752  
 Child abuse and neglect noticed in family law hearing: SHB 167  
 Child custody, joint provided for: SHB 403, HB 695  
 Clerk of superior court, miscellaneous filings at no charge: HB 630  
 Clerks, fees increased: HB 630  
 Condemnation cases, highways, priority: \*HB 183, CH 140  
 Continuing jurisdiction, limited jurisdiction not to exceed two years: \*SB 3185, CH 156  
 Criminally insane, release, escape, notice: SHB 9  
 Deadly weapon, finding of fact, special verdict: \*SB 3416, CH 163  
 Drug or alcohol enhanced crimes, rehabilitative treatment: HB 137  
 Drunk driver enforcement impact account: SHB 983  
 Drunk driving, enforcement: \*SHB 289, CH 165, HB 341  
 Family court jurisdiction, children: \*SB 3442, CH 219  
 Fees, fines, forfeitures, penalties, uniformity: HB 508  
 Fees, fines, forfeitures, procedures for remittance: HB 510  
 Foster care for developmentally disabled: \*SHB 906, CH 311  
 Interpreters: HB 460, \*SB 3501, CH 222  
 Judgments, rate of interest equalized: \*SHB 328, CH 147  
 Jury and court, informed of health care damage agreements: HB 380

**COURTS—cont.**

- Jury duty, not more than twice every five years: \*SHB 197, CH 181
- Jury trials, court rules may not void prohibition: HB 519
- Justice of peace, reference in marriage law removed: SB 3424, \*HB 284, CH 186
- Juvenile court system record procedures: HB 918
- Juveniles, confinement costs: HB 431
- Limited jurisdiction, full-time judges: \*SHB 463, CH 195
- Penalty assessments, court may deduct costs: HB 559
- Probation officer, alcohol treatment program: \*SHB 498, CH 150
- Procedures modified: \*HB 428, CH 45 E1
- Reporters, may use electronic recording: HB 704
- Sentences, difference, appealable: HB 298, \*SB 3416, CH 163
- Small claims, judgment collection procedures: SHB 554
- Small claims judgment enforcement: \*SSB 3494, CH 254
- Subpoena, restrictions, justice of the peace lessened: SB 4105

**CREDIT UNIONS (See also FINANCIAL INSTITUTIONS)**

- Distressed, merger, absorption, liquidation: \*SSB 3110, CH 48
- Examination fund: \*SB 3182, CH 157
- Examination reports issued, merger partners or liquidating agents: \*HB 32, CH 37
- Financial institutions department created: HB 676
- Residential financing, public pension guarantee fund: HB 267
- Uniform unclaimed property act enacted: \*SHB 179, CH 179

**CREDITORS**

- Agricultural development authority, long-term credit: HB 768
- Bankruptcy, state exemptions: HB 890
- Consumer credit reporting protections: SHB 311
- Consumer finance companies, fees and charges: \*SSB 4066, CH 227
- Contract reformation to reduce payments: HB 754
- Insurance claims, deceased persons, 4-month filing period: \*HB 643, CH 201
- Interest rates, absence of written agreement: \*SHB 882, CH 309
- Leases, consumer leases not a loan or forbearance: HB 92, \*SSB 3299, CH 158
- Satisfaction of judgments, designate creditor and debtor: \*HB 174, CH 28
- Sexual orientation, may not discriminate: HB 556

**CRIME VICTIMS COMPENSATION**

- Automobiles, uninsured motorists, fund established: HB 636
- City programs established by prosecutor: HB 933
- Drunk driving, personal injuries: HB 960
- DWI convicts to be assessed \$100: HB 561
- Penalty assessments: \*SSB 3022, CH 239
- 637 Witnesses and survivors, provided for: SHB 711

**CRIMES (See also MOTOR VEHICLES, subtopic TRAFFIC INFRACTIONS)**

- Adult offender community service insurance fund: HB 417
- Aircraft excise tax evasion: HB 416
- Airplanes, endangering is a felony: HB 542
- Alcohol and drug treatment programs for offenders: HB 763
- Alcohol, furnished to an intoxicated person, misdemeanor: HB 825
- Alcohol or drug enhanced, rehabilitative treatment: HB 137
- Assault on sports official a misdemeanor: HB 290
- Automobile insurance coverage required, misdemeanor: HB 103
- Body/strip searches: HB 645, \*SSB 3817, CH 42 E1
- Choke holds: SSB 3766
- Civil rights restoration provided for: HB 455
- Commodity warehouse violations: SHB 440
- Continuing jurisdiction, courts of limited jurisdiction may not exceed two years: \*SB 3185, CH 156
- Correction employees injured by assault on job, paid leave: HB 593
- Criminal law provisions: \*SSB 3856, CH 4 E1
- Custodial interference is a gross misdemeanor or felony: SSB 3387
- Deadly weapon, special verdict: \*SB 3416, CH 163
- Dental identification system established: HB 408, \*SSB 3272, CH 16 E1
- Dependent or vulnerable adults, protection, criminal justice system: SB 3060
- Deportation, guilty plea consequences: \*SHB 522, CH 199
- Exclusionary rule modified, procedures: SHB 315

\* - Measures Passed by Both House and Senate and Confirmed Governorial Appointments

**CRIMES—cont.**

- Fees, fines, forfeitures, penalties, uniformity: HB 508
- Felony flight, revocation of driver's license: \*SB 3172, CH 80
- Fireworks sales and use: SB 3636
- Fraud, theft, child commits, parent liable: SB 3119
- Furloughs, medical care, may exceed 60 days: \*SB 3523, CH 255
- Glue sniffing, toxic vapors or fumes, category broadened: SB 3117
- Hearing aid dispensers, violations: \*HB 198, CH 39
- Homicide, definition modified: \*HB 147, CH 10
- Hulk haulers or scrap processors: \*HB 259, CH 142
- Hunting interference, misdemeanor: HB 923
- Indecent liberties, forced sexual contact, spouse: HB 700
- Insanity, conditional release standards: \*SHB 99, CH 25
- Insanity defense: HB 303
- Insanity, escape, furlough: SHB 9, \*SSB 3043, CH 122
- Insanity, evaluation and court procedure: HB 351
- Journalists, news source, confidentiality: HB 655
- Juvenile court system record procedures: HB 918
- Juvenile disposition standards: \*SHB 431, CH 191
- Juvenile offender community service insurance fund: HB 417
- Juvenile offenders, photograph, waiver: \*SSB 3646, CH 267
- Juveniles, financial recovery systems: HB 742, HB 811
- Lie detector tests as conditions of employment: HB 449
- Meter tampering is theft: SHB 921
- Misdemeanor compromise, repealing provisions: HB 327
- Missing person procedures: HB 408
- Negligent homicide, defined: HB 298, \*SB 3416, CH 163
- Notice to law enforcement, victims, witnesses: SHB 307
- Parole revocation, recommendations: \*SHB 476, CH 196
- Penalty assessments, court may deduct costs: HB 559
- Pornography, access of children at newsstands regulated: HB 697
- Prison reduction, except violent offenses: HB 888, \*SHB 888, CH 162
- Prisoners from other institutions, housing procedures: SB 3525
- Prisoners' leaves of absence, reasons enlarged: SSB 3524
- Prisoners, transfer to foreign countries: SB 3529
- Prostitution, classification enhanced if a minor participates: HB 29
- Rape, deadly weapon: HB 31, \*SB 3009, CH 73
- Rape, forced with spouse: SHB 700, \*SSB 3007, CH 118
- Records, retrieve illegally-held public records: SHB 478
- Records, state patrol to charge fees: \*HB 260, CH 184
- Restitution, juvenile offense plea bargain: \*SHB 431, CH 191
- Rewards, state agencies may offer: HB 671
- Sentencing guidelines commission, report approved: SSB 3414, \*SHB 297, CH 115
- Sexual psychopath, sentencing, amenable to treatment: HB 340
- Tax avoidance penalties: HB 68
- Theft, fraud, child commits, parent liable: SB 3119
- Trespassing, agricultural lands, detaining: HB 844
- Victims, survivors, notified when inmate released or escapes: SHB 711
- Wiretaps for drugs by state or subdivisions: SHB 315
- Work release programs: HB 572
- X-rated movies shown to minors: HB 370

**DAIRY PRODUCTS**

- Coupons attached to packaging regulated: SB 3082, \*HB 219, CH 40
- Standards and definitions may exceed FFDC A standards: SHB 597, SB 4010, SSB 4015

**DEAF**

- Financial responsibility act, DSHS: HB 343
- Hearing aid council duties: \*HB 198, CH 39
- School, retirement system, service computation: SSB 3062, \*SHB 16, CH 69
- Superintendents of institutions, minimum age reduced: HB 90

**DEBTS (See also BONDS; SECURITY INTERESTS)**

- Bankruptcy, state exemptions: HB 890
- Capital debt management program: HB 942
- Child support due, garnishee exemption: SHB 345
- Cities, counties, hospital districts, limited: HB 73

**DEBTS—cont.**

Consumer finance companies, fees and charges: \*SSB 4066, CH 227  
 Contract reformation to reduce payments: HB 754  
 Deadbeat lists: \*SHB 533, CH 107  
 Execution and redemption, personal, real property: SSB 4111  
 Interest rates, no written agreement: \*SHB 882, CH 309  
 Joint operating agency, default is unlawful: HB 892  
 Judgment debtor special proceedings: \*HB 428, CH 45 E1  
 Metropolitan park districts, provisions modified: \*SHB 189, CH 61  
 Public improvement debts through ad valorem taxes: HJR 16  
 Rent, welfare recipient tenant, collection procedures: HB 3  
 Satisfaction of judgments, designate creditor and debtor: \*HB 174, CH 28  
 Small claims, judgment collection procedures: SHB 554  
 State debt, limitation formula modified: HB 54, \*HB 1082, CH 36 E1  
 State, legal services, obtained in competitive manner: HB 652  
 Voter pamphlets to discuss bond measures: HB 193

**DEFERRED COMPENSATION (See PENSIONS)****DELINQUENCY (See CHILDREN)****DENTISTS**

Board of dental examiners membership increased: HB 110, HB 293, SHB 1044  
 Dental hygienists committee, exams: \*SHB 359, CH 168  
 Radiologic technology board of examiners created: HB 454

**DEPORTATION**

Guilty plea, must advise on deportation consequences: \*SHB 522, CH 199

**DIKING DISTRICTS**

Voting rights, land ownership: SHB 84  
 Warrants for claims to be certified by auditor: HB 374

**DISCRIMINATION**

Age, increased to 70 years: \*HB 555, CH 293  
 Age, 40 to 70 years, unfair practice to refuse employment: SB 3196  
 Comparable worth in salary schedules: \*SSB 3248, CH 75 E1  
 Comparable worth, joint committee established: HCR 25, SCR 131  
 Comparable worth joint select committee: HFR 64  
 Economic equity act, equality for women: HJM 16  
 ERA passage urged: HJM 17  
 Gender-neutral language: HB 321, \*SB 3613, CH 20  
 Iranian persecution of Bahai faith condemned: HFR 99  
 Japanese war reparations proposed legislation urged: HJM 23  
 Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120  
 Sexual orientation, may not discriminate: HB 556  
 Unfair practices damage limits: \*HB 555, CH 293  
 WWII discriminatory dismissals, state employees, reparation: \*SSB 3163, CH 15 E1

**DIVORCE (See FAMILY LAW, subtopic DISSOLUTION)****DOGS (See ANIMALS)****DRAFT REGISTRATION**

Proof required for acceptance at higher education institutions: HB 93

**DRAINAGE DISTRICTS**

Voting rights, land ownership at least 30 days preceding election: SHB 84  
 Warrants for claims to be certified by auditor: HB 374

**DRUGS**

Abuse, education provided: SB 4237  
 Controlled substances schedule revised: HB 469  
 Crimes enhanced by drug or alcohol abuse, treatment: HB 137  
 Criminal provisions: \*SSB 3856, CH 4 E1  
 Drug abuse administrative board: \*HB 373, CH 148  
 Drugless healing, sunset termination: \*SHB 493, CH 197  
 Enforcement and investigation board created: HB 629  
 Exclusionary rule modified, procedures: SHB 315  
 Prescriptions, generic names to be shown: HB 467



**DRUGS—cont.**

- Sales tax removed: HJR 25
- Schools to educate about abuse: SHB 681
- Treatment programs for offenders: HB 763
- Wiretaps for drugs by state or subdivisions: SHB 315

**DRUNK DRIVING**

- Alcohol awareness program funded by penalty assessments: SSB 3617
- Alcohol information school: \*SHB 498, CH 150
- Alcohol problems, serious, diagnostic evaluation: SSB 3382
- Alcohol programs for persons convicted of DWI: HB 720
- Alcohol safety office created: HB 444
- Alcohol-related problems, joint select committee study: HCR 18
- Blood alcohol content: HB 97, HB 98, HB 120, HB 166, HB 253, HB 891, SSB 3107
- Blood alcohol content test: HB 501
- Compromise of offense not available: HB 131
- Continuing jurisdiction, not to exceed two years: HB 121
- Drinking deterrence and treatment account: HB 870
- Drinking deterrence and treatment fund, surcharge supported: HB 227
- Drunk driver enforcement impact account: SHB 983
- DWI impact account created: \*SHB 289, CH 165
- Fees, fines, forfeitures, and penalties, uniformity in collection and distribution: HB 508
- Fees, fines, forfeitures, procedures for remittance: HB 510
- Furnishing liquor to an intoxicated person misdemeanor: HB 825
- Habitual offenders guilty of class C felony: HB 131, HB 155
- License plates confiscated: HB 558
- License tabs revoked if car driven by drunk: HB 445
- Penalty assessments, court may deduct costs: HB 559
- Personal injuries: HB 960
- Seizure and forfeiture of motor vehicle: HB 280
- State patrol to conduct emphasis patrols: HB 958
- Vehicle impoundment: HB 97
- Vehicle assault, homicide: HB 166, \*SB 3106, CH 164
- Victims, DWI convicts assessed \$100: HB 561
- Victims of drunk driving: HB 960

**EARTHQUAKES**

- School buildings, earthquake inspections: HB 680

**ECOLOGY, DEPARTMENT OF**

- Aquifers, funds for protection: \*SSB 3664, CH 269
- Beverage containers, not milk or soy-based container: \*SB 3535, CH 257
- Conservation corps established: \*2SSB 3624, CH 40 E1
- Dredging, SEPA exemption by DOE to prevent flooding: HB 628
- East Selah reregulating reservoir: \*HB 595, CH 18 E1
- Emission inspections, motor vehicle fleet redefined: HB 389, HB 611
- Endrin alternative study by WSU: SB 4079
- Environmental coordination procedures act: HB 70
- Environmental impact statement, road repair flood damage: HB 182
- Environmental impact statements, school closures: \*SHB 719, CH 109
- Fees, administrative expenses: SHB 410
- Forest practices, exempt from EIS requirements: \*SSB 3006, CH 117
- Ground water, aquifer protection and regulation: HB 364
- Litter control and recycling act: \*SSB 4107, CH 277
- Litter control and recycling advisory committee: HB 929
- Master permit process, environmental coordination: HB 165
- Nisqually Delta and Sequim Bay, sanctuaries list: HB 686
- Nisqually river basin: HCR 14
- Oil, motor oil to be recycled: SHB 252, HB 802, \*SSB 4201, CH 137
- Oil recycling tanks: HB 873
- Pesticides, authority transferred from agriculture: HB 901
- Pollution and environmental safety authority: \*SB 3674, CH 270
- Puget sound water quality authority established: \*SSB 3156, CH 243
- Radioactive materials, transfer from DSHS studied: \*SSB 3273, CH 19 E1
- Reclamation act duties modified: SHB 583
- SEPA, MT. ST. Helens: HB 358, \*SB 3519, CH 1, E1
- Shoreline management, hearings, judicial review: SHB 486, SHB 685

**ECOLOGY, DEPARTMENT OF—cont.**

Site standards for dangerous wastes: HB 771  
 Solid waste advisory committee: HB 712, 2SSB 3722  
 Vehicle emission control account, testing: HB 465  
 Waste management and priorities: SHB 853, \*SSB 4245, CH 70 E1  
 Waste treatment plant certification: HB 485  
 Water, discharge into marine waters, permit conditions: SHB 475  
 Water management improvement act: HB 582  
 Water permit fee increased: HB 412  
 Water pollution control act, clean water act: HB 292  
 Water supply facilities appropriation: HB 881  
 Water well construction complaints: \*HB 112, CH 93  
 Yakima river basin hydroelectric development: SSB 3873

**ECONOMIC RECOVERY**

A.H. Bingham's public service noted: HFR 19  
 Capital investment company authorized: 2SHB 228  
 China exhibition council created: \*SHB 1089, CH 314  
 Civilian conservation corps called for: HJM 15  
 Community development finance corporation established: HB 213, SHB 213  
 Conservation corps established: HB 330, \*2SSB 3624, CH 40 E1  
 Economic and community development department created: SHB 796  
 Economic and revenue forecasting council: SHB 784  
 Economic development areas established: HB 917  
 Economic development councils, matching funds, conditions: SHB 580  
 Economic equity act, equality for women: HJM 16  
 Emergency commission, economic development, job creation: SHCR 6  
 Employment and conservation corps: HB 251  
 Energy efficiency financing bonds: HB 883  
 Enterprise zone act: HB 115  
 Enterprise zone act, passage requested: HJM 6  
 Export assistance centers: \*2SHB 226, CH 20 E1  
 High technology in south Puget Sound: SHB 565  
 Industrial development authority established: HB 590  
 Industrial parks and research, industrial development facilities: SHB 302, \*SB 3760, CH 51 E1  
 Industrial training in the community colleges: HB 662  
 Industry and job retention study: HCR 27  
 Investment projects, sales tax deferrals: HB 161  
 Job legislation requested: HJM 27  
 Job skills program: \*2SHB 231, CH 21 E1  
 Job training and partnership act, job loss: SHB 1051  
 Jobs again council: SB 3850, SB 3981  
 Location, industrial development facilities: SSB 3955  
 Motor oil recycling: HB 802  
 Nonprofit corporations, participation as public purpose: SSB 3276  
 Pacific northwest trade exposition commended: HCR 10  
 Protectionist trade measures, their end petitioned: HJM 14  
 Public assistance recipients, employers receive tax credit: HB 871  
 Public corporations to provide capital funds: HJR 24  
 Public facilities, issuance of bonds authorized: HB 356  
 Public improvement debts through ad valorem taxes: HJR 16  
 Small business assistance coordinating council: SHB 689  
 Small business improvement council: SSB 3982  
 Small business investment authority: HB 592  
 Small business mill survival act: HB 202  
 State business and job creation commission created: HCR 7  
 Tax incentives for private sector, utilized by state: SHB 1050  
 Technology development corporation established: HB 190  
 Technology training fund and nonprofit corporation created: HB 75  
 Tuition, nonresident exemption, federal job corps: SB 3044  
 Vocational education, training fund established: HB 308  
 Youth employment exchange: \*SHB 251, CH 50 E1  
 Youth jobs program established: HB 324

**EDUCATION, BOARD OF**

Members, private school representative and SPI may vote: SSB 3455

**EDUCATION, BOARD OF—cont.**

- Members, private school representatives may vote: HB 361
- Physical education requirement removed: HB 145
- Teacher training, pilot project: SHB 876

**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
- Alternative school educational clinic: HB 514
- Council for post secondary education, sunset: \*SHB 493, CH 197
- Council for postsecondary education, degree programs: SHB 497
- Drunk driver enforcement impact account: SHB 983
- Handicapped children and parents, training program: HB 168
- Handicapped, specially designed instruction: HB 633
- High technology education and training act: HB 869, \*2SSB 3155, CH 72 E1
- Higher education facility authority, financing, private nonprofit: \*SSB 3433, CH 169
- Job skills program: \*2SHB 231, CH 21 E1
- Judiciary education account: \*HB 471, CH 9 E1
- Priorities, eliminate duplication, engineering, science: HCR 8
- Public education advancement council: HB 947
- Residential school residents, return to community, hearing: HB 634
- Technology, joint ad hoc committee: HCR 3
- Technology training fund and nonprofit corporation created: HB 75
- Temporary committee on educational policies: \*HB 430, CH 105
- Vocational agriculture program: \*HB 570, CH 34 E1
- Workshops, seminars, credentials, conditions: \*SB 3644, CH 266

**ELDERLY**

- Abuse, nursing homes, restraining order: SHB 346, \*SSB 3660, CH 269
- Abuse, neglect, or abandonment, reporting required: SB 3060
- Age discrimination, increased to 70 years: \*HB 555, CH 293
- Cognitively impaired adults protected: HB 944
- Electric utilities, tax credit: HB 279
- Grandparent, visitation rights: HB 86
- Group fishing permits for facility residents: SB 3379
- Guardians, financial statements: \*SB 3763, CH 271
- Home health care services: \*SSB 3308, CH 249
- Income tax on interest and dividends: HJM 13
- Life insurance, 62 year old policyholders, information: HB 140
- Long-term care and services, interim study: HFR 80
- Long-term care services: HB 395
- Motor vehicle fuel tax exemption nonprofit corporations: \*SHB 539, CH 108
- Nursing homes, community-based care: HB 850, \*SSB 3757, CH 236
- Ombudsmen program, long-term facilities: \*SHB 484, CH 290
- Retirement age, mandatory provisions may be waived: HB 338
- Retirement facilities, industrial development bonds: HB 242, SSB 3173
- Senior citizen legislative interns: HFR 43
- Sewer and water rates, delayed or adjusted: \*HB 520, CH 198
- Tax exemption: HB 170, HB 262, HB 264, HB 360, HB 624, HB 696, \*SHB 496, CH 11 E1
- Wood collection fees, exempted: \*HB 436, CH 193

**ELECTIONS (See also CAMPAIGNS)**

- Absentee ballots for out of U.S.A. military: HB 841
- Absentee ballots, committee person candidates: HB 100, \*SSB 3742, CH 136
- Absentee voting by late registrants: HB 265
- Agricultural district formation authorized: HB 690
- Ballot title lengths equalized for local ballots: HB 401
- Ballots, security, storage: HB 842
- Bond propositions, disclosure: HB 702
- Bonds, state debt, limitation formula: HB 54
- Collective bargaining, law enforcement, impasse: HB 721
- County freeholders, appointments to fill vacancies: SSB 3098
- Cultural arts, stadium and convention district formation: HB 122, SSB 3608
- District court judge, primary: HB 30
- Election returns, Congress to regulate: HJM 29
- Energy financing voter approval act, repealed: HB 810

**ELECTIONS—cont.**

- Exit polling, prohibited: HB 214
- Exit polling, regulated: \*HB 239, CH 33 E1
- Financial affairs statement, must file to appear on ballot: HB 355
- Fish enhancement general obligation bonds: HB 965
- Flood control zone districts, excess tax: \*SHB 1093, CH 315
- Hospital districts, territory removal procedures: SHB 571
- Initiative measures, review by attorney general: HB 429
- Irrigation district polling places: SSB 3868
- Olympic County created: HB 362, SB 3264
- Park and recreation service area: SHB 597, SSB 4015
- Political ad sponsor identification: HB 326
- Presidential primary: HB 607
- Primaries, candidates pamphlet: HB 821
- Primaries, nonpartisan positions: HB 101
- Public disclosure reports, index for access: \*HB 569, CH 294
- Recall procedures: SSB 3984
- Refunding bond act: \*SSB 4007, CH 69 E1
- Revenue increase limitation: HJR 40
- School community service districts: HB 461
- School district excess levies, simple majority required: HJR 31
- School district excess levies: SHB 439, SHJR 29
- School district levies, may exceed limitations, 1985-1990: HB 922
- School district levies, simple majority vote: HB 774, HJR 18
- School district levies, tax limit modified: HJR 33
- Special purpose districts, land ownership: SHB 84
- Superior court judge election provision repealed: HJR 11
- Voter registration, up to 10 days before election: SHB 761
- Voters, nonresidential, obsolete provision repealed: HJR 36
- Voter's pamphlet, candidates' statement, conditions: SB 3449
- Voter's pamphlet, counterfeit prohibited: HB 827
- Voter's pamphlet, addresses and telephone numbers: HB 699
- Voter's pamphlets to discuss bond measures: HB 193
- Voting by mail procedures regulated: \*SHB 240, CH 71 E1
- Voting, challenge of right to vote: \*SSB 3520, CH 30 E1
- Voting, civil rights restoration provided for: HB 455
- Voting devices, one device per precinct: \*SHB 266, CH 143
- Write-in candidates, procedures provided: HB 258

**ELECTRICIANS**

- Counties may enforce their own installation regulations: HB 716
- Electrical utility service installation charge: SB 3392
- Inspectors, certification: SHB 726, HB 895
- Rules, regulations, or ordinances: HB 895, \*SSB 3055, CH 206

**ELECTRICITY (See ENERGY; UTILITIES)****ELEVATORS**

- Regulations: \*SSB 3052, CH 123

**EMERGENCY SERVICES (See also MT. ST. HELENS)**

- Advanced life support technicians, labor-relations: SHB 435
- Ambulances, first responders, certification: HB 859
- Civil defense funding for nuclear attack opposed: HJM 5
- Collective bargaining for emergency medical technicians: HB 435
- Emergency medical services committee: \*SHB 493, CH 197
- Emergency medical technicians, uniformed personnel: HB 435
- Emergency services, medical program director: HB 855, \*SHB 855, CH 112
- First responders, certification: HB 859
- Nuclear attack, cities and counties need not plan for: HB 89

**EMINENT DOMAIN (See REAL PROPERTY)****EMPLOYMENT AGENCIES**

- Age discrimination, 40 to 70 years, unfair: SB 3196
- Sexual orientation, may not discriminate: HB 556

**EMPLOYMENT SECURITY, DEPARTMENT OF**

- Capital investment company authorized: 2SHB 228

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**EMPLOYMENT SECURITY, DEPARTMENT OF—cont.**

- Displaced workers: SHB 1051
- Employment commission created: HB 651
- Experience rating system data base: 2SSB 3085
- Federal interest payment fund: HB 220
- Firewood distribution project: HB 212
- High technology in south Puget Sound: SHB 565
- Job skills program: \*2SHB 231, CH 21 E1
- Job training and partnership act, job loss: SHB 1051
- OASI revolving fund: \*HB 223, CH 6 E1, SB 3314
- Private sector job placement program: SB 3850
- Unemployment, federal trust fund: HB 518, \*SB 3784, CH 7 E1
- Unfair labor practice complaint filing time: \*HB 136, CH 58
- Work incentive demonstration project proposal: HB 897
- Youth employment exchange: \*SHB 251, CH 50 E1
- Youth jobs program, administration of: HB 324

**EMPLOYMENT (See WORK)****ENDRIN**

- Letter from DOA to committee chair: ..... p. 2381

**ENERGY FACILITIES AND ENERGY FACILITIES SITE EVALUATION COUNCIL (See also WPPSS)**

- Public disclosure reports: SSB 3259
- Thermal power plant site certification: HB 623
- Voter approval act, initiative 394, repeal: HB 810

**ENERGY OFFICE (See ENERGY)****ENERGY (See also UTILITIES; WPPSS)**

- Building efficiency, commercial and residential: HB 2
- Conservation analyses and financing: SSB 3256, \*SHB 366, CH 62
- Conservation credits, electric utilities: HB 930
- District heating, operating permits: SSB 3225, \*SHB 114, CH 94
- Electric energy contracts by cities: \*SHB 865, CH 308
- Electric generating project financing (Merwin Dam): HB 838
- Electric utility reduced rates for handicapped: HB 550
- Electric utility service installation: \*SB 3392, CH 217
- Energy efficiency financing bonds: HB 883
- Financing, state may lend its credit: SHJR 19, SSJR 112
- Geothermal account, not subject to appropriation: HB 71
- Grand Coulee dam celebration, Reagan invited: HJM 12
- Grand Coulee Dam day: SJM 116
- Hanford reservation, a National Energy Center: HJM 30
- Heaters, oil fueled heaters regulated: \*SSB 3251, CH 134
- Heating systems, counties, cities, towns, districts: SHB 113, \*SB 3224, CH 216
- Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178
- Hydroelectric authority delegated to states: HJM 4
- Hydroelectric development, irrigation districts: \*SSB 3511, CH 47
- Hydroelectric power license fee increased: HB 411
- Joint operating agency, default is unlawful: HB 892
- Meter tampering is theft: SHB 921
- Model conservation standards for new structures: SHB 162
- Nuclear electricity generation: HB 52
- Small hydro, authority delegated to states: HJM 4
- State agencies, energy conservation measures: \*SHB 1011, CH 313
- Thermal power plant site certification: HB 623
- Voter approval act, initiative 394, repealed: HB 810
- Water power license fees: HB 411
- Weatherization, assistance, tax deduction: HB 160, \*SSB 3244, CH 66 E1
- Yakima river basin hydroelectric development: SSB 3873

**ENVIRONMENT, (See also AIR POLLUTION; ECOLOGY, DEPARTMENT OF; HAZARDOUS SUBSTANCES; WATER)**

- Arbor day: HFR 54
- Conservation easements authorized: SB 3310
- Council on environmental policy: \*SSB 3006, CH 117

**ENVIRONMENT,—cont.**

Litter control and recycling act: \*SSB 4107, CH 277  
 Litter control and recycling advisory committee: HB 929  
 Litter, resource conservation, litter defined: HB 929  
 Master permit process, environmental coordination: HB 165  
 Nisqually river basin: HCR 14  
 Resource conservation and recovery act: \*SB 3674, CH 270

**EVERETT**

Port study and review commission, effective cost and rate control program: HB 415

**EVERGREEN STATE COLLEGE**

Bond retirement fund: HB 809  
 Liberal arts priority: HCR 8

**EXPORTING**

China exhibition council created: \*SHB 1089, CH 314  
 Export assistance centers: \*2SHB 226, CH 20 E1  
 Export, import bank funding: HJM 19  
 International trade, tourism, and investment: SCR 127  
 Spirit of camaraderie maintained with Pacific Rim and Canada: HFR 96

**FAIRS AND EXPOSITIONS**

Expo '86 international planning meeting delegates: SCR 122  
 Expo '86, state participation: \*HB 164, CH 177  
 Fairs commission, sunset termination: \*SHB 493, CH 197  
 Pacific northwest trade exposition commended: HCR 10

**FAMILY LAW**

Adoption procedures modified: HB 772  
 Adoption, rights of a natural parent: HB 626  
 Child abuse placement decisions: \*SSB 3253, CH 246  
 Child support, enforcement modifications: \*SSB 3660, CH 269  
 Child support, excuse from payments: HB 900  
 Child support obligations: SHB 345  
 Children and family services act: \*SHB 433, CH 192  
 Custody, attorney malpractice or misrepresentation: HB 407  
 Custody, interference with is a gross misdemeanor: SSB 3387  
 Custody, joint child custody provided for: SHB 403, HB 695  
 Family courts, laws modified: SHB 167  
 Family law proceedings defined: \*SB 3442, CH 219  
 Grandparents, visitation rights for grandchildren: HB 86  
 Guardians, financial statements: \*SB 3763, CH 271  
 Homestead, powers of attorney: \*SB 3426, CH 251  
 Justice of peace references deleted: SB 3424, \*HB 284, CH 186  
 Juveniles, appeals from placement decision: \*SSB 3380, CH 50  
 Paternity procedures: \*SSB 3660, CH 269  
 Support and maintenance, notice: \*HB 428, CH 45 E1  
 Truant school children, policy and procedures: SHB 282  
 Wills, statutory will adopted: HB 684

**FEDERAL GOVERNMENT**

Agent orange problem: HFR 50  
 Balanced federal budget requested: HJM 8  
 Boldt decision: SJM 120  
 BPA, industrial electrical customer users: HFR 14  
 Budget, asks Congress to balance: HFR 17  
 Citizens advisory commission on federal management areas: HB 886  
 Civil defense funding for nuclear attack opposed: HJM 5  
 Columbia river gorge, refrain, federal control: HJM 18, SJM 110  
 District of Columbia voting rights: HJR 27  
 Economic equity act, equality for women: HJM 16  
 Enterprise zone act, passage requested: HJM 6  
 ERA passage urged: HJM 17  
 Export import bank funding: SHJM 19  
 Federal compliance only if there is an appropriation: HB 638  
 Federal reserve act, repeal: SJM 121  
 Flooding disaster areas, federal assistance: HJM 9

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**FEDERAL GOVERNMENT—cont.**

Grand Coulee dam celebration, Reagan invited: HJM 12  
 Grand Coulee Dam day: SJM 116  
 Health care facilities medicare reimbursement: HJM 10  
 HJM 16, exempted from applicable cutoff date: SCR 124  
 Japanese war reparations: HJM 23  
 Job legislation requested: HJM 27  
 Llewellyn M. Chilson, posthumous congressional medal: HFR 60  
 Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686  
 Nuclear weapons freeze: HJM 3  
 Nuclear weapons, mutual and verifiable freeze: SJM 106  
 Peace and conflict resolution: HCR 12  
 Peace through strength: HJM 26  
 POWs and MIAs: HFR 48  
 Presidential primary: HB 607  
 Redistricting act enacted: \*SSB 3112, CH 16  
 Redistricting in accordance with SHB 20: \*SHB 1038, CH 17  
 Salmon interception treaty, reject: HJM 20  
 Savings account, 10% interest withheld, eliminate: SJM 104  
 Tuition, nonresident exemption, federal job corps: SB 3044  
 Unemployment compensation, extended: \*HB 1, CH 1  
 Unemployment trust fund, federal interest payment fund: HB 220  
 Unemployment trust fund, extended: HB 518, \*SB 3784, CH 7 E1  
 Vital services, local government, reimburse counties: HJM 2  
 Worker impact policy: HJM 22

**FEDERAL HOUSING ADMINISTRATION (See HOUSING)****FERRY SYSTEM (See TRANSPORTATION, DEPARTMENT OF)****FINANCIAL INSTITUTIONS (See also BANKS; CREDIT UNIONS; SAVINGS AND LOAN ASSOCIATIONS)**

Agricultural development authority, long-term credit: HB 768  
 Capital investment company authorized: SHB 228, 2SHB 228  
 Community development finance corporation established: HB 213, SHB 213  
 Department of financial institutions created: HB 676  
 Federal reserve act, repeal: SJM 121  
 Higher education facility authority: \*SSB 3433, CH 169  
 Holding companies: \*SB 3182, CH 157  
 Holding company acquisitions: SHB 687  
 Home loans for veterans: HJR 15  
 Interest rates, no written agreement: \*SHB 882, CH 309  
 Joint committee on financial institutions membership: SHB 996  
 Public assistance, check by social security number: HB 397  
 Public depositaries, cities: \*SHB 547, CH 66  
 Residential financing, public pension fund: HB 267  
 Safe deposit vault rent due, notice: \*HB 479, CH 289  
 Savings account, 10% interest withheld, eliminate: SJM 104  
 Small business assistance coordinating council: SHB 689  
 Uniform unclaimed property act enacted: \*SHB 179, CH 179  
 Veteran's home loan financing program established: HB 186  
 WPPSS financial resolution called for: HJM 11, SCR 107

**FINANCIAL MANAGEMENT, OFFICE OF**

Airplane use, procedures for use or purchase: SHB 406  
 Annual state budget required: HB 527  
 Central stores revolving fund, expenditure procedures: SSB 4059  
 Construction, cost of construction factor bid limitations: HB 619  
 Economic and revenue forecasting council: HB 784, SHB 784  
 Emergency funding, general fund repayment procedures: HB 406, SHB 406  
 Fiscal impact statements, initiative or referendums: HB 920  
 Obsolete funds and accounts abolished: \*SHB 325, CH 189  
 Printing needs of state agencies studied: HB 378  
 Reduction in force may not favor management: HB 283  
 Revolving funds, bid procedures for excess contracts: SSB 4063  
 Schools, bond authorization, plant facility construction: HB 427

**FIRE MARSHAL (See STATE FIRE MARSHAL)**

\* - Measures Passed by Both House and Senate and Confirmed Governorial Appointments

**FIRE PROTECTION (See also STATE FIRE MARSHAL)**

Air navigation facilities, city has fire code responsibility: HB 903  
 Buildings, fire safety director, staff immune: HB 91, SSB 3057  
 Collective bargaining, firefighters: \*SHB 434, CH 287  
 Federal property, benefit from local services: HJM 2  
 Fire chief excluded from civil service: HB 577  
 Fire protection board created: HB 447  
 Forest protection assessments, exemptions: HB 661, \*SHB 661, CH 299  
 Guard dogs, notice must be given: \*SB 3537, CH 258  
 Hazardous materials incident command agency: SSB 3740  
 Hazardous materials incidents, procedures, immunities: HB 505  
 Hazardous waste handlers public disclosure records: HB 669  
 Insurance premiums taxed: HB 641  
 LEOFF, children tuition benefit age lowered: SHB 856  
 LEOFF, compensation modified employer and state cost sharing: HB 884  
 LEOFF system to be reviewed: SSB 3226  
 Nursery schools, preschools, kindergartens, safety regulation waiver: SSB 3739  
 Smoking in public areas restricted: HB 229  
 State agencies, cities or towns, contract: \*HB 35, CH 87  
 State agency contract authority transferred: \*HB 313, CH 146  
 State facilities, benefit from local services: HB 5  
 Training program: \*2SHB 231, CH 21 E1  
 Transient accommodations: HB 273

**FIREARMS (See GUNS)****FIREWORKS**

Gross misdemeanor for certain violations: SB 3636  
 Use prohibited except ceremonial religious, agricultural, wildlife use: HB 41

**FISH (See FISHERIES, DEPARTMENT OF; GAME, DEPARTMENT OF)****FISHERIES, DEPARTMENT OF**

Anadromous game fish buyers license: \*SHB 233, CH 284  
 Andrew W. Anderson recreational fishing area: SCR 118  
 Aquatic land management: SHB 980  
 Boldt decision: SJM 120  
 Capital improvement bonds authorized: \*HB 58, CH 59 E1  
 Clam diggers license increased: \*SSB 3628, CH 31 E1  
 Conservation corps established: \*2SSB 3624, CH 40 E1  
 Disabled, exemption from fees: HB 402  
 Dungeness crab, Puget Sound, need license endorsement: SB 3475  
 Fees, fines, forfeitures, penalties, uniformity: HB 508  
 Fees, fines, forfeitures, procedures for remittance: HB 510  
 Fish enhancement general obligation bonds: HB 965  
 Fish passages, reclamation projects: HB 582  
 Fisheries code reorganized: \*SHB 278, CH 46 E1  
 Fishing guide license, CPR and first aid required: HB 502  
 Fishing license free to wheelchair confined persons: \*SB 4156, CH 280  
 Fishing license, statement, trespass is a crime: HB 42  
 Fishing licenses, fees modified: HB 832  
 Fishing licenses, steelhead punchcard free if under 16: SSB 3800  
 Fishing permit for groups from residential facilities: SB 3379  
 Hatcheries, sale of surplus salmon: HB 745, SB 3647  
 Hydraulic projects: HB 794, HB 801, SSB 3154  
 License plates, personalized, nongame specie clarified: HB 803  
 Management hampered by federal government: HB 638  
 Oyster farmers, DSHS licensing fee exemptions: HB 691  
 Patrol boats: HB 785  
 Sales of food fish or shellfish, license required: HB 941  
 Salmon allocation plan, modification: HCR 13  
 Salmon delivery permits: SB 4174, \*HB 585, CH 297  
 Salmon fishing, commercial, prohibited below Bonneville dam: HB 291, \*SSB 3217, CH 245  
 Salmon interception treaty, reject: HJM 20  
 Shrimp, Hood Canal licensing: \*SSB 3628, CH 31 E1  
 Steelhead declared a national game fish: HJM 32  
 Steelhead punchcard free if under 16: SSB 3800



**FISHERIES, DEPARTMENT OF—cont.**

Sturgeon fishing, set line, endorsement: \*HB 674, CH 300  
 Warm water fish stamp, requirement removed: SB 3045

**FLOOD CONTROL DISTRICTS**

Construction, new, in flood zone, municipality liable: HB 628  
 Stormwater purposes, flood control zone authorized to handle: HB 462  
 Voting rights, land ownership: SHB 84  
 Zone districts, excess tax rate authorized: \*SHB 1093, CH 315

**FLOOR RESOLUTIONS - HOUSE**

Academic decathlon, Capital high school seniors recognized: \*HFR 39  
 Adjournment, three day periods until action on budget: HFR 76  
 Administrative aides and secretaries, recognized: \*HFR 70  
 Administrative aides of house recognized: \*HFR 97  
 Adoption of temporary rules: \*HFR 1  
 Agent orange problem: \*HFR 50  
 A.H. Bingham's enthusiasm for life and public service noted: \*HFR 19  
 Apple industry highly regarded: \*HFR 10  
 Appointment of committee to notify senate of start of session: \*HFR 2  
 Arbor day: \*HFR 54  
 Auburn high school Trojans, girls basketball champs: HFR 29  
 Barney Clark: \*HFR 53  
 Bearded caucus: \*HFR 100  
 Blaine Freer, journalistic efforts hailed: \*HFR 47  
 BPA, industrial electrical customer users: \*HFR 14  
 Business and education partnership: \*HFR 57  
 Cheryl Schmid, future homemakers of America: \*HFR 15  
 Chet Hatfield's passing mourned: \*HFR 98  
 Cle Elum-Roslyn, girls basketball recognized: \*HFR 24  
 Columbia river, deepening for crossing the bar: \*HFR 21  
 Community college system, economic recovery and job skills: \*HFR 30  
 Comparable worth joint select committee: HFR 64  
 Eunice Cole recognized for nursing contributions: \*HFR 7  
 Everett, 90th birthday: \*HFR 73  
 Evergreen safety council, safety training and research: \*HFR 88  
 Explorer scouts: \*HFR 44  
 Federal budget, asks Congress to balance: HFR 17  
 Frances Perkins recognized for her contributions to labor: \*HFR 49  
 Future homemakers of America, leadership skills: \*HFR 15  
 Game department 50 year anniversary: \*HFR 34  
 Garfield high school, state AAA champs: \*HFR 37  
 Georgianna Adams Miller honored: \*HFR 8  
 German-Americans, contributions recognized: \*HFR 65  
 Glynn Ross, Seattle Opera efforts recognized: \*HFR 81  
 Grays harbor, deep water port: \*HFR 25  
 Group picture, arrangements to be made: \*HFR 12  
 Honorary state ship, M.V. President Washington: \*HFR 9  
 Idaho, Oregon, Washington, meetings for mutual concerns: HFR 40  
 Interim period and work necessary to be done: \*HFR 93  
 Iranian persecution of Bahai faith condemned: \*HFR 99  
 Jake the barber recognized: \*HFR 92  
 James R. Currico, VFW, welcomed: \*HFR 16  
 Karen Allen recognized and appreciated: \*HFR 6  
 Kay Thode, national legend: HFR 68  
 King county sports council 50 year anniversary: \*HFR 35  
 Kite flying festival: \*HFR 20  
 Knowledge bowl, Bremerton and Olympic high schools: \*HFR 78  
 Larry Nielson, Everest assault lauded: \*HFR 84  
 Llewellyn M. Chilson, posthumous congressional medal: \*HFR 60  
 Logging and timber industry, foreign government contracts: HFR 62  
 Logging industry and Clyde Sprague supported: HFR 62  
 Logging industry and contracts supported: HFR 95  
 Longacres racetrack 50th anniversary: \*HFR 51  
 McChord and Fort Lewis, civic contributions saluted: \*HFR 87  
 McNeil, requests that the island be given to the state: \*HFR 18

**FLOOR RESOLUTIONS - HOUSE—cont.**

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 Municipal clerks week: \*HFR 66  
 Norwegian independence day: \*HFR 85  
 Nurses, national week: \*HFR 77  
 Older Americans, study, long-term care and services: HFR 80  
 Olympia high school, state knowledge bowl champs: \*HFR 83  
 Olympic high school Trojans, AA champs: \*HFR 36  
 Onalaska high school Loggers, basketball team: \*HFR 26  
 Organ donation week: \*HFR 74  
 Orting championship quality basketball team: \*HFR 23  
 Pacific Northwest world trade exposition: \*HFR 28  
 Pantages theatre restoration efforts commended: \*HFR 13  
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 Phil Mahre recognized: \*HFR 46  
 POWs and MIAs: \*HFR 48  
 Public education supported: \*HFR 22  
 Railroad retirement solvency act of 1983, federal yes vote: HFR 52  
 R.C. Bremner Bridges, 1-182, Yakima River: \*HFR 86  
 Rolling Mother's day, first Sunday following sine die: HFR 79  
 Rosalynn Sumners championship and birthday recognized: \*HFR 59  
 Rosalynn Sumners, national championship: \*HFR 11  
 School curriculum improvement: \*HFR 56  
 Schools, business and education partnership: \*HFR 57  
 Secretaries week: \*HFR 70  
 Sehome high school, excellence in all fields commended: \*HFR 33  
 Senior citizen legislative interns: \*HFR 43  
 Shelton correctional center staff recognized: HFR 90  
 Sine die for extra session, message to senate: \*HFR 94  
 Sine die message to senate: \*HFR 71  
 Sonics 1983 NBA championship is inevitable: \*HFR 63  
 Soundsation '83 lauded: \*HFR 75  
 Special session, house ready: \*HFR 72  
 Spring clean week: \*HFR 61  
 Student congress may use house chambers: \*HFR 38  
 Tacoma community college Titans, basketball team: \*HFR 27  
 Tacoma dome: \*HFR 67  
 Tacoma youth symphony: \*HFR 89  
 Teacher education upgrade: \*HFR 58  
 Teaching assignment, area of competency: \*HFR 55  
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 Thoroughbred horse racing industry: \*HFR 51  
 Tom McCall's death grieved: \*HFR 4  
 Tom Paur, small business person of the year: \*HFR 82  
 Trading with Pacific Rim and Canada maintained: \*HFR 96  
 Trojans, Auburn high school, basketball victory: \*HFR 41  
 Utility bills, financial hardships: HFR 31  
 Women's history week: \*HFR 32  
 Women's marathon trials in Olympia, support urged: \*HFR 42  
 WPPSS, investigate beneficial statutory changes: HFR 91  
 WSU Cougars commended: \*HFR 69  
 Youth legislature may use house chambers: \*HFR 45

**FOOD (See also AGRICULTURE)**

- Beverage containers, excludes milk-based or soy-based container: \*SB 3535, CH 257  
 Bread loaves, standard partial loaf defined: \*SHB 37, CH 89  
 Caterer's license for serving alcoholic beverages: HB 612  
 Distribution to needy, liability: \*SSB 3068, CH 241  
 Institutional industries, surpluses may be sold or donated: SB 3527  
 Sales tax on food extended through 83-85 biennium: HB 215  
 Sales tax removed: HJR 25  
 Sales tax removed 3/1/83: HB 310  
 Sales tax removed 4/1/83: HB 314  
 Substitution, food products, regulated: SHB 608  
 Surplus salmon sales: HB 745, SB 3647

**FORESTS AND FOREST PRODUCTS** (See also NATURAL RESOURCES, DEPARTMENT OF: TAXES - TIMBER)

Forest practices board: \*SSB 3006, CH 117

**FUNDS**

Annual state budget required: HB 527  
 Aquatic land enhancement account: HB 809  
 Business enterprises revolving fund created: \*SHB 452, CH 194  
 Cemetery improvement fund, principal and income may be used: HB 322  
 Central stores revolving fund, expenditure procedures: SSB 4059  
 Citizen assessment revolving fund created: HB 672  
 Common school building bond redemption fund created: HB 427  
 Common school construction fund, UW bldg. account: \*SHB 470, CH 17 E1  
 Drinking deterrence and treatment fund, surcharge supported: HB 227  
 Drug and alcohol education account: SHB 681  
 Drug enforcement and investigation board created: HB 629  
 Drunk driver enforcement impact account: SHB 983  
 DWI impact account created: \*SHB 289, CH 165  
 Economic development councils, matching funds: SHB 580  
 Employment labor relations service fund: HB 792  
 Energy efficiency and economic development account: HB 883  
 Essential rail assistance account created: \*HB 753, CH 303  
 Federal interest payment fund created: \*2SSB 3085, CH 13 E1  
 Fire service training account created: HB 641  
 Grant county arterial highway construction: SSB 4055  
 Hazardous waste control and elimination account: HB 712, 2SSB 3722, \*SSB 4245, CH 70 E1  
 Hazardous waste fund revolving account: SHB 717  
 Health professions account created: \*SHB 359, CH 168  
 Institutional loan fund, transfer, higher education facilities: HB 53  
 Land bank account created: SHB 181  
 Legislative facilities fund established: SSB 3622  
 Obsolete funds and accounts abolished: \*SHB 325, CH 189  
 Perpetual maintenance account radioactive waste management: \*SSB 3273, CH 19 E1  
 Public pension guarantee fund, residential financing: HB 267  
 Public transportation account created: HB 775  
 Refunding bond act, voted general obligation bond exception removed: \*SSB 4007, CH 69 E1  
 Revenue accrual account created: \*SB 3258, CH 7  
 Revolving funds, bid procedures for excess contracts: SSB 4063  
 Rural arterial program: HB 235, \*SHB 235, CH 49 E1  
 Rural arterial trust account: HB 773  
 Tourism promotion funding restored: HB 833  
 Unemployment, federal trust fund, period for use extended: HB 518, \*SB 3784, CH 7 E1  
 Uninsured motorists' victim fund: HB 636  
 Urban arterial trust account: HB 826  
 Vehicle emission control account, testing: HB 465  
 Veteran's relief fund: SSB4259, \*SHB 576, CH 295  
 Victims, alcohol-related traffic offenders: HB 960

**GAMBLING** (See also STATE LOTTERY)

Card games, commercial stimulants: SB 3114  
 Coin-operated devices, certain taxes repealed: HB 666, SB 3985  
 Coin-operated devices, tax: HB 635  
 Commission members or employees may not benefit privately: HB 474  
 Local government taxes, rate lowered: HB 815  
 Nonprofit organizations, winnings, limit increased: SSB 3434  
 Parimutuel machines, proceeds: \*SSB 4101, CH 228  
 Promotional drawings, valuable consideration redefined: HB 584  
 Uniform unclaimed property act enacted: \*SHB 179, CH 179

**GAME, DEPARTMENT OF**

Anadromous game fish buyers license: \*SHB 233, CH 284  
 Andrew W. Anderson recreational fishing area: SCR 118  
 Aquatic land management: SHB 980  
 Bow and arrow, state-wide season: SSB 4084  
 Conservation corps established: \*2SSB 3624, CH 40 E1  
 Disabled, exemption from fees: HB 402  
 Fees, fines, forfeitures, and penalties, uniformity: HB 508

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**GAME, DEPARTMENT OF—cont.**

Fees, fines, forfeitures, procedures for remittance: HB 510  
 Fireworks use: HB 41  
 Fishing, hunting, guide license, CPR, first aid required: HB 502  
 Fishing license free to wheelchair confined persons: \*SB 4156, CH 280  
 Fishing, hunting, license, trespass, crime: HB 42  
 Fishing licenses, fees modified: HB 832  
 Fishing licenses, steelhead punchcard free if under 16: SSB 3800  
 Group fishing permits for elderly and handicapped: SB 3379  
 Hunting, civil penalties for illegal hunting: \*SSB 3372, CH 8 E1  
 Hunting interference, misdemeanor: HB 923  
 Hunting license, increase of fees: SB 3169  
 Hydraulic projects: HB 794, HB 801, SSB 3154  
 In lieu of taxes: SHB 105  
 License plates, personalized, nongame specie clarified: HB 603  
 Poaching, seizure of weapons: HB 301  
 Sales of food fish or shellfish, unlawful without license: HB 941  
 Steelhead declared a national game fish: HJM 32  
 Warm water fish stamp, requirement removed: SB 3045  
 50 year anniversary: HFR 34

**GASOLINE**

Deceptive pricing prohibited: \*SSB 4034, CH 114

**GENERAL ADMINISTRATION (See also BANKS; CREDIT UNIONS; SAVINGS AND LOAN ASSOCIATIONS)**

Central stores revolving fund, expenditure procedures: SSB 4059  
 Energy conservation measures, private investment: \*SHB 1011, CH 313  
 Fees, fines, forfeitures, procedures for remittance: HB 510  
 Financial institutions department created: HB 676  
 Fire protection services contract authority transferred to PCAA: \*HB 313, CH 146  
 Legislative buildings, removed from control, Gen. Admin.: SSB 3622  
 Minority and women-owned businesses, participation enhanced: SHB 163, \*2SSB 3230, CH 120  
 Motor pool, school director's association: \*HB 300, CH 187  
 Prison work programs, record storage: \*SHB 579, CH 296  
 Purchasing: SB 3422, \*SHB 232, CH 183  
 Purchasing, outside USA, competitive bids repealed: HB 209, SB 3417  
 Purchasing, use of competitive sealed proposals: HB 286  
 Real property leases from government units when feasible: HB 910  
 Reimburse local governments for vital services: HB 5  
 State agencies higher education, purchasing limits: SB 3412, \*HB 208, CH 141  
 Supply management advisory board membership increased: HB 377  
 Travel office for state employees' trips: HB 894  
 Uniform procurement system: SHB 406  
 Uniform procurement system to be developed: HB 377  
 WSDOT contract authority, indemnity provisions: \*HB 184, CH 29

**GEOHERMAL (See ENERGY)****GOVERNOR**

Address, Joint Session, State of State ..... pp. 33-38  
 Address, Joint Session, WPPSS crisis ..... pp. 1752-1754  
 Budget document, restrictions: HB 957  
 Capital budget adopted: \*SHB 55, CH 57 E1  
 Capital debt management program: HB 942  
 Corrections standard board report: HB 764  
 Federal management areas, citizens advisory commission: HB 886  
 Gubernatorial appointments, confirmation: SB 3507  
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 Proclamation, calling First Special Session ..... p. 1623  
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 Proclamation, calling Third Special Session ..... p. 2397  
 Proclamation, naming Potato Day ..... pp. 609-610  
 Reorganization of executive branch: HJR 13  
 Salary increase: SHB 50  
 Salary, other state employees must be lower: SB 3427  
 Supplemental budget request: \*2SSB 3100, CH 12

## GOVERNOR—cont.

World Expo of 1986, state participation: \*HB 164, CH 177  
WPPSS, joint session: HCR 26

## GUBERNATORIAL APPOINTMENTS

Amen, Otto, public disclosure commission: SGA 78  
Anderson, James E., board of trustees, Skagit community college: SGA 44  
Banks, Cherry A. McGee, board of trustees, Shoreline community college: SGA 93  
Beauchamp, Henry, state jail commission: SGA 69  
Berry, C. Michael, WPPSS executive board of directors: SGA 67  
Blair, Anne S., board of trustees, Olympic community college: SGA 43  
Blankenship, Leland, public printer: SGA 2  
Blosser, J.H. Jack, board of trustees, Wenatchee community college: SGA 54  
Bolds, Silva, interagency committee for outdoor recreation: SGA 11  
Boone, Dan, state jail commission: SGA 14  
Boyd, Robert A., director, state lottery commission: SGA 1  
Burrows, Donald R., director, department of revenue: SGA 3  
Carlson, Edward E., board of regents, University of Washington: SGA 28  
Chinn, Warren L., Washington horse racing commission: SGA 94  
Clifford, Chief Arthur F., sentencing guidelines commission: SGA 31  
Conoley, Karen B., board of prison terms and paroles: SGA 25  
Costa, Manuel E., sentencing guidelines commission: SGA 30  
Culp, Gordon C., board of regents, University of Washington: SGA 29  
Danekas, Ralph, state lottery commission: SGA 17  
DeLaittre, David J., commission for the blind: SGA 5  
Dierdorff, Jack L., state game commission: SGA 102  
Doelman, Cornelius, board of trustees, Centralia community college: SGA 52  
Duffie, Cornelius R., WPPSS executive board of directors: SGA 65  
Enlow, Fred C., board of trustees, Eastern Washington university: SGA 95  
Erickson, Larry V., state jail commission: SGA 15  
Evans, Daniel J., Pacific Northwest electric power and conservation planning council: SGA 107  
Faulk, Lawrence J., pollution control hearings board: SGA 22  
Finkle, George A., sentencing guidelines commission: SGA 32  
Fisher, Randy S., director, department of veterans affairs: SGA 4  
Glant, Earle, state lottery commission: SGA 71  
Gonsalez, John, director, department of licensing: SGA 82  
Gould, Susan E., board of trustees, Central Washington University: SGA 77  
Green, Robert T., state board for community college education: SGA 6  
Gustafson, Jack R., state parks and recreation commission: SGA 87  
Hall, Mary D., utilities and transportation commission: SGA 63  
Hansen, Paul D., sentencing guidelines commission: SGA 33  
Hayes, Phillip S., state board for community college education: SGA 7  
Helke, Richard E., state investment board: SGA 13  
Hennum, Lars, state board of pharmacy: SGA 97  
Hornbrook, R. E. "Ted", state jail commission: SGA 70  
Hubbard, Vaughn, state transportation commission: SGA 36  
Hughes, Jane G., board of trustees, Peninsula community college: SGA 41  
Jarvis, Cherry L., board of trustees, Shoreline community college: SGA 47  
Jessup, John H. Jr., interagency committee for outdoor recreation: SGA 12  
Johnson, George W., board of prison terms and paroles: SGA 26  
Jones, Ronald S., gambling commission: SGA 108  
Justice, David, board of trustees, Walla Walla community college: SGA 85  
Keefe, Thomas Patrick, gambling commission: SGA 106  
Kelly, Samuel E., board of tax appeals: SGA 35  
Kenney, Phyllis M., corrections standards board: SGA 8  
Korten, Maridith A., board of trustees, Lower Columbia community college: SGA 79  
Krug, Mary Ellen, public employment relations commission: SGA 27  
Kuney, Max J. (Jeff) III, board of trustees, Spokane community college: SGA 57  
Kusler, Barbara L., board of trustees, Olympic community college: SGA 45  
Lambert, Lenore, state lottery commission: SGA 19  
Laxton, H. Dean, board of trustees, Big Bend community college: SGA 58  
Le Master, Dennis C., forest practices appeals board: SGA 101  
LeCocq, Irwin J., board of trustees, Western Washington university: SGA 39  
Lobe, Ludwig, health care facilities authority: SGA 90  
Loposer, Avery K., board of trustees, Olympic community college: SGA 84

**GUBERNATORIAL APPOINTMENTS—cont.**

- Mack, Paul, state lottery commission: SGA 20  
 Maisel, Cynthia, council for postsecondary education: SGA 23  
 Manning, Thomas J., board of prison terms and paroles: SGA 24  
 Mante, George E., board of trustees, Evergreen state college: SGA 38  
 McEachran, David S., state jail commission: SGA 16  
 McGlashan, Patricia A., board of trustees, Bellevue community college: SGA 48  
 McHenry, Darlene C., human rights commission: SGA 68  
 McMillan, Dee, board of trustees, Spokane community college: SGA 56  
 Montchalin, Yvonne C., board of trustees, Clark community college: SGA 53  
 Moriguchi, Tomio, board of trustees, Seattle community college: SGA 73  
 Murakami, Richard, board of trustees, Grays Harbor community college: SGA 42  
 Netherland, Warren, sentencing guidelines commission: SGA 34  
 Newman, Della M., state personnel board: SGA 76  
 Panther, Robert D., state investment board: SGA 89  
 Pardini, Anthony J., utilities, transportation commission: SGA 74  
 Patton, Carolyn, state lottery commission: SGA 18  
 Pokornowski, Dick, gambling commission: SGA 9  
 Ray, James D., board of trustees, Eastern Washington university: SGA 37  
 Richardson, Norman F., state game commission: SGA 99  
 Richmond, Chester A., Jr., board of pilotage commissioners: SGA 83  
 Roberts, Mabel E. "Mickey", board of trustees, Whatcom community college: SGA 80  
 Runstad, Adair F., board of trustees, Walla Walla community college: SGA 60  
 Schoenfeld, Beverly A., board of trustees, Green River community college: SGA 50  
 Semerad, David C., commission for vocational education: SGA 64  
 Shaw, W. David, board of trustees, Columbia Basin community college: SGA 59  
 Sherwood, Cameron, personnel appeals board: SGA 103  
 Stablein, Richard A., executive director, data processing authority: SGA 104  
 Slender, John H., apprenticeship council: SGA 98  
 Stephens, Dan W., board of trustees, Yakima community college: SGA 55  
 Stevens, Vincent L., chairman, state health coordinating council: SGA 96  
 Swaryze, Marllis M., board of trustees, Tacoma community college: SGA 88  
 Thacker, Virginia M., board of trustees, Highline community college: SGA 49  
 Thompson, Joseph J., state board of pharmacy: SGA 21  
 Tracy, Harold L., board of trustees, Central Washington university: SGA 92  
 Vynne, Eustace "Sunny", Jr., state parks and recreation commission: SGA 81  
 Wade, Anne M., board of trustees, Tacoma community college: SGA 61  
 Waldo, James C., board of trustees, Western Washington university: SGA 40  
 Walidt, Lawrence G., gambling commission: SGA 10  
 Wall, William E., WPPSS executive board of directors: SGA 66  
 Warren, F. George, state board for community college education: SGA 75  
 Watkins, Jack Jr., board of trustees, Fort Steilacoom community college: SGA 51  
 Watson, Norma Jean, board of trustees, community college: SGA 100  
 Weis, Nancy L., board of trustees, Everett community college: SGA 46  
 Weza, I. A. Tony, public disclosure commission: SGA 86  
 Wheeler, Marc, board of trustees, Centralia community college: SGA 109  
 White, Walter E., personnel appeals board: SGA 72  
 Wilkerson, William R., director, department of fisheries: SGA 105  
 Wilson, Majel A., board of trustees, Edmonds community college: SGA 62  
 Wittman, Philip R., board of prison terms and paroles: SGA 110  
 Zoloth, Arthur M., state board of pharmacy: SGA 90

**GUNS**

- Age of possession, reduced to 18: HB 90  
 Concealed weapon permit, conditions: HB 780, \*SSB 3782, CH 232  
 Concealed weapons license fees, deposited in criminal justice training account: SHB 453  
 Deadly weapon, finding of fact, special verdict: \*SB 3416, CH 163  
 Felonies listed: HB 780, \*SSB 3782, CH 232  
 Juvenile disposition standards: HB 431  
 Machine gun testing, produce, manufacture: HB 294  
 Poaching, seizure of weapons: HB 301  
 Rape, deadly weapon: HB 31, HB 700, \*SB 3009, CH 73

**HANDICAPPED**

- Alternative care, must advise annually: \*SHB 187, CH 60  
 Autism, developmental disability: SHB 346, \*SSB 3660, CH 41 E1

**HANDICAPPED—cont.**

Chore services: \*SSB 3308, CH 249  
 Cognitively impaired adults protected: HB 944  
 Custody, interference is a gross misdemeanor or felony: SSB 3387  
 Developmentally disabled habilitative services: \*HB 270, CH 145  
 Developmentally disabled, parent participation: \*HB 905, CH 310  
 Disabled parking: HB 418, SHB 448, SB 3222  
 Education, specially designed construction: HB 633  
 Financial responsibility act, DSHS: HB 343  
 Fishing license, wheelchair confined persons: \*SB 4156, CH 280  
 Fishing permits for groups from residential facilities: SB 3379  
 Foster care, developmentally disabled: \*SHB 906, CH 311  
 Guardians, financial statements, filing requirements: \*SB 3763, CH 271  
 Health care consent: HB 703  
 Hiring of, B&O tax credit: HB 849  
 Home health care services, hospices: \*SSB 3308, CH 249  
 Hunting and fishing fee exemption: HB 402  
 Industrial development revenue bonds authorized: SSB 3173  
 Long-term care services: HB 395  
 Long-term health care, ombudsman program: \*SHB 484, CH 290  
 Motor vehicle fuel tax exemption, nonprofit corporations: \*SHB 539, CH 108  
 Preschool education for children: HB 168  
 Residential school residents, return to community, hearing: HB 634  
 Schools, categorical programs: SB 4093  
 Sewer and water rates, delayed or adjusted: \*HB 520, CH 198  
 Students, eligibility period for education modified: HB 196  
 Training programs for children under 3: HB 196  
 Utility rates reduced, conditions: HB 550  
 Wheelchair conveyance, licensing requirements: \*SHB 546, CH 200  
 Wheelchair transport, vehicle brake requirements: HB 94, HB 545

**HAZARDOUS SUBSTANCES**

Clean up of hazardous material incidents, liability: SSB 3740  
 Cleanup of waste, bonds authorized: SHB 717  
 Command agency designation optional: SSB 3740  
 Dangerous waste disposal facilities site standards: HB 771  
 Debts, electric utilities, nuclear, debt recovery: HB 846  
 Electric energy contracts by cities: \*SHB 865, CH 308  
 Endrin prohibited: HB 751  
 Endrin, 3 year phase out: SB 4079  
 Glue, toxic vapors or fumes: SB 3117  
 Handlers, public disclosure records: HB 669  
 Hanford reservation, a National Energy Center: HJM 30  
 Hanford, state leased land, long-range plan: SSB 3152  
 Hazardous materials incidents, procedures, immunities: HB 505  
 Hazardous waste facility siting board: HB 814  
 Hazardous wastes, regulated: 2SSB 3722, \*SHB 712, CH 65 E1  
 Joint operating agency, default is unlawful: HB 892  
 Livestock abandoned on Hanford nuclear reservation, sale: HB 512  
 Medical radiation health and safety act: HB 454  
 Motor freight carrier law, hazardous materials exempt: HB 819  
 Northwest interstate compact on low-level radioactive waste, urging ratification: HJM 7  
 Nuclear power plants, terminated, sell: SHB 834  
 Nuclear waste policy and review board created: \*SSB 3273, CH 19 E1  
 Nuclear weapons freeze: HJM 3  
 Nuclear weapons, mutual and verifiable freeze: SJM 106  
 Peace and conflict resolution: HCR 12  
 Pesticide application notice to schools and residences: HB 885  
 Pesticide dealer license fee increased: \*SHB 118, CH 95  
 Pesticides, authority transferred to DOE: HB 901  
 Pesticides, records kept by applicators: HB 648  
 Radiation and pressure systems safety: HB 731  
 Transportation, private carriers: HB 33  
 Transportation, limitation by state patrol: \*SSB 3026, CH 205  
 Waste disposal violation, civil action: \*SHB 64, CH 172  
 Waste management: SHB 853, \*SSB 4245, CH 70 E1

**HAZARDOUS SUBSTANCES—cont.**

Workplace, employer duties: SHB 863

**HEALTH CARE AND SERVICES (See also specific types of providers)**

Advanced life support technicians, labor relations: SHB 435

Agents, insurance, licensing: \*SHB 667, CH 202

Cancer research, excise tax from cigarettes: SB 3309

Child abuse, report, custody: \*SSB 3253, CH 246

Chiropractic coverage, health care contracts: \*SHB 336, CH 286

Chiropractic disciplinary board, sunset: \*SHB 493, CH 197

Chore services: \*SSB 3308, CH 249

Chore services, eligibility modified: 2SHB 352

Consent, who may consent to health care and how: HB 703

Cost containment study: SSCR 112

County health department, contributions by city: SHB 713

Cystic fibrosis, insurance coverage: HB 472

Emergency care facilities for minors: HB 829

Emergency medical technicians, uniformed personnel: HB 435

Health care providers, payment procedures: HB 880

Health care providers, statute of limitations for minors: HB 483

Health care service contractor, licensing: \*SHB 139, CH 32 E1

Health departments, monetary support: \*SSB 3490, CH 39 E1

Health maintenance organization, annual financial statement: \*SHB 667, CH 202

Health maintenance organization audits: \*HB 371, CH 63

Health maintenance organization, premium tax: HB 199

Health maintenance organizations, general provisions: \*SHB 488, CH 106

Health maintenance organizations, professional service corporations, providers may belong:  
\*HB 305, CH 100

Health professions and occupation act: \*SHB 359, CH 168

Hearing aid fitting and dispensing: \*HB 198, CH 39

Home health care services, health insurance plans: \*SSB 3308, CH 249

Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178

Insurance coverage, conversion rights: SSB 3741

Joint committee on financing: SCR 121

Jurisdiction of insurance commissioner: \*SSB 4022, CH 36

Lawsuits, collateral source compensation evidence allowed: HB 381

Lawsuits, damage agreements to be told to court and jury: HB 380

Legislative study on health care and preventive medicine: HCR 15

Long-term care services: HB 395

Mastectomy, insurance coverage: \*SSB 3197, CH 113

Medical assistant, regulation: HB 594

Medical disciplinary account created: \*HB 387, CH 71

Medical radiation health and safety act: HB 454

Medicare/medicaid reimbursement, facilities social security participation: HJM 10

Mental health insurance coverage by group plans: HB 281

Midwife advisory committee, sunset termination: \*SHB 493, CH 197

Negligence, elements of proof modified: HB 385

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Negligence, standard of care modified: \*SHB 383, CH 149

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 Boom loaders, license category created: \*SHB 793, CH 305  
 Business license center, in charge of SEPA: HB 70  
 Caterer's license for serving alcoholic beverages: HB 612  
 Consumer credit reporting protections: SHB 311  
 Cosmetology and barbering license functions studied: HB 369  
 Cosmetology and barbering regulated: HB 442  
 Cosmetology, apprenticeship training: HB 368, HB 795  
 Cosmetology, sunset termination removed: HB 200, HB 368, HB 795, \*SSB 3088, CH 208  
 Counselors: HB 188  
 County legislative authority to set certain fees: SB 3263  
 Fees, may be increased or assessed at yearly intervals: SB 3083  
 Grain dealers: SHB 440  
 Health care service contractor: \*SHB 139, CH 32 E1  
 Health professions account created: \*SHB 359, CH 168  
 Hearing aid fitting and dispensing: \*HB 198, CH 39  
 Hulk haulers, scrap processors, rebuilders regulations revised: \*HB 259, CH 142  
 Landscape architects, sunset termination: HB 493, \*SHB 493, CH 197  
 Librarian certification: HB 169  
 Occupational therapy practice act enacted: HB 201, SSB 3074  
 Pest control consultant license increased: \*SHB 118, CH 95  
 Radiologist licensing: HB 454  
 Real estate, education course required: SHB 22  
 Safety licensing administration: HB 477  
 Securities duties transferred, financial institutions: HB 676  
 Small business assistance coordinating council: HB 689, SHB 689  
 Social work, comprehensive scheme: HB 743  
 Timeshare regulation: HB 927, \*SB 3188, CH 22 E1  
 Trade names, regulated: SSB 3158

**LIE DETECTORS**

Conditions of employment: HB 449  
 State patrol, cannot be condition of employment: HB 432

**LIEUTENANT GOVERNOR**

Salary increase: SHB 50  
 Stablein, Richard A., appointed as executive director of the data processing authority: SGA  
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**LIQUOR CONTROL BOARD (See also ALCOHOL)**

Beer, class G retailers may buy from other beer retailers: HB 528  
 Beer to list alcohol content: HB 329  
 Businesses, financial interest definition modified: HB 675, SB 4145  
 Caterer's license for serving alcoholic beverages: HB 612  
 Drinking deterrence and treatment account: HB 870  
 Drinking deterrence and treatment fund, surcharge supported: HB 227  
 Employees of board, collective bargaining agreements: HB 664  
 Furnishing to intoxicated person, misdemeanor: HB 825  
 International trade exhibitions and receptions: \*HB 441, CH 13  
 License renewal, church proximity, lottery: SHB 319, \*SSB 3101, CH 160  
 Lottery ticket administrative expense: HB 835  
 Mall liquor to list alcohol content: HB 329

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**LIQUOR CONTROL BOARD—cont.**

- Minor, consumption in home: SB 3521
- Profits, offset costs of alcohol abuse: HB 937
- Wine, class J retailers may buy from other wine retailers: HB 528

**LITTER CONTROL**

- Litter control and recycling advisory committee: HB 929
- Milk-based or soy-based canned product, containers: \*SB 3535, CH 257
- Model litter control and recycling act: \*SSB 4107, CH 277
- Spring clean week: HFR 61

**LIVESTOCK**

- Impounded on Hanford nuclear reservation, sale: HB 512
- Markets, exceptions, horses: \*HB 653, CH 298
- Theft, hunting license suspended: HB 42

**LOBBYIST**

- Registration of lobbyist and their employers, fees: HB 513

**LOCAL IMPROVEMENT DISTRICTS (See also specific districts)**

- Aquatic plant control programs: \*HB 511, CH 291
- Assessments, lien foreclosure: HB 659
- County road improvement district formation alternative: HB 911
- Court bonds, writs, not required of political subdivisions: HB 752
- Formation, hearing procedures modified: HB 392
- Formation procedures, rail districts: \*HB 753, CH 303
- Insurance coverage, not additional compensation: \*SSB 3079, CH 37 E1
- Voting rights, land ownership preceding election: SHB 84

**LOTTERY (See STATE LOTTERY)****MARINE (See BOATS; NAVIGATION; WATER)****MARRIAGE (See FAMILY LAW)****MARTIN LUTHER KING**

- Birthday as state and school holiday: HB 69
- Dedicate state convention and trade center to: HB 151, HCR 5

**MEDICAL ASSISTANCE (See also PUBLIC ASSISTANCE)**

- Health care facilities medicare reimbursement: HJM 10
- Limited casualty program: \*SHB 43, CH 43 E1

**MEMORIAL**

- Joint Session, memorial service, deceased members ..... pp. 376-377

**MENTAL HEALTH**

- Cognitively impaired adults protected: HB 944
- Criminally insane, conditional release, notice: SHB 9
- Criminally insane, conditional release standards: \*SHB 99, CH 25
- Criminally insane, conditional release, tracking system: HB 351
- Criminally insane, escape, notice: \*SSB 3043, CH 122
- Criminally insane, report availability: \*SHB 476, CH 196
- Custody, interference with is a gross misdemeanor: SSB 3387
- Disabled parking, mental health providers, conditions: SHB 448
- Evaluation and treatment facilities, regional: HB 934
- Financial responsibility act, DSHS: HB 343
- Guardians, financial statements, filing: \*SB 3763, CH 271
- Handicapped, utility rates reduced: HB 550
- Health care consent: HB 703
- Hospitals, superintendent qualifications: HB 649
- Insanity defense, replaced with a guilty but ill or insane plea: HB 303
- Insurance, group contracts to cover as an option: \*SSB 3645, CH 35
- Insurance, group health care service plan to cover: HB 281
- Involuntary detention, interview, petition, and evaluation procedures: SSB 3181
- Long-term health care, ombudsman program: \*SHB 484, CH 290
- Residential school residents, return to community, hearing: HB 634
- School based primary prevention projects: HB 221

**METRIC**

- Wood products processing facility, tax credit for retooling to metric: HB 192

**METROPOLITAN MUNICIPAL CORPORATION**

Council member compensation modified: HB 564  
 Council membership modified: \*HB 87, CH 92

**METROPOLITAN PARK DISTRICTS**

Bonds, sale and issuance, provisions: \*SHB 189, CH 61  
 Moorage and storage regulations: \*HB 318, CH 188

**MILITARY (See ALSO VETERANS' AFFAIRS)**

Absentee ballots for out of U.S.A. military: HB 841  
 Agent orange problem: HFR 50  
 Armories, state-owned, use: \*SSB 3657, CH 268  
 Automobile license fee exemption: \*SHB 143, CH 26  
 Draft registration proof, higher education acceptance: HB 93  
 Educational opportunities, military personnel, dependents: HJM 24  
 Home loans for veterans: HJR 15  
 Llewellyn M. Chilson, posthumous, congressional medal: HFR 60  
 McCord and Fort Lewis, civic contributions saluted: HFR 87  
 MIA return: HJM 31  
 MIAs, refunding inheritance taxes paid on estates: HB 598  
 National guard educational assistance program, sunset termination: \*SHB 493, CH 197  
 National guard membership, judges: \*SB 3393, CH 218  
 Nuclear weapons freeze: HJM 3  
 Nuclear weapons, mutual and verifiable freeze: SJM 106  
 Peace and conflict resolution, national academy requested: HCR 12  
 Peace through strength: HJM 26  
 POWs and MIAs: HFR 48  
 Retail sales, military bases, eliminate tax exemption: HJM 1  
 Tuition, higher education, nonresident exemption for spouse and children: HB 133, HB 335, SB 3044  
 Tuition increase exemption, Vietnam veterans: SSB 3589, \*SHB 848, CH 307  
 Unemployment compensation, not weekend duty: \*HB 787, CH 67  
 Veteran services may be contracted: \*SSB 3595, CH 260  
 Veterans' affairs, rehabilitative services may be contracted: HB 632  
 Veterans, home loan financing program established: HB 186  
 Veterans, memorial parks and cemeteries: HB 575  
 Veteran's relief fund: SSB 4259, \*SHB 576, CH 295  
 WWII state employees and surviving spouse, reparation: HB 268, \*SSB 3163, CH 15 E1

**MILK AND MILK PRODUCTS (See DAIRY PRODUCTS)****MOTOR FREIGHT CARRIERS (See COMMON CARRIERS)****MOTOR VEHICLES**

Alcohol not into auto race parks: \*SSB 3101, CH 160  
 Alcohol-related problems, joint select committee to study funding: HCR 18  
 Antique vehicles, insurance rate limits: SSB 3694  
 Attachment and execution, exempt amount increased to \$1,500: SB 3408  
 Automobile dealers, unfair practices filing period: HB 142  
 Automobile repairs estimate alternatives, liens, parts: HB 489  
 Boat trailers exempt from vehicle dealer laws: HB 966  
 Certificates of ownership, application fee: \*SB 3097, CH 77  
 Child restraints required: HB 66, \*SB 3203, CH 215  
 Commercial vehicles, proportional registration: SB 3135  
 Driver training instructors, minimum age reduced to 18: HB 90  
 Driver's license, have current out-of-state, waive exam: HB 609  
 Driver's license, notice of suspension: SB 3121  
 Driver's license, penalty for traffic infraction: SSB 3122  
 Driver's license, provisional license for under 18: HB 130  
 Driver's license, revocation for felony flight: \*SB 3172, CH 80  
 Emission control account, noncompliance areas, testing: HB 465  
 Emission inspections, fleet redefined: HB 389, HB 611  
 Emission standards, propane fueled: \*SSB 3497, CH 237  
 Emission testing, used cars: HB 491, \*SB 3857, CH 238  
 Fees, fines, forfeitures, and penalties, uniformity: HB 508  
 Fees, fines, forfeitures, procedures for remittance: HB 510  
 Ferry system, auto license, renewal fees, island counties: HB 230  
 Financial responsibility, owner and household excluded: HB 813

**MOTOR VEHICLES—cont.**

- Gasoline pricing, deceptive methods prohibited: \*SSB 4034, CH 114
- Hulk haulers, scrap processors, rebuilders, revising regulations: \*HB 259, CH 142
- Impounded by cities, redemption procedures: \*SB 3846, CH 274
- Insurance, identification cards required: HB 103
- Insurance, liability mandatory: HB 119
- Insurance, state to underwrite, damage limits set: HB 568
- Insurance, underinsured, coverage provisions: \*HB 203, CH 182
- License exemptions, wheelchair transporters: HB 545
- License fees, department of transportation: \*SHB 143, CH 26
- License plate manufacturing standards: \*SHB 482, CH 72
- License plates confiscated: HB 558
- License plates, may retain special plates: \*HB 144, CH 27
- License plates, personalized, nongame species clarified: HB 803
- License plates, personalized, letters increased: SHB 261, \*SB 3390, CH 24 E1
- License plates, reducing number to one: HB 4
- License plates, unemployable veterans: SHB 868, \*SB 4153, CH 230
- Mobile home ownership transfer: SSB 3194
- Model traffic ordinance updated: \*HB 216, CH 30
- Motor oil to be recycled: SHB 252, \*SSB 4201, CH 137
- Motor vehicle fund distribution, maintenance of city streets, state aid approval: \*HB 285, CH 43
- Motor vehicle fund distribution, municipal research council, no allotment reduction: HB 47
- Multilane highways, keep right except to pass: HB 799
- Noise levels, off-road vehicles: HB 562
- Noxious weed control, special tax, vehicle license: SSB 3205
- Occupational license, restrictions, use: HB 367
- Oil recycling: HB 802
- Ownership certificate, additional fee of \$3: HB 394
- Ownership certificate, destroyed vehicle: SSB 3194
- Penalty assessments, court may deduct costs: HB 559
- Reciprocal and proportional registration: SSB 3194
- Sales and service, warranties: SHB 840, \*SSB 3034, CH 240
- Size, load restrictions, conformity: HB 769, \*SB 4112, CH 278
- Snowmobile advisory committee, termination: \*HB 180, CH 139
- Special fuel trip permits: HB 644, \*SB 3144, CH 78
- Speed limits, local regulation may be less than 20 MPH: SB 3191
- Trade-in allowances, deducted from sales price: HB 191
- Traffic infraction, habitual offender cases: \*SB 3123, CH 209
- Traffic infractions, college campuses, jurisdiction: \*SSB 3453, CH 221
- Travel trailer license, no nonresident exemption: \*SHB 143, CH 26
- Urban arterial trust account: HB 826
- Vehicle inspection program, sunset termination: \*SHB 493, CH 197
- Victims of uninsured motorists, fund established: HB 636
- Warranties with respect to sales: SHB 840, \*SSB 3034, CH 240
- Wheel chair transporters, design, brake requirements: HB 94, HB 545
- Wheelchair conveyance safety standards: HB 546, \*SHB 546, CH 200

**MOVIES**

- X-rated shown to minors, penalty: HB 370

**MT. ST. HELENS**

- Repair needs, state power enlarged: HB 358, \*SB 3519, CH 1 E1

**MUNICIPAL CORPORATIONS (See also CITIES, COUNTIES)**

- Bonds, declaratory judgments, local governments: \*SSB 3637, CH 263
- Comprehensive traffic safety plan: \*SSB 3538, CH 14 E1
- Electric generation of sewer and water system: HB 710
- Public improvement boundaries, tax purposes: HJR 28, HJR 32, SSSR 119
- School community service districts: HB 461
- Warrants for claims, issuance procedure: HB 374

**MUNICIPAL RESEARCH COUNCIL**

- Appropriation of funds from motor vehicle excise taxes, no allotment reduction: \*SHB 47, CH 22
- Sunset termination, 1990 instead of 1984: \*SHB 47, CH 22

**MUSEUMS (See HISTORICAL CONSERVATION)**

\* - Measures Passed by Both House and Senate and Confirmed Governatorial Appointments

**NATIONAL GUARD**

Judges may be members: \*SB 3393, CH 218

**NATIVE AMERICANS**

Anadromous game fish buyers license, may purchase from Indians: \*SHB 233, CH 284

Boldt decision: SJM 120

George Anna Adams Miller honored: HFR 8

Joint select legislative committee, Indian affairs: HCR 17, SCR 123

Salmon fishing, commercial, prohibited below Bonneville dam: HB 291, \*SSB 3217, CH 245

Sovereignty has no constitutional or legal basis: HB 638

Sturgeon fishing, endorsement necessary: \*HB 674, CH 300

**NATURAL RESOURCES, DEPARTMENT OF**

Aluminum, manufacturing tax extended to: HB 798

Aquatic land enhancement account: HB 809

Aquatic land leases: \*SSB 3290, CH 2 E2

Aquatic land management: SHB 980

Boom companies, sunset termination: HB 493, \*SHB 493, CH 197

Civilian conservation corps called for: HJM 15

Commissioner salary increase: SHB 50

Conservation corps established: \*2SSB 3624, CH 40 E1

Fire protection assessments: \*SHB 661, CH 299

Firewood distribution project: HB 212

Forest land, exchange of publicly-owned land: \*SSB 3614, CH 261

Forest land, reforestation land reclassified: HB 425

Forest lands, sales and purchases, local land use: SHB 181

Forest practices, exempt from EIS requirements: \*SSB 3006, CH 117

Geographic names board established: \*SB 3843, CH 273

Harbor areas and tidelands, percentage of lease money paid to towns: \*SSB 3066, CH 153

Harbor leases, lease period extended to 50 years: HJR 10

Harbor leases, lease period extended to 55 years: HJR 105, \*SB 3585, CH 259

Land bank account created: SHB 181

Logging industry and contracts supported: HFR 95

Milwaukee road, DNR controls, powers, duties: HB 727

Milwaukee road DNR responsibility, plan to be prepared: SSB 4251

Milwaukee road, multiple-use study, alternative site: HB 732

Milwaukee road, William O. Douglas trail: SHB 737

Mineral claim filing procedures: SSB 4019

Noise levels, off-road vehicles: HB 562

Oil and gas marine exploration: \*SHB 95, CH 138

Oil and gas procedures: SHB 500, HB 932

Oil and gas severance and conservation act: 2SSB 3187

Pest and disease control: HB 767

Senior citizen wood collection fee exemption: \*HB 436, CH 193

Surface mines, regulation: SHB 480

Timber land, current use assessment: SSB 3504

Timber sale contracts, defaults: SB 3605

Timber, public land, sale price adjustment: \*HB 399, CH 12 E1

Timber sold on public land, sale price adjustment repealed: HB 398

Timber sold on public lands, primary processing: HB 443

William O. Douglas trail: SHB 737

Wood products processing facility, tax credit: HB 192

**NAVIGATION (See also BOATS)**

Columbia river, deepening for crossing the bar: HFR 21

Marine transportation benefit area authority: HB 464

Pilots, age minimum reduced to 18: HB 90

Pilots, limitation of liability: SSB 3133

Undocumented vessels, limit exemptions: HJM 21

**NONPROFIT CORPORATIONS AND ORGANIZATIONS**

Charitable solicitations: HB 553, \*SSB 3642, Ch 265

Conservation futures: HB 692

County and city participation, economic programs, public purpose: SSB 3276

Gambling, winning, limit increased: SSB 3434

Rummage sale use, commercial property: HB 504, \*SB 3162, CH 5 E1

Shelters, homeless persons, exempt from taxation: HB 656, SB 3438

**NONPROFIT CORPORATIONS AND ORGANIZATIONS—cont.**

- Tax exempt property, incidental rental authorized: HB 625
- Technology training fund and corporation created: HB 75
- Transportation, elderly, handicapped, fuel tax exemption: \*SHB 539, CH 108

**NORWAY**

- Norwegian independence day: HFR 85

**NOTARY PUBLIC**

- Fees, authorized increase: SHB 124, \*SSB 3166, CH 214
- Notaries public and commissioners of deeds, sunset termination: \*SHB 493, CH 197

**NUCLEAR POWER (See ENERGY)****NUCLEAR WASTE (See HAZARDOUS SUBSTANCES)****NUCLEAR WEAPONS**

- Calling for nuclear weapons freeze: HJM 3, SJM 106

**NURSES**

- Child abuse, report, custody: \*SSB 3253, CH 246
- Home health care services, insurance: \*SSB 3308, CH 249
- Intercollegiate center for nursing: \*SB 3448, CH 220
- LPN, modifying regulations: \*HB 63, CH 55
- National recognition week: HFR 77
- Nurse-patient privilege: HB 688
- Reports of abused dependent adults: SB 3060
- Sunset termination: \*SHB 493, CH 197

**NURSING HOMES**

- Abuse, restraining order by local prosecutor: SHB 346, \*SSB 3660, CH 269
- Administrators age dropped to 18: HB 90
- Advisory council, sunset termination: \*SHB 493, CH 197
- Audit procedures modified: HB 353, \*SSB 3780, CH 67 E1
- Auditing and cost reimbursement act: SHB 762
- Community-based care: HB 850, \*SSB 3757, CH 236
- Costs deducted, senior citizen real property tax exemption: HB 264, \*SHB 496, CH 11 E1
- Industrial development revenue bonds authorized: HB 242, SSB 3173
- Long-term care: HB 395
- Long-term health care, ombudsman program: \*SHB 484, CH 290
- Pets, may live in or visit facilities: SB 3059

**OIL AND GAS**

- Conservation committee, exploration, duties: HB 734, \*SSB 3483, CH 253
- Dormant mineral interest record: SSB 4019
- Heaters, portable oil fueled heaters regulated: \*SSB 3251, CH 134
- Marine exploration permit: \*SHB 95, CH 138
- Mineral claim filing procedures: SSB 4019
- Motor oil to be recycled: SHB 252, \*SSB 4201, CH 137
- Oil and gas procedures: SHB 500, HB 932
- Oil and gas severance and conservation act: 2SSB 3187
- Propane fueled vehicles, reflective placard: \*SSB 3497, CH 237
- Propane, special fuel tax: \*SB 3134, CH 212
- Recycling of automotive oil: HB 802
- Recycling tanks for used oil: HB 873
- Special fuel, trip permits: HB 644, \*SB 3144, CH 78

**OLYMPIC COUNTY**

- Created, subject to voter approval: HB 362, SB 3264

**OPEN PUBLIC MEETINGS**

- Contract, negotiations: \*SSB 3206, CH 155
- Higher education board: \*SB 3266, CH 3 E1

**OREGON**

- Higher education tuition reciprocity: \*SHB 409, CH 104
- Idaho, Washington, meetings for mutual concerns: HFR 40
- Joint committee for Washington, Oregon, Idaho mutual concerns: HCR 16

**PARKS AND RECREATION**

- Civilian conservation corps, former member, lifetime passes: HB 459

**PARKS AND RECREATION—cont.**

Columbia River Gorge, refrain federal control: HJM 18, SJM 110  
 Conservation corps established: \*2SSB 3624, CH 40 E1  
 Fees, fines, forfeitures, and penalties, uniformity: HB 508  
 Heritage council, creation of: HB 81  
 Interagency committee for outdoor recreation: HB 756  
 Landowner liability, recreational users of land or water: HB 755  
 McNeil, requests that the island be given to the state: HFR 18  
 Milwaukee road DNR responsibility, plan to be prepared: SSB 4251  
 Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686  
 Noise levels, off-road vehicles: HB 562  
 Nonresident surcharge on park use, sunset removed: \*SB 3413, CH 38 E1  
 Senior citizen wood collection fee exemption: \*HB 436, CH 193  
 Service area levies, proposals: SHB 597, SSB 4015  
 Snowmobile advisory committee, termination: \*HB 180, CH 139  
 Washington conservation corps, administration of: HB 330  
 William O. Douglas trail: SHB 737

**PENSIONS**

Age, mandatory retirement may be waived: HB 338  
 Deferred compensation, counties, municipalities: HB 618, \*SB 3840, CH 226  
 Dual retirement system membership: HB 812  
 Full funding for state managed systems: HJR 2  
 Inflated pension costs: HB 843  
 Investment fund to provide increased mortgage capital: SCR 126  
 LEOFF system to be reviewed: SSB 3226  
 Membership to be kept in one system: HB 526  
 Public pension guarantee fund, investments: HB 267  
 Public retirement, joint interim committee: HCR 24, SCR 134  
 Public retirement, increase each year creditable service: SHB 495, SB 3910, \*SHB 51, CH 56 E1  
 Restoration of withdrawn contributions: HB 126, \*SHB 126, CH 233  
 Retirement systems, full funding by state: HJR 5  
 Salary computation, not include employee contributions: HB 218  
 School district employees, tax deferred annuity contract: HB 613  
 Service credits, transfer of credit: HB 679  
 State patrol cadets, retirement contributions: \*SSB 3174, CH 81  
 State patrol, survivor's benefits: SHB 271  
 Teachers' retirement, remain in system Teachers' retirement, local government elective position: HB 549  
 Transfer of service credit between systems provided for: HB 679  
 Vacation leave, cash received not part of retirement allowance computations: \*SHB 129, CH 283

**PERSONAL PROPERTY (See also TAXES - PERSONAL PROPERTY)**

Attachment and execution, exempt amount increased: SB 3408  
 Chattel, totally destroyed, recover: HB 723  
 Industrial accidents, personal property, claims: \*HB 817, CH 111  
 Irrigation equipment, use tax exemption: \*SHB 72, CH 55 E1  
 Leases, not loan or forbearance: HB 92, \*SSB 3299, CH 158  
 Livestock abandoned on Hanford nuclear reservation, sale: HB 512  
 Safe deposit vault rent due, notice: \*HB 479, CH 289  
 Uniform unclaimed property act: \*SHB 179, CH 179

**PERSONNEL, DEPARTMENT OF**

Authority transferred to agencies, exceptions: HB 792  
 Board membership, labor and management to be represented: HB 637  
 Board, per diem compensation doubled: HB 372  
 Employment commission created, recruit effective work force: HB 651  
 Higher education personnel board transferred to state personnel board: HB 778  
 Personal service contracts, purchasing conditions: HB 405  
 Productivity board, director personnel: HB 617, \*SB 4205, CH 54

**PESTICIDES (See AGRICULTURE; HAZARDOUS SUBSTANCES)****PHARMACISTS**

Controlled substances schedule revised: HB 469  
 Drugs, combination drug product, generic names: HB 467  
 Reports of abused dependent adults: SB 3060

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**PHYSICAL THERAPISTS**

Licensing requirements: \*SHB 309, CH 116

**PHYSICIANS**

Cancer research, excise tax from cigarettes: SB 3309  
 Child abuse, report, custody: \*SSB 3253, CH 246  
 Lawsuits, collateral source compensation evidence allowed: HB 381  
 Lawsuits, damage agreements to be told to court and jury: HB 380  
 Medical assistant, regulation: HB 594  
 Medical disciplinary account created: \*HB 387, CH 71  
 Negligence, elements of proof modified: HB 385  
 Negligence, lump sum damages, limitations, present value: HB 379  
 Negligence, standard of care modified: \*SHB 383, CH 149  
 Optometrists fee procedures modified: \*SHB 359, CH 168  
 Physician-patient privilege waived actions against provider: HB 382  
 Radiologic technology board of examiners created: HB 454  
 Reports of abused dependent adults: SB 3060  
 Standard of care modified: HB 384  
 Wrongful birth or wrongful life suit, prohibiting: SHB 178

**PIERCE COUNTY**

Community economic revitalization board loan limitations: \*2SHB 245, CH 60 E1  
 High technology in south Puget Sound: SHB 565

**PLANNING AND COMMUNITY AFFAIRS AGENCY**

Community economic revitalization board loan limitations: \*2SHB 245, CH 60 E1  
 Fire protection services contract authority transferred: \*HB 313, CH 146  
 Public facilities, identifying bond projects: HB 356  
 Public works, comprehensive plan: \*SSB 3035, CH 231  
 Renamed office of community programs: HB 157, SB 3238  
 State building code act: HB 557

**PLUMBERS**

Regulation of journeyman, specialty plumber: \*SSB 3054, CH 124

**POLLUTION**

DOE authority modified: \*SB 3674, CH 270  
 Noise levels, off-road vehicles: HB 562  
 Pollution control tax exemption and credit: HB 68  
 Puget Sound water quality authority established: \*SSB 3156, CH 243  
 Waste treatment plant certification: HB 485

**PORNOGRAPHY**

Childrens access at newsstands regulated: HB 697  
 X-rated movies shown to minors, penalties: HB 370

**PORT DISTRICTS**

Collective bargaining, fire fighters: \*SHB 434, CH 287  
 Commission vacancies, legislative authority: \*SB 3120, CH 11  
 Commissioner vacancies, appointed by commissioners: HB 171  
 Harbor areas and tidelands, percentage of lease money paid to towns: \*SSB 3066, CH 153  
 Leases, option, 30 year extension: \*HB 413, CH 64  
 Moorage and storage regulations: HB 211, \*HB 318, CH 188  
 Port study and review commission, cost and rate control: HB 415  
 Property acquisition, time extended: \*HB 77, CH 24  
 Public improvement boundaries, tax purposes: HJR 28, HJR 32, SSJR 119  
 Subdivision, exempt from prohibition, short subdivisions: SB 3586  
 Treasurers, appoint private treasurer: \*SB 3363, CH 250

**PRINTING (See PUBLIC PRINTER)****PRISON TERMS AND PAROLE (See also CORRECTIONS)**

Alcohol and drug treatment programs for offenders: HB 763  
 Civil rights restoration provided for: HB 455  
 Continuing jurisdiction: \*SB 3185, CH 156  
 Criminally insane, report availability: \*SHB 476, CH 196  
 Fees, fines, forfeitures, procedures for remittance to state treasurer: HB 510  
 Furloughs, release, escape, notice: SHB 307  
 Good behavior sentence reduction: \*SB 4082, CH 276  
 Interstate corrections compact adopted: SB 3526



**PRISON TERMS AND PAROLE—cont.**

- Juvenile disposition standards: \*SHB 431, CH 191
- Overcrowding, reduction not applicable to violent offenses: \*SHB 888, CH 162
- Parole revocation, Attorney General recommendations: \*SHB 476, CH 196
- Reimbursement to local government, housing state prisoners: HB 926
- Sentencing guidelines commission, report: SSB 3414, \*SHB 297, CH 115
- Sentencing guidelines commission membership: HB 298, \*SB 3416, CH 163
- Sexual psychopath, sentencing, amenable to treatment: HB 340
- Victim impact statement: HB 711, SHB 711

**PSYCHOLOGISTS**

- Reports of abused dependent adults: SB 3060

**PUBLIC ASSISTANCE (See also MEDICAL ASSISTANCE)**

- AFDC recipients, community work and training: 2SHB 352
- Aid to families with dependent children, modifications: HB 735
- Bilingual services: 2SHB 352
- B&O tax credits for employers of recipients: HB 871
- Chore services by volunteers for low-level needs: 2SHB 352
- Eligibility verification through bank accounts: HB 397
- Emergency assistance program, eligibility increased: HB 317
- Food stamps, workfare program participation required: HB 7
- General assistance eligibility, security income: HB 591
- Need standard, presence of extra adult: HB 650
- Rent assistance, landlords: HB 205, 2SSB 3104
- Rent due, welfare recipient tenant, collection procedures: HB 3
- Sewer and water rates, delayed or adjusted: \*HB 520, CH 198
- Social security numbers used as identification system: HB 400
- Surplus salmon sales: HB 745, SB 3647
- Utility rates, low-income WUTC to adopt rules: SHB 550
- Veteran's relief fund: SSB 4259, \*SHB 576, CH 295

**PUBLIC BROADCASTING COMMISSION**

- Commission membership modified: HB 744, 2SSB 3768
- Matching local funds, public television, eliminated: SJM 118

**PUBLIC DISCLOSURE (See also CAMPAIGNS; ELECTIONS)**

- Contributions, limitations state executive, legislative offices: HB 800
- Contributions over \$100, need an accompanying form: HB 154
- Contributions over \$500, special reports: \*HB 150, CH 176
- County and local treasurers, filing requirements: \*SB 3142, CH 213
- Financial affairs statement, must file to appear on ballot: HB 355
- Fund raising activities, during sessions regulated: SHB 152
- Fund raising prohibited during session: HB 247
- Funds, transfer, reporting requirements: \*HB 153, CH 96
- Funds, transfer to other candidates prohibited: HB 244
- Hazardous wastes, records of handlers: HB 669
- Honorariums over \$250, legislators to report: HB 88
- Job applications exempt: HB 899
- Municipal purchasing: \*HB 74, CH 44 E1
- Officials and employees, personal service contracts: SHB 149
- Operating agency executive boards, reports: SSB 3259
- Personnel files, employee access provided: HB 446
- Political ad sponsor identification: HB 326
- Public disclosure commission, sunset: \*SHB 493, CH 197
- Records, computerized: HB 931
- Records, personal and research, access procedures: SHB 342
- Reports, filed and indexed for access: \*HB 569, CH 294
- Voter's pamphlet to contain campaign mailing addresses and telephone numbers: HB 699

**PUBLIC PRINTER**

- Supreme court and court of appeals reports: HB 378
- Uniform state policy to be established: HB 378

**PUBLIC TRANSPORTATION (See also ROADS AND HIGHWAYS)**

- Benefit area, annexed and merged areas local government: SB 3847, \*HB 534, CH 65
- Benefit areas may designate treasurer: \*SHB 540, CH 151
- Collective bargaining rights of transit employees: SHB 985

**PUBLIC TRANSPORTATION—cont.**

Conduct on buses: SHB 538  
 Excursion service companies regulated: SSB 3758  
 Gasoline excise tax revenues, used for public transportation: HJR 6  
 Local sales and use tax, apportionment and distribution: HB 541  
 Motor vehicle excise tax, rate increased: HB 537  
 Motor vehicle excise tax revenue restrictions modified: HB 536  
 Public transportation account created: HB 775  
 Rail study on costs and benefits: \*HB 753, CH 303  
 Railroad passenger service advisory committee: HB 758  
 Railroads, occupied caboose on class I freight trains: HB 135  
 Sales and use tax authority equalized: SHB 535, SB 3834  
 School buses, axle requirements: SHB 1017  
 Undocumented vessels, limit exemptions: HJM 21

**PUBLIC UTILITIES (See UTILITIES)****PUBLIC WORKS**

Construction, cost of construction factor bid limitations: HB 619  
 Liens, contracts to include provision to protect owner: HB 217  
 Nonperformance of contracts, remedies: HB 750  
 Planning and community affairs, prepare plan: \*SSB 3035, CH 231  
 Public improvement boundaries, tax purposes: HJR 28, HJR 32, SSSJR 119  
 Public improvement debts through ad valorem taxes: HJR 16  
 Small works roster, cities, bids under \$50,000: HB 619  
 Street improvements, city assist property owner: \*SHB 393, CH 103

**PUGET SOUND**

Dungeness crab, need license endorsement: SB 3475  
 High technology in south Puget Sound: HB 565, SHB 565  
 Marine transportation benefit area authority: HB 464  
 Water quality authority established: \*SSB 3156, CH 243

**RAILROADS**

Caboose, occupied caboose on class I freight trains: HB 135  
 Crossings, reflectorized whistle post: HB 96  
 Crossings, revised regulation of signs: \*SHB 207, CH 19  
 Milwaukee road, DNR controls, powers, duties: HB 727  
 Milwaukee road DNR responsibility, plan to be prepared: SSB 4251  
 Milwaukee road, multiple-use study, alternative site: HB 732  
 Milwaukee road, William O. Douglas trail: SHB 737  
 Passenger service advisory committee: HB 758  
 Pend Oreille railroad repair: SCR 119  
 Rail districts may be formed by counties: \*HB 753, CH 303  
 Railroad retirement solvency act of 1983, federal yes vote: HFR 52  
 Rights of way, all corridors for transportation purposes: HB 376  
 Taxation and assessment, annual report due date extension: SB 3262  
 Warning lights on track motor car: HB 204

**RAPE (See CRIMES)****REAL ESTATE (See REAL PROPERTY)****REAL PROPERTY (See also SECURITY INTERESTS)**

Agricultural district formation authorized: HB 690  
 Aquatic land leases: \*SSB 3290, CH 2 E2  
 Certificates of delinquency delay, unemployed persons: HB 736  
 Condemnation, attorney fees and costs: SB 3128  
 Conservation futures, exempt ad valorem tax: HB 692  
 Conservation status, no penalty tax: \*HB 256, CH 41  
 Current use assessment, single family residences, vacant lots: HB 46  
 Current use assessment, timber land: SSB 3504  
 Current use valuation, additional tax upon reclassification: SB 3099  
 Current use valuation, vacant lots and single residences: HJR 20  
 Easements, conservation: SB 3310  
 Eminent domain, compensation modified: \*HB 183, CH 140  
 Execution and redemption: SSB 4111  
 Foreclosure, unemployable persons: HB 736  
 Home loans for veterans: HJR 15

**REAL PROPERTY—cont.**

Homestead, execution and redemption: SSB 4111  
 Homestead exemption increased to \$25,000: \*HB 428, CH 45 E1  
 Homestead partial property tax exemption: HJR 38  
 Homestead, powers of attorney: \*SB 3426, CH 251  
 Homesteads, exemption, filing requirements: HB 907  
 Homesteads, value increased to \$30,000: SHB 521, SB 3447  
 Landowner liability, recreational users of land or water: HB 755  
 Leasehold excise tax, contract rent redefined: HB 770, HB 878  
 Leases, excise tax, occupation, definition of leasehold interest: HB 80  
 Leases, taxation, additional tax, expiration date removed: HB 52  
 Local improvement assessments, lien foreclosure: HB 659  
 Mortgages, failure to release mortgage: SB 3132  
 Oil and gas exploration: HB 734, \*SSB 3483, CH 253  
 Public lands, DNR authorized to exchange: \*SSB 3614, CH 261  
 Real estate brokers and salesmen, violation: HB 599, HB 600, HB 604  
 Real estate contract vendor's interest: \*HB 28, CH 45 E1  
 Real estate conveyance consumer protection without cost act: HB 602  
 Real estate forms, negotiable: SHB 603  
 Real estate salesman license, education course: SHB 22  
 Real estate salesmen and brokers, disclosure: SHB 506  
 Real estate signs, highway visual quality laws: HB 17  
 Sales, apartments, condominiums, notice: HB 860  
 State agency transfer of property to private sector: SHB 1050  
 State-owned, excess or surplus sold: HB 845  
 Tax exempt, incidental rental authorized: HB 625  
 Timeshare regulation: HB 927, \*SB 3188, CH 22 E1  
 Trusts, no conveyance, beneficiary notice: HB 523  
 Valuation, restricting increases in revaluation: HB 60  
 Veteran's home loan financing program established: HB 186

**REDISTRICTING (See CONGRESS)****RELIGION**

Compulsory school attendance exemption: HB 705  
 Educational ministry, children may attend: HB 516  
 Industrial insurance coverage revised: HB 808  
 Iranian persecution of Bahai faith condemned: HFR 99  
 Liquor licenses, church proximity: \*SSB 3101, CH 160

**RENT AND RENTALS**

Abandoned premises, landlord's remedies: HB 339, HB 499  
 Apartment sales, notice procedures: HB 860  
 Deposits, refund procedures: HB 499  
 Eviction, deposit, procedures: \*SSB 3640, CH 264  
 Landlord rent assistance, public assistance: HB 205, 2SSB 3104  
 Leasehold excise tax, contract rent redefined: HB 770, HB 878  
 Residential, rent due, collection procedures: HB 3  
 Tax exempt property, incidental rental authorized: HB 625  
 Taxable rent in relation to leasehold interests defined: HB 80  
 Uninhabitable dwellings, enforcement procedures: HB 939

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Substitution of food products by food service establishment regulated: SHB 608

**RETIREMENT SYSTEMS (See PENSIONS)****REVENUE, DEPARTMENT OF**

Annual state budget required: HB 527  
 Cigarette tax stamp compensation changed: HB 788  
 Government price index, county sales and use tax equalization account: \*SHB 263, CH 99  
 Industrial development authority established: HB 590  
 Inventory tax phaseout, property tax relief: SHB 466  
 Manufacturing businesses, hazardous wastes regulated: \*SHB 712, CH 65 E1, 2SSB 3722  
 MIA's, refunding inheritance taxes paid on estates: HB 598  
 Obsolete funds and accounts abolished: \*SHB 325, CH 189  
 Revenue, not to exceed 50% average personal income growth: HJR 40  
 Tax deferrals for new construction and equipment: HB 108

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

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**ROADS AND HIGHWAYS (See also PUBLIC WORKS)**

Bicycle transportation committee established: HB 375  
 Condemnation cases, highways, court priority: \*HB 183, CH 140  
 County road administration board, sunset termination: HB 589  
 County road improvement district formation alternative: HB 911  
 County road tax revenues, use: HB 11  
 Ditches, regulation, sunset termination: \*SHB 493, CH 197  
 Evergreen safety council, safety training and research: HFR 88  
 Flood damage, expediting repairs: HB 182  
 Grant county arterial highway construction: SSB 4055  
 Irrigation districts may provide street lighting: SSB 3868  
 Model traffic ordinance updated: \*HB 216, CH 30  
 Motor vehicle fund distribution, maintenance: \*HB 285, CH 43  
 Multilane highways, keep right except to pass: HB 799  
 Multistate highway transportation agreement: \*SB 3282, CH 82  
 R. C. Bremmer Bridges, 1-182, Yakima River: HFR 86  
 Rural arterial program: HB 773, \*SHB 235, CH 49 E1  
 Service districts, capital and maintenance costs: \*SSB 3161, CH 130  
 State route 21, Kahlolus to Lind: HB 45, \*SB 3165, CH 79  
 State route 530, to Rockport: HB 172, \*SB 3167, CH 131  
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 Street vacation, salt or fresh water: HB 820  
 Urban arterial trust account: HB 826

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Evergreen safety council, safety training and research association endorsed: HFR 88  
 Fishing guide license, CPR and first aid required: HB 502  
 Hazardous substances, employer duties: SHB 863  
 Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178  
 Hunting guide license, CPR and first aid required: HB 502  
 Radiation and pressure systems safety: HB 731  
 Railroad track motor car, flashing warning light: HB 204  
 School buildings, earthquake inspections: HB 680  
 Seat belts, children: HB 66, \*SB 3203, CH 215  
 Smoking in public areas restricted: HB 229  
 Transient accommodations, repeals laws except fire marshal rulemaking authority: HB 273

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 Selling price may include tax if buyer notified: HB 614  
 Tax collection, seller to be compensated: HB 525  
 Timeshare regulation: HB 927, \*SB 3188, CH 22 E1  
 Trade in allowance, deducted from sales price: HB 191  
 Travel regulated: HB 828

**SALMON (See FISHERIES, DEPARTMENT OF)****SAVINGS AND LOAN ASSOCIATIONS (See also FINANCIAL INSTITUTIONS)**

Examination fund: \*SB 3182, CH 157  
 Financial institutions department created: HB 676  
 Names, expanding list of permissible names: \*HB 274, CH 42  
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 Savings account, 10% interest withheld, eliminate: SJM 104  
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**SAVINGS BANKS (See BANKS AND BANKING)****SCHOOLS AND SCHOOL DISTRICTS**

Advisory council on public education: HB 876  
 Alcohol and drug abuse education: SB 4237  
 Alcohol and drug education, to be stressed: SHB 681  
 Alcohol awareness program funded by penalty assessments: SSB 3617  
 Alternative school educational clinic: HB 514  
 Appropriation penalty continued: HB 961  
 Appropriations, time of payment schedule: \*SB 3096, CH 14  
 Attendance, compulsory age, lowered to 6, increased to 17: HB 492  
 Basic education in science computer, and math: HB 956  
 Bilingual instruction, special instruction: HB 67  
 B&O tax credit for employing math teachers: SHB 807  
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 Bonds, private school, joint purchases: HB 347, \*SB 3089, CH 125  
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 Closure procedures: \*SHB 719, CH 109  
 Common school construction fund: \*SHB 470, CH 17 E1  
 Common schools, law revisions: HB 145  
 Community service districts: HB 461  
 Computers, donated to schools, use tax exemption: \*SHB 72, CH 55 E1  
 Curriculum improvement: HFR 56  
 Directors' association, audits: \*HB 300, CH 187  
 Directors association dues, provisions for payment: HB 938  
 Districts large divided into small: HB 822  
 Donations, B&O tax credits: HB 948  
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 Educational ministry, children may attend: HB 516  
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 Fees, fines, forfeitures, procedures: HB 510  
 Food, public school lunch programs, tax eliminated: SB 3015  
 Four day work week pilot project: HB 733  
 Handicapped children, pre-school education provided: HB 168  
 Handicapped education eligibility modified: HB 196  
 Handicapped, specially designed instruction: HB 633  
 Juveniles, detention facilities, education: \*SHB 241, CH 98  
 Legislature has duty to fund sufficiently: HJR 33  
 Levies, excess, simple majority required: HB 774, HJR 18, HJR 31  
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 Levies, tax limit modified: HJR 33  
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 Loans, college, math and science education: \*2SSB 4102, CH 74 E1  
 Lottery proceeds: HB 616  
 Martin Luther King birthday, state and school holiday: HB 69  
 Math and science, donations, B&O tax credit: HB 948  
 Math and science, recommended state course of study: SHB 954  
 Math and science, teacher loans: HB 951  
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 Math, science, computer science, matching funds: HB 949  
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 Part-time, teachers' retirement, calculation: HB 481  
 Pesticide application notice: HB 885  
 Physical education requirement removed: HB 145  
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Public retirement, increase, each year of creditable service: SHB 495, SB 3910, \*SHB 51, CH 56  
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Religious beliefs exempt compulsory attendance: HB 705

Reports of abused dependent adults: SB 3060

Residential school residents, return to community, hearing: HB 634

Retirement system, computation: SSB 3062, \*SHB 16, CH 69

Revenue and budgeting method changes: \*SHB 148, CH 59

Salary increases, increases above statutory levels: HB 21

Self-insurance authorized: \*HB 107, CH 174

Sick leave buy-back program: \*SSB 3880, CH 275

State-wide data network, success and deficiencies: HB 953

Tax deferred annuity contracts: HB 613

Taxes, B&amp;O and sales, exempt: HB 529, HB 805

Teacher contact hour requirements revised: \*SB 4103, CH 229

Teacher, education requirements: HB 950

Teacher education, reimbursement for college classes: SHB 1016

Teacher education upgrade: HFR 58

Teacher training, pilot project: SHB 876

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Truant school children, policy and procedures: SHB 282

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Port study and review commission, effective cost and rate control program: HB 415

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Charitable solicitations, registration and disclosure: HB 553, \*SSB 3642, CH 265

Citizen assessment and public information division created: HB 672

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Trade names, regulated: SSB 3158

Voting by mail procedures regulated: \*SHB 240, CH 71 E1

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Agricultural products: \*SHB 793, CH 305

Attachment and execution of personal property: SB 3408

Automobile repairs estimate alternatives, liens, parts: HB 489

Chattel liens, 90 days to file: \*HB 487, CH 33

Crops, priority established: HB 543

Execution and redemption, personal property, real property: SSB 4111

Local improvement assessments, lien foreclosure: HB 659

Mechanics/materialmen liens: HB 914

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Public works contracts, lien for protection of owner: HB 217

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- Formation alternative, petition by property owners: \*HB 36, CH 88
- Hook up fees, cities may charge property owners: SHB 79
- Low-income rates, delay, adjust, eliminate: \*HB 520, CH 198
- Metropolitan municipal corporation representation increased: \*HB 87, CH 92
- Special purpose districts, implied, granted powers: HB 728
- Storm water control facilities, rates and charges: \*SHB 1093, CH 315
- Storm water facilities, state to pay rates and charges: HB 601
- Treasurers, appointed by district commissioners: \*HB 111, CH 57

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- Contracting with, B&O tax credit: HB 849
- Developmentally disabled, parent participation: \*HB 905, CH 310.
- Emergency care facilities for minors: HB 829
- Family as cornerstone of society: HB 573
- Foster care for developmentally disabled, court review: \*SHB 906, CH 311
- Foster care, group homes, goals: HB 573
- Long-term health care, ombudsman program: \*SHB 484, CH 290
- Tax exempt, personal and real property: HB 656, SB 3438
- Tax exempt, shelter for indigent homeless persons: \*SHB 72, CH 55 E1

**SHORELANDS (See NATURAL RESOURCES, DEPARTMENT OF)****SHORELINE MANAGEMENT**

- Master program procedures modified: SHB 486, SHB 685
- Mt. St. Helens: HB 358, \*SB 3519, CH 1 E1
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- Real estate, temporary signs, visual quality laws: HB 17

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- Flooding disaster areas, asking President to give federal assistance: HJM 9

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- Cigarettes, excise tax proceeds to DSHS for research: SB 3309
- Smoking in public areas restricted: HB 229

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- Community economic revitalization board loan limitations: \*2SHB 245, CH 60 E1

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- Aid to families with dependent children, modifications: HB 735
- Alcohol and drug treatment programs for offenders: HB 763
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- Alcohol problems, serious, drunk driving: SSB 3382
- Alcoholism hospital not health care facility: \*SSB 3660, CH 41 E1
- Child abuse, police officer, custody: \*SSB 3253, CH 246
- Child support, injunctions: SHB 345
- Children and family services act: \*SHB 433, CH 192
- Chore services, insurance to cover: \*SSB 3308, CH 249
- Criminal justice cost reimbursements: \*SSB 4135, CH 279
- Criminally insane, furlough, notice: \*SSB 3043, CH 122
- Custody, interference with is a gross misdemeanor: SSB 3387
- Day care registration: HB 350, SSB 3739
- Dependent adults, reports of abuse: SB 3060
- Developmentally disabled rehabilitative services: \*HB 270, CH 145
- Developmentally disabled, parent participation: \*HB 905, CH 310
- Emergency assistance program, eligibility increased: HB 317
- Employment stabilization, one year notice: HB 694
- Financial responsibility act: HB 343
- Foster care, developmentally disabled: \*SHB 906, CH 311

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 Juveniles, financial recovery systems consolidated: HB 742, HB 811  
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 Long-term health care, ombudsman program: \*SHB 484, CH 290  
 Mental health insurance coverage by group plans: HB 281  
 Mental health prevention projects for schools: HB 221  
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 Residential school residents, return to community, hearing: HB 634  
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- Emergency funding, general fund repayment procedures: SHB 406
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- Fees, fines, forfeitures, procedures: HB 510
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 Purchasing, contracted services, conditions: HB 405  
 Purchasing, emergency procedures, limits: SB 3412, \*HB 208, CH 141  
 Purchasing, outside USA, competitive bid procedures repealed: HB 209, SB 3417  
 Purchasing, use of competitive sealed proposals: HB 286  
 Quality circle, employee productivity and participation: HB 955  
 Real property leases from government units when feasible: HB 910  
 Real property transfers to private sector: SHB 1050  
 Records, personal and research, access procedures: SHB 342  
 Records management: \*SHB 579, CH 296  
 Retirement age, mandatory provisions may be waived: HB 338  
 Revenue shortfall, automatic agency budget reductions: HB 936  
 Salary schedules, working conditions: HB 792  
 State seal, unauthorized use: SHB 551  
 Sunset review procedure modified: \*SHB 39, CH 27 E1  
 Sunset termination, Asian-American affairs commission: SB 3233, \*HB 146, CH 119  
 Sunset termination, barbering: HB 369, HB 964, \*SSB 3081, CH 75  
 Sunset termination, cosmetology: HB 200, \*SSB 3088, CH 208  
 Sunset termination, county road administration board: HB 589  
 Sunset termination, DSHS advisory committee: HB 346  
 Sunset termination, municipal research council: HB 47, SHB 47  
 Sunset termination removed, terraffic safety commission: \*SSB 3538, CH 14 E1  
 Sunset termination repealed, archaeological research center: HB 708, \*SB 4088, CH 159  
 Sunset termination, snowmobile advisory committee: \*HB 180, CH 139  
 Sunset termination, state board of health extended: \*SB 4204, CH 235  
 Sunset termination, various boards, councils, commissions, programs: \*SHB 493, CH 197  
 Taxation, state subject to retail sales tax: SHB 72  
 Travel allowance, foreign: HB 851  
 Travel office for state employees' trips: HB 894  
 Travel reimbursement set at federal rate: \*SHB 127, CH 29 E1  
 Utilization of public assets act: HB 845  
 Vital services provided by local governments: HB 5  
 Work incentive demonstration project proposal: HB 897

**STATE AND PUBLIC EMPLOYEES**

Classification appeal procedures: HB 792  
 Collective bargaining, agreement, successor employer: HB 606  
 Collective bargaining authorized: HB 128  
 Comparable worth in salary schedules: \*SSB 3248, CH 75 E1  
 Consolidated employers, retirement plan procedures: SSB 3226  
 Corrections, civil service exemptions: \*HB 125, CH 175  
 Elected officials, salaries increased: SHB 50  
 Employment commission created: HB 651  
 Insurance coverage, not additional compensation: \*SSB 3079, CH 37 E1  
 Insurance, self-funding: SHB 620  
 Liquor control board employees, collective bargaining: HB 664  
 Mileage rates: HB 746  
 Pay period, twice a month: \*2SHB 295, CH 28 E1  
 Performance evaluations, supervisor responsibility: SHB 134  
 Personal service contracts, reporting requirements: SHB 149  
 Personnel files, employee access provided: HB 446  
 Political campaign solicitation and contributions: SHB 426  
 Private benefit or gain by public officers outlawed: HB 474  
 Productivity board: HB 617, \*SB 4205, CH 54  
 Quality circle, employee productivity and participation: HB 955  
 Reduction in force, not favor management: HB 283  
 Reënter service, restoration of withdrawn retirement: \*SHB 126, CH 233

**STATE AND PUBLIC EMPLOYEES—cont.**

- Retirement age, mandatory provisions may be waived: HB 338
- Retirement system, service period computation: SSB 3062, \*SHB 16, CH 69
- Salaries, sunset termination: \*SHB 493, CH 197
- Salaries must be lower than governor: SB 3427
- Salaries or benefits, determined: HJR 12
- State patrol special deputies: \*HB 304, CH 144
- Travel allowance, foreign: HB 851
- Travel office for state employees' trips: HB 894
- Travel reimbursement, set at federal rate: \*SHB 127, CH 29 E1
- Vacation leave: \*SHB 129, CH 283
- Vacation leave, accrued, may be paid for unused: SHB 132
- WWII state employees, surviving spouse, discriminatory dismissal, reparation: HB 268, \*SSB 3163, CH 15 E1

**STATE AUDITOR**

- Municipal corporations division, revolving fund: SHB 635
- Salary increase: SHB 50

**STATE BUILDING CODE**

- Adult correctional facility construction projects: HB 34
- Council established: HB 557
- Energy efficiency, commercial and residential: HB 2
- Model conservation standards for new structures: HB 162, SHB 162
- State building code act: HB 557
- Uniform standards brought up to date: HB 596

**STATE EMPLOYEES** (See STATE AND PUBLIC EMPLOYEES)**STATE FINANCE COMMITTEE** (See BONDS)**STATE FIRE MARSHAL**

- Fire protection board created: HB 447
- Guard dogs, notice must be given: \*SB 3537, CH 258
- Heaters, oil-fueled heaters regulated: \*SSB 3251, CH 134
- Oil recycling tanks: HB 873
- Transient accommodations, fire marshal authority: HB 273

**STATE INVESTMENT BOARD**

- Residential financing, public pension guarantee fund to provide money: HB 267

**STATE LOTTERY** (See also GAMBLING)

- Commission members or employees may not benefit privately: HB 474
- Electronic, mechanical, or video terminals prohibited: HB 610
- Electronic or mechanical devices prohibited: SSB 3814
- Electronic or mechanical devices, video terminals: HB 642
- Liquor board administrative expense: HB 835
- Liquor control board, lottery related services: SHB 319, \*SSB 3101, CH 160
- Proceeds dedicated to use of common schools: HB 616
- Schools, receive proceeds of lottery: HB 616
- Tax, 10% of ticket selling price: HB 544
- Uniform unclaimed property act enacted: \*SHB 179, CH 179
- Washington state lottery act enacted: HB 438

**STATE PATROL**

- Cadets, retirement contributions, transfer: \*SSB 3174, CH 81
- Collective bargaining, not including wages: SHB 1035
- Corporal, establishing rank: HB 156
- Criminal records, fees: \*HB 260, CH 184
- Disciplinary and disability hearings: HB 818
- Disciplinary process: SB 4202
- Drunk driver enforcement impact account: SHB 983
- Lie detector tests cannot be a condition of employment: HB 432
- Motor carrier safety and weight regulation consolidated: HB 819
- Public retirement: SHB 495, SB 3910, \*SHB 51, CH 56 E1
- Retirement, survivor's benefits: SHB 271
- Special deputies, state employees: \*HB 304, CH 144
- Transportation of hazardous substances: \*SSB 3026, CH 205
- Uniform, worn off-duty during public service education: SHB 552

**STATE PATROL**—cont.

Vehicle repairers, restorers, or rebuilders, rules: \*HB 259, CH 142  
 Weight control division of WSP transferred to WUTC: HB 837

**STATE TREASURER**

Filing requirements: \*SB 3142, CH 213  
 Obsolete funds and accounts abolished: \*SHB 325, CH 189  
 Public purpose moneys, special account until 1985: HB 52  
 Salary increase: SHB 50  
 State employees salaries or benefits, paid from state treasury: HJR 12

**STATUTE LAW COMMITTEE** (See CODE REVISER)**SUPERINTENDENT OF PUBLIC INSTRUCTION**

Board of education, voting member: SSB 3455  
 Handicapped children, training program: HB 168, HB 196  
 Juveniles, detention facilities, education: \*SHB 241, CH 98  
 National history contest: SCR 105  
 Salary increase: SHB 50  
 School buildings, earthquake inspections: HB 680  
 Transportation, allocation: HB 296, \*SHB 296, CH 61 E1  
 Transportation vehicle reserve: HB 148  
 Vocational agriculture program: \*HB 570, CH 34 E1

**SUPREME COURT**

Administrator for the courts, salary: HB 627, SB 3376  
 Public printer's duties: HB 378  
 Salaries increased: SHB 50

**SUSAN B. ANTHONY**

National holiday: HJM 28

**TACOMA**

Dome building commended: HFR 67  
 Pantages theatre restoration efforts commended: HFR 13  
 Port study and review commission, cost, control program: HB 415

**TAXES - B&O**

Agricultural or horticultural property, inventory: \*SHB 466, CH 62 E1  
 Aluminum, manufacturing tax extended to: HB 798  
 Border county tax modified: \*SB 3909, CH 3 E2  
 Business inventories, does not include timber on state land: HB 354  
 Business inventories, removing 1983 expiration: HB 332  
 Cities, counties, school districts, exempt: HB 529, HB 805  
 Counties, cities, school districts, fire districts, exempt: \*SSB 3244, CH 66 E1  
 Grants received by municipal corporations exempt: \*SSB 3244, CH 66 E1  
 Handicapped, hiring of, credit: HB 849  
 Homeowner's property tax relief act: \*SHB 466, CH 62 E1  
 Hotel/motel, small cities, fund convention or trade center: SHB 806  
 Income, minimum taxable level raised: HB 396  
 Income tax in lieu of B&O tax: HJR 37  
 Insurance agents, brokers, solicitors, adjusters, separate rate: HB 660, \*SB 3909, CH 3 E2  
 Insurance agents, brokers, solicitors, tax rate modified: SHB 52  
 Inventory tax exemption modified: \*SHB 466, CH 62 E1  
 Manufacturers, tax increased: SHB 52  
 Math and science, donations, B&O tax credit: HB 948  
 Meat processors, changed to 1/8 of 1%: HB 414  
 Monthly exemption increased: HB 176  
 Public assistance recipients, employers receive tax credit: HB 871  
 Public utilities, additional tax, expiration date removed: SHB 52  
 Real estate broker, additional tax period removed: SHB 52  
 Retail, within this state, defined for taxation: HB 566  
 School teachers, math, B&O tax credit for employing: SHB 807  
 Services, various, 32% tax: \*HB 1075, CH 9  
 Services, 3% sales tax on certain services: HB 331  
 Thermal electric generating facilities, tax period removed: SHB 52  
 Timber, certain not business inventory: \*SHB 466, CH 62 E1  
 Transportation businesses, expiration date removed: SHB 52  
 Travel agents, exclusion: HB 963

**TAXES - B&O—cont.**

- Wholesale tax, manufacturers, processors, increased: SHB 52
- Wholesale, within this state, defined for taxation: HB 566
- Wood products processing facility, tax credit: HB 192

**TAXES - EXCISE**

- Aircraft, business or commercial purposes, modified: HB 847
- Aircraft, failure to pay, misdemeanor: \*SB 3258, CH 7
- Aircraft, fee schedule: \*SB 3909, CH 3 E2
- Aircraft, schedule to be developed: HB 416
- Aircraft, tax, registration fee: SHB 52
- Anadromous game fish: HB 233, \*SHB 233, CH 284
- Cold storage warehouse defined: \*SSB 3239, CH 132
- Community action, weatherization or home repair assistance, tax deduction: HB 160, \*SSB 3244, CH 66 E1
- Drinking deterrence and treatment fund, surcharge supported: HB 227
- Due dates, can credit to next fiscal year: HB 210
- Fish, commercial food fish and shellfish, additional tax, expiration date removed: SHB 52
- Hotel-motel, promote hotel-motel industry: HB 225
- Hotel/motel tax transferred, arts, stadium, convention districts: HB 912
- Law enforcement service districts authorized: HB 560, HB 673
- Leasehold excise tax, contract rent redefined: HB 770, HB 878
- Mobile home, travel trailer, camper, erroneous payment refund: HB 173
- Oil and gas severance tax: 2SSB 3187
- Penalties and procedures modified, felony: HB 68
- Purchase contracts by local governments, may consider tax revenue: HB 574
- Real estate raised .1%: HB 943

**TAXES - FUEL**

- Aircraft, excise tax rate: \*SB 3211, CH 49
- Delinquency interest rate: HB 173
- Exemptions, eliminates fuel tax refund deduction: HB 8
- Gas tax provisions modified: \*SHB 235, CH 49 E1
- Gasoline excise tax revenues, public transportation: HJR 6
- Motor vehicle, taxable fuel: \*SSB 3067, CH 35 E1
- Propane, special tax: \*SB 3134, CH 212
- Special fuel, interest penalties: \*SB 3145, CH 242
- Special fuel, trip permits: HB 644, \*SB 3144, CH 78
- State personal income ratio calculation modified: HB 238
- Transportation, elderly or handicapped, exempt: \*SHB 539, CH 108

**TAXES - GENERAL**

- Business inventories, does not include timber on state land: HB 354
- Business inventories, removing 1983 expiration: HB 332
- Coin-operated gambling devices: HB 635, HB 666, SB 3985
- Drinking deterrence and treatment account: HB 870
- Exemptions, effect on revenue: \*SB 3909, CH 3 E2
- Fire insurance premiums: HB 641
- Flood control zone districts: \*SHB 1093, CH 315
- Gambling tax rate lowered for local government: HB 815
- Guaranty associations, insurance premium tax credits: HB 678
- Health maintenance organization, premium tax: HB 199
- Increases or new, 1 year after December 31, 1983: HJR 30
- Libraries, tax exemption: HB 363
- Marine transportation benefit area authority: HB 464
- Obsolete funds and accounts abolished: HB 325
- Public improvement debts through ad valorem taxes: HJR 16
- School district levies, may exceed limitations, 1985-1990: HB 922
- School district levies, simple majority vote: HB 774, HJR 18
- School district levies, tax limit modified: HJR 33
- School districts, excess elections: SHB 439, SHJR 29
- Tax incentives for private sector, utilized by state: SHB 1050
- Warrants, tax collection: \*SHB 72, CH 55 E1

**TAXES - INCOME**

- B&O, income tax in lieu of: HJR 37
- Corporations, 3.12%: HB 935

**TAXES - INCOME—cont.**

Dividend, interest, tax withholding repeal requested: HJM 13  
 Graduated: HB 670  
 Gross income, adjusted, one percent from every taxpayer: HB 40  
 Limited tax imposed: HB 715  
 Limited tax imposed, corporations, individuals: HB 404  
 Local authorized: HB 935  
 Savings account, 10% interest withheld, eliminate: SJM 104  
 Single rate for corporations, single rate for persons: HJR 26  
 Uniform tax after business expenses deducted: HJR 1

**TAXES - INHERITANCE**

Deferrals, taxed at 12%, interest to revenue department: HB 62  
 MLA's, refunding inheritance taxes paid on estates: HB 598  
 Rate of 3.12%: HB 935

**TAXES - MOTOR VEHICLE**

Excise tax, additional tax, expiration date removed: SHB 52  
 Excise tax, municipal tax rate transportation: HB 537  
 Excise tax revenue restrictions modified: HB 536  
 Exemptions, eliminates fuel tax refund deduction: HB 8  
 Use tax, allocation of collection fee: \*SB 3097, CH 77

**TAXES - MUNICIPAL**

County solid waste facilities, exemption removed: HB 48  
 Electric utilities privilege tax: HB 913, HB 903

**TAXES - PERSONAL PROPERTY**

Business inventory tax exemption modified: \*SHB 466, CH 62 E1  
 Collection procedures modified: HB 677  
 Delinquency procedures: SSB 3178  
 Delinquent, four years, may cancel: SB 3262  
 Irrigation equipment, use tax exemption: \*SHB 72, CH 55 E1  
 Nonprofit organizations, deferrals and exemptions modified: SSB 3267  
 Shelters, homeless persons, exempt from taxation: HB 656, SB 3438

**TAXES - REAL PROPERTY**

Agricultural or horticultural property: \*SHB 466, CH 62 E1  
 Cities, counties, maximum amount: HB 916  
 Collection procedures modified: HB 677  
 Conservation futures, exempt, ad valorem taxation: HB 692  
 Conservation status, no penalty tax: \*HB 256, CH 41  
 County assessor to review levies: HB 698, \*SSB 3522, CH 223  
 County road tax revenues, use: HB 11  
 County sales and use tax equalization: \*SHB 263, CH 99  
 Current use assessment, single family residences, vacant lots: HB 46  
 Current use valuation, vacant lots, single family residences: HJR 20  
 Delinquency, interest, 2% above prime: HB 889  
 Delinquency penalties, waived, certain filing and notice circumstances: HB 706  
 Delinquency procedures: SSB 3178  
 Equalization board, delinquencies, schedule: SB 3262  
 Equalization, petition process: HB 173  
 Exempt, incidental rental authorized: HB 625  
 Exempt, vital services, reimbursement to county or city: HB 5  
 Exemptions, effect reported: \*SB 3909, CH 3 E2  
 Flood control and stormwater assessments, delinquency: HB 462  
 Game department in lieu of taxes: SHB 105  
 Homeowner's property tax relief act: \*SHB 466, CH 62 E1  
 Homestead partial property tax exemption: HJR 38  
 Homesteads, exemption, filing requirements: HB 907  
 Law enforcement service districts authorized: HB 560, HB 673  
 Leasehold excise tax, contract rent redefined: HB 770, HB 878  
 Leases, excise tax, occupation, leasehold interest: HB 80  
 Nonprofit organizations, deferrals and exemptions modified: SSB 3267  
 Nonprofit organizations: HB 504, \*SB 3162, CH 25 E1  
 Open space land, interest rate upon reclassification: SB 3099  
 Park and recreation service area: SHB 597, SSB 4015  
 Public improvement debts through ad valorem taxes: HJR 16

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**TAXES - REAL PROPERTY—cont.**

Public improvement financing, property tax increases: HJR 28, HJR 32, SSSR 119  
 Real estate excise tax raised .1%: HB 943  
 Reassessment, repayments: HB 173  
 Recovery and refunds: HB 173  
 Residences, single family and vacant lots, current use assessment: HB 46  
 Sales of real estate, additional tax, expiration date removed: SHB 52  
 Senior citizen property tax relief modified: HB 170  
 Senior citizen tax exemption: HB 262, HB 264, HB 360, HB 696, \*SHB 496, CH 11 E1  
 Senior citizen tax exemption, publication of procedure: HB 624  
 Shelters for homeless persons: HB 656, SB 3438, \*SHB 72, CH 55 E1  
 Use exemption, tax and interest assessment: \*HB 269, CH 185  
 106% limit modified: HB 391

**TAXES - SALES**

Border counties defined: \*SB 3258, CH 7  
 Border counties rate varied: SHB 52  
 Border county tax modified: \*SB 3909, CH 3 E2  
 Cigarette tax stamp compensation changed: HB 788  
 Cigarettes, proceeds, cancer research: SB 3309  
 Cities, counties, school districts, exempt: HB 529, HB 805  
 Collection, seller to be compensated: HB 525  
 Computers, donated, use tax exemptions: \*SHB 72, CH 55 E1  
 Construction and equipment, tax deferral program: HB 108  
 Counties, cities, additional tax: HB 158  
 Drug tax removed: HJR 25  
 Ferries, duty free shops: SHB 861  
 Food, public school lunch programs, tax eliminated: SB 3015  
 Food tax extended through 83-85 biennium: HB 215  
 Food tax removed: HB 310, HB 314, HJR 25  
 Increase, temporary, specified businesses: \*HB 1075, CH 9  
 Investment projects, sales tax deferrals: HB 161  
 Irrigation equipment use tax exemptions: \*SHB 72, CH 55 E1  
 Lottery tickets, 10% of selling price: HB 544  
 Modification, various taxes: SHB 52  
 Newspaper sale and use tax exemption repealed: HB 781  
 Nonresident sales for use outside state, permit fee reduced: HB 82  
 Public transportation, authority equalized: SHB 535, SB 3834  
 Retail sales, military bases: HJM 1  
 Retail, within this state, defined for taxation: HB 566  
 Selling price may include tax if buyer notified: HB 614  
 Services, 3% sales tax on certain services: HB 331  
 State, purposes of retail sales tax: \*SHB 72, CH 55 E1  
 Telephone services, retail: SHB 52, \*SB 3909, CH 3 E2  
 Trade in allowance, deducted from sales price: HB 191  
 Wholesale, within this state, defined for taxation: HB 566

**TAXES - TIMBER**

Business inventories, not timber on state land: HB 354  
 Business inventory, certain timber: \*SHB 466, CH 62 E1  
 Business tax extended: SHB 52, \*SB 3909, CH 3 E2  
 Counties may impose an excise tax: SSB 4158  
 Credit, certain harvest: HB 222  
 Current use assessment, timber land: SSB 3504  
 Excise tax on harvesters, criteria: HB 776, HB 797, HB 902  
 Extended at a reduced rate: HB 249, HB 250  
 Forest fire protection assessments: \*SHB 661, CH 299  
 Forest land, reforestation land reclassified: HB 425  
 Public land, exempt harvested on public land: HB 657  
 Rates modified over 5 year period: SB 3750  
 Retooling plant to metric, tax credit: HB 192  
 Timber tax reserve account: \*HB 61, CH 8

**TECHNOLOGY**

Ad hoc committee on science and technology: SCR 101  
 Education priorities, science, engineering: HCR 8  
 High technology in south Puget Sound: SHB 565

**TECHNOLOGY—cont.**

High-technology education and training act: HB 869, \*2SSB 3155, CH 72 E1  
 Joint ad hoc committee on science and technology: HCR 3  
 Math and science, donate to schools, tax credit: HB 948  
 Math and science, recommended state course of study: SHB 954  
 Math and science teachers, tax credit for hiring: SHB 807  
 Math, science, computer science, education requirements: HB 956  
 Math, science, computer science education, appropriations: HB 946  
 Math, science, computer science, gifted students, summer: HB 962  
 Math, science, computer science, schools, matching funds: HB 949  
 Math, science, computer science, summer school: HB 852  
 Public corporations to provide capital funds: HJR 24  
 Tax deferrals for new construction and equipment: HB 108  
 Technology development corporation established: HB 190  
 Training fund and nonprofit corporation created: HB 75

**TELEPHONES**

Services taxed: \*SB 3909, CH 3 E2

**TELEVISION (See also PUBLIC BROADCASTING COMMISSION)**

Matching local funds for public television transmitters eliminated: SJM 118

**THURSTON COUNTY**

High technology in south Puget Sound: HB 565, SHB 565

**TIMBER (See NATURAL RESOURCES, DEPARTMENT OF; TAXES - TIMBER)****TOBACCO**

Cancer research funded by excise tax: SB 3309  
 Cigarette tax stamp compensation changed: HB 788  
 Military base tax exemption, eliminate: HJM 1  
 Smoking in public areas restricted: HB 229

**TOURISM (See COMMERCE AND ECONOMIC DEVELOPMENT)****TOUTLE RIVER**

Mt. St. Helens repair damage: HB 358, \*SB 3519, CH 1 E1

**TRADING STAMPS**

Coupons, distributed through newspaper or attached or in packages, regulation: SB 3082,  
 \*HB 219, CH 40

**TRAFFIC SAFETY COMMISSION**

Comprehensive traffic safety plan duties modified: \*SSB 3538, CH 14 E1  
 Sunset termination removed: \*SSB 3538, CH 14 E1

**TRANSPORTATION, DEPARTMENT OF**

Aircraft dealer regulations: \*SB 3252, CH 135  
 Airplane leasing, purchasing: HB 406  
 Bicycle transportation committee established: HB 375  
 Civil service exemptions for certain management: HB 503  
 Condemnation cases, highways, court priority: \*HB 183, CH 140  
 Contracting authority, indemnity provisions: \*HB 184, CH 29  
 Ditches, regulation, sunset termination: \*SHB 493, CH 197  
 Ferries, duty free shops: SHB 861  
 Ferries, Issaquah class, conditions on service: HB 567  
 Ferry contractors, prequalification procedures: \*SB 3250, CH 133  
 Ferry system, auto license and renewal fees, island counties: HB 230  
 Ferry system, capital expenditures, operations, maintenance expenses: SHB 701  
 Ferry system, organization, collective bargaining procedures: \*SSB 3108, CH 15  
 Flood damage, repairs, EIS requirements: HB 182  
 Grant county arterial highway construction: SSB 4055  
 Hood canal bridge, appropriation: \*SB 3198, CH 18  
 Hood Canal bridge, tolls reduced and then terminated: SB 3991  
 Marine transportation benefit area authority: HB 464  
 Motor vehicle fund distribution: \*HB 285, CH 43  
 Multilane highways, keep right except to pass: HB 799  
 Multistate highway transportation agreement: \*SB 3282, CH 82  
 Public transportation account created: HB 775  
 Rail study on costs and benefits: \*HB 753, CH 303



**TRANSPORTATION, DEPARTMENT OF—cont.**

Railroad passenger service advisory committee: HB 758  
 Railroad rights of way, mapped: HB 376  
 R.C. Bremmer Bridges, I-182, Yakima River: HFR 86  
 Rural arterial program: HB 773, \*SHB 235, CH 49 E1  
 Signs, real estate, temporary, visual quality laws: HB 17  
 Speed limits, local regulation, not less than 12: SB 3191  
 State route 21, Kahlotus to Lind: HB 45, \*SB 3165, CH 79  
 State route 530, to Rockport: HB 172, \*SB 3167, CH 131  
 State routes revised, 12, 109, 291, 251: \*HB 185, CH 180  
 Toll facilities, pedestrians liable: \*SB 3255, CH 247  
 Transportation budget adopted: HB 236, HB 237, \*SHB 234, CH 53 E1

**TRAVEL**

Agents, exempt from B & O tax if can not pass on: HB 963  
 Agents, outside sales exempt from unemployment compensation: HB 831  
 Travel bureaus regulated: HB 828  
 Washington state travel office: HB 894

**TRUSTS**

Real property, no conveyance, sale or disposition without beneficiary notice: HB 523  
 Wills, statutory will adopted: HB 684

**UNEMPLOYMENT COMPENSATION**

Additional benefits, availability extended: \*2SSB 3085, CH 13 E1  
 Employer contribution rate: HB 714  
 Extended benefits, eligibility criteria: \*HB 1, CH 1  
 Federal interest payment fund: HB 220, \*2SSB 3085, CH 13 E1  
 Higher education financial aid does not cover: HB 431  
 Labor disputes, work stoppage, exceptions: HB 789  
 Military weekend duty reserve pay excluded: \*HB 787, CH 67  
 Part-time employment, criteria for suitable work: HB 6  
 Quitting voluntary: HB 757  
 Shared work benefits, reduced work week: HB 195, HB 246, \*SSB 3087, CH 207  
 State and political subdivisions, liable for interest or penalties: HB 224, \*SSB 3311, CH 23 E1

**UNIFORM LAWS**

Uniform conflict of laws limitation act: \*HB 925, CH 152

**UNIVERSITY OF WASHINGTON**

Employment needs commission authorized: HB 206  
 High-technology center: HB 869, \*2SSB 3155, CH 72 E1  
 Museum, sunset termination: \*SHB 493, CH 197  
 Operating fees to be used solely for schools: HB 299  
 Prioritize, eliminate duplication, stress science: HCR 8  
 Resource management account fund transfer: \*SHB 470, CH 17 E1  
 Teacher training, pilot project: SHB 876  
 Tuition and fees modified: SHB 248

**UTILITIES AND TRANSPORTATION COMMISSION**

Attorney general representation at hearings: HB 709  
 Cable television regulated: HB 578  
 Consumer utility board: SHB 563  
 Courier services of 100 pounds or less exempt: HB 877  
 District heating, operating permits for heat supplier: SSB 3225, \*SHB 114, CH 94  
 Electric PUDs, tax credit for senior citizen reduced rate: HB 279  
 Excursion service companies regulated: SSB 3758  
 Garbage trucks, weight limits: \*SB 3076, CH 68  
 Hazardous materials exempt from motor freight carrier law: HB 819  
 Low-income utility rate rules to be adopted: SHB 550  
 Motor carrier safety and weight regulation: HB 819  
 Multistate highway transportation agreement: \*SB 3282, CH 82  
 Railroad crossings, reflectorized whistle post: HB 96  
 Railroad track motor car, flashing warning light: HB 204  
 Railroads, occupied caboose on class I freight trains: HB 135  
 Statutory corrections, obsolete references: \*SB 3038, CH 4  
 Vehicle size, load restrictions: HB 769, \*SB 4112, CH 278  
 Weight control division of WPS transferred to WUTC: HB 837

\* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

**UTILITIES** (See also WPPSS)

Annexation by public utility districts: \*SHB 323, CH 101  
 City-owned, in county, taxed at true and fair value: HB 654  
 Conservation analyses and financing: SSB 3256, \*SHB 366, CH 62  
 Consumer utility board: SHB 563  
 Debts, electric utilities, nuclear, debt recovery: HB 846  
 District formation procedures: \*HB 753, CH 303  
 Economic development areas established: HB 917  
 Electric distribution political subdivisions, heating systems: SHB 113, \*SB 3224, CH 216  
 Electric energy contracts by cities: \*SHB 865, CH 308  
 Electric generating project financing (Merwin Dam): HB 838  
 Electrical utilities, conservation credits: HB 930  
 Electricity tax, additional tax, expiration date removed: HB 52  
 Energy efficiency financing: HB 883  
 Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178  
 Hydroelectric development: \*SSB 3511, CH 47  
 Joint operating agency, default is unlawful: HB 892  
 Low-income rates may be adopted: SHB 550  
 Meter tampering is theft: SHB 921  
 Municipal electric, privilege tax: HB 913, HB 923  
 Poles, regulation of attachments: SSB 3183  
 Public improvement boundaries, purposes: HJR 28, HJR 32, SSJR 119  
 PUD commissioner immunity: HB 898  
 Railroad rights of way, mapped: HB 376  
 Senior citizen reduced electric rates: HB 279  
 Service installation charge: \*SB 3392, CH 217  
 Taxation and assessment, annual report due date extension: SB 3262  
 Thermal power plant site certification: HB 623  
 Underground utilities, damage procedures: HB 857  
 Uniform unclaimed property act enacted: \*SHB 179, CH 179  
 WPPSS decisions of participants, immunity: \*HB 1094, CH 48 E1  
 WPPSS executive board membership modified: \*SSB 3266, CH 3 E1  
 WPPSS financial resolution called for: HJM 11, SCR 107  
 WPPSS, investigate beneficial statutory changes: HFR 91

**VETERANS AFFAIRS**

Advisory committee membership increased: HB 858, \*SB 3221, CH 34  
 Agent orange problem: HFR 50  
 License plates, permanently unemployable: \*SHB 868, CH 230  
 Llewellyn M. Chilson, posthumous bestowal of congressional medal: HFR 60  
 Memorial parks and cemeteries for state veterans: HB 575  
 MIA return: HJM 31  
 POWs and MIAs: HFR 48  
 Rehabilitation services may be contracted: HB 632  
 Relief fund: SSB 4259, \*SHB 576, CH 295  
 Veteran services may be contracted: \*SSB 3595, CH 260  
 Veteran's home loan financing program established: HB 186  
 Vietnam veterans, tuition increase exemption: HB 848

**VETERINARIANS**

Animal technician, examination, license renewal: \*HB 357, CH 102  
 State veterinarian: SB 3297

**VOCATIONAL EDUCATION**

Agricultural education program: \*HB 570, CH 34 E1  
 Commission on vocational education, sunset: \*SHB 493, CH 197  
 Correctional program products, auction provision removed: SB 3528  
 Fire service training account, insurance premiums tax: HB 641  
 Fire service training purposes: HB 447  
 Industrial training in the community colleges: HB 662  
 Job skills program, fire service training: \*2SHB 231, CH 21 E1  
 Training fund program established: HB 308

**WASHINGTON STATE UNIVERSITY**

Employment needs commission authorized: HB 206  
 Enderlin alternative study: SB 4079  
 George Raveling and Cougars commended: HFR 69

**WASHINGTON STATE UNIVERSITY—cont.**

High-technology state-wide off-campus system: HB 869, \*2SSB 3155, CH 72 E1  
 Intercollegiate center for nursing, fee waiver: \*SB 3448, CH 220  
 Operating fees to be used solely for schools: HB 299  
 Prioritize, eliminate duplication, stress science: HCR 8  
 Small business assistance coordinating council: SHB 689  
 Tuition and fees modified: SHB 248

**WASTE DISPOSAL**

County solid waste facilities, tax exemption removed: HB 48  
 Electric generation by municipal corporations: HB 710  
 Solid waste advisory committee: HB 712, 2SSB 3722  
 Solid waste facilities, located within city, county to reimburse for use: \*SHB 44, CH 171  
 Storm water control facilities: HB 601, \*SHB 1093, CH 315  
 Waste treatment plant certification: HB 485

**WATER**

Discharge into marine waters, permit conditions: SHB 475  
 Ditches, regulation, sunset: \*SHB 493, CH 197  
 East Selah reregulating reservoir: \*HB 595, CH 18 E1  
 Ground water, aquifer protection and regulation: HB 364  
 Ground water rights, priority as to wells: HB 365  
 Hot water heater thermostat setback: SSB 3277, \*SHB 177, CH 178  
 Hydraulic projects: HB 794, HB 801, SSB 3154  
 Marine exploration of oil and gas: \*SHB 95, CH 138  
 Marine transportation benefit area authority: HB 464  
 Nisqually Delta and Sequim Bay retained on sanctuaries list: HB 686  
 Pollution authority of DOE modified: \*SB 3674, CH 270  
 Pollution control act, references changed to clean water act: HB 292  
 Puget sound water quality authority established: \*SSB 3156, CH 243  
 Reclamation act duties modified: HB 583, SHB 583  
 Sole-source aquifers, funds for protection: \*SSB 3664, CH 269  
 Stormwater purposes, flood control zone authorized to handle: HB 462  
 Street vacation, salt or fresh water: HB 820  
 Waste treatment plant certification: HB 485  
 Water management improvement act: HB 582  
 Water supply facilities appropriation: HB 881  
 Water supply operators, certification changes: SSB 3395, \*SHB 548, CH 292  
 Water well construction complaints: \*HB 112, CH 93  
 Water well construction examining board sunset review: \*SHB 39, CH 27 E1  
 Yakima river basin hydroelectric development: SSB 3873

**WATER DISTRICTS**

Contracting procedures: \*HB 78, CH 38  
 Electric generation by municipal corporations: HB 710  
 Hook up fees, cities may charge property owners equitable share: HB 79, SHB 79  
 Low-income rates, may delay, adjust, eliminate: \*HB 520, CH 198  
 Meter tampering is theft: SHB 921  
 Special purpose districts, powers: HB 728  
 Storm water control facilities: HB 601, \*SHB 1093, CH 315  
 Treasurers, appointed by district commissioners: \*HB 111, CH 57  
 Water supply operators, certification changes: SSB 3395, \*SHB 548, CH 292

**WHATCOM COUNTY**

Flooding disaster areas, asking President to give federal assistance: HJM 9

**WILLS**

Creditor claims against deceased person: \*HB 643, CH 201  
 Statutory will adopted: HB 684

**WOOD AND WOOD PRODUCTS (See NATURAL RESOURCES, DEPARTMENT OF)****WORK**

Civilian conservation corps called for: HJM 15  
 Community development finance corporation established: SHB 213  
 Comparable worth in salary schedules: \*SSB 3248, CH 75 E1  
 Conservation corps: HB 330  
 Conservation corps established: \*2SSB 3624, CH 40 E1  
 Economic development and job creation: SHCR 6

**WORK—cont.**

Economic equity act, equality for women: HJM 16  
 Employment application fees prohibited: HB 839  
 Employment stabilization, one year notice: HB 694  
 Firewood distribution project: HB 212  
 Foodstamps, workfare program: HB 7  
 Hazardous substances, employer duties: SHB 863  
 High technology in south Puget Sound: SHB 565  
 Industrial training in the community colleges: HB 662  
 Industry and job retention study: HCR 27  
 Injured workers, lay-off, suspend, discharge, limitations: HB 724  
 Injured workers, vocational rehabilitation: \*HB 25, CH 86  
 Injury resulting from employer violations, exemplary damage: HB 729  
 Job applications exempt from public disclosure: HB 899  
 Job legislation requested: HJM 27  
 Job skills program: \*2SHB 231, CH 21 E1  
 Job training and partnership act, job loss: SHB 1051  
 Jobs again council: SB 3850, SB 3981  
 Labor-management relations act, avoid industrial strife: HB 782  
 Lie detector tests as conditions of employment: HB 449  
 Minority and women-owned businesses, participation enhanced: HB 163, SHB 163, \*2SSB 3230, CH 120  
 National worker impact policy: HJM 22  
 Overtime, mandatory prohibited: HB 490  
 Overtime work, conditions of employment: HB 456  
 Personnel files, employee access provided: HB 446  
 Public assistance recipients, employers receive tax credit: HB 871  
 Sexual orientation, may not discriminate: HB 556  
 Shared work benefits, unemployment compensation: HB 195, HB 246, \*SSB 3087, CH 207  
 Small business improvement council: SSB 3982  
 State business and job creation, commission created: HCR 7  
 Telephone conversations of employees may not be recorded: HB 451  
 Training fund program established: HB 308  
 Work incentive demonstration project proposal: HB 897  
 Work release programs: HB 572  
 Youth conservation corps established: HB 65  
 Youth employment exchange: \*SHB 251, CH 50 E1  
 Youth jobs program established: HB 324

**WORKERS' COMPENSATION (See LABOR AND INDUSTRIES, DEPARTMENT OF)****WPPSS (See also JOINT OPERATING AGENCIES)**

Compensation, operating agency board directors: \*SSB 3266, CH 3 E1  
 Debts, recovered, rate increases for taxes: HB 846  
 Default is unlawful: HB 892  
 Electric energy contracts by cities: \*SHB 865, CH 308  
 Energy financing voter approval act, repealed: HB 810  
 Financial resolution called for: HJM 11, SCR 107  
 Joint session, message from governor: HCR 26  
 Open public meetings: SHB 631, \*SSB 3266, CH 3 E1  
 Participating utilities, immunity: \*HB 1094, CH 48 E1  
 Plants 4 & 5 to be sold: SHB 834  
 Statutory changes, investigate beneficial: HFR 91

**YAKIMA RIVER**

East Selah reregulating reservoir: \*HB 595, CH 18 E1  
 Hydroelectric development: SSB 3873  
 R.C. Bremmer Bridges, 1-182, Yakima River: HFR 86

**YOUTH CONSERVATION CORPS (See WORK)****ZONING (See LAND USE PLANNING)**