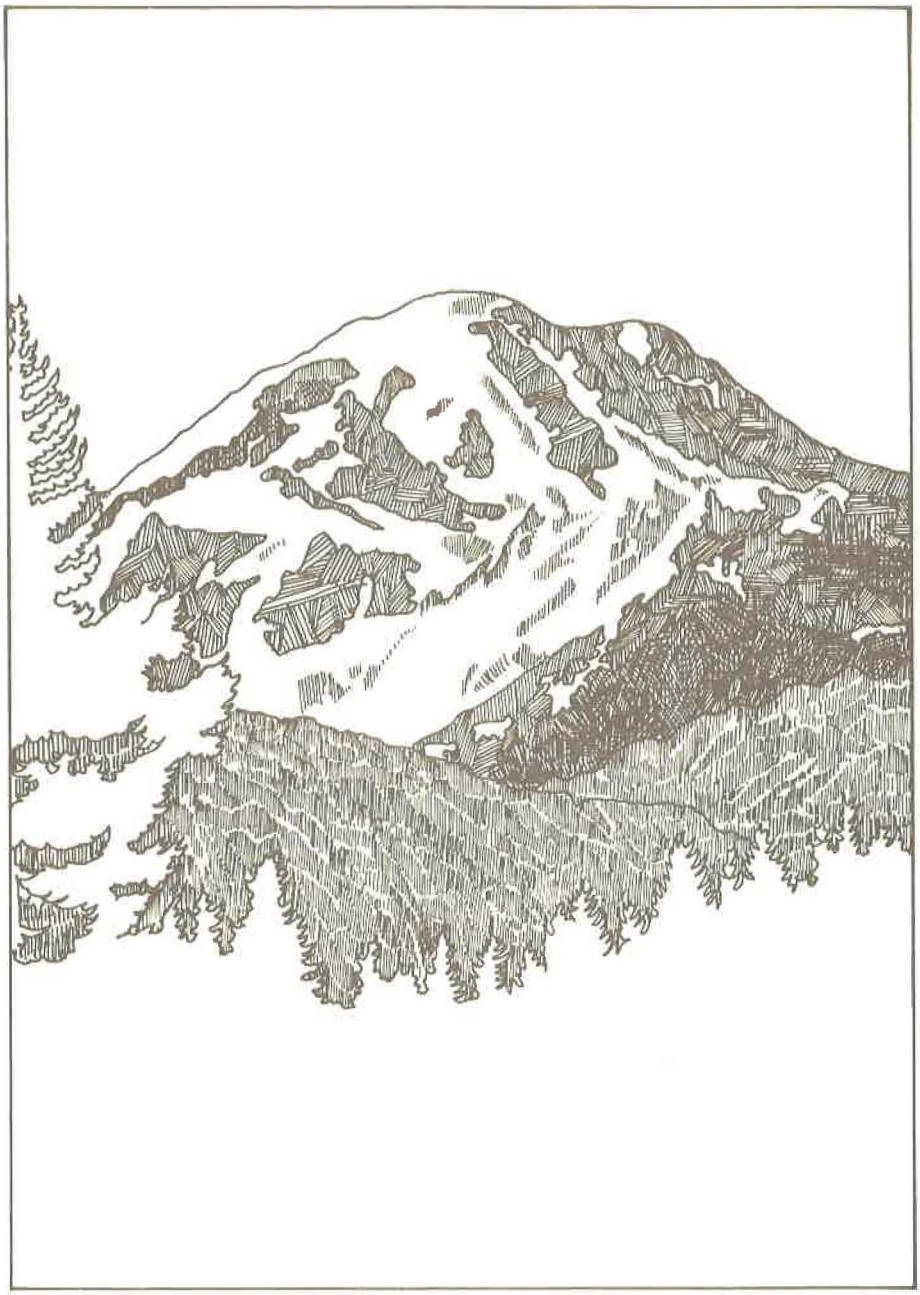
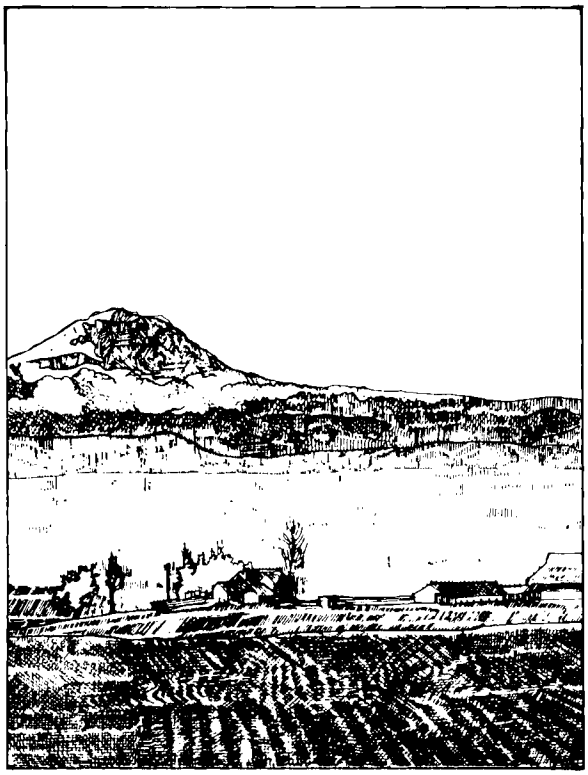


1981 FINAL LEGISLATIVE REPORT

Forty-Seventh Legislature of Washington State



1981 FINAL LEGISLATIVE REPORT

Forty-Seventh Legislature of Washington State

Regular and Special Sessions

This final edition of the 1981 **Legislative Report** is available from:

THE LEGISLATIVE BILL ROOM
Legislative Building
Olympia, Washington 98504
(206) 753-7573

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For more detailed information regarding this legislation, contact:

The House Office of Program Research
205 House Office Building
Olympia, Washington 98504
(206) 753-0520

The Senate Research Center
101 Public Lands Building
Olympia, Washington 98504
(206) 753-6826

WASHINGTON STATE LEGISLATURE

Senate • House of Representatives • Legislative Building • Olympia, Washington 98504

May 26, 1981

TO: Lieutenant Governor John A. Cherberg, and
Members of the Washington State Legislature

This final edition of the **Legislative Report** is a summary of action taken during the 1981 Regular and the First Special Sessions of the 47th Legislature. It provides brief descriptions of legislation which passed the Legislature and a record of gubernatorial action.

This report is organized into five major sections, preceded by a topical index:

Reports on legislation which passed the Legislature;

Gubernatorial veto messages;

Information on sunset legislation;

Budget highlights; and

Appendices containing information on gubernatorial appointments, legislative and caucus officers, standing committee assignments and a tuition fee chart.

Additional information on bills is available from the House Office of Program Research or the Senate Research Center

Sincerely,

William M. Polk
Speaker of the
House of Representatives

Jeannette Hayner
Senate Majority
Leader

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Statistical Summary[1]

47th Legislature
1981 Regular and First Special Session

Bills Before Legislature

	Introduced	Passed[2]	Fully Vetoed	Partially Vetoed	Enacted[3]
House	755[4]	142[5]	5	16	137
Senate	1,364	214	2	9	212
LEGISLATURE	**2,119**	**356**	**7**	**25**	**349**

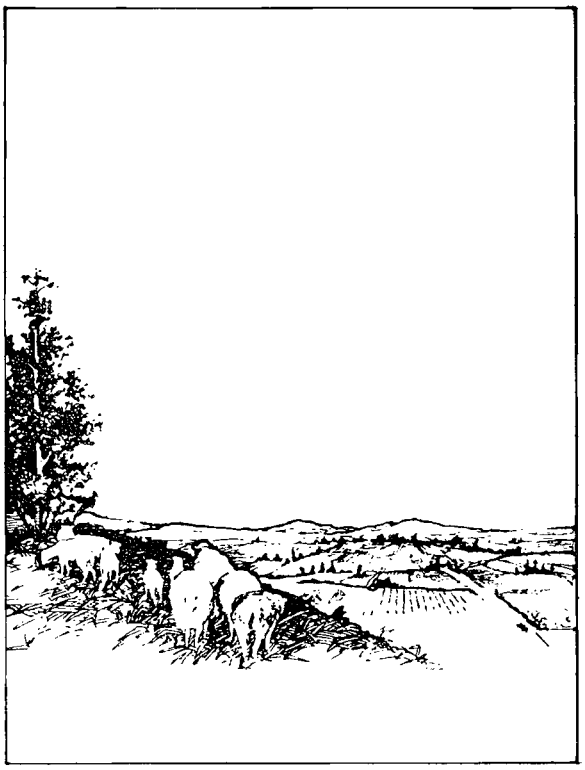
Joint Memorials, Joint Resolutions and Concurrent Resolutions Before the Legislature

	Introduced	Filed with Secretary of State
House	30[6]	2
Senate	46	3
LEGISLATURE	**76**	**5**

Gubernatorial Appointments

Referred	114
Confirmed	93

1 – Based on Code Reviser's LIS data.
2 – Includes five bills enacted in the First Special Session, April 28, 1981.
3 – Includes SHB 711 and SB 3359, which were allowed to become law without the Governor's signature.
4 - Includes 365 bills originally introduced as House Proposed Measures. 336 other House Proposed Measures were not introduced as bills, memorials or resolutions.
5 – Includes HB 1610 from 1980, enacted through legislative override of a gubernatorial veto.
6 – Include six Joint Memorials and Joint Resolutions originally introduced as House Proposed Measures



TOPICAL INDEX

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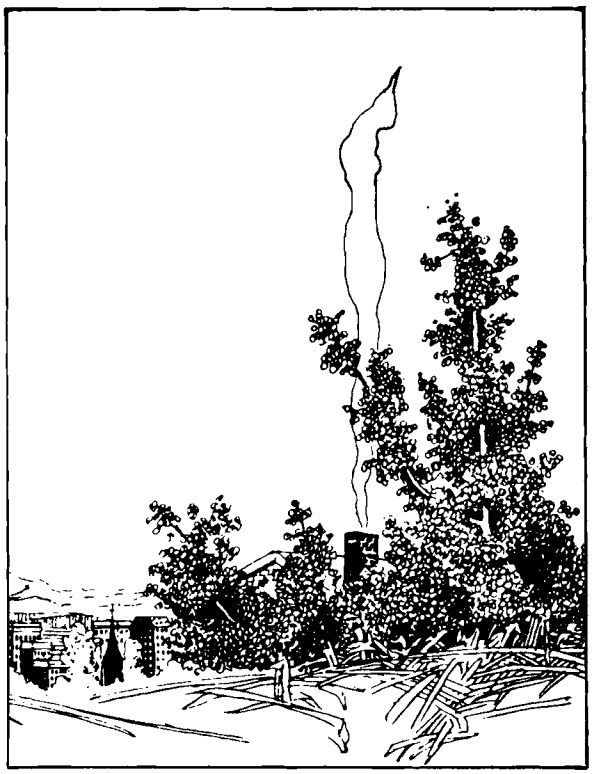
TOPICAL INDEX



LEGISLATION

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HB 42

C 48 L 81

BRIEF TITLE: Prohibiting the use, possession, and delivery of drug paraphernalia.

SPONSORS: Representatives Tilly, Ellis, Winsley, Gallagher, Valle, Sherman, Patrick, Schmitten, Dawson, Brown, Van Dyken, Stratton, Bond, Taylor, Sanders and Cantu

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

State law did not prohibit the use, sale, delivery or manufacture of drug-related paraphernalia. There was concern that the legal advertising, distribution and sale of drug paraphernalia facilitated and encouraged the use of marijuana and other illegal drugs. Past efforts regulating drug paraphernalia were almost uniformly found unconstitutional. In 1977, the Model Drug Paraphernalia Act was drafted by the federal Department of Justice. State and local laws based on this model act have met with greater success when challenged on constitutional grounds. Most courts have upheld the constitutionality of such laws.

SUMMARY:

The use of drug paraphernalia to produce, deliver or ingest illegal drugs is a misdemeanor.

A person who delivers or manufactures drug paraphernalia with the intent that it be used to produce or ingest illegal drugs is guilty of a misdemeanor.

A person over eighteen years of age who delivers drug paraphernalia to a person who is under eighteen years of age and at least three years younger is guilty of a gross misdemeanor.

A person who knowingly places an advertisement in a newspaper or other publication which is intended to promote, in whole or in part, the sale of drug paraphernalia is guilty of a misdemeanor.

Drug paraphernalia is defined as "all equipment, products, and materials" which are "used, intended for use, or designed for use" with a controlled substance. Certain items such as pipes, syringes, "bongs" and "chillums" are deemed to be paraphernalia when used, intended for use or designed for use with a controlled substance. A number of factors are listed which a court should consider when determining whether an item is drug paraphernalia.

These provisions are based on the Department of Justice's Model Drug Paraphernalia Act.

VOTES ON FINAL PASSAGE:

House	96	1
Senate	42	5

EFFECTIVE: July 26, 1981

SHB 49

PARTIAL VETO

C 32 L 81

BRIEF TITLE: Revising procedures for forms management.

SPONSORS: House Committee on State Government (Originally Sponsored By Representatives Amen, Williams, Warnke and Addison)
(By Legislative Budget Committee Request)

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: State Government

BACKGROUND:

In 1979, the Legislative Budget Committee conducted a performance audit of the state forms management program. The audit identified several areas of the then current law which might be amended to modify or delete unworkable provisions, combine similar sections, and eliminate unnecessary verbiage. The audit also recommended additional statutory language to specify legislative objectives and to clarify terms and functions used in the existing law.

SUMMARY:

State agencies affected by the forms management program are broadly defined, including elected officials and the Legislature.

Simplification of paperwork, increased efficiency and cost reduction are declared to be the objectives of the forms management program.

The purpose of the Forms Management Center in the Department of General Administration is clarified in relation to cost-effectiveness of the forms management program, training of agency personnel, control procedures, forms indices and forms procurement. In addition, the Department must maintain cost/benefit

records which may be needed for executive and legislative evaluation, instead of a central cross index.

The Governor may specifically delegate program responsibility under agreements with state agencies. The definition of public records is clarified. The Public Records Law which pertains to preservation of public records, no longer applies to blank forms and other non-record material.

Agency forms management representatives must complete a forms management training course approved by the Forms Management Center within three months of appointment.

State record preservation of certain physical materials must be approved by the State Archivist rather than a non-existent forms committee referred to in current law.

VOTES ON FINAL PASSAGE:

House	95	0
Senate	46	0

EFFECTIVE: July 26, 1981

PARTIAL VETO SUMMARY:

The partial veto would appear to have little, if any, substantive effect. It will allow sections 1 through 3 of the act to be codified as the Code Reviser desires. (See VETO MESSAGE)

HB 52

C 36 L 81

BRIEF TITLE: Giving school administrators authority to order those persons appearing under the influence of alcohol or drugs off school property.

SPONSORS: Representatives Vander Stoep, Galloway, Taylor, Winsley, Cantu, Patrick, Williams and Houchen

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

Public intoxication is no longer illegal. School personnel have complained that they cannot legally order intoxicated people from school property if they are not creating a disturbance.

SUMMARY:

It is unlawful for a person under the influence of alcohol or drugs to disobey willfully the order of a designated school official to leave school property.

The order is valid if the designated school official reasonably believes the person ordered to leave is under the influence of alcohol or drugs, is committing certain prohibited acts, or is creating a disturbance.

VOTES ON FINAL PASSAGE:

House	94	0
Senate	44	0

EFFECTIVE: July 26, 1981

SHB 61

C 144 L 81

BRIEF TITLE: Placing telephone companies and their competitors on an equal excise tax basis.

SPONSORS: House Committee on Revenue (Originally Sponsored By Representatives Flanagan, Brown, Galloway, Greengo, Sommers, Hastings, Garson and Fiske)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

State and local excise taxes applied to some products and/or services offered by telephone companies, regulated by the Utilities and Transportation Commission, differ from those borne by non-regulated competitors. In many of the cities where demand for communications equipment and services is concentrated, telephone companies pay higher combined state and local excise tax rates than are paid by other firms. Statewide, combined state and local excise tax rates applied to message transmission services provided by the telephone companies can exceed rates on such services when supplied by non-regulated firms.

SUMMARY:

Differences in the excise tax rates paid by regulated telephone companies and their competitors in communications services and equipment markets are reduced. Two major changes in taxation are made. First, telephone equipment supplied to customers by

telephone companies in conjunction with telephone services will be subject to the state and local retail sales tax and B&O taxes on retailing activities. Regulated telephone companies presently pay state and city utility taxes while competing firms pay the retail sales tax and B&O retailing taxes. Second, intra-state long distance and other "telephone" services provided by competitors of the regulated telephone companies will be subject to the 3.6 percent state public utility tax and to those city utility taxes that are applied to these services when provided by regulated telephone companies. Regulated telephone companies presently pay the 3.6 percent public utility tax, while competing firms may be taxed at lower rates.

VOTES ON FINAL PASSAGE:

House	93	0	
Senate	41	5	(Senate amended)
House	92	0	(House concurred)

EFFECTIVE: January 1, 1982

HB 66

C 49 L 81

BRIEF TITLE: Transferring the Auburn game farm to the parks and recreation commission.

SPONSORS: Representatives Warnke, Grimm, Walk, Garrett, North, Eberle and Patrick

INITIAL HOUSE COMMITTEE: Natural Resources and Environmental Affairs

ADDITIONAL HOUSE COMMITTEE: Appropriations-General Government

SENATE COMMITTEE: Parks and Ecology

BACKGROUND:

The State Department of Game owns approximately 165 acres of land within the city limits of Auburn, Washington. This land and the structures on it have been used for the purpose of rearing game birds while also serving as a repair shop for Game Department vehicles. Due to funding problems, the department has ceased using a large portion of this land. Use of the land for a park would blend with the urban parks program established by the Legislature.

SUMMARY:

Ownership of the land is hereby transferred from the State Game Commission to the Parks and Recreation Commission. $1,500,000 is transferred from the General Fund's Outdoor Recreation Account to the Game Fund. Further, the Parks and Recreation Commission is relieved from having to assume any debts on the property that may not yet have been satisfied by the Game Department.

Appropriation: $1,500,000 is appropriated from the outdoor recreation account in the general fund to the State Game Commission.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	45	3

EFFECTIVE: July 1, 1981

HB 75

C 59 L 81

BRIEF TITLE: Directing the transportation commission to prepare its own budget request, independent of the department.

SPONSORS: Representatives Martinis, Wilson, Burns, Garrett, Sherman, Walk, Garson, Bender, Erak, Clayton, Sprague, McCormick, Gallagher and Pruitt

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Transportation

BACKGROUND:

The Transportation Commission is formally responsible for submitting a budget proposal which includes provision for the operation of both the Commission and the Department of Transportation. However, the Department of Transportation actually prepares the entire budget proposal and provides the Commission with staff, clerical support, and legal counsel. Many persons argue that the Commission should enjoy greater autonomy in the employment and retention of staff and the control of its budget.

SUMMARY:

The Transportation Commission is required to submit to the Governor and to the Legislature a proposed biennial budget for operation of the Commission. This budget is to be separate from the budget that the Commission now recommends for operation of the department. The Commission shall employ staff as

needed to fulfill its responsibilities in an independent manner. The staff shall be responsible to the Commission.

Future Obligation: The Transportation Commission must submit its operating budget to the Governor and the Legislature prior to the convening of each regular legislative session in odd-numbered years.

VOTES ON FINAL PASSAGE:

House	93	2	
Senate	31	16	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 26, 1981

SHB 76

C 138 L 81

BRIEF TITLE: Revising provisions pertaining to capital punishment.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By Representatives Schmidt, Tilly, Dawson, Patrick, James, Johnson, Nelson (G.), Struthers, Winsley, Barr, Addison, Hastings, Granlund, Walk and Owen)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

Washington's current death penalty law has been declared unconstitutional. The Washington Supreme Court held that because the law prohibited the imposition of the death penalty in cases where the defendant had pleaded guilty or had been tried by a court without a jury, a defendant is unconstitutionally forced to give up his right to a trial or a trial by jury to avoid the death penalty. In other words, a defendant who insisted on his constitutional right to a trial or a trial by jury ran the risk of being sentenced to death.

The death penalty law required a sentencing jury to answer questions before the death penalty could be imposed. Questions which had to be answered affirmatively included whether guilt has been established with "clear certainty," and whether there is probability beyond a reasonable doubt that the defendant would commit additional criminal acts of violence.

The law also established a number of "aggravating circumstances," of which at least one must have been present to turn a first-degree murder into an offense punishable by death. Among those aggravating circumstances were the murders of judges, jurors, witnesses, prosecutors or defense attorneys who were murdered because of official duties performed in relation to the defendant.

SUMMARY:

A procedure is established for impaneling a sentencing jury in cases in which a defendant pleads guilty, or in which the defendant is tried and found guilty without a jury, or in which for any reason the jury which finds the defendant guilty cannot be impaneled for sentencing.

The questions which the sentencing jury must answer before imposing the death penalty are replaced with the single question of whether there are "sufficient mitigating circumstances to merit leniency."

The list of victims whose murder constitutes an aggravating circumstance is expanded to include prospective, former, and current witnesses; and former and current jurors, deputy prosecuting attorneys, members of the board of prison terms and paroles, and parole or probation officers.

The state supreme court must conduct its mandatory review of a death penalty sentence within one year of the court's receipt of the trial court's transcript.

The method of execution is to be hanging or, at the option of the defendant, a lethal, intravenous injection.

VOTES ON FINAL PASSAGE:

House	70	28
Senate	30	16

EFFECTIVE: May 14, 1981

HB 83

C 58 L 81

BRIEF TITLE: Modifying the regulation of optometry.

SPONSORS: Representatives Lewis, Williams, King (J.), Wang, Pruitt, Leonard, Erickson, Smith, Hankins and McGinnis

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

Optometrists were not permitted to use topically applied diagnostic drugs. They argued that they could better serve the public if they could use such drugs.

SUMMARY:

Optometrists may use certain topically applied diagnostic drugs. The optometrist using these drugs must have taken a minimum of 60 hours of certain pharmacology courses, have received certification from an accredited institution of higher learning, and be certified by the Washington State Board of Optometry. Optometrists are also given the authority to purchase the diagnostic drugs.

VOTES ON FINAL PASSAGE:

House	76	15
Senate	32	16

EFFECTIVE: July 26, 1981

SHB 88

C 50 L 81

BRIEF TITLE: Legalizing DMSO for therapeutic use.

SPONSORS: House Committee on Human Services (Originally Sponsored By Representatives Owen, Amen, Scott, Berleen, Granlund, Nelson (G.), Salatino, Patrick, Lux, Chamberlain and McGinnis)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The drug DMSO (Dimethyl Sulfoxide) has not been approved by the federal Food and Drug Administration except for the treatment of bladder infections. There are claims that it can provide needed relief for arthritis and a variety of other ailments. Physicians were reluctant to prescribe it, absent approval or legalization by the state. Persons were using solvent-grade DMSO and were paying unfair prices for it.

SUMMARY:

Individuals who are licensed to manufacture or sell drugs may sell DMSO at wholesale if it is manufactured in Washington.

DMSO intended for oral or intravenous use may only be sold at wholesale to pharmacists.

DMSO intended for topical application does not require a prescription and may be sold to any retailer who meets the Board of Pharmacy labeling and purity standards.

Licensed practitioners may prescribe DMSO for oral or intravenous use by residents of this state. Pharmacists may only dispense DMSO for oral or intravenous use to residents of the state with a written or oral prescription from a licensed practitioner.

New Rule Making Authority: The State Board of Pharmacy may issue rules for the administration and enforcement of the bill, including the manufacture, sale, labeling, prescription and dispensation of DMSO in state.

VOTES ON FINAL PASSAGE:

House	90	6	
Senate	48	1	(Senate amended)
House	95	3	(House concurred)

EFFECTIVE: July 26, 1981

HB 96

C 79 L 81

BRIEF TITLE: Exempting certain transactions from usury limits.

SPONSORS: Representatives Martinis, Dawson, Dickie, Scott, McGinnis, Bickham, King (R.) and Struthers

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Securities broker/dealers make loans to their customers for the purchase of securities ("margin account" loans) which are regulated by the Federal Reserve Board. It was thought that these loans were not subject to Washington's usury laws until the Washington Supreme Court determined otherwise.

SUMMARY:

Interest charged by broker/dealers is not subject to interest rate limitations if the loans are payable in full

at the option of the borrower and are subject to the Federal Reserve Board credit regulations.

VOTES ON FINAL PASSAGE:

House	86	12	
Senate	30	17	(Senate amended)
House	83	13	(House concurred)

EFFECTIVE: July 26, 1981

HB 99

C 291 L 81

BRIEF TITLE: Modifying provisions relating to water rights reverted to the state.

SPONSORS: Representatives Smith, Flanagan, Nisbet, Dickie, Barr, Sanders, Isaacson, Fancher, Clayton and Hastings

HOUSE COMMITTEE: Agriculture

SENATE COMMITTEE: Agriculture

BACKGROUND:

A person's right to make withdrawals from a body of water depends upon when that right was originally established. Persons who established their rights to water relatively early are referred to as senior rightholders, while persons who established their rights later are referred to as junior rightholders. During a dry year, if there is not sufficient water to satisfy all of the claims on a body of water, the senior rightholders may enjoy their full share of water, while the junior rightholder may be denied the right to use any water at all.

With certain exceptions, a person who fails to use all or a portion of a water right for five consecutive years is deemed to have relinquished the right to the unused portion of the water. Before 1979, those unused water rights that reverted to the state were available for allocation to other users. In 1979, however, state law was changed to require that these relinquished water rights be dedicated to satisfying instream flow requirements, if such instream requirements had been established for the stream. Such a reverted right dedicated to instream use inherits the seniority of the original water right.

SUMMARY:

The 1979 provision of state law is deleted.

VOTES ON FINAL PASSAGE:

House	51	43
Senate	41	5

EFFECTIVE: July 26, 1981

SHB 101

C 67 L 81

BRIEF TITLE: Creating a state office of administrative hearings.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By House Committee on Ethics, Law and Justice and Representatives Ellis and Ehlers)

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Judiciary

BACKGROUND:

Individual state agencies employed hearing officers to conduct contested case hearings under the Administrative Procedure Act. It was questioned whether an appearance of impartiality can be maintained when the hearing officer is an employee of the agency which is a party to the hearing.

SUMMARY:

An independent office of administrative law judges is created. The head of the office is a chief administrative law judge appointed by the Governor. The chief judge may appoint additional administrative law judges as employees of the office and may contract with persons to act as judges in specific hearings. Current hearing officers and support personnel in individual agencies are transferred to the office. Administrative law judges may be disciplined and terminated, for cause, by the chief judge. Employees of the office, other than the judges, are subject to the state civil service law.

Certain agencies are exempted from the bill. Those agencies are the Pollution Control Hearings Board, the Shorelines Hearings Board, the Forest Practices

Appeals Board, the Environmental Hearings Office, the Board of Industrial Insurance Appeals, the State Personnel Board, the Higher Education Personnel Board, the Public Employment Relations Commission, and the Board of Tax Appeals.

Any contested case hearing not heard by agency officials responsible for the final decision in the case must be heard by an administrative law judge. The chief judge is to assign judges to agencies on a long-term basis whenever practical.

Uniform procedural rules for all agencies are to be adopted by the chief administrative law judge. The chief may allow for variations for individual agencies as needed.

The chief administrative law judge is subject to the reporting requirements of the Public Disclosure Act.

New Rule Making Authority: The chief administrative law judge is granted rule-making authority.

Appropriation: $120,000 is appropriated from the general fund to the office of the chief administrative law judge.

VOTES ON FINAL PASSAGE:

House	78	18	
Senate	45	4	(Senate amended)
House	77	20	(House concurred)

EFFECTIVE: April 25, 1981 generally. Certain sections will take effect July 1, 1982.

HB 103

C 12 L 81

BRIEF TITLE: Making an appropriation for the Urban Arterial Board.

SPONSORS: House Committee on Transportation and Representatives Wilson, Garrett and Gallagher

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Transportation

BACKGROUND:

In 1979 the Legislature authorized the issuance of $60 million in bonds, the proceeds of which were to be used by the Urban Arterial Board to provide for urban arterials. $10 million remains from this authorization. The Urban Arterial Board stated that the $10 million is needed to pay obligations scheduled for the next twelve months.

SUMMARY:

The remaining $10 million from the Urban Arterial Board's 1979 bond authorization is appropriated to the Board.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	46	1

EFFECTIVE: March 5, 1981

HB 104

C 2 L 81

BRIEF TITLE: Making an appropriation to the department of natural resources for reforestation.

SPONSORS: House Committee on Appropriations – General Government and Compensation and Representative Williams

HOUSE COMMITTEE: Appropriations – General Government

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Increased timber harvesting and the devastation of the eruption of Mount St. Helens eruptions have resulted in a reforestation workload beyond that anticipated in the Department of Natural Resources 1979–81 biennial budget. The reforestation planting season extends from about December through April, thus appropriation of funds to the Department must be made in a timely manner.

SUMMARY:

$2,187,000 is appropriated to the Department of Natural Resources from the Resource Management Cost Account. $1,500,000 of that amount is for reforestation workload levels beyond those anticipated in the 1979–81 biennium budget. $687,000 is provided to begin reforestation of trust lands affected by Mount St. Helens eruptions.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	46	0

EFFECTIVE: February 5, 1981

HB 105

C 125 L 81

BRIEF TITLE: Permitting the port commission to waive the rent security requirement.

SPONSORS: House Committee on Labor and Economic Development and Representatives Sanders, Patrick, Barrett, Hankins, Garrett, Scott and Monohon

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Local Government

BACKGROUND:

Any business or corporation leasing either real or personal property in a port district for more than one year must have its rent secured by rental insurance, bonding or other security in an amount which is at least one-sixth of the total rent to be paid the port district. When a firm has been operating successfully in a port district for many years, this security requirement seems unnecessary. The port is permitted to waive or reduce the security requirement only for nonprofit organizations having tax-exempt status with the Internal Revenue Service.

SUMMARY:

Port commissions may waive the rent security requirement or lower the rental amount for any organization or firm leasing real or personal property in a port district.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	41	1	

EFFECTIVE: July 26, 1981

SHB 112

C 51 L 81

BRIEF TITLE: Enacting the Washington uniform limited partnership act.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By House Committee on Ethics, Law and Justice Representative Ellis)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

The Washington statute authorizing and regulating limited partnerships was enacted in 1945. This law was based on a uniform act drafted in 1916. The use of limited partnerships as a form of business organization has significantly changed and expanded during the past two decades. In 1976, the national Uniform Law Commission proposed a new Uniform Limited Partnership Act designed to deal with modern limited partnerships.

SUMMARY:

The limited partnership provisions are replaced by the 1976 version of the Uniform Limited Partnership Act. The 1976 draft is designed to update the legal rights and responsibilities of parties to limited partnerships in light of current usage. It simplifies the addition and withdrawal of partners, grants greater operating flexibility to limited partnerships, and provides for name reservation. Limited partnerships would hereafter be formed by a filing with the Secretary of State. In theory, a limited partnership is a cross between a corporation and a partnership. Limited partnerships are made more akin to corporations than they were before.

Appropriation: $10,000 for 1981-83 biennium

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	47	0	(Senate amended)
House	93	0	(House concurred)

EFFECTIVE: October 1, 1982 (Sections 2-5, 8-11, 13, 23, 27, 28, 38, 42, 48-55)
January 1, 1982 (all other sections)

SHB 116

C 310 L 81

BRIEF TITLE: Revising game fees.

SPONSORS: House Committee on Natural Resources and Environmental Affairs
(Originally Sponsored By Representatives Schmitten, Thompson, Rosbach, Owen and Mitchell)
(By Department of Game Request)

INITIAL HOUSE COMMITTEE: Natural Resources and Environmental Affairs
ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government

INITIAL SENATE COMMITTEE: Natural Resources
ADDITIONAL SENATE COMMITTEE: Ways and Means

BACKGROUND:

The Washington State Department of Game receives the vast majority of its operating funds from the sale of fishing and hunting licenses. Additionally, the department receives federal funds which are used for specific projects. The Legislature last authorized an increase in license fees in 1975. This increase was not sufficient to fund some of the department's basic programs. Subsequent reductions in some of the department's programs have become necessary.

SUMMARY:

The fees for numerous fishing and hunting licenses, permits, tags, and punchcards are increased. Several new licenses, permits, stamps, punchcards, and tags are required for hunting, fishing, and such activities as fish stocking. Finally, a conservation decal is created which must be displayed on all vehicles which are parked on Game Department lands.

VOTES ON FINAL PASSAGE:

House	81	17	
Senate	27	22	(Senate amended)
House	83	15	(House concurred)

EFFECTIVE: July 1, 1981 (Sections 9, 10)
May 1, 1982 (Section 13)
July 1, 1982 (Sections 8, 11, 12, 14)
January 1, 1982 (all other sections)

SHB 118

C 13 L 81

BRIEF TITLE: Deregulating warehousemen.

SPONSORS: House Committee on Transportation (Originally Sponsored By House Committee on Transportation and Representatives Wilson, Patrick and Clayton)

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Rules

BACKGROUND:

Commercial warehouses are subject to licensing, rate-setting, and inspection by the State Utilities and Transportation Commission.

According to the commercial warehouse industry, only Washington and California regulate commercial warehouses. As a result, it is claimed that warehouses located in neighboring states are able to undercut rates in Washington and attract business away from Washington warehouses.

SUMMARY:

Commercial storage warehouses and their operators are removed from UTC regulation.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	47	0

EFFECTIVE: July 26, 1981

HB 120

C 60 L 81

BRIEF TITLE: Removing the state-aid to probation counselors program.

SPONSORS: Representatives Smith, Amen and Warnke (By Legislative Budget Committee Request)

HOUSE COMMITTEE: Institutions

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The Secretary of Social and Health Services was authorized to make grants to counties for reimbursement of expenditures incurred by counties for employment of probation counselors to establish and maintain county probation services where those services have not previously existed or to increase the number of county probation counselors and maintain these additional counselors.

No funds have been available for this program since 1975. The Legislative Budget Committee staff in reviewing the state fund structure has recommended that the program be terminated.

SUMMARY:

The chapter in the Revised Code of Washington which establishes a program of state aid for county probation services is repealed.

VOTES ON FINAL PASSAGE:

House	86	0	
Senate	46	2	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: July 26, 1981

SHB 128

C 145 L 81

BRIEF TITLE: Enacting a bill of rights for victims and witnesses of crime.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By Representatives Brown, Winsley, Becker, Tupper, Salatino, Patrick, Chandler, McGinnis, Owen, Stratton, Granlund, Grimm, Erickson, Wang, Hine, Galloway, Taylor, Wilson, Walk, Pruitt, Garrett, Brekke and Clayton)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

Crime victims have expressed concern about the way they have been treated after the crime. There was no statute governing the treatment of crime victims by police and the judicial system. No court order was necessary to allow a defendant in a sexual assault case access to records maintained in a rape crisis center. Delays in arraignment and lack of enforcement of no contact orders have exposed victims of domestic violence to the possibility of further violence.

SUMMARY:

It is legislative intent that crime victims and witnesses be treated with dignity, respect, courtesy, and sensitivity. Reasonable effort toward assuring nine enumerated rights is mandated. These rights focus on protecting and informing the crime victim or witness.

A defense attorney in a sexual assault case who wants access to records maintained by a rape crisis center must obtain prior court approval. The court in considering the request will review the records in private. Access will be allowed if their evidentiary value outweighs the victim's privacy interest in the confidentiality of the records.

The time limits for the initial court appearance are set where the defendant has been charged with a crime of domestic violence but has not been arrested. In such cases, the accused must appear for arraignment no later than 14 days after the next court day following issuance of a citation or filing of an information or complaint.

The appearances required by the bill are mandatory and cannot be waived.

Any law enforcement agency within the state may enforce a no contact order.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	49	0	(Senate amended)
House	98	0	(House concurred in part)
Senate	45	0	(Senate receded)

EFFECTIVE: July 26, 1981

HB 136

C 80 L 81

BRIEF TITLE: Increasing rates on certain loans.

SPONSORS: Representatives Lewis, Heck and Flanagan

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

A statute enacted in 1895 provides that in the absence of a written agreement otherwise, loans bear interest at an annual rate of 6 percent. It is contended that in view of current interest rate levels, the 1895 statute should be amended to increase the rate of interest on these loans to 12 percent.

SUMMARY:

The annual rate of interest on loans for which there is no written agreement specifying a rate of interest is increased from 6 to 12 percent.

VOTES ON FINAL PASSAGE:

House	87	3
Senate	44	4

EFFECTIVE: July 26, 1981

HB 137

PARTIAL VETO

C 78 L 81

BRIEF TITLE: Modifying laws on usury.

SPONSORS: House Committee on Financial Institutions and Insurance and Representatives Dawson and Clayton

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Washington's usury statute, adopted in 1895, sets the maximum allowed rate of interest on loans at 12 percent per annum. Because of federal monetary policy, inflation and investors' expectations, national interest rates have risen above the usury ceiling. It is contended that raising the usury limit and excluding business loans from the usury law will increase the amount of credit available to Washington residents and businesses.

SUMMARY:

The usury ceiling is modified to permit loans to bear an interest rate not to exceed 4 percentage points in excess of the 26-week treasury bill auction rate on the first bill auction of the month. Loans under $50,000 for agricultural, commercial or business purposes are no longer subject to the usury ceiling.

The usury law is inapplicable to retail installment transactions and sale contracts for goods and services.

Lender credit cards are excluded from the Retail Installment Sales Act, Chapter 63.14 RCW, but are subject to Chapter 19.52 RCW dealing with usury.

Usury lawsuits may not be maintained with respect to real estate contracts and commercial credit purchases which were made after May 1, 1980 but prior to March 1, 1981.

Other than with respect to the foregoing loans, the bill applies only to loans which are made after the effective date or to existing business loans for which there is an addition to the amount of the principal after the effective date.

VOTES ON FINAL PASSAGE:

House	55	43	
Senate	25	24	(Senate amended)
House			(House refused to concur)
Senate	26	23	(Senate receded)

EFFECTIVE: May 8, 1981

PARTIAL VETO SUMMARY:

The partial veto would appear to have little, if any, substantive effect since the stricken material is largely included in another law passed during the 1981 Regular Session. (See VETO MESSAGE)

SHB 138

PARTIAL VETO

C 294 L 81

BRIEF TITLE: Modifying the teachers' retirement system.

SPONSORS: House Committee on Appropriations–General Government
(Originally Sponsored By Representatives Williams, Thompson, Tupper, Grimm, Addison, McGinnis, Garson and Fiske)

HOUSE COMMITTEE: Appropriations–General Government and Compensation

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Under the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF), local disability boards have granted disability retirements without having to operate under any uniform procedures. It has been argued that the Legislature should provide for uniform procedures to govern the granting of disability retirement under the LEOFF system and that it should correct other problems or instances of unfairness in state retirement laws.

SUMMARY:

The Director of the Department of Retirement Systems replaces the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) Retirement Board in the approval and denial of disability determinations of the local LEOFF Disability Boards. The Director may remand orders or determinations of disability back to the local disability board if the board has not complied with the rules promulgated by the director. When a disability retirement benefit commences is changed from when the disability is incurred to when service is discontinued.

When a LEOFF II member is determined to have recovered from a disability or incapacity, the member is to be returned to duty in a position that the member will be able to perform at the same pay as when the member was determined disabled and or incapacitated.

A new cutoff date to establish prior service credit for members of Public Employees and Teachers Retirement Systems is established. The new date is June 30, 1983.

Members of the Public Employees' Retirement System (PERS) are provided with the same "buy back" provisions as are given to the members of TRS.

The application of military service to a member of the Public Employees Retirement System (PERS) with 25 years of service who has not restored previously withdrawn contributions is clarified.

Currently employed classified persons under the Higher Education Personnel law who, in 1955 were employed at the University of Washington, the regional universities or The Evergreen State College, were not permitted to count certain prior service when these institutions came under PERS coverage. They are now given until June 30, 1982 to buy back this service. The eligible employees must pay employee and employer contributions, plus interest, as determined by the Director of Department of Retirement Systems.

Retirees within the Teachers Retirement System (TRS) and PERS may have the premiums for any group insurance which they choose deducted from their monthly retirement allowance. Previously, it was restricted to life and medical group insurance.

New Rule Making Authority: The Director, Department of Retirement Systems, is to adopt such rules as required in the determination of disability by local disability boards. These rules must include standards for local boards in accepting evidence and governing medical and employability re-examinations of persons receiving disability benefits.

VOTES ON FINAL PASSAGE:

House	90	0	
Senate	49	0	(Senate amended)
House	98	0	(House concurred)

EFFECTIVE: July 26, 1981

PARTIAL VETO SUMMARY:

Current members of PERS and TRS will be unable to establish any prior service credits. (See VETO MESSAGE)

HB 143

C 81 L 81

BRIEF TITLE: Making miscellaneous changes in credit union laws.

SPONSORS: House Committee on Financial Institutions and Insurance and Representative Dawson

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Credit unions chartered under state law argued for changes in their governing laws in order to permit them to be more competitive with other lenders.

SUMMARY:

The credit unions' special interest rate ceiling is eliminated and placed in the same position as all other lenders within the state. Credit union management corporations may use "credit union" within their titles. Credit unions have greater power in respect to establish regulations concerning dividends or interest paid and minimum account balances and are authorized to issue checking accounts.

VOTES ON FINAL PASSAGE:

House	96	2
Senate	49	0

EFFECTIVE: May 8, 1981

SHB 144

PARTIAL VETO

C 339 L 81

BRIEF TITLE: Revising laws relating to insurance.

SPONSORS: House Committee on Financial Institutions and Insurance
(Originally Sponsored By Representatives Dawson, Monohon, Bickham, Lux, Scott and Garrett)
(By Insurance Commissioner Request)

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Various changes were recommended in the Insurance Code to conform the Code to current practices and to enable the Insurance Commissioner to deal with certain problems which had occurred in the following areas: sale of insurance-related material, out-of-state examiner expenses, service of process fees, receipt of commission by company officers, agent and broker examinations, surplus line brokers, health care service contractor bonds, and title insurer agents.

SUMMARY:

The Commissioner is allowed to recover his costs for the publication and distribution of certain insurance-related material. This is accomplished by allowing the Commissioner to receive a credit against his appropriation for fees charged for such material. The Insurance Commissioner is currently not publishing any insurance-related material because the costs to do so are taken from his appropriation, but any fees collected would be deposited into the general fund.

Washington State insurance examiners are reimbursed for out-of-state living expenses at the rate established by the National Association of Insurance Commissioners (NAIC), which is the rate paid by most other states. Formerly, our examiners' out-of-state expenses were based on the schedule set by the Office of Financial Management, which was lower than that set by NAIC. Out-of-state examination expenses were paid by the company being examined.

The Insurance Code is amended to reflect the current $10 service of process fee being charged by the Insurance Commissioner's Office.

An officer or director of an insurance company is precluded from receiving a commission from the sale of any insurance policy. This prohibition deals with the problem of officers who sold insurance policies exerting influence on underwriters to waive their normal underwriting requirement so that the officer could receive a commission.

The Insurance Commissioner is authorized to contract with an independent testing service for agent and broker examination development and administration. The fees may be collected directly by the testing service. The Commissioner lacked the staff expertise to develop and administer these examinations. He believed the quality of the examinations would be greatly improved by contracting with an independent testing service.

Residency is made a requirement for a surplus line broker's license. This conforms the Insurance Code with the current practice of the Insurance Commissioner's Office.

The Insurance Commissioner is given the specific authority to set minimum benefit standards for Medicare supplemental coverage and limited benefit coverage.

The health care service contractor surety bond is increased from a maximum of $50,000 to a maximum of $150,000.

Title insurer agents must own and maintain a complete set of tract indexes in the county or counties in which they do business. Also, title insurance company employees are not required under the bill to be licensed as insurance agents because it is the general practice to license the physical plant itself as the agent.

The requirement that the license of any agent guilty of violating any of the prohibitions against rebating must be revoked for a full year was repealed. The Insurance Commissioner believed that this penalty is too strict in some instances and there are other existing statutes which allow the Insurance Commissioner more flexibility in setting penalties.

The chapter on rates is amended to give the Insurance Commissioner broader authority to adopt rules to suspend or modify the requirement that rates are subject to the prior approval of the Commissioner.

The investment authority of insurance companies is broadened to cover their investment in agricultural land.

A life insurance agent is precluded from replacing an existing life insurance policy written by a company

with which the agent does not work, unless the agent has been licensed for a period of two years.

Newly formed fraternal benefit societies must have surplus in the same amount as is required for insurance companies.

Notice of renewal on private passenger automobile insurance policies must specify the amount by which the premium or deductibles have changed from the previous policy period.

Other miscellaneous changes are made to conform the Code to recent changes in practice and statute.

VOTES ON FINAL PASSAGE:

House	91	0	
Senate	39	10	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: July 26, 1981

PARTIAL VETO SUMMARY:

Except for Section 25, all of the vetoed language was contained in Senate bills which were signed into law. Under the vetoed language in Section 25, life insurance agents would have been prohibited from replacing an existing life insurance policy written by a company for which the agent did not work, unless the agent had been licensed for at least two years. (See VETO MESSAGE)

SHB 145

C 146 L 81

BRIEF TITLE: Providing an alternate tax on small harvesters of timber.

SPONSORS: House Committee on Revenue (Originally Sponsored By Representatives Rosbach, Fancher, Nisbet, Chamberlain, Fiske, Lundquist, Owen, North, Scott and Wilson)

INITIAL HOUSE COMMITTEE: Revenue

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

All harvesters of private timber must pay a 6.5 percent yield tax based on the value of their timber just prior to harvest. These values are currently determined biannually by the Department of Revenue and are used by all harvesters.

There has been evidence that small harvesters are put at a disadvantage because they often receive lower than average prices for their timber. Nevertheless, the average prices are employed when computing tax.

SUMMARY:

Beginning in 1982, small harvesters of private timber are allowed an optional method for computing timber taxes. "Small harvester" is defined to include someone harvesting less than 500,000 board feet per quarter and less than 1,000,000 board feet per year. Under this optional method of computing the timber tax, timber values must be determined by either of the following methods whichever is appropriate:

1) When standing timber is sold on the stump, the taxable value is the actual gross receipts from the sale of the standing lumber.
2) When timber is sold after it is harvested, the taxable value is the actual gross receipts less the costs of harvesting and marketing.

VOTES ON FINAL PASSAGE:

House	93	1	
Senate	43	2	(Senate amended)
House	97	1	(House concurred)

EFFECTIVE: January 1, 1982

SHB 149

C 328 L 81

BRIEF TITLE: Providing for the right to medical treatment of a fetus born alive during an abortion.

SPONSORS: House Committee on Ethics, Law and Justice (Originally Sponsored By Representatives Padden, Stratton, Van Dyken, Gallagher, North, Ellis and Bond)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

There are no express statutory provisions regarding medical treatment for infants born alive during the course of an abortion procedure.

SUMMARY:

An infant born alive during the course of an abortion procedure has the same right to medical treatment as an infant of equal gestational age born prematurely.

VOTES ON FINAL PASSAGE:

House	91	7
Senate	39	6

EFFECTIVE: July 26, 1981

2SHB 157

C 68 L 81

BRIEF TITLE: Requiring local governments and state agencies to pay interest on delinquent contract payments.

SPONSORS: House Committee on Local Government (Originally Sponsored By Representatives Addison, O'Brien, Sanders, Erak, Dickie, Isaacson, Johnson, McGinnis, Leonard, Bond and Taylor)

INITIAL HOUSE COMMITTEE: State Government
ADDITIONAL HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

Both public and private entities which are parties to contracts are free to specify in their contracts a penalty interest payment for late payments, subject to the state's usury laws. State law provides that where a contract fails to specify a penalty rate for late contract payments, the penalty for late payments is 6 percent before a court judgment and 10 percent after a court judgment, regardless of whether the late payer is a public entity or a private entity.

SUMMARY:

Except when otherwise provided in a written contract, state agencies and units of local government pay a 1 percent monthly interest rate penalty (but at least $1 per month) when they are delinquent in paying under written contracts for public works, personal services, the provision of goods, services, or equipment, and for travel. The following are specifically excluded from this delinquency payment penalty: (1) transactions between governmental entities; (2) reimbursement for governmental employee travel; (3) belated claims after the close of the fiscal period; (4) claims subject to a good faith dispute when notice of such dispute is made; (5) delinquencies due to natural disasters, disruption of postal service, work stoppages from labor disputes, power failures, and other causes out of the control of the government; (6) contracts entered into before the effective date of the act; and (7) payments from various public retirement systems.

This delinquency penalty may be avoided where: (1) a check is made available on the date specified in the contract, or if there is no date specified, within 30 days of receipt of a properly completed invoice or receipt of goods or services, whichever is later; or (2) an amount is otherwise required by law to be withheld.

A state agency which is required to pay such interest penalty payments may only use funds designated for administrative costs and not for client services. The prevailing party in an action may collect reasonable attorney fees.

VOTES ON FINAL PASSAGE:

House	94	3	
Senate	43	6	(Senate amended)
House	90	7	(House concurred)

EFFECTIVE: July 26, 1981

HB 160

PARTIAL VETO

C 77 L 81

BRIEF TITLE: Revising provisions relating to retail installment sales.

SPONSORS: Representatives Struthers, Kreidler, Galloway and Nelson (G.)

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Washington's retail credit service charge limitation was adopted by initiative in 1968. Because of federal monetary policy, inflation and investors' expectations, national interest rates have risen above the service charge ceiling. It is felt that if retailers can extend credit at rates closer to their cost of credit, additional retail credit will be made available to consumers.

SUMMARY:

The maximum service charge which may be imposed on "closed-end" retail installment transactions, such as typical automobile purchase contracts, is increased from 12 percent to 6 percentage points over the average treasury bill rate for a specified period.

The maximum service charge which may be imposed on "open-end" retail charge transactions, such as department store revolving charge accounts, is increased from 12 to 18 percent.

The distinctions between loans to which the state's usury law applies or to which the Retail Installment Credit Act applies are clarified. Lender credit cards (bank credit cards) are excluded from coverage under the Retail Installment Sales Act but are covered under the usury law.

Compliance with disclosure requirements of the Federal Truth in Lending Act is deemed to be compliance with the disclosure provisions of the Retail Installment Sales Act.

The bill applies only to retail credit transactions made after the effective date and to existing commercial credit transactions for which there is an addition to the amount of the principal after the effective date.

VOTES ON FINAL PASSAGE:

House	58	40	
Senate	26	23	(Senate amended)
House	57	41	(House concurred)

EFFECTIVE: May 8, 1981

PARTIAL VETO SUMMARY:

The partial veto will have no effect, because the vetoed section is included verbatim in another law passed during the 1981 regular session. (See VETO MESSAGE)

HB 161

C 52 L 81

BRIEF TITLE: Revising laws relating to television improvement districts.

SPONSOR: Representative Erickson

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Some TV reception improvement districts are finding that the statutory maximum excise tax rate of $25 per year per TV set is not sufficient to meet needs for maintenance and improvement of district reception systems.

SUMMARY:

TV reception improvement districts, instead of the county assessor, are permitted to ascertain and prepare a list of persons believed to own TV sets within the district. The maximum excise tax to fund TV reception district activities is increased from $25 to $60 per year per TV set. TV reception districts are permitted to send out bi-monthly tax notices and collect the excise tax, instead of the county treasurer performing such functions, if the district has fewer than 1,200 persons subject to its excise tax on TV's and is levying an excise tax of $40 or more per set.

VOTES ON FINAL PASSAGE:

House	91	3
Senate	43	6

EFFECTIVE: July 26, 1981

HB 163

C 34 L 81

BRIEF TITLE: Permitting handicapped voters to be assisted by another voter or by election officials.

SPONSORS: Representatives Kreidler, Ellis and Wang

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: Constitutions and Elections

BACKGROUND:

Any blind or physically disabled person who informs the election officers of inability to vote may be assisted in voting by:

(1) A spouse or near relative who is a registered voter; or

(2) Two election officers from opposite political parties.

The person rendering assistance may enter the polling place with the disabled or blind voter and must record the vote as the voter directs.

SUMMARY:

The separate sections of current law for physically handicapped voters and for blind voters are combined into one section governing physically or sensory handicapped voters. If a voter declares an inability to record his vote because of a physical or sensory handicap, he may have a person of his choice or two election officers of opposite political parties enter the voting booth and record the vote as the voter directs.

VOTES ON FINAL PASSAGE:

House	92	1
Senate	48	0

EFFECTIVE: July 26, 1981

SHB 166

C 16 L 81

BRIEF TITLE: Implementing law relating to payment of school district personnel.

SPONSORS: House Committee on Education (Originally Sponsored By Representatives McDonald, Taylor, Chandler, Bond, Flanagan, Barr, Smith, Wilson, McGinnis, Struthers, Lundquist and Amen)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

On January 10, 1980, the Washington State Supreme Court held that the Legislature's attempt to limit salary increases for school district employees through a provision in the biennial budget was unconstitutional. In effect, the court ruled that salary restrictions could not be imposed under the appropriations bill but had to be imposed by amendment under the statute giving school districts the power to set salaries.

SUMMARY:

The statute authorizing the board of directors of a school district to set the district salaries and compensation of employees is amended. The authority is restricted to the amount and/or percentage provided in the biennial budget. Increases in permissive fringe benefits, such as health and disability insurance, are defined as compensation. Mandatory fringe benefits, such as social security, unemployment compensation, workers' compensation, state retirement, and compensation for unused sick leave, are excluded from the definition of compensation.

Those contracts in force on the effective date of the bill which provide for salary and compensation increases in excess of those allowed in the bill will be unaffected.

Collective bargaining statutes for certificated and classified employees are amended to restrict salary and compensation agreements to those specified in the biennial budget.

VOTES ON FINAL PASSAGE:

House	52	44
Senate	26	23

EFFECTIVE: March 20, 1981

2SHB 169

C 147 L 81

BRIEF TITLE: Revising laws relating to pharmacy.

SPONSORS: House Committee on Human Services (Originally Sponsored By House Committee on Human Services and Representative Mitchell) (By Board of Pharmacy Request)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

A prescription is required in order to purchase hypodermic needles except when they are sold for use by a diabetic or for veterinarian supplies. Some people feel that a prescription should not be required in order to buy a hypodermic needle.

Certain laws pertaining to pharmacists need revision to correct errors and update language.

SUMMARY:

Before a retailer may sell a syringe, he or she must satisfy himself or herself at the time of the sale that the syringe will be used for a lawful purpose. The law prohibiting retail sale of hypodermic needles without prescription, except for sales to diabetics and veterinary suppliers is repealed.

The selling or furnishing of repackaged poison products without labeling them "poison" or conforming

to state and federal labeling requirements (except prescription drugs) is a misdemeanor.

Aliens who complete a graduate or residency program and who meet certain other licensing requirements are eligible for licensing as a pharmacist.

The following are repealed: the law which declares the selling of certain poison drugs unlawful if they are not labeled; and the law requiring drug store proprietors to keep sales records of certain drugs.

New Rule Making Authority: Certain guidelines which apply to initiation and modification of drug therapy shall be reviewed and approved by the Board of Pharmacy under standards established by the Board.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	46	0	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: July 26, 1981

HB 171

FULL VETO

BRIEF TITLE: Limiting electrical inspection fees.

SPONSORS: House Committee on Local Government and Representative Isaacson

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: State Government

BACKGROUND:

The State Department of Labor and Industries established an electrical code for the state and inspects buildings for conformance with that code. Any city or town may adopt an electrical code with stronger requirements, as well as inspect buildings for conformance with its own code or the state code. There are no statutory guidelines for inspection fees that a city or town may charge.

SUMMARY:

City or town fees charged for electrical inspections and enforcement may not exceed 125 percent of the fees established in state law for the state Department of Labor and Industries electrical inspections and enforcement.

VOTES ON FINAL PASSAGE:

House	92	3
Senate	34	15

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

HB 172

C 37 L 81

BRIEF TITLE: Deleting the requirement that public utility district obligations be registered and signed by the state auditor.

SPONSORS: House Committee on Local Government and Representative Isaacson (By State Auditor Request)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Public utility district (PUD) revenue bonds were the only local governmental bonds in the state that were required to be forwarded to, and certified, registered, and signed by the State Auditor. Federal regulations impose penalties on bond issuers if their registered bonds are not delivered to the purchasers within five days of the purchase. Also, the actual signature of one PUD commissioner was required on each PUD revenue bond.

Whenever a registered bond is sold, a new certificate must be issued by the bond issuer or its agent with all the requisite signatures and registration requirements. There had been some difficulty in obtaining all the required signatures within the five-day period because of the unique PUD revenue bond requirements for manual signatures by the State Auditor and one PUD commissioner.

SUMMARY:

The requirement that public utility district (PUD) revenue bonds be forwarded to, and certified, registered, and signed, by the State Auditor is deleted. The provision requiring at least one of the signatures of a PUD commissioner to be manually placed on each PUD revenue bond certificate is also deleted.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	44	0

EFFECTIVE: July 26, 1981

SHB 175

C 148 L 81

BRIEF TITLE: Modifying provisions on timber taxation.

SPONSORS: House Committee on Revenue (Originally Sponsored By Representatives Fancher, Bond, Scott, Martinis, Flanagan and Salatino)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Standing timber is not subject to the property tax. The 1971 Forest Tax Law provides for a forest yield excise tax on all privately owned timber.

The forest excise tax rate of 6.5 percent which has been in effect since 1974 was scheduled to expire on June 30, 1981.

In the past,the Department of Revenue has annually determined the current use land value of timberland. These land values have been one of the most controversial valuation problems of the Department.

SUMMARY:

New methods are established for determining current use land value of timberland.

Taxing districts are provided a bond pledge that timber tax resources currently directed to the repayment of bonded debt will not be reduced.

The new land grading system developed by the Department of Natural Resources is implemented.

New Rule Making Authority: The Department of Natural Resources is granted rule-making authority to adjust forest land grades.

Termination Date: The forest yield excise tax rate of 6.5 percent is extended for two years to July 1, 1983.

VOTES ON FINAL PASSAGE:

House	85	12
Senate	32	17

EFFECTIVE: May 14, 1981
September 1, 1981 (Section 13)

SHB 176

C 61 L 81

BRIEF TITLE: Providing for competitive selection of architects and engineers on public construction projects.

SPONSORS: House Committee on State Government (Originally Sponsored By Representatives Nelson (G.), King (R.), McGinnis, Greengo, Ehlers, Erickson, Walk, Addison and Hine)

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: State Government

BACKGROUND:

There is no uniform codified state policy that covers the procurement of professional architectural and engineering services.

SUMMARY:

A state policy is established that governmental agencies publicly announce requirements for architectural and engineering services and negotiate contracts for these services. Negotiations will be based on demonstrated competence and qualifications at fair and reasonable prices.

Each agency must publish in advance its requirements for professional architectural and engineering services. An agency may satisfy this requirement by either: (1) publishing an announcement on each occasion when architectural and engineering services provided by a person who is not an employee of the agency are required, or (2) announcing generally to the public its projected requirements for architectural and engineering services. Either method requires that the announcement state the scope and nature of the work to be performed.

Agency procedures and guidelines must include a plan to insure maximum practicable opportunity for minority and women-owned firms to participate in selection of architects and engineers.

Each agency must negotiate a contract with the most qualified firm for architectural and engineering services at a price that the agency feels is fair and reasonable. The agency must take into account the estimated value as well as the scope and complexity of the services to be rendered in making its determination. Should the agency be unable to negotiate a satisfactory contract with the firm selected, negotiations will end. The agency must then select another firm in accordance with this method. This process need not

be complied with when an emergency requires the immediate execution of the work. Any contract in existence on the effective date is not affected.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	31	18	(Senate amended)
House	83	13	(House concurred)

EFFECTIVE: January 1, 1982

SHB 178

C 244 L 81

BRIEF TITLE: Modifying requirements for building and funding the Washington center for the performing arts.

SPONSORS: House Committee on State Government (Originally Sponsored By House Committee on State Government and Representatives Garson and Kreidler)

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: Ways and Means

BACKGROUND:

In 1979 the Legislature authorized the State Finance Committee to issue $3 million in state general obligation bonds for matching funds for two performing arts facilities. Of the $3 million, $1.5 million is for the planning, design, construction, furnishing, and landscaping of a regionally based performing arts facility in Olympia to be called "The Washington Center for the Performing Arts." The other $1.5 million is for the restoration and renovation of the Pantages Theater in Tacoma. No bonds may be issued for either facility unless matching funds in the amount of $1.5 million for the respective facility are provided by, or secured from, the federal government or private sources, and unless, in the case of "The Washington Center for the Performing Arts," the City of Olympia provides unimproved real estate for the facility.

SUMMARY:

The $1.5 million in matching funds to be allocated to the Washington Center for the Performing Arts may be used not only for the planning, design, construction, furnishing, and landscaping of the facility, but also for the renovation of an existing structure. In addition to funds from the federal government or private sources, "The Washington Center for the Performing Arts" and the Pantages Theater may receive funds from any other source to qualify for state matching funds.

VOTES ON FINAL PASSAGE:

House	67	30	
Senate	35	11	(Senate amended)
House	69	27	(House concurred)

EFFECTIVE: July 26, 1981

HB 181

C 62 L 81

BRIEF TITLE: Authorizing agreements between irrigation districts.

SPONSORS: Representatives Smith and Flanagan

HOUSE COMMITTEE: Agriculture

SENATE COMMITTEE: Agriculture

BACKGROUND:

The Interlocal Cooperation Act permits units of local government and various agencies to enter into agreements with one another for joint or cooperative action. It has been questioned whether irrigation districts are covered by this Act.

SUMMARY:

Irrigation districts are covered under the Interlocal Cooperation Act.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	41	8	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: July 26, 1981

SHB 184

C 149 L 81

BRIEF TITLE: Rejecting federal bankruptcy law exemptions.

SPONSORS: House Committee on Ethics, Law and Justice

(Originally Sponsored By House Committee on Ethics, Law and Justice and Representative Ellis)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

Federal law allows a person filing for bankruptcy to shield certain property from creditors. It also allows a bankrupt person to claim either the federal exemptions or whatever exemptions the state may authorize debtors to claim. Because it was possible for one spouse in a marital community in Washington to claim exemptions under the federal law and for the other spouse to claim exemptions under the state law when the community is going through bankruptcy, a bankrupt marital community was permitted to protect more property.

SUMMARY:

Washington's personal and real property exemption-from-creditors statutes are amended to prevent a marital community from using both the federal and state statutes to protect property in a bankruptcy. Homestead and personal property exemptions are not available under state law if spouses have filed for bankruptcy within six months and one of the spouses has elected to use the federal exemptions.

VOTES ON FINAL PASSAGE:

House	90	0
Senate	34	9

EFFECTIVE: July 26, 1981

HB 186

C 38 L 81

BRIEF TITLE: Implementing the law relating to elections to state board of education.

SPONSORS: House Committee on Education and Representative Taylor (By Superintendent of Public Instruction Request)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

The statutes pertaining to the election of the nonvoting private school member of the State Board of Education were duplicative and difficult to administer.

SUMMARY:

The procedures used to elect the private school representative to the State Board of Education are amended and are consolidated into the statutes governing the election of the other State Board members.

The procedures are as follows: The school board of each private school chooses a candidate for the State Board of Education. The chairperson of the private school board transmits that choice to the Office of the Superintendent of Public Instruction. The vote cast by the private school board is accorded as many electoral points as the number of students enrolled in the school. The candidate receiving the most electoral votes becomes the private school representative to the State Board of Education. The Superintendent of Public Instruction counts the votes and declares a winning candidate.

VOTES ON FINAL PASSAGE:

House	90	8
Senate	43	1

EFFECTIVE: July 26, 1981

HB 190

C 40 L 81

BRIEF TITLE: Authorizing the state auditor to define accounting terms for certain city budgets.

SPONSORS: House Committee on Local Government and Representative Isaacson (By State Auditor Request)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Municipal accounting terms in Chapter 35.33 RCW, pertaining to budgets of certain cities and towns, were defined in a national accounting manual published in 1968. However, this manual was out of date and is no longer used.

SUMMARY:

Statutory provisions which specify the 1968 national accounting manual as the source for definitions of municipal accounting terms are deleted. Instead, the State Auditor is permitted to define accounting terms for cities and towns.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	42	0

EFFECTIVE: July 26, 1981

HB 191

C 39 L 81

BRIEF TITLE: Providing for the transfer of moneys between funds of a unit of local government.

SPONSORS: House Committee on Local Government and Representative Isaacson (By State Auditor Request)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Local governments have several different funds with which to carry out local programs such as building maintenance, road improvement and park maintenance. When there was not enough money in one fund, money was borrowed from another fund. The money was later paid back to the fund. However, the expenditure was listed in each account, thereby distorting figures of actual expenditures.

The State Auditor has questioned this accounting practice.

SUMMARY:

Units of local government that transfer or "loan" moneys from one fund to another or expend moneys from one fund for the benefit of another must credit the expenditure against the fund that is benefitted. Monies returned to the originating fund are allowed to be expended as part of the original appropriation.

This accounting rule does not apply to the furnishing of materials or services by monies transferred from one fund to another when other monies have been provided by law specifically for that purpose.

VOTES ON FINAL PASSAGE:

House	85	1
Senate	44	0

EFFECTIVE: July 26, 1981

SHB 206

C 5 L 81

BRIEF TITLE: Adopting a supplemental budget.

SPONSORS: House Committee on Ways and Means (Originally Sponsored By Representative Chandler)

HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

SUMMARY:

A supplemental budget is proposed. (See Budget Highlights this report.)

VOTES ON FINAL PASSAGE:

House	51	47	
Senate	25	24	(Senate amended)
House			(House refused to concur)
Senate	25	23	(Senate amended)
House	51	47	(House concurred)

EFFECTIVE: February 19, 1981

SHB 207

C 6 L 81

BRIEF TITLE: Providing for the prepayment of insurance premiums taxes.

SPONSORS: House Committee on Ways and Means (Originally Sponsored By Representative Greengo) (By House Committee on Revenue Request)

HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Insurance companies pay a tax on the insurance premiums they collect or receive. The tax is due annually on March 1, for activity conducted during the prior

calendar year. Any insurer delinquent in payment of the tax for more than 30 days is assessed a penalty of $25 for each additional day of delinquency.

SUMMARY:

Insurance premium taxes for the current calendar year's business must be prepaid if the taxes are $400 or more during the preceding year. The minimum amounts of prepayments are based on the tax obligation for the preceding year and are due in the amounts and by the dates as follows:

- 45 percent by June 15
- 25 percent by September 15
- 25 percent by December 15
- the remaining amount by March 1 of the following year

Any insurer failing to pay the tax or prepayment of tax by the last day of the month when due must pay a penalty of 5 percent of the tax. If the tax or prepayment is not paid within 45 days after the due date, the insurer must pay a penalty of 10 percent of the tax; after 60 days, a penalty of 20 percent.

VOTES ON FINAL PASSAGE:

House	55	42	
Senate	35	12	(Senate amended)
House	62	33	(House concurred)

EFFECTIVE: February 19, 1981

SHB 208

PARTIAL VETO

C 7 L 81

BRIEF TITLE: Modifying provisions on excise tax collections.

SPONSORS: House Committee on Revenue (Originally Sponsored By House Committee on Revenue and Representative Greengo)

INITIAL HOUSE COMMITTEE: Revenue
ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Businesses pay excise taxes to the Department of Revenue thirty days after the close of their reporting period.

SUMMARY:

The due date for excise taxes is moved forward a total of 15 days. This is done in three steps. Beginning with activity in September, 1981, taxes will be due 25 days after the end of the month. Beginning with activity in May, 1982, taxes will be due 20 days after the end of the month. Finally, beginning with activity in May, 1983, taxes will be due 15 days after the end of the month.

VOTES ON FINAL PASSAGE:

House	54	44
Senate	25	23

EFFECTIVE: September 1, 1981

PARTIAL VETO SUMMARY:

The vetoed language would have authorized persons who collect sales and use taxes to reduce their business and occupation tax liability by one-quarter of 1 percent of the sales and use taxes they collect. (See VETO MESSAGE)

2SHB 209

C 4 L 81

BRIEF TITLE: Modifying provisions relating to state funds.

SPONSORS: House Committee on Ways and Means (Originally Sponsored By House Committee on Revenue and Representative Greengo)

INITIAL HOUSE COMMITTEE: Revenue
ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The Legislature did not have statutory authority to appropriate funds from the following accounts: the Common School Construction Fund, the Resource Management Cost Account, the Criminal Justice Training Account, and the Timber Tax Reserve

Account. In addition, the law provided for the continuance of the Reserve for Accrued Revenue Account.

SUMMARY:

The Legislature is given authority to appropriate for the support of common schools from the Common School Construction Fund, the Resource Management Cost Account and the Timber Tax Reserve Fund. The Reserve for Accrued Revenue Account is eliminated and the funds contained in the account are transferred to the state General Fund. In addition, authority is provided to transfer funds from the Criminal Justice Training Account to the state General Fund.

Future timber tax distributions to local governments are guaranteed through the establishment of a new account, the Timber Tax Distribution Guarantee Account.

The Legislature will replace, with interest, the funds appropriated from the Common School Construction Fund.

VOTES ON FINAL PASSAGE:

House	52	42	
Senate	25	24	(Senate amended)
House			(House refused to concur)
Senate	25	24	(Senate receded)

EFFECTIVE: February 19, 1981
June 30, 1981 (Sections 3, 4 and 7)

HB 212

C 140 L 81

BRIEF TITLE: Exempting nonprofit art organizations from some excise taxation.

SPONSORS: Representatives Greengo, Rinehart, Chandler, Galloway, Flanagan, Bickham, Bond, Nisbet, Granlund, Rust, Warnke, Becker, Teutsch, Taylor, Thompson, King (R.), Struthers, O'Brien, Burns, Patrick, Johnson, Padden, Houchen, Nelson (D.) and Brekke

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The income of and sales by artistic and cultural organizations are not exempt from the B&O and sales tax.

SUMMARY:

B&O and sales and use tax exemptions are provided for the income and sales of artistic and cultural organizations.

VOTES ON FINAL PASSAGE:

House	74	24
Senate	42	2

EFFECTIVE: July 26, 1981

HB 214

C 141 L 81

BRIEF TITLE: Exempting nonprofit musical, dance, artistic, dramatic, and literary associations from property taxation.

SPONSORS: Representatives Greengo, Rinehart, Chandler, Galloway, Bickham, Bond, Nisbet, Granlund, Rust, Warnke, Becker, Sanders, Teutsch, Taylor, Thompson, King (R.), Struthers, O'Brien, Burns, Patrick, Johnson, Padden, Nelson (D.) and Brekke

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Real or personal property of nonprofit associations engaged in the production and performance of musical, dance, artistic, dramatic, or literary works were not exempt from taxation. Nonprofit organizations which own and operate assembly halls had to pay property taxes on these halls.

SUMMARY:

All real or personal property of nonprofit associations engaged in the production and performance of musical, dance, artistic, dramatic, or literary works are exempt from taxation if certain conditions are met. The assembly halls of nonprofit organizations are also exempt if certain conditions are met. The exemption applies to taxes payable in 1982.

VOTES ON FINAL PASSAGE:

House	86	7	
Senate	44	1	(Senate amended)
House	91	6	(House concurred)

EFFECTIVE: July 26, 1981

SHB 219

C 33 L 81

BRIEF TITLE: Regulating transactions between artists and art dealers.

SPONSORS: House Committee on Labor and Economic Development
(Originally Sponsored By Representatives O'Brien, Wilson, Struthers, Sherman and Brekke)

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

Artists have complained that existing law did not adequately protect their ownership interest in their paintings and other fine art works placed with dealers for sale.

SUMMARY:

A consignment relationship is created between artists and art dealers. An art dealer may accept a work of art on a consignment basis only if the art dealer and artist enter into a written contract with specified provisions. An art dealer violating the provisions of the bill regarding a written contract is liable to the artist for $50 plus actual damages including incidental and consequential damages.

In the event of loss of or damage to the work of an artist, the dealer must pay the artist the price agreed to in a written agreement or, if no written agreement exists, the fair market value of the work. A system of payment to the artist within 30 days is set forth unless the parties agree otherwise in writing.

The provisions in the bill govern in the event of conflict with the Uniform Commercial Code.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	44	2

EFFECTIVE: July 26, 1981

SHB 222

C 41 L 81

BRIEF TITLE: Adopting the Uniform Law Commission's 1972 amendment to the Uniform Commercial Code.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By Representatives Ellis, Becker, Tupper, Padden, Patrick, Granlund, Bickham, Salatino and Tilly)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

The original version of the Uniform Commercial Code (UCC) was enacted by Washington and 48 other states. Article 9 of the UCC deals primarily with the mechanics of security interests in personal property. In 1972, the national committee that drafted the original version of the UCC proposed a new version of Article 9 of the UCC. Washington did not adopt the 1972 version of Article 9; a majority of other states have.

The 1972 version is designed to correct many of the mechanical problems that have surfaced in connection with the attachment, perfection, recording and release of security interests in personal property. It was argued that enactment of the 1972 version would bring Washington into conformity with the other states in these matters.

SUMMARY:

The original version of the Washington UCC Article 9 is replaced with the 1972 version of that article.

Revenue: The filing fee for financial statements is raised from $3 to $4 if on the standard form and from $5 to $7 if otherwise.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	38	10

EFFECTIVE: Midnight on June 30, 1982

HB 227

C 63 L 81

BRIEF TITLE: Permitting heavier loads on certain highways by special permit.

SPONSORS: House Committee on Transportation and Representative Wilson

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Transportation

BACKGROUND:

The prior law contained a series of exemptions to prohibitions against truck loads in excess of specified widths. One of the exemptions was for movements during daylight hours on a two-lane highway where the gross weight of the vehicle and load was not greater than 45,000 pounds and the width of the load not greater than 16 feet. The weight restriction in this exemption was criticized by shippers. They argued, for example, that the weight provision excluded manufactured housing loads from the exemption.

SUMMARY:

The gross weight of vehicles for which over-width permits to 16 feet may be issued for operation during daylight hours on two-lane highways is raised from 45,000 to 80,000 pounds.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	43	5	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 26, 1981

HB 228

C 309 L 81

BRIEF TITLE: Modifying provisions on financial responsibility for motor vehicles.

SPONSORS: Representatives Dawson, Bickham, Ellis, Tilly, Clayton, McGinnis, Patrick, Wang, Houchen and Brown

INITIAL HOUSE COMMITTEE: Financial Institutions and Insurance

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The Joint House Insurance/Judiciary Subcommittee on Uninsured Motorists met several times during the 1980-81 interim to develop proposals for reducing the number of financially irresponsible drivers. One suggestion was to strengthen certain portions of the existing Financial Responsibility Act.

SUMMARY:

If an uninsured motorist who was subject to the Financial Responsibility Act was making installment payments on monies owed and his payments lapsed, the Department of Licensing had to suspend his driver's license until the monies owed were paid in full. The bill allows the license to be reinstated once the payments have been resumed under an agreement acceptable to the creditor and the Department.

After an accident, an uninsured motorist who was subject to the Financial Responsibility Act could meet the requirements of the Act by filing security with the Department. If, after one year, no suit has been filed against the motorist, the Department returned the security. A lawsuit, however, could be filed any time within three years of the accident. The bill extends the time for which security must be maintained from one year to three years.

The Department is given the authority to suspend motor vehicle licenses as well as drivers' licenses of the drivers of vehicles involved in accidents if they own the vehicle and have failed to deposit security or to pay a judgment previously rendered against them. Failure to surrender plates after suspension is a misdemeanor, punishable by imprisonment for not less than one day nor more than five days and by a fine of not less than $50 nor more than $250. Driving a vehicle with suspended registration is a gross misdemeanor, punishable by imprisonment for not less than two days nor more than five days and by a fine of not less than $100 nor more than $500.

Following an accident, the period of time during which a motorist may file a report with the Department is extended from 50 to 180 days.

Appropriation: $104,000 is appropriated from the Highway Safety Fund to the Department of Licensing.

VOTES ON FINAL PASSAGE:

House	94	0	
Senate	48	1	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 26, 1981

2SHB 235

PARTIAL VETO

C 136 L 81

BRIEF TITLE: Providing for correctional reform.

SPONSORS: House Committee on Appropriations–Human Services
(Originally Sponsored By House Select Committee on Corrections and Representatives Struthers, Becker, Houchen, Nelson (D.), Mitchell, Owen, Barr, Granlund, Winsley, Walk, Leonard, Galloway, Fiske, Warnke, Van Dyken, Erickson, Berleen, Stratton, Clayton, Johnson, Wilson, Rinehart, O'Brien and Wang)

INITIAL HOUSE COMMITTEE: Select Committee on Corrections

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SECOND ADDITIONAL HOUSE COMMITTEE: Appropriations–Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The state's prisons are grossly overcrowded. Inmates have frequently rioted and engaged in violent and lawless behavior. Work opportunities for inmates are few and idleness is common. It has been contended that lack of accountability and clear lines of authority have been the major causes of the plight of the state's prisons.

SUMMARY:

The bill has four principal parts:

1. A Separate Department of Corrections:

The Department of Corrections is established as a separate department of state government. The secretary of the department is appointed by the Governor and is subject to Senate confirmation.

All powers, duties and functions assigned to the Secretary of Social and Health Services and the Department of Social and Health Services (DSHS) relating to adult correctional programs and institutions are transferred to the Secretary of Corrections and to the Department of Corrections. Functions of DSHS relating to juvenile rehabilitation and the juvenile justice system remain with DSHS.

The Department of Corrections may be organized into separate divisions or offices determined by the secretary but must include divisions for (1) institutional industries, (2) prisons and other custodial institutions, and (3) probation, parole, community service, restitution, and sanctions other than imprisonment.

2. Reform of Inmate Work Programs:

An Institutional Industries Board of Directors is created to advise the department in adopting and implementing institutional industry programs.

The department has authority to provide for a comprehensive inmate work program. The following classes of programs are recommended by the Legislature:

1. Class I – Free Venture Industries – A partnership with private enterprise.
2. Class II – Tax Reduction Industries – Aimed at reducing tax costs for state and local government.
3. Class III – Institutional Support Industries – Work skill training and maintenance industry.
4. Class IV – Community Work Industries – A partnership with local governments.
5. Class VI – Community Service Industries – A work alternative to fines.

All inmates working in institutional industries are required to pay for a portion of the cost to institutionalize them under a formula developed by the secretary.

For the five years following enactment of this act, the net profits from institutional industries' sales and contracts must be reinvested in the expansion and improvement of institutional industries.

3. Correctional Standards:

The Corrections Standards Board is created to advise the department, the Governor and the Legislature. Initially, the board will be a board within the State Jail Commission, but after June 30, 1983 it will replace the commission.

The Corrections Standards Board's responsibilities include: (1) recommending advisory standards to the

Legislature, the Governor and the department within two years of the effective date of this act to ensure compliance with federal and state constitutional requirements relating to health, safety, security and welfare of inmates and staff, as well as specific state or federal requirements, and provide for the public's health, safety and welfare; (2) annually, commencing 1983, issuing a report to the Governor, the Legislature and the department; (3) reviewing the development and functioning of the department's grievance procedures; (4) recommending advisory standards for the location, construction and operation of all state correctional facilities and programs.

4. Mandatory Minimum Staff Training:

Corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982 and all corrections personnel promoted to a supervisory or management position after that date must participate in basic corrections training adopted by the Criminal Justice Training Commission.

Constitutionally required legal services shall be provided to inmates by independent contract. Certain limitations upon those contracts are specified.

New Rule Making Authority: All rule making authority currently existing within the Department of Social and Health Services with regard to adult corrections is transferred to the Department of Corrections.

Future Obligations: The Secretaries of the Department of Social and Health Services and the Department of Corrections must submit a joint report to the 1983 session of the state Legislature addressing the issue of which agency should administer juvenile rehabilitation and the juvenile justice program.

Before the convening of the 1982 legislative session, the Department of Corrections must submit recommendations to the Legislature on the appropriate role of inmate compensation programs.

Within one year after the effective date of this act, the Department of Corrections must adopt, and provide a description thereof to each inmate, a system providing incentives for good conduct and disincentives for poor conduct.

The Corrections Standards Board must recommend advisory standards to the Legislature, the Governor and the Department of Corrections within two years of the effective date of this act. The Board must also issue a report to the Legislature, the Governor and the Department of Corrections annually, commencing 1983.

Sunset Provision: The Corrections Standards Board shall cease to exist six years after the effective date of this act unless extended by law. The Legislative Budget Committee must review the board and recommend whether or not the board should be extended by January, 1987.

Appropriation: The appropriation is lowered to $5,090,000. The appropriation shall be subject to the following conditions:

(1) For the 1981–83 biennium, the Department of Corrections shall be authorized an additional 93 full-time equivalent (FTE) staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized by SSB 3636. There shall be transferred to the Department of Corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the Secretary of Social and Health Services and the Secretary of Corrections subject to the approval of the Director of the Office of Financial Management.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	41	7	(Senate amended)
House			(House concurred in part)
Senate	48	0	(Senate receded in part)
House	96	0	

EFFECTIVE: July 1, 1981

PARTIAL VETO SUMMARY:

The vetoed language provided, among other things, that the appropriation contained in the bill cannot be used to authorize any increase in top management salaries or positions as requested in the fiscal note for the bill. (See VETO MESSAGE)

HB 244

C 126 L 81

BRIEF TITLE: Establishing liability for leaving a restaurant without paying.

SPONSORS: Representatives Valle, Sanders, Brekke, Berleen, Fancher, McCormick, Addison and Lux

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Judiciary

BACKGROUND:

An adult or independent minor who steals goods exposed for sale in a store is liable to the owner for actual damages, for the retail value of the merchandise up to $1000 and for an additional penalty between $100 and $200. In the case of minors who are dependent upon their parents for necessities and support, the parents are liable for the value of the goods taken by the minor up to $500 and for the additional penalty.

Liability under this shoplifting statute does not extend to instances wherein an adult or minor leaves a restaurant without paying for the food received.

SUMMARY:

An adult, independent minor or parent of a dependent minor who orders a meal in a restaurant, receives a portion of it and leaves without paying is subject to the same liability and penalty established for shoplifting.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	25	23	

EFFECTIVE: July 26, 1981

SHB 245

C 8 L 81

BRIEF TITLE: Modifying public assistance laws.

SPONSORS: House Committee on Human Services (Originally Sponsored By Representative Mitchell) (By Department of Social and Health Services Request)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Rules

BACKGROUND:

Unanticipated caseload increases in the income maintenance, medical assistance, and chore services programs administered by the the Department of Social and Health Services have sharply increased the cost of these programs. To balance the state budget for the remainder of the biennium without a tax increase, existing income maintenance, medical assistance, and other social service programs must be eliminated or modified.

SUMMARY:

Statutory authorization is provided to implement cuts in various social service programs administered by the Department of Social and Health Services.

Four income maintenance and medical assistance programs are eliminated. Four income maintenance and social services programs are modified to restrict the number of persons eligible. The Department of Social and Health Services may also transfer funds to an emergency chore services assistance program to provide assistance to certain elderly and physically handicapped persons.

VOTES ON FINAL PASSAGE:

House	51	44	
Senate	26	21	(Senate amended)
House	52	46	(House concurred)

EFFECTIVE: February 19, 1981

2SHB 246

C 127 L 81

BRIEF TITLE: Modifying provisions relating to the criminal justice training account.

SPONSORS: House Committee on Appropriations–Human Services (Originally Sponsored By House Committee on Institutions and Representatives Houchen, Becker, Dawson and Kreidler)

INITIAL HOUSE COMMITTEE: Institutions

ADDITIONAL HOUSE COMMITTEE: Committee on Appropriations–Human Services

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The Washington State Criminal Justice Training Commission has within the last two years experienced an increased demand for services. The demand for services is projected in the next biennium to surpass the amount of revenue which is generated by the criminal justice training account (a dedicated fund). Revenue for the account is derived from assessments on bail forfeitures for all citations, except parking

citations. Mandatory correctional officer training which is required by second substitute House Bill 235 would also increase the demand for training done by the Criminal Justice Training Commission.

SUMMARY:

Additional revenue is generated from the Criminal Justice Training Account by increasing the assessments on the bail forfeitures which are designated for criminal justice training as follows:

1. when the forfeiture or penalty is $10 to $19.99, the assessment is raised from $3 to $4;
2. when the forfeiture or penalty is $20 to $39.99, the assessment is raised from $5 to $7;
3. when the forfeiture or penalty is $40 to $59.99, the assessment is raised from $7 to $10;
4. when the forfeiture or penalty is $60 to $99.99, the assessment is raised from $12 to $15;
5. when the forfeiture or penalty is $100 or more, the assessment is raised from $15 to $20.

VOTES ON FINAL PASSAGE:

House	91	2
Senate	40	3

EFFECTIVE: July 26, 1981

SHB 250

C 128 L 81

BRIEF TITLE: Exempting contractors employing subcontractors from industrial insurance requirements.

SPONSORS: House Committee on Labor and Economic Development (Originally Sponsored By House Committee on Labor and Economic Development and Representatives Sanders, Eberle, Clayton, Smith, Hankins, Barrett, Patrick, Flanagan, Barr, Johnson and Wilson)

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

The state's workers' compensation laws have been interpreted to recognize an employer–employee relationship between a contractor and a subcontractor. This relationship was most frequently found when the subcontractor was supplying only his or her own labor. The result was that contractors often paid industrial insurance premiums for their subcontractors, who were considered "workers".

In addition, state law provides that contractors were responsible "primarily and directly" for the industrial insurance premiums for their subcontractors' employees. Although a contractor was permitted to enter into an agreement to have the subcontractor pay the premiums, the contractor was held liable if the subcontractor failed to make payments.

SUMMARY:

The definitions of "employer" and "worker" in the worker's compensation statutes are amended to provide that a contractor and subcontractor will not be considered to be in an employer–employee relationship for industrial insurance purposes if: (1) the contractor and subcontractor are both conducting businesses registered under the contractor registration laws or licensed under the electrician licensing law; (2) the work being performed is of the type covered by one of these laws; and (3) the subcontractor maintains a place of business and business records separate from those of the contractor.

Contractors are also relieved from liability for the industrial insurance premiums for subcontractors' employees if the contractor and subcontractor meet the requirements described above.

Sole proprietors or partners who subsequently become registered or licensed under the contractor registration laws or electrician licensing laws will be covered by provisions of the state's workers' compensation laws. However, these persons may withdraw from coverage simply by notifying the Department of Labor and Industries.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	38	10

EFFECTIVE: July 26, 1981

SHB 252

C 297 L 81

BRIEF TITLE: Modifying provisions relating to agriculture.

SPONSORS: House Committee on Agriculture (Originally Sponsored By House Committee on Agriculture and Representative Smith) (By Department of Agriculture Request)

INITIAL HOUSE COMMITTEE: Agriculture
ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Agriculture

BACKGROUND:

Some regulatory and inspection programs administered by the Department of Agriculture are funded by user fees, without support from the state's general fund. Among these are the seed, fertilizer, and commercial feed inspection programs and a program regulating persons engaged in the business of applying pesticides.

The statutory designations for who serves as official chemists for the department are outmoded and no longer used.

Several tests required under the state's fluid milk statutes are also antiquated.

As residential populations encroach upon traditional agricultural areas, farmers may be cited for violations of state air and water pollution control laws. Such citations could contribute to the conversion of farmland to nonagricultural uses.

A cooperate association, or co-op, may be organized under one of several state laws. The 1913 cooperative association statutes authorize a cooperative organized under those statutes to be converted to a business corporation, merge with another cooperative and invest funds in another cooperative.

Cooperatives established prior to the enactment of the 1913 statutes may be reorganized under the 1913 statutes. Specific provisions for dissolving a cooperative are not contained in the 1913 cooperative statutes.

The 1921 cooperative association statutes authorize two procedures for members of cooperatives organized under those statutes to approve proposals to dissolve the associations. One method applies to associations with no more than 10,000 members and another to associations with more than 10,000 members.

Five commodity commissions are organized under the Washington Agricultural Enabling Act of 1955. The act allows each commission to levy an assessment on the commodities governed by the marking order creating the commission and requires the assessment to be expressed as an amount of money per unit of commodity.

SUMMARY:

The required tests for samples taken in the state milk and cream inspection program are changed. Cream standards are also changed.

The Department of Agriculture is authorized to levy a special assessment for enforcing the Washington State Seed Act. The licensing fee for seed distributors is raised.

The inspection fee for distributors of commercial feed is altered as are the reporting requirements for the filing of the fee. The inspection fees for distributors of commercial fertilizers are raised.

Fees for a number of licenses issued under the state pesticide control statutes are also raised.

A demonstration and research applicator's license is required for certain persons engaged in pesticide research in the private sector.

The offices designated as being the official chemists of the Department of Agriculture are changed.

The Grain and Hay Inspection Fund is removed from the state treasury. A Grain and Hay Inspection Revolving Fund is created instead. $4 million, or as much thereof as is in the treasury based fund on the effective date of the act, is appropriated to the revolving fund. Fees previously deposited in the treasury based fund are to be deposited in the non-treasury revolving fund. The revolving fund is under the custodial care of the State Treasurer. Although not subject to appropriation, use of the fund is subject to allotment procedures.

Odors caused by agricultural activities consistent with good agricultural practices are exempt from the air pollution control laws unless the odor has a substantial adverse effect on public health. Persons who sell or have sold a portion of a contiguous piece of agricultural land for residential purposes are not eligible for this exemption.

Prior to issuing a notice of violation relating to discharges into water, the Department of Ecology must consider whether the enforcement action would contribute to the conversion of agricultural land to nonagricultural uses. The enforcement action shall

attempt to minimize the possibility of such conversion.

The 1913 cooperative association statutes are amended to alter the vote required to approve a proposal to convert a cooperative organized under those statutes to a business corporation, or to merge the cooperative with a corporation or another cooperative. Such a proposal may be approved by a 2/3 affirmative vote of the members voting on the proposal if at least 25 percent of the membership of the cooperative vote on the proposal. A majority of those voting or represented for voting may approve a proposal to amend the articles of association or to invest funds in another cooperative if at least 25 percent of the membership vote on the proposal.

A proposal to dissolve a cooperative under the 1913 statutes may be approved by 2/3 of the members voting if at least 25 percent of the membership vote on the proposal. A cooperative organized under any other statute may reorganize under the 1913 cooperative statutes.

A proposal to dissolve an association organized under the 1921 cooperative association statutes and having 10,000 members or less may be approved by a vote of 2/3 of the members voting if at least 25 percent of the membership vote on the proposal.

An alternative means of expressing the assessment levied by a commodity commission created under the 1955 Agricultural Enabling Act is authorized. The assessment may be expressed as a percentage of the net unit price at the time of sale.

New Rule Making Authority: The Department of Agriculture and the Director of Agriculture are granted rule making authority to levy a special assessment for enforcing the Washington State Seed Act, to set the inspection fee for distributors of commercial feed, and to carry out provisions of the bill.

VOTES ON FINAL PASSAGE:

House	95	2	
Senate	48	1	(Senate amended)
House	98	0	(House concurred)

EFFECTIVE: July 26, 1981
June 30, 1981 (Section 17)

HB 254

PARTIAL VETO

C 150 L 81

BRIEF TITLE: Requiring certain coverages in automobile insurance policies.

SPONSORS: Representatives Dawson, Bickham, Patrick, Brown, McGinnis, Erak, Ellis, Lewis, Houchen, Lane, Tilly and Garrett

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Underinsured motorist coverage, which must be offered to every person purchasing an automobile liability insurance policy, only provides coverage against bodily injury. Unless a policyholder has purchased collision coverage (which carries a rather high deductible), any property damage resulting from an accident with an uninsured motorist must be paid for "out-of-pocket" by the injured party.

When financing a vehicle, many banks and finance companies only place comprehensive and collision coverage on the vehicle to protect their own interests. Although there is no liability coverage written, many purchasers assume that they are fully insured.

SUMMARY:

Insurers must offer coverage for property damage as part of any underinsured motorist endorsement to an auto insurance policy. If the insured is involved in an accident with a hit-and-run driver or an unidentified driver, a deductible of up to $300 may be applied to the underinsured motorist property damage coverage. In other cases, the deductible for that coverage may not exceed one hundred dollars. The underinsured motorist property damage coverage need only be offered in addition to the bodily injury coverage. An insurer is not required to allow a policyholder to purchase only underinsured motorist property damage coverage.

No automobile policy which provides comprehensive or collision coverage may be written unless it also contains liability coverage in at least the minimums set forth in the Financial Responsibility Act ($25,000/50,000 bodily injury; $10,000 property damage). The liability coverage need not be in force during any month in which the vehicle is not operated on public roads.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	47	1	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: September 1, 1981

PARTIAL VETO SUMMARY:

The vetoed language would have prohibited the issuance of an automobile insurance policy that provided comprehensive or collision coverage, unless that policy also provided liability coverage in at least the amounts set forth in the Financial Responsibility Act. (See VETO MESSAGE)

2SHB 257

C 269 L 81

BRIEF TITLE: Providing for supplemental police protection in border areas.

SPONSORS: House Committee on Appropriations–General Government
(Originally Sponsored By Representatives Van Dyken, Becker, Fiske, Lundquist, Fancher, Barr, Thompson and Greengo)

INITIAL HOUSE COMMITTEE: Local Government
ADDITIONAL HOUSE COMMITTEE: Revenue
SECOND ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Several small Washington cities are located within a few miles of the U.S.–Canadian border. Some of the law enforcement and other public service costs borne by these cities are attributable to the volume of border traffic passing through them. U.S. and Canadian citizens who visit these cities because of their proximity to the border also add to the demands for public services. Claims have been made that economic benefits from proximity to the border (benefits primarily from increased business activity) do not offset the public service costs of dealing with border related problems.

In 1979, the Legislature appropriated $200,000 for the 1979–81 biennium to the Planning and Community Affairs Agency for distribution to these cities. The appropriation was made to help cover costs of meeting border related public service demands.

SUMMARY:

Appropriation: $250,000 from the general fund is appropriated to the Planning and Community Affairs Agency for distribution to border communities for law enforcement services.

VOTES ON FINAL PASSAGE:

House	85	11	
Senate	44	0	(Senate amended)
House	86	12	(House concurred)

EFFECTIVE: July 26, 1981

SHB 264

C 75 L 81

BRIEF TITLE: Restricting imposition of rent control by counties, cities and towns.

SPONSORS: House Committee on Labor and Economic Development
(Originally Sponsored By Representatives Struthers, King (J.), Warnke, Barrett, Dawson, King (R.), Bickham, Isaacson, Eberle, Winsley, Martinis, Lane, McCormick, Hastings, Ellis, Sanders, Grimm and Bond)

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

Cities, towns and counties appeared to have the authority to impose rent controls. At least one city had adopted a rent control ordinance, albeit of limited application.

SUMMARY:

Cities, towns and counties are prohibited from imposing rent controls on single–family or multiple unit residential structures or sites.

Cities, towns and counties are permitted to regulate the rent charged for: 1) properties under public management; 2) low–income rental housing made possible by joint public–private agreements.

Voluntary agreements between private persons and cities, towns or counties to regulate rents are permitted.

Local ordinances that provide rent control of floating home moorage sites are also permitted.

VOTES ON FINAL PASSAGE:

House	67	30	
Senate	32	17	(Senate amended)
House	64	32	(House concurred)

EFFECTIVE: July 26, 1981

SHB 266

C 151 L 81

BRIEF TITLE: Creating the state council on aging.

SPONSORS: House Committee on State Government (Originally Sponsored By Representatives Lane, Johnson, Dawson, Patrick, Fiske, Sommers, Chamberlain, Dickie, Mitchell, Padden, McGinnis, Nickell, Vander Stoep, Warnke, Bickham, Van Dyken, Leonard, Taylor, Nelson (G.), Erickson, Williams, Smith, Ellis, Lundquist, Barrett, Monohon, Winsley, Tupper, Hankins, Kreidler, Garson, Bond, Teutsch, Cantu, Galloway, Lewis, Heck, Lux, Granlund and Nelson (D.)) (By Governor Spellman Request)

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

In order for the state to receive federal funds in several areas, including services to the aging, the Secretary of the Department of Social and Health Services has authority to appoint advisory councils required by federal law. The present State Council on Aging has an advisory role only to the Department and its Bureau on Aging.

Senior citizens' organizations throughout the state have agreed that the Council on Aging should be given broader statutory authority.

SUMMARY:

The State Council on Aging is statutorily established to advise the Governor, the Secretary of Social and Health Services, and the state unit on aging (now the Bureau on Aging). The powers of the State Council on Aging include serving in an advisory capacity on all programs and services affecting older persons; creating public awareness of the special needs and potential of older persons; and providing for self-advocacy by older citizens through training, conferences, and other methods. The Governor may designate the State Council on Aging to serve as the state council with respect to federally funded programs and regulations.

Members of the Council on Aging are appointed by the Governor for staggered three-year terms, but no member may serve more than two consecutive terms. The Council will consist of:

1. One member from each state-designated planning and service area from a list of names transmitted by the advisory council to each area agency on aging (each list will have the names of all persons nominated in the area and the area advisory council's recommendations);
2. One member from the names submitted by the Association of Washington Cities;
3. One member from the names submitted by the Washington State Association of Counties;
4. Two nonvoting legislative members appointed by the Speaker of the House of Representatives;
5. Two nonvoting legislative members appointed by the President of the Senate; and
6. Not more than five at-large members to ensure representation of rural areas, minority populations, and individuals with special related skills.

Council members will elect their own chairperson. All members must be at least 55 years old except those representing the cities, counties, and the nonvoting legislative members. Appropriate staff support will be provided by the Director of the State Bureau on Aging.

Termination Date: When federal funds provided under the Older Americans Act, or its successor, become unavailable to the state, state funds may not be used to fund the State Council on Aging.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	47	0	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: September 1, 1981

HB 276

C 152 L 81

BRIEF TITLE: Updating motor vehicle dealer laws.

SPONSORS: House Committee on Transportation and Representative Wilson (By Department of Licensing Request)

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Transportation

BACKGROUND:

Requirements for surety bonds by vehicle dealer and manufacturer were inadequate to ensure adequate consumer protection.

SUMMARY:

Surety bond requirements for vehicle dealers and manufacturers are increased:

1) from $10,000 to $15,000 for vehicle and travel trailer dealers;
2) from $20,000 to $30,000 for mobile home and travel trailer dealers;
3) from $20,000 to $40,000 for mobile home manufacturers; and
4) from $10,000 to $20,000 for travel trailer manufacturers.

The state preempts exclusively the licensing and regulation of vehicle dealers, salesmen and manufacturers.

A single vehicle dealer license plate will be issued and shall be attached to the rear of the vehicle. Spouses of persons holding dealer plates are included among those permitted to drive vehicles with dealer plates.

Additional reasons for which the Director of Licensing may deny, suspend or revoke licenses are specified: 1) dealers – failure to notify the department of bankruptcy proceedings; 2) salesmen – diverting or misappropriating property or funds; and 3) manufacturers – failure to notify the department of bankruptcy proceedings.

It is illegal for a vehicle dealer or manufacturer to fail to comply with a warranty or guarantee obligation to furnish goods, services or repairs within a reasonable period of time, or to fail to furnish all parts and all items specified in the sales agreement.

VOTES ON FINAL PASSAGE:

House	93	1	
Senate	49	0	(Senate amended)
House	81	15	(House concurred)

EFFECTIVE: July 26, 1981

SHB 277

C 129 L 81

BRIEF TITLE: Requiring an identifying decal from the department of licensing as authority to purchase propane for motor vehicle use.

SPONSORS: House Committee on Revenue (Originally Sponsored By House Committee on Revenue and Representatives Bond and Greengo)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Transportation

BACKGROUND:

The owners of vehicles which are powered by natural gas or propane are required to pay a registration fee based on the vehicle's weight instead of the special fuel tax. Short of checking state records, there is no way to tell whether an owner has paid the fee.

SUMMARY:

The Department of Licensing must issue a decal to the owner of a vehicle powered by natural gas or propane when the registration fee is paid. Propane and natural gas dealers are prohibited from selling this fuel to the owner of a Washington–licensed vehicle which does not display the decal.

VOTES ON FINAL PASSAGE:

House	91	2
Senate	37	9

EFFECTIVE: July 26, 1981

SHB 285

C 130 L 81

BRIEF TITLE: Mandating flag exercises in each classroom at beginning of school day.

SPONSORS: House Committee on Education (Originally Sponsored By House Committee on Education and Representatives Cantu, Schmidt, Patrick, James, Barrett, Ellis, Johnson, Eberle, Dickie, McDonald, Lane, Taylor, Hastings, Sanders and Addison)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

It is a duty of the board of directors of every school district to cause a flag ceremony to be held in every school at least once a week, including school assemblies. The Pledge of Allegiance is to be recited at the flag ceremony.

Students not wishing to recite the pledge must stand at respectful attention. Any person willfully refusing or neglecting to comply with the requirements for a flag ceremony or the displaying of a flag is guilty of a misdemeanor and subject to a $10 fine. A school district employee who disregards the order of the board regarding flag exercises is subject to discharge.

It has been proposed that appropriate flag ceremonies be held in each classroom daily and that procedures for those persons not wishing to participate in flag ceremonies be amended to conform with recent federal court decisions.

SUMMARY:

A flag ceremony must be held in each classroom at the beginning of the school day, as well as at the opening of all school assemblies. Students not reciting the Pledge of Allegiance must maintain silence, but need not stand. Failure to comply with the flag ceremony requirements is no longer a misdemeanor, and such actions are no longer grounds for discharge from employment.

VOTES ON FINAL PASSAGE:

House	84	12
Senate	35	10

EFFECTIVE: July 26, 1981

SHB 290

C 42 L 81

BRIEF TITLE: Increasing the responsibilities for personnel of the board of trustees for the state school for the deaf.

SPONSORS: House Committee on Institutions (Originally Sponsored By Representatives Galloway, Winsley, King (J.), Williams, Heck, Houchen, Thompson, Mitchell, Struthers, Nelson (D.) and Maxie)

HOUSE COMMITTEE: Institutions

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

For a number of years the Board of Trustees of the State School for the Deaf has evaluated the performance of the superintendent of the school under an agreement with the superintendent. The superintendent is planning to retire soon. The Board would like express statutory authority to evaluate the performance of any future superintendent.

SUMMARY:

The Board of Trustees for the State School for the Deaf in consultation with the Secretary of the Department of Social and Health Services must establish qualifications for the school superintendent. The Board must also annually evaluate the superintendent's performance, and may recommend any disciplinary action with respect to the superintendent.

VOTES ON FINAL PASSAGE:

House	93	0
Senate	44	0

EFFECTIVE: July 26, 1981

SHB 297

C 153 L 81

BRIEF TITLE: Regulating medicare supplemental insurance.

SPONSORS: House Committee on Financial Institutions and Insurance (Originally Sponsored By Representatives Dawson, Garrett, McGinnis, Bickham, Brown, Lewis, McCormick,

Houchen, McDonald, Hankins, Winsley, Lane, Schmidt, Sprague, Fancher, Bond, Leonard, Teutsch, Barrett, Lundquist, Maxie, Gruger, Lux, Becker, Grimm, Scott, Granlund, Martinis, Kreidler, Wang, Hine, King (J.), Gallagher, O'Brien, North, Bender, Ehlers, Sherman, Rinehart, Stratton, Warnke, Pruitt, Rust and Brekke)

INITIAL HOUSE COMMITTEE: Financial Institutions and Insurance

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Medicare supplemental insurance, commonly known as Medigap, is that type of insurance purchased by senior citizens to help pay those health care costs not covered by Medicare. When the Medicare program began, it was believed that it would pay for over 80 percent of the medical costs likely to be incurred by a senior citizen. Today, Medicare covers an average of only 38 percent of these costs. Consequently, most senior citizens purchase at least one Medicare supplement policy.

The "Baucus Amendment," a U.S. Senate amendment to a U.S. House Social Security bill, became law on June 9, 1980. The amendment directs each state to establish a voluntary certification program for Medigap policies which meet certain minimum loss ratios and disclosure and benefit standards. The standards are to be at least as stringent as those approved by the National Association of Insurance Commissioners (NAIC).

SUMMARY:

The requirements of the Baucus amendment are met. Additionally, all Medicare supplement policies sold in this state must meet certain minimum benefit standards. The policy must cover the costs not covered by Medicare for basic services, but is not required to cover the initial deductibles. An automatic escalation clause requires that, as the co-payment amount under Medicare increases, the co-payment benefits under the policy will automatically increase.

Medicare supplement policies sold to groups must pay out at least 75 percent of all earned premiums in the form of benefits, and policies sold to individuals must pay out at least 60 percent. Policies which are sold through the mails or are mass marketed are considered individual policies.

A condition may be considered pre-existing only if it was originally incurred within the six months immediately prior to the issuance of the policy, and any exclusion for pre-existing conditions may run for only six months into the term of the policy. (Currently, any condition incurred within the five years prior to the effective date of a policy may be excluded from coverage for up to two years into the term of the policy.)

Any medical history form which will be used by the insurer in determining whether or not to accept an applicant for coverage must be filled out by the applicant, a relative or guardian of the applicant, or a physician. This prevents the agent from misrepresenting the applicant's medical history to the company.

At the time that a person applies for a Medicare supplement policy, they must be given a disclosure form. The form must clearly state which costs will be borne by Medicare, which costs will be paid by the policy for which the person is applying, and which costs must still be paid by the applicant. Once a policy is delivered, the policyholder is allowed a 30-day "free-look" period. A Medicare supplement policy cannot be cancelled or non-renewed on grounds of deterioration of health. Also, policy conditions relating to renewal, continuation or nonrenewal must be clearly stated on the first page of the policy.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	47	0

EFFECTIVE: January 1, 1982

SHB 302

C 311 L 81

BRIEF TITLE: Creating a state personnel appeals board.

SPONSORS: House Committee on State Government (Originally Sponsored By Representatives Garson, Addison, McGinnis, Walk, Hankins, Kreidler, Rust and Johnson)

INITIAL HOUSE COMMITTEE: State Government

ADDITIONAL HOUSE COMMITTEE: Appropriations-General Government

SENATE COMMITTEE: State Government

BACKGROUND:

Classified state civil service employees under the jurisdiction of the State Personnel Board have a statutory right to appeal dismissal, suspension, reduction, demotion and classification actions to the State Personnel Board. The State Personnel Board traditionally had a heavy backlog of pending appeals which resulted in significant delays. It has been argued that separating the appeals or judicial functions of the board from its rule-making or legislative functions would remove an inherent conflict in the duties of the board.

SUMMARY:

An independent personnel appeals board is created, consisting of three members to be appointed by the Governor for six-year terms and confirmed by the Senate. The board may be either part-time or full-time as determined by the Governor. Members appointed when the Legislature is not in session may not serve after the 30th day of the next legislative session unless confirmed. After the expiration of a member's term, the member may continue to serve until a successor is appointed. Prohibitions against conflict of interest and holding other public office are included.

The board may appoint an executive secretary, and such hearings examiners as necessary. The new board will assume the current function of the State Personnel Board with respect to employee appeals of salary reduction, dismissal, suspension, demotion, and position allocation or reallocation. The measure also permits agency heads to delegate the personnel authority within their agencies.

The new board has jurisdiction over all appeals filed on or after July 1, 1981 for employees under the civil service law. Appeals currently pending before the State Personnel Board remain under its jurisdiction, but action on such appeals must be completed by December 31, 1982.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	46	3	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: May 19, 1981

HB 304

C 301 L 81

BRIEF TITLE: Authorizing operating agencies to maintain security forces.

SPONSORS: Representatives Hankins, Hastings, McCormick, Isaacson, Stratton, Nisbet, Prince, Johnson, Lundquist and Garrett

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

The federal Nuclear Regulatory Commission requires the operators of nuclear power plants to maintain security in certain areas, referred to as "exclusion areas," around the nuclear power plants. However, plant operators, such as the Washington Public Power Supply System, are not expressly authorized by the state to establish their own security force.

SUMMARY:

Joint operating agencies operating or constructing a nuclear power plant may establish a security force for the protection and security of each nuclear power plant "exclusion area."

Security force members may use reasonable force to detain, search or remove unauthorized persons entering the "exclusion area," or if it appears that a person has committed or is attempting to commit a crime. If a person is detained, the security force must immediately notify the local law enforcement agency. Security force members may use reasonable force to protect persons and property within the exclusion area.

New Rule Making Authority: A joint operating agency may adopt and enforce rules controlling vehicular traffic on its property and to expel or detain persons violating such rules.

VOTES ON FINAL PASSAGE:

House	92	4	
Senate	33	15	(Senate amended)
House			(House refused to concur)
Senate	33	15	(Senate receded)

EFFECTIVE: July 26, 1981

SHB 307

C 35 L 81

BRIEF TITLE: Implementing the law relating to unemployment compensation.

SPONSORS: House Committee on Labor and Economic Development
(Originally Sponsored By House Committee on Labor and Economic Development and Representatives Fancher, Nelson (G.) and Gallagher)

INITIAL HOUSE COMMITTEE: Labor and Economic Development

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

Some of the state's unemployment compensation laws are determined by federal law. Until Congress changed the federal law last fall, the states were required to deduct pensions from the unemployment benefits a person would otherwise be entitled to receive on a dollar-for-dollar basis.

The result of this requirement was that retirees who took new jobs—and then were laid off from those jobs—often ended up with greatly reduced unemployment benefits. In the fall of 1980, the federal law was changed to give the states the option of ending the deduction of pensions in many cases.

Congress also made several other changes in federal law in 1980 which required changes in state law to avoid a loss of federal funds.

SUMMARY:

Pensions are not deducted from unemployment benefits unless the deduction is actually mandated by federal law. In most cases, pensions are not deductible when the person claiming benefits retired more than 15 months ago. Pensions which are required to be deducted under federal law—such as social security—are deducted only to the extent of the employer's contribution to the pension.

New eligibility requirements are applied to all persons claiming "extended" unemployment benefits. The eligibility requirements applied to persons claiming extended benefits from the State of Washington while residing outside the state are also tightened. Some other relatively minor changes in the state's unemployment compensation laws are also made in order to conform to federal law.

Several changes in state law which are unrelated to changes in federal law are also made:

1) Provisions are added to help prevent persons who have voluntarily quit a job from requalifying for benefits through new "sham" employment.
2) The Employment Security Department is authorized to use a more efficient method of collecting benefit overpayments.
3) In unemployment benefit appeals involving only one claimant, a person's "availability for work" must always be deemed an issue and considered separately from all other issues by the hearing examiner.
4) Private "for profit" employers are given the option of exempting corporate officers from unemployment compensation coverage after September 30, 1981.

VOTES ON FINAL PASSAGE:

House	92	6	
Senate	46	2	(Senate amended)
House	92	2	(House concurred)

EFFECTIVE: April 20, 1981 (Sections 1, 2, 3, 5, 8 and 12)
June 1, 1981 (Section 9)
July 26, 1981 (Sections 4, 6, 7, 10, 11, 13-17)

SHB 308

C 43 L 81

BRIEF TITLE: Modifying regulations governing funeral directors and embalmers.

SPONSORS: House Committee on Human Services
(Originally Sponsored By House Committee on Human Services and Representative Mitchell)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The State Board of Funeral Directors is scheduled to terminate on June 30, 1981 and the chapter of the Revised Code of Washington governing funeral directors and embalmers will be repealed on June 30, 1982 under the Sunset Act of 1977.

SUMMARY:

The chapter of the Revised Code of Washington governing the funeral directors and embalmers and creating the State Board of Funeral Directors remains in effect until June 30, 1987.

Technical changes are made in the existing chapter to bring the language up to date, provide uniformity and clarify provisions.

The "two-year college course" required for licensure as a funeral director or embalmer is defined to consist of 60 semester or 90 quarter hours of instruction at a school, college or university accredited by the Northwest Association of Schools and Colleges. A 2.0 minimum grade point average in each subject must be maintained. The credits must include one course each in the following subjects: psychology, mathematics, chemistry and biology or zoology. Instruction must also include other courses specified.

The Board is given the authority to deny or revoke a license or issue a reprimand or fine, not to exceed $1,000 per offense, or to place an applicant or a licensed funeral director or embalmer on probation or restrict their authorized scope of practice after proper hearing and notice to the licensee. Such actions may be taken upon the Board's finding that the person has violated any of the provisions of this chapter.

A licensed embalmer may not embalm a body without first having obtained authorization from a family member or representative of the deceased, unless an authorized person cannot be contacted. A funeral director or embalmer must inform the family member or representative of a deceased person that embalming is not required under state law except in certain conditions determined by the State Board of Health and published in the Washington Administrative Code.

The Board is given the authority (which the Director of Licensing already possesses) to initiate and conduct investigations reasonably necessary to establish the existence of violations or noncompliance with the bill. The Board is also extended the authority, along with the Director of Licensing, to make referrals to the Attorney General of violations of the bill or any rules created thereunder.

New Rule Making Authority: The State Board of Funeral Directors and Embalmers must adopt and enforce reasonable rules.

Sunset Provision: The regulation of funeral directors and embalmers shall terminate on June 30, 1987 and be subject to the Sunset Act.

VOTES ON FINAL PASSAGE:

House	93	2
Senate	44	0

EFFECTIVE: April 22, 1981

SHB 314

C 154 L 81

BRIEF TITLE: Revising laws on disposition of exhibits in court.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By House Committee on Ethics, Law and Justice and Representatives Eberle, Ellis, Barnes, Patrick, Warnke and Garrett)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

Unclaimed trial evidence held by county clerks must be destroyed and unclaimed property held by police and sheriffs' departments must be sold at an auction.

A bailee (a person to whom property has been entrusted, e.g., a mechanic or retailer) must hold unclaimed property for one year before disposing of it. Sixty days notice must be given before actual sale or a notice must be placed in the newspaper for 6 weeks if name and residence of the owner are not known. Unclaimed property must be sold at a public auction. The owner may claim proceeds of the sale for 5 years after the sale. Retailers complain the procedure is too complex and has not been revised since 1891. Also, the current definition of bailee does not cover small retailers such as dry cleaners.

SUMMARY:

Unclaimed trial evidence held by county clerks may, upon court order, be turned over to the county sheriff or the police who may dispose of the property in a specified manner.

Police and sheriffs' departments are given the options of retaining unclaimed property for law enforcement work, trading unclaimed legal and safe property to dealers for law enforcement equipment, or destroying unclaimed property which is unsafe. An inventory of

property retained or received in trade by law enforcement agencies must be provided to the local executive or legislative authority.

The statutes relating to the disposition of unclaimed property by bailees is repealed. Instead a simplified procedure is provided. If property is unclaimed after thirty days, the bailee must notify the owner that property may be disposed of in the following manner. If property is unclaimed for sixty days after notice is given to the owner, the bailee may: (1) if the value of the property is less than $100, donate the property to a charitable organization; or (2) if the value of the property is $100 or more, forward the property to the appropriate law enforcement agency to be disposed of as provided in this bill.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	48	0	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 26, 1981

SHB 316

C 53 L 81

BRIEF TITLE: Revising licensing requirements for the practice of midwifery.

SPONSORS: House Committee on Human Services (Originally Sponsored By House Committee on Human Services and Representatives Teutsch and Wang)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The prior law regulating the practice of midwifery, Chapter 18.39 RCW, was enacted in 1917. In the sixty-four years since this law was enacted, no major updating amendments have been adopted. It was argued that because of the small but growing number of midwives licensed under this 1917 law and the increasing number of people utilizing midwives' services, the law needed to be updated to protect the health and safety of the mother and child.

SUMMARY:

A midwifery advisory committee is created. The advisory committee shall advise and make recommendations to the Director of Licensing.

Midwifery is redefined to include rendering medical aid to a woman during the prenatal, intrapartum and postpartum stages. In the event of significant problems with a mother or child, the midwife must consult with a physician.

In order to be eligible to take the examination for licensure as a midwife, a person must have a high school diploma, be 21 years of age or older and have a certificate or diploma from a midwifery program accredited by the Director of Licensing and registered as an educational institution. Additionally, specific training and courses must be completed by all candidates for licensure.

The Director of Licensing, with the assistance of the advisory committee, shall develop or approve a licensure examination in subjects that the Director determines are within the scope of the work performed by a midwife.

A midwife may administer certain drugs, as well as any other drugs or medications prescribed by a physician.

The grounds for suspension, or revocation, of a license or reprimand are specified and revised.

Registered nurses and certified nurse midwives are exempted from midwifery licensing.

The Director of Licensing, with the advice of the midwifery advisory committee, must develop a form to be used by midwives to inform their patients of the qualifications of licensed midwives.

Midwives' licenses must be renewed annually. Every licensed midwife must annually submit a written plan for consultation with other health care providers, emergency transfers, transportation of infants to newborn nurseries or neonatal intensive care nurseries and transportation of women to appropriate obstetrical departments. The licensing and renewal fees shall be between $15 and $35.

New Rule Making Authority: The Director of Licensing shall promulgate rules necessary to carry out the chapter. The rules shall include standards for accrediting midwifery educational programs.

Future Obligation: The Director of Licensing must submit recommendations from the midwifery advisory committee annually to the Senate Social and Health Services Committee and House Human Services Committee.

Appropriation: $30,663 to Department of Licensing for the 1981-83 biennium.

VOTES ON FINAL PASSAGE:

House	75	22
Senate	42	5

EFFECTIVE: January 15, 1982 (Sections 1, 2, 5, 6, 8, 9, 10, 11 and 13–17)
July 26, 1981 (Sections 3, 4, 7, 12, 18, 19)

SHB 320

PARTIAL VETO

C 293 L 81

BRIEF TITLE: Modifying provisions concerning plats and subdivisions.

SPONSORS: House Committee on Local Government (Originally Sponsored By House Committee on Local Government and Representatives Isaacson, Sanders, Sprague, Ellis, Clayton, Eberle, Patrick, Johnson, Lane, Bickham, Bond, Nickell, Tilly and Hastings)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Any division of land into five or more lots for purposes of sale or lease must be reviewed and approved by local governments pursuant to prescribed criteria whenever the smallest lot is less than five acres. Such a division of land is referred to as a subdivision. If the smallest lot is five acres or larger, review and approval is at the option of the local government.

Any division of land into four or less lots for purposes of sale or lease must be reviewed and approved by local governments with no specified state criteria whenever the smallest lot is less than five acres. Such a division of land is referred to as a short subdivision. If the smallest lot is five acres or larger, review and approval is at the option of the local governments.

SUMMARY:

The definition of a subdivision is expanded to include divisions of land into five or more lots for purposes of certain transfers of ownership in addition to sale or lease. The definition of short subdivision is also expanded to include divisions of land into four or fewer lots for purposes of transfer of ownership in addition to sale or lease.

Cities and towns may adopt a local ordinance increasing the number of lots in a short subdivision from a maximum of four to a maximum of nine lots.

The following divisions of land are exempted from conformance with the platting and subdivision act:

1. Divisions that adjust boundary lines but do not create additional lots;
2. Divisions where a portion of the land is subjected to the condominium act if the local government entity approves a binding site plan for all the land; and
3. Divisions into lots classified for industrial or commercial use if the local governmental entity has approved a binding site plan.

The simultaneous processing of preliminary plats with rezones, variances, and other quasi-judicial or other actions is permitted to the extent such simultaneous processing is possible.

Notices to the public of a proposed preliminary plat approval are altered.

All decisions or recommendations on preliminary plats and final plats must be made in writing and include findings of fact and conclusions to support decisions or recommendations. No plat or short plat may be approved unless a city, town, or county makes a written finding that the proposed subdivision or short subdivision is in conformity with applicable land use controls.

Preliminary plat approval remains valid for a three-year period with a possibility of a one-year extension if an applicant has attempted in good faith to submit the final plat within the three-year period.

A local health department, or entity furnishing sewage disposal and supplying water, and the local engineer may not modify the terms or recommendations for preliminary plat approval without the consent of the applicant.

When approving a final plat, the local governing body must make a finding that the proposed subdivision conforms to all terms of the preliminary plat approval and meets all requirements of applicable state law and any local ordinances concerning subdivisions.

A subdivision is governed by the terms of the the approval of final plat and any sanitary and traffic regulations in effect at the time of its approval for a period of five years after final plat approval unless the local governing body finds that a change in conditions creates a serious threat to the public health and safety in the subdivision.

It appears that only the final plat approval or disapproval would be reviewable by a court.

Persons who may bring a lawsuit challenging a governmental approval or disapproval of a plat are limited to:

1. The applicant or owner of the property on which the subdivision is proposed;
2. The owner of any land located within 300 feet of the proposed subdivision, or within 300 feet of parcels of real property adjacently located to the proposed subdivision that are owned by the owner of the land on which the proposed subdivision is located;
3. Any property owner who deems himself aggrieved and will suffer direct and substantial impacts from the proposed subdivision.

Review by the Superior Court of a decision to approve the final plat is limited to questions of whether the conditions imposed upon approval of the preliminary plat have been substantially satisfied.

The offer or agreement to sell a lot after preliminary plat approval is permitted where such sale is conditionally approved on the recording of final plat approval.

All local units of government must establish procedures to provide advance notice to requesting individuals or organizations of proposals to alter platting ordinances.

Future Obligation: The Senate and House Local Government Committees shall jointly study the platting and subdivision laws and report to the Legislature by January 1, 1982.

VOTES ON FINAL PASSAGE:

House	71	27	
Senate	41	0	(Senate amended)
House	75	22	(House concurred)

EFFECTIVE: July 26, 1981

PARTIAL VETO SUMMARY:

The Governor vetoed language which exempted from the Platting and Subdivision Act the division of land into lots classified for industrial or commercial purposes where the local governmental entity approves a binding site plan. The Governor also vetoed language which appeared to limit court review of a proposed subdivision to a review of the final plat approval or disapproval. The Governor vetoed language which limited who may bring a lawsuit challenging a governmental approval or disapproval of a plat. The Governor also vetoed language limiting the questions a court can consider concerning the approval of a final plat. (See VETO MESSAGE)

SHB 323

C 292 L 81

BRIEF TITLE: Revising laws relating to the division of industrially zoned property.

SPONSORS: House Committee on Local Government (Originally Sponsored By House Committee on Local Government and Representative Isaacson)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Under the Platting and Subdivision Act, divisions of land made for purposes of sale or lease had to be reviewed and approved by the county, city, or town within whose planning jurisdiction the land lies if the smallest lot created by the division was less than five acres. The necessity for approval applied to divisions of land made for residential, industrial, or commercial purposes.

SUMMARY:

Counties, cities, and towns may exempt a division of land made for industrial or commercial purposes from review and approval under the Platting and Subdivision Act if the local governmental entity has approved a binding site plan for the division in accordance with local regulations.

A binding site plan is defined to be a drawing to scale which includes: (1) an identification of those streets, utilities, open spaces, and improvements required by the local governmental entity; (2) inscriptions or attachments setting forth limitations and conditions on the use of the land established by the local government; and (3) provisions requiring development to be in conformity with the site plan. A binding site plan must be filed with the county auditor and is enforceable against the purchaser or other person acquiring ownership of the lot. Any sale or transfer of such a lot in violation of the binding site plan, or without obtaining binding site plan approval is illegal.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	44	3

EFFECTIVE: July 26, 1981

SHB 324

C 156 L 81

BRIEF TITLE: Eliminating interest rate limits for certain government financial obligations.

SPONSORS: House Committee on Local Government (Originally Sponsored By Representatives Thompson, Williams and Flanagan)

INITIAL HOUSE COMMITTEE: Revenue
ADDITIONAL HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

In 1970, the Legislature enacted a 120-page bill to remove statutory maximum interest rates that various governmental entities could pay on their indebtedness. Numerous sections of law containing rates were omitted from this legislation. The interest rates that the market demands on certain government debt have been higher than the statutory maximum rates which has resulted in the inability to sell the debt.

The publication requirements for the issuance of local government general obligation bonds have been criticized as being too restrictive. It was not clear whether or not "municipal corporations" could borrow funds by establishing a line of credit with a qualified public depository.

SUMMARY:

Interest rate ceilings on various bonds, warrants, or coupon notes issued by various governmental entities are removed. Maximum interest rate ceilings on special benefit assessments that are used to fund certain local improvements are also removed. In each of these instances, the local governing body or issuing entity has the discretion to establish the interest rate.

The various interest rate ceilings removed are contained on some bonds, warrants, coupon notes, or special benefit assessments for the following entities: (1) the state; (2) counties; (3) cities; (4) port districts; (5) public utility districts; (6) water districts; and (7) other specified districts.

Requirements for publishing notice of the public sale of general obligation bonds by counties, cities, towns, school districts, port districts and metropolitan park districts are reduced to once a week for two consecutive weeks with the opening of the bids at least 10 days after the first publication of notice.

Any "municipal corporation" is authorized to establish a line of credit with a qualified public depository to be used to cash warrants. Interest and other financing charges for such lines of credit are to be determined by agreement of the parties.

VOTES ON FINAL PASSAGE:

House	95	1	
Senate	36	6	(Senate amended)
House	96	1	(House concurred)

EFFECTIVE: July 26, 1981

HB 334

C 44 L 81

BRIEF TITLE: Permitting donations of pacemakers under the uniform anatomical gift act.

SPONSORS: Representatives Stratton, Mitchell, Maxie, Rinehart, Erickson, North, Barrett and Padden

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The Uniform Anatomical Gift Act sets forth the procedures for donation of all or part of the human body for research, education, therapy, and transplantation. Individuals who are at least 18 years old may make a donation. Under certain situations, certain other individuals have authority to donate all or part of a decedent's body. The law, however, was unclear concerning the donation of pacemakers and artificial body parts.

SUMMARY:

Pacemakers and artificial body parts are added to the list of human "parts" which may be donated under the Uniform Anatomical Gift Act.

VOTES ON FINAL PASSAGE:

House	95	0
Senate	44	0

EFFECTIVE: July 26, 1981

SHB 335

PARTIAL VETO

C 72 L 81

BRIEF TITLE: Authorizing new community college district which will encompass Edmonds community college.

SPONSORS: House Committee on Higher Education (Originally Sponsored By Representatives Nelson (G.), Martinis, Mitchell, Sprague, Bender, Wilson and Houchen)

HOUSE COMMITTEE: Higher Education

SENATE COMMITTEE: Higher Education

BACKGROUND:

Edmonds and Everett Community Colleges are included within Community College District No. 5, governed by a single board of trustees and administered by a central district office. It is argued that Everett and Edmonds are distinct communities and that their colleges should have separate administration.

SUMMARY:

A new community college district, District No. 23, encompassing Edmonds Community College, is created out of Community College District No. 5. Everett Community College is maintained in the 5th District. The present board of District No. 5 must prepare a plan for the division of personnel and assets by May, 1981. The State Board for Community College Education will implement the plan by June 30, 1981. Campus employees will continue in their present jobs. District office personnel will be allocated between the two campuses.

Trustees of the former District No. 5 residing in the new District No. 23 will assume positions on the new district board. Existing contractual obligations, rights, and collective bargaining agreements will be unaffected. The state board is given the authority to establish the boundary between the two districts, to implement the plan, and to adjudicate disputes between the two districts.

The community colleges may not transfer funds from the instructional budget to fund staff positions.

VOTES ON FINAL PASSAGE:

House	93	2	
Senate	45	3	(Senate amended)
House	94	3	(House concurred)

EFFECTIVE: April 30, 1981

PARTIAL VETO SUMMARY:

The partial veto deleted language providing that community colleges may not transfer funds from the instructional budget to fund staff positions. (See VETO MESSAGE)

2SHB 338

C 173 L 81

BRIEF TITLE: Permitting operating agencies to contract with nationally recognized firms without letting bids.

SPONSORS: House Committee on Energy and Utilities
(Originally Sponsored By Representatives Isaacson and Hankins)

INITIAL HOUSE COMMITTEE: Local Government
ADDITIONAL HOUSE COMMITTEE: Energy and Utilities

SENATE COMMITTEE: Energy and Utilities

BACKGROUND:

Most public works contracts of public entities in Washington State must be awarded through a competitive bidding process. The general practice elsewhere in the country is to award contracts on the final construction stages of large nuclear-powered electrical generating projects through a direct negotiation process. It is contended that having this option in the advanced stages of construction likely would enable the Washington Public Power Supply System to save time and money in constructing its five nuclear power plants.

SUMMARY:

Upon certain findings and conditions, a joint operating agency (JOA) constructing a nuclear generating project is permitted to enter into contracts through

competitive negotiation rather than competitive bidding during the final stages of construction and testing of the project. To do this, the project must be approximately 80 percent or more complete.

Competitive bidding is stated to be the best practice and in the public interest, but the awarding of contracts by competitive negotiation is permitted for the final stages of construction and testing of a nuclear generating project as an exception to this general rule. Negotiated contracts will provide for contractors' costs plus a profit or fee.

JOA's are permitted to amend previously let contracts for the construction of nuclear generating projects under certain circumstances but must meet certain requirements, including the requirement that plans and specifications for work subject to the contract change are at least 50 percent completed.

The JOA administrative auditor will report quarterly to the executive board or executive committee and the Legislature on such negotiated contracts.

All of the criminal statutes provided for in the criminal codes (Titles 9 and 9A RCW) apply to a JOA.

Future Obligations: The auditor shall file a quarterly report with the JOA Board, the Legislative Budget Committee, and the chairpersons of the House and Senate Energy Committees.

Termination Date: The above changes expire on December 31, 1987 or upon completion of the nuclear generating facilities now under construction, whichever is earlier.

VOTES ON FINAL PASSAGE:

House	84	12	
Senate	33	15	(Senate amended)
House	83	10	(House concurred)

EFFECTIVE: May 14, 1981

SHB 339

C 1 L 81 E1

BRIEF TITLE: Permitting certain provisions and revenue bonds and warrants issued by operating agencies.

SPONSORS: House Committee on Energy and Utilities

(Originally Sponsored By Representatives Isaacson and Hankins)

INITIAL HOUSE COMMITTEE: Local Government
ADDITIONAL HOUSE COMMITTEE: Energy and Utilities

SENATE COMMITTEE: Energy and Utilities

BACKGROUND:

The Washington Public Power Supply System was limited in the method by which it could sell bonds and other debt instruments. The last several times the Supply System attempted to sell bonds, they received bids from only a single source.

SUMMARY:

Joint operating agencies, including the Washington Public Power Supply System, are given the option to negotiate the sale of bonds or to sell bonds through a public bidding procedure.

The term "revenue bonds or warrants" is broadly defined to include, among other things, certificates of indebtedness, commercial paper, and other extensions of indebtedness. This definition permits joint operating agencies to use diverse forms of indebtedness.

Joint operating agencies may discharge revenue obligations through a variety of methods which they and public utility districts now use to discharge obligations having a maturity of six years or less. These methods include exchanging revenue bonds for other obligations, pledging bonds as collateral to secure payment of obligations, depositing bonds in escrow and trust as security, or "other matters of like or different character."

The governing board of a joint operating agency may authorize the managing director or treasurer to sell revenue obligations with a one year or shorter maturity on his or her own initiative subject to restrictions prescribed by the board.

Any public utility participating in a joint operating agency's project must annually adopt a repayment plan for any obligation maturing before the project begins operation.

VOTES ON FINAL PASSAGE:

First Special Session		
House	94	3
Senate	36	12

EFFECTIVE: May 8, 1981

HB 341

C 155 L 81

BRIEF TITLE: Enacting the Business Opportunity Fraud Act.

SPONSORS: House Committee on Labor and Economic Development and Representatives Sanders, Patrick, Brown, Lux, Garrett, Brekke, King (J.), Scott, Monohon, Nelson (G.) and Fiske
(By Department of Licensing, Attorney General Request)

INITIAL HOUSE COMMITTEE: Labor and Economic Development

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

In the past few years, consumers around the nation have become involved in fraudulent business "opportunities" whereby a consumer pays a large amount of money to a company which promises to assist him or her in starting a business and/or provide inventory and equipment necessary to operate a business. The types of opportunities offered frequently involve rack sales, vending machines and distributorships. The consumer is asked to put up a large sum of money in exchange for assistance which the company is often unable or unwilling to provide. Claims of expected return on investment and the types of assistance available are often exaggerated.

Since 1977, complaints received regarding these fraudulent business opportunities by the Consumer Protection Division of the Attorney General's Office have increased from 35 annually to 167 complaints in 1980. The Division has filed suit in several cases. In one case the damages to consumers amounted to $184,224.

Twelve states have enacted business opportunity fraud laws enabling the Attorney General and prosecuting attorneys to institute legal action to preclude or forestall consumers from being victimized by such "get-rich-quick schemes".

SUMMARY:

Three levels of fraud enforcement are created: administrative, civil and criminal.

A person proposing to sell or lease business opportunities must provide buyers with a detailed written disclosure document 48 hours prior to the buyer's signing a contract. The seller must register, be bonded ($50,000) and pay a prescribed fee before advertising or soliciting and specific, bold warnings must be set forth in the written contract. The act applies to purchases of at least $300 but is inapplicable to franchises, security investments and real estate transactions.

Unlawful acts are enumerated. The Attorney General, the Department of Licensing and prosecuting attorneys are authorized to enjoin a violation. Civil and criminal penalties are prescribed. The Department of Licensing is authorized to investigate in or outside the state and issue cease and desist orders. The Department of Licensing may appoint an administrator to carry out this act.

VOTES ON FINAL PASSAGE:

House	95	3	
Senate	47	0	(Senate amended)
House	94	3	(House concurred)

EFFECTIVE: July 1, 1981

SHB 352

C 45 L 81

BRIEF TITLE: Revising laws relating to sewer and water districts.

SPONSORS: House Committee on Local Government (Originally Sponsored By House Committee on Local Government and Representative Isaacson)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

A recent merger of a water district into a sewer district north of Seattle resulted in a situation where common territory was included within the boundaries of both the merged sewer district and a second sewer district. Questions arose as to which districts provide what utility service where and as to the ability of these districts to issue general obligation bonds and retire them with voter approved bond retirement tax levies. Failure of the boundary review board to provide adequate notice of the proposed merger to the second sewer district resulted in litigation questioning the merger.

SUMMARY:

Any attempted merger of a water district into a sewer district is validated if the merged district has acted as a merged district. When two or more water districts, sewer districts, or merged sewer and water districts occupy common territory, the first district to provide a particular service in the common territory has the exclusive right to continue providing the service. When two or more water or sewer districts occupy common territory, propositions authorizing multi-year general obligation bond retirement levies are authorized to be placed before voters residing in less than the entire water district or less than the entire sewer district in which case property taxes levied to retire the bonds are levied less than district-wide.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	46	1

EFFECTIVE: April 22, 1981

HB 354

C 157 L 81

BRIEF TITLE: Transferring some functions of the state planning and community affairs agency to the office of financial management.

SPONSORS: House Committee on State Government and Representatives Addison and Walk

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: State Government

BACKGROUND:

The State Planning Advisory Council was scheduled for termination and review on June 30, 1981, under the Washington Sunset Act. In the review process, the Legislative Budget Committee concluded that no records exist for the Planning Advisory Council since January 1973, that the council is currently inactive and that all seats on the council are vacant. Further, the advisory role of this council has been assumed by another statutory advisory body, the Planning and Community Affairs Committee.

The Legislative Budget Committee report recommended allowing the Planning Advisory Council to terminate. Some functions officially assigned to the Planning and Community Affairs Agency are being performed by the Office of Financial Management, such as determining population for purposes of consolidation and annexation of cities and towns. In other instances, several code provisions were found referring to PAC which require deletion to accomplish elimination of the council.

SUMMARY:

The State Planning Advisory Council is abolished and statutory references to the council are deleted. The council's duties relating to the determination of population for purposes of consolidation and annexation of municipal corporations are assumed by the Office of Financial Management.

Duties of the Office of Financial Management relating to inventory of state land resources are recodified in the chapter of law dealing with the Office of Financial Management.

VOTES ON FINAL PASSAGE:

House	97	1
Senate	47	1

EFFECTIVE: May 14, 1981

HB 364

C 54 L 81

BRIEF TITLE: Establishing a Washington state scholars program.

SPONSORS: Representatives Vander Stoep, Bender, Dickie, Galloway, Burns, Nisbet, Barnes, Tupper, Heck, Teutsch, Ellis, Granlund and Wang

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

There has not been any systematic state recognition of the academic achievement of outstanding graduating high school seniors in the state. It has been suggested that a state scholars program could bring those outstanding students to the attention of the public, colleges and universities and those who award private scholarships.

SUMMARY:

A state scholars program is established. Each year three graduating seniors from each legislative district will be chosen. The purposes of the program are to:

(1) maximize public awareness of Washington State high school seniors' academic and community service achievements through appropriate recognition ceremonies; (2) provide a listing of the scholars to all public and private colleges and universities in the state; (3) provide a state mechanism for utilization of private funds for scholarship awards; and (4) provide, with student permission, a listing of the scholars to private scholarship selection committees.

The Council for Postsecondary Education will administer the program, and will involve the Washington Association of Secondary School Principals in the development of the program. A planning committee will develop criteria for the selection of scholars.

The program shall begin with the 1981-82 school year.

Future Obligations: The Council for Postsecondary Education is directed to report fully on the results and effectiveness of the program to the 1983 Legislature and Governor.

Appropriation: $8,000 is appropriated from state general fund to the Council for Postsecondary Education.

VOTES ON FINAL PASSAGE:

House	93	3
Senate	49	0

EFFECTIVE: July 26, 1981

HB 371

FULL VETO

BRIEF TITLE: Restricting application of the shoreline management act to forest practices.

SPONSORS: House Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Wilson

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

SENATE COMMITTEE: Natural Resources

BACKGROUND:

In a 1979 Washington State Supreme Court decision (Weyerhaeuser v. King County), the 1975 amendments to the Forest Practices Act of 1974 dealing with forest practices in shoreline areas were declared unconstitutional on the basis of Article II, Section 37 of the Washington State Constitution. Article II, Section 37 requires that any act revising or amending another act must set forth the revised or amended section in full. The court found that the amendments substantially altered the scope and effect of the Shoreline Management Act of 1971 without changing the language of the latter act to reflect the alteration. In essence, the court ruled that the language in the Forest Practices Act of 1974 dealing with forest practices in the shoreline areas should have been inserted in the Shoreline Management Act of 1971.

SUMMARY:

The language in the Forest Practices Act of 1974 declared unconstitutional pertaining to forest practices in shoreline areas is deleted from the Act and inserted in the Shoreline Management Act of 1971. This language provides that 1) the forest practice rules are the sole rules applicable to the performance of forest practices; 2) no substantial development permit for road construction is required for the construction of up to 500 feet of one and only one road, provided the road does not enter the shoreline more than once; and 3) the authority of local government is not affected, except by 1 and 2 above.

Termination Date: The provisions inserted in the Shoreline Management Act of 1971 terminate on June 30, 1983, unless extended by the Legislature.

VOTES ON FINAL PASSAGE:

House	58	40
Senate	28	21

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

HB 372

C 290 L 81

BRIEF TITLE: Modifying the state environmental policy act.

SPONSORS: House Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Wilson

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

SENATE COMMITTEE: Natural Resources

BACKGROUND:

A lawsuit was recently filed in the Thurston County Superior Court challenging the constitutionality of the

1975 amendments to the Forest Practices Act of 1974 dealing with forest practices and their evaluation under the State Environmental Policy Act (SEPA). The constitutional argument is based upon Article II, Sections 19 and 37 of the Washington State Constitution which require that a bill embrace no more than one subject which shall be expressed in the title and that if a law is amended, it shall be set forth in full length. In essence, the plaintiffs are arguing that the language in the Forest Practices Act of 1974 dealing with SEPA should have been inserted in SEPA.

SUMMARY:

The language in the Forest Practices Act of 1974 addressing the applicability of the State Environmental Policy Act (SEPA) to the Forest Practices Act of 1974 is amended to SEPA (RCW 43.21C).

The language provides that: 1) Class I, II and III forest practices are exempt from SEPA; 2) if local governments require a permit in relation to reforestation on certain lands then that local government is responsible for a detailed statement, not the Department of Natural Resources (DNR); and 3) DNR must determine whether a detailed statement must be prepared for forest practices classified as Class IV by the Forest Practice Board. An application must be evaluated in 10 days and approved or disapproved in 30 days, unless a detailed statement is required.

Termination Date: The provisions of the bill terminate on June 30, 1983 unless extended by the Legislature.

VOTES ON FINAL PASSAGE:

House	59	36	
Senate	28	21	

EFFECTIVE: July 26, 1981

SHB 374

C 332 L 81

BRIEF TITLE: Modifying procedures governing annexation.

SPONSORS: House Committee on Local Government (Originally Sponsored By House Committee on Local Government and Representatives Isaacson, Garrett, Erickson and McGinnis)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Cities and towns are authorized to annex adjacent territory by two methods: (1) by direct petition of affected property owners, and (2) by voter approval at an annexation election. This election method can be initiated by either a resolution of the city or town governing body or by petition of voters. Businesses and some residential property owners located south of Seattle have expressed concern over a proposal by the city of Seattle to annex certain land by the election method.

SUMMARY:

A voters' petition to conduct an annexation election must be submitted for review to the prosecuting attorney instead of the city or town legislative body. Within 21 days of the submission, the prosecutor must decide if the city or town may legally act as requested in the petition.

The owners of 75 percent of the assessed valuation of real property or 75 percent of the owners of real property in an area proposed to be annexed can prevent an annexation election. This power only applies to non-code cities with over 400,000 people.

Where a city or town annexes 60 percent or more of a fire district's area, then under certain circumstances, the district can require the city or town to assume responsibility for fire protection services within the entire district.

The boundary review board must be notified of a proposed action within 180 days of its proposal.

A boundary review board, when reviewing a proposed annexation, shall determine if property owners subject to the proposed annexation will pay taxes "reasonably equal" to the value of services to be provided for a ten-year period. This requirement only applies, however, to an annexation proposal which calls for an election on the proposal and which is initiated by a city resolution in a city with 400,000 or more people.

Annexations by cities or towns which are made for municipal purposes under a special method of annexation may only be made if the city or town owns the property proposed to be annexed.

VOTES ON FINAL PASSAGE:

House	75	22	
Senate	35	14	(Senate amended)
House	66	30	(House concurred)

EFFECTIVE: July 26, 1981

SHB 388

C 131 L 81

BRIEF TITLE: Authorizing local jail improvement and construction bonds.

SPONSORS: House Committee on Appropriations–Human Services
(Originally Sponsored By Representatives Houchen, Becker, Leonard, Heck, Garrett, Patrick, Barr, Gruger, Rinehart, Burns, Lux, Maxie, Valle, Sommers, Nelson (D.), Pruitt, Rust, Hine and Brekke)
(By Governor Spellman Request)

INITIAL HOUSE COMMITTEE: Institutions
ADDITIONAL HOUSE COMMITTEE: Appropriations–Human Services

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The City and County Jails Act of 1977 called for the Jail Commission to draft physical plant standards which were to be the basis of a program of state funding for new construction or remodeling of city or county detention or correctional facilities. In addition, the Jail Commission was to develop custodial care standards for the conditions of confinement in these same jails; continue a program of annual inspection of jails; and enforce the mandatory custodial care standards for those facilities.

Physical plant standards and the custodial care standards were submitted to the Legislature and approved in 1979. During the 1979 session the Legislature approved a bonding authority of $106 million for the implementation of the City and County Jails Act for new and remodeling construction. At that time $106 million was thought to be a reasonable figure to rebuild the city and county jails in the state. An agreement was reached between the Legislature and local governments that the Legislature would pay for the construction based on state physical plant standards and in return the local governments would pay for the maintenance and operation costs for these facilities based on mandatory custodial care standards of the state.

In 1980, the Jail Commission authorized funding of ten county projects which include: Clark, Benton, Whatcom, Snohomish, Skagit, Yakima, Walla Walla, Chelan and Pierce. King County was also authorized to a funding level of $9.6 million for a new work release facility and other joint support facilities for the county's highrise jail. The following county and city projects remained unfunded because of a lack of funds: Whitman, Spokane, Okanogan, Island, Mason, Forks, Lincoln, Klickitat, Grays Harbor, Kitsap, Grant, Thurston, Pacific, Kittitas, Asotin, Cowlitz, Jefferson, Lewis, Issaquah, Adams, Franklin, Kent and Pend Oreille. Also unfunded was approximately $46.6 million which would pay for the completion of the King County jail. The total bonding authority requested is $130.5 million to complete the city and county jail construction projects.

SUMMARY:

The State Finance Committee is authorized to issue $130.5 million in general obligation bonds for purposes of planning, acquisition, construction and improvement of jails and support facilities within Washington, and for related costs of the State Jail Commission. The bond proceeds must be deposited in the local jail improvement construction account and must be administered by the Washington State Jail Commission subject to legislative appropriation.

Construction and remodeling of jails are to proceed without further delay, and the Jail Commission's review and funding procedures are to reflect this intent. Neither the Jail Commission nor local governments may order or authorize capital expenditures to improve jails now in use which are scheduled for replacement. Capital expenditures which relate directly to life safety of inmates or jail personnel may be ordered.

Appropriation: A reappropriation of $94,302,270 and an appropriation of $130,500,000 from the Local Jail Improvement Construction Account in the general fund are made to the State Jail Commission.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	47	2	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: May 8, 1981

SHB 397

PARTIAL VETO

C 304 L 81

BRIEF TITLE: Revising laws relating to mobile homes.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By Representatives Tilly, Sanders, Leonard, Nelson (G.) and McGinnis)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

The law did not expressly authorize mobile homes to be claimed as "homesteads" and thereby to be insulated from certain creditors of the homeowner. The statutes were also silent on the ability of the owner of any home to waive the right to homestead protection.

The Mobile Home Landlord/Tenant Act did not exclude from its provisions mobile home site leases in which the tenant has some ownership interest in the real property of the mobile home park.

The Mobile Home Landlord/Tenant Act did not allow rental increases during the course of a multi-year agreement.

The Mobile Home Landlord/Tenant Act allowed a landlord to deny a tenant's proposed assignment of a rental agreement to someone to whom the tenant has sold his mobile home.

The Act did not provide for health and sanitation standards for mobile home parks.

SUMMARY:

Transfer of ownership rights in a community mobile home requires the signature of both spouses on the title certificate.

A mobile home cooperative is defined as a park in which both lots and common areas are owned by an association which leases lots to its members. A mobile home subdivision is defined as a park in which owners of individual lots share ownership of common area. The Mobile Home Landlord-Tenant Act is applicable to cooperatives and subdivisions only to the extent that tenants have no interest in the park's property or in the association which owns the property.

Abandonment of a mobile home in a mobile home park is defined as the tenant having defaulted in rent and by absence and words or actions indicated the intention not to continue the tenancy. In cases of abandonment where the mobile home park owner may move the mobile home to safe storage the endorsement of the county treasurer that property taxes have been paid is not required.

Procedures are provided for dealing with abandoned mobile homes. Included among those procedures are: requiring notice to the owner of the home, creation of a labor and materialmen's lien for rent owed, procedures for removal of the mobile home from the park, and sale of the mobile home including application of proceeds from the sale.

Procedures are also outlined for redemption by the owner of an abandoned mobile home before the final disposition of the mobile home.

The homestead exemption for mobile homes is subject to execution or satisfaction in execution of a judgment of a debt secured by a purchase money security agreement with the mobile home as collateral. The homestead exemption on a mobile home may be waived in writing in consideration for the landlord not terminating the tenancy when the tenant has defaulted in rent.

In rental agreements for more than one year, the rent may be increased annually based on a dollar amount or formula included in the written rental agreement.

Initially, the landlord must offer the tenant a lease at the commencement of the tenancy. If the tenant waives the lease and accepts a month-to-month tenancy, it is the tenant's responsibility to request a lease on the anniversary of the tenancy if one is desired.

The circumstances under which tenants may sell mobile homes and transfer their tenancies are clarified. Transfer of a tenancy to the buyer of the mobile home is allowed if the tenant notifies the landlord at least 15 days prior to the proposed sale and the landlord fails to reject the transfer at least seven days prior to the proposed sale. The landlord may not reject a transfer on grounds other than those used in the approving or disapproving of any other new tenant. The tenant seller must notify the buyer of the landlord's right to refuse transfer of the tenancy.

The conversion of a mobile home park to a cooperative or a subdivision is ground for termination of a tenancy. Tenants must be given twelve months notice of termination.

The owners of travel trailers and campers used for residential purposes and not licensed for highway use are required to pay the 1 percent excise tax on travel trailers and campers.

New collection and enforcement provisions are added to the law imposing the 1 percent tax on travel trailers and campers.

Each manufacturer of mobile homes and manufactured homes is required to issue a written warranty against defects before selling a new mobile home or manufactured house. Dealers must also issue written warranties.

The definition of "apartment" within the condominium statute is changed to include boat or plane storage or moorage. The conversion of moorage to a condominium is subject to the approval of the municipality in which the moorage is located.

The Legislature recognizes a need for zoning of land for placement of manufactured homes. Cities and counties may provide reasonable regulations for siting manufactured homes or requiring placement within an approved mobile home subdivision, cooperative or park.

Future Obligations: The State Board of Health is required to adopt rules on health and sanitation standards for mobile home parks.

The Planning and Community Affairs Agency shall establish a task force and on or before December 1, 1981 prepare a model ordinance on siting of manufactured and mobile homes. The agency shall assist any city or county with development of a comprehensive plan, ordinance or standards for zoning sites for manufactured homes.

Appropriation: $10,000 is appropriated from the general fund to the Planning and Community Affairs Task Force on Manufactured Home Ordinance.

VOTES ON FINAL PASSAGE:

House	72	26	
Senate	44	3	(Senate amended)
House	95	0	(House concurred)

EFFECTIVE: May 19, 1981

PARTIAL VETO SUMMARY:

The vetoes remove provisions which would have created procedures for disposing of abandoned mobile homes and which would have imposed an annual excise tax on certain travel trailers and campers. (See VETO MESSAGE)

SHB 425

C 307 L 81

BRIEF TITLE: Permitting students of private schools to ride public school buses.

SPONSORS: House Committee on Education (Originally Sponsored By House Committee on Education and Representatives Lewis, Johnson, O'Brien, Patrick and North)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

School districts are not authorized to provide pupil transportation for students attending private schools. In many cases, a private school student's residence or the private school may be on or near public school transportation routes.

SUMMARY:

School districts may provide transportation to children attending an approved private school on a seat available basis. The district cannot be required to alter bus routes established for public school students to accommodate private school students. The district must charge an amount sufficient to cover the actual per seat cost of providing the transportation.

VOTES ON FINAL PASSAGE:

House	72	25	
Senate	45	2	(Senate amended)
House	76	21	(House concurred)

EFFECTIVE: July 26, 1981

HB 427

C 306 L 81

BRIEF TITLE: Implementing law relating to sale or lease of school district surplus property.

SPONSORS: House Committee on Education and Representatives Lewis and O'Brien

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

School districts must follow statutory guidelines when they declare texts, equipment and facilities as surplus and when they desire to sell, rent or lease district-owned property. Private schools could request notice of the availability of this property but the request had to be made to individual school districts. Private school spokesmen requested that the Superintendent of Public Instruction's office be designated as the agency to coordinate statewide notification procedures. No coordinated method of notification existed statewide.

SUMMARY:

Prior to the sale, rent, or lease of surplus personal or real property, a school district must notify the Superintendent of Public Instruction of the availability of the property. The district may not sell, rent, or lease the real or personal property for at least 45 days after notification is sent. The Superintendent of Public Instruction will act as a clearinghouse for information on school district property.

Private schools have the same rights as others to submit bids on district real property and to have such bids considered along with all other bids. In the case of the rental or lease of real property, the school board may establish reasonable conditions for the use of such property.

VOTES ON FINAL PASSAGE:

House	85	12	
Senate	44	3	(Senate amended)
House	87	9	(House concurred)

EFFECTIVE: July 26, 1981

SHB 431

C 132 L 81

BRIEF TITLE: Placing judicial training under the administrator for the courts.

SPONSORS: House Committee on Institutions (Originally Sponsored By House Committee on Institutions and Representatives Fiske, Erickson, Houchen and Ellis)

HOUSE COMMITTEE: Institutions

SENATE COMMITTEE: Judiciary

BACKGROUND:

In the Sunset Review of the Criminal Justice Training Commission the Legislative Budget Committee recommended that the judicial personnel training function be transferred from the Commission to the Office of the Administrator for the Courts. These recommendations were based on a separation of powers argument made by judges and the Court Administrator.

SUMMARY:

The responsibility for training judicial personnel is transferred from the Criminal Justice Training Commission to the Office of the Administrator for the Courts.

The costs for judicial personnel training are to be paid for by an assessment attached to fines for violations of state, county or city motor vehicle operation and licensing laws. The assessment is equal to the assessment on bail and bond forfeitures for the same offenses. The level of funding for judicial training is set by the Legislature.

VOTES ON FINAL PASSAGE:

House	92	5
Senate	47	1

EFFECTIVE: July 26, 1981

HB 433

C 133 L 81

BRIEF TITLE: Providing for termination of the criminal justice training commission.

SPONSORS: House Committee on Institutions and Representatives Houchen, Owen and Leonard

INITIAL HOUSE COMMITTEE: Institutions

ADDITIONAL HOUSE COMMITTEE: Appropriations-General Government and Compensation

SECOND ADDITIONAL HOUSE COMMITTEE: Appropriations-Human Services

SENATE COMMITTEE: Judiciary

BACKGROUND:

The Criminal Justice Training Commission was scheduled for review by and termination on June 30, 1981 under the provisions of the Sunset Act. The

review found that the agency was an effective agency and that the need for the Commission still existed.

SUMMARY:

Termination Date: The termination date for the Criminal Justice Training Commission is moved to June 30, 1987.

VOTES ON FINAL PASSAGE:

House 97 0
Senate 45 1

EFFECTIVE: July 26, 1981

HB 438

C 46 L 81

BRIEF TITLE: Requiring contractors to post prevailing wage information at public works job sites.

SPONSORS: House Committee on Labor and Economic Development and Representatives Eberle and Patrick

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

Contractors must pay prevailing wages to workers on all public works and public building service maintenance contracts.

Before payment on the contract is made by the state or a political subdivision, the contractor must submit a "statement of intent to pay prevailing wages." This statement must be approved by the Department of Labor and Industries.

SUMMARY:

When a public works contract costs more than $10,000, the contractor is required to post at the job site a statement of intent to pay prevailing wages (approved by the department) and the address and phone number of the state complaint office.

When the "statement of intent" is filed with the state or political subdivision for contracts costing more than $10,000, it must include (1) the contractor's registration number, (2) the prevailing wage rate for each classification, and (3) the number of workers by classification.

VOTES ON FINAL PASSAGE:

House 86 10
Senate 46 2

EFFECTIVE: July 26, 1981

2SHB 440

C 137 L 81

BRIEF TITLE: Enacting the Sentencing Reform Act.

SPONSORS: House Committee on Ways and Means (Originally Sponsored By House Select Committee on Corrections and Representatives Struthers, Becker, Houchen, Owen, Mitchell, Granlund, Winsley, Walk, Leonard, Galloway, Fiske, Warnke, Van Dyken, Erickson, Berleen, Ellis, Hastings, Clayton, Tupper, Garrett, Wang, Addison, Teutsch and Brown)

INITIAL HOUSE COMMITTEE: Select Committee on Corrections

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Judiciary

BACKGROUND:

The law concerning criminal sentencing follows an indeterminate model. "Indeterminate" refers to the fact that although maximum sentences are provided by statute for all classifications of offenses, there is no requirement that a convicted offender serve the term authorized or any portion of it. Whether an offender will go to prison at all and if so, for what duration, are decisions discretionary with the sentencing judge and the Board of Prison Terms and Parole, respectively.

Indeterminate sentencing has been severely criticized in recent years. Critics contend that the discretion vested in key decision makers results in a wide disparity in the sentences received by similar offenders, a lack of accountability, minimal deterrent effect on future crime, an absence of the predictability favored in the law, and an inability to plan for prison capacity and management.

SUMMARY:

The present system of indeterminate sentencing is replaced with a presumptive type of determinate sentencing. Presumptive determinate sentencing is premised on the creation of sentence ranges which reflect

the severity of the offense and characteristics of the offender. The court is presumed to sentence an offender within the standard range, but may sentence above or below the standard in the event of special circumstances.

A sentencing guidelines commission is established, composed of 15 voting members including two prosecutors, two defense attorneys, four judges, one law enforcement officer, three lay members and the heads of three public agencies.

The commission is directed to develop prosecuting standards, advisory standards regarding consecutive vis–a–vis concurrent sentences, and standard sentence ranges for all felony offenses. Limitations are placed on the ranges to be developed. The commission is directed to emphasize confinement for violent offenders, as defined by the bill, and alternatives for nonviolent offenders.

Mandatory minimum sentences are provided for conviction of the following offenses: murder in the first degree, 20 years; assault in the first degree where the offender used deadly force and intended to kill the victim, 5 years; and rape in the first degree, 3 years.

The commission shall determine the population capacity of existing correctional facilities. In the event the recommended sentence ranges would result in populations which exceed correctional capacity, the commission shall develop an additional list of standards consistent with capacity.

The recommendations on sentencing standards and any additional list shall be submitted to the Legislature. During the regular session in 1983, the Legislature shall approve, modify or revise either the original recommendations or the additional list. The standards so adopted shall take effect on July 1, 1984. Revisions of the standards shall be submitted every two years.

If, at any time, the Governor determines that a prison population has exceeded the capacity of the correctional facility, he or she may call upon the guidelines commission, the Parole Board (if prior to July 1, 1988), or the Clemency and Pardons Board to make recommendations concerning the emergency. Any revisions of the sentencing guidelines made in response to such an emergency shall become effective without legislative approval.

After July 1, 1984 a court must sentence a convicted offender consistent with his or her criminal history, if any, and within the range set for that offense, which may include periods of total or partial confinement, a fine or restitution in a specific amount, community service or community supervision. The power to suspend or defer sentences is abolished.

The court may impose a sentence outside the standard range if the court finds that a standard sentence would (1) impose an excessive burden on the defendant or pose an unacceptable threat to community safety; or (2) in the case of a first offender, an alternative determinate sentence is permitted. Any such sentence must be documented in written findings of fact and conclusions of law.

Appeals are authorized only for sentences outside the standard range and review is expedited. A sentencing decision may be reversed only if the trial court's decision is unsupported by the record or the sentence is found clearly excessive or clearly too lenient.

An offender who violates any provision of his or her sentence may receive a 60 day period of confinement for each violation if, after hearing, the court finds the noncompliance was wilful.

Rules are provided regarding when an incarcerated offender may leave a correctional facility for various purposes, including work release, or be discharged prior to completion of the sentence imposed. After completion of the sentence, the offender will receive a certificate of discharge restoring civil rights, and under certain circumstances may be granted a vacation of the record of conviction by the court.

A Clemency and Pardons Board consisting of five gubernatorial appointees is established July 1, 1984 to evaluate petitions for review and commutations of sentence.

The maximum fines authorized by statute for all classifications of offenses are increased.

Termination Date: The Board of Prison Terms and Parole shall be gradually phased out and shall terminate on July 1, 1988.

Future Obligations: The sentencing guidelines commission shall submit the recommendations on sentencing standards and any additional list to the Legislature by September 1, 1982. Revisions of the standards shall be submitted every two years.

Appropriation: $685,000 is appropriated from the general fund to the sentencing guidelines commission.

VOTES ON FINAL PASSAGE:

House	96	2	
Senate	47	2	(Senate amended)
House	93	4	(House concurred)

EFFECTIVE: July 1, 1984 (sentence standards)

July 26, 1981 (other provisions)

HB 464

C 55 L 81

BRIEF TITLE: Creating state educational grant fund.

SPONSORS: House Committee on Higher Education and Representative Teutsch (By Council for Postsecondary Education Request)

HOUSE COMMITTEE: Higher Education

SENATE COMMITTEE: Higher Education

BACKGROUND:

The state has a grant program for those resident full-time students attending colleges and universities located in the state who demonstrate financial need. Funds for the program are appropriated by the Legislature for each biennium. The Council for Postsecondary Education (CPE) is responsible for the distribution and administration of the grants. As part of its administrative duties, CPE audits these grants. Refunds and recoveries of grants to students are necessary in some cases. Refunds and recoveries made after the end of the biennium in which the grants were made had to be deposited in the general fund and were not available for redistribution.

Creation of a local fund for refunds and recoveries of state need grants would enabled the CPE to redistribute these grant moneys after the biennium for which the moneys were appropriated.

SUMMARY:

A state educational grant account is established within the state general fund. The CPE shall deposit all refunds and recoveries of student financial aid grants expended in the prior biennia in the account. Moneys in the account must be used for state need grants to needy students.

Appropriation: $20,000 from the state education grant account within the general fund for the 1981-83 biennium to the Council for Postsecondary Education for financial aid to needy or disadvantaged students.

VOTES ON FINAL PASSAGE:

House	95	1	
Senate	44	0	(Senate amended)
House	92	1	(House concurred)

EFFECTIVE: July 26, 1981

SHB 466

C 158 L 81

BRIEF TITLE: Providing for the distribution of funds received under the geothermal steam act.

SPONSORS: House Committee on Energy and Utilities (Originally Sponsored By Representatives Sprague, Barnes, Isaacson, Heck, Flanagan, Bond, Scott and Williams)

INITIAL HOUSE COMMITTEE: Energy and Utilities
ADDITIONAL HOUSE COMMITTEE: Appropriations-General Government and Compensation

SENATE COMMITTEE: Energy and Utilities

BACKGROUND:

Washington has indications of a considerable geothermal resource. Exploration and assessment of the resource has been limited and development is just beginning. With increasing prices for and uncertain supplies of other energy resources, it is prudent to accelerate geothermal development. Increasing interest in leasing federal lands for geothermal development offers promise of a funding source for accelerated geothermal exploration, assessment and development. Within the last two years, state geothermal efforts were accelerated with funds from the U.S. Department of Energy, but this federal funding will soon stop.

SUMMARY:

Moneys received by the state pursuant to the federal Geothermal Steam Act of 1970 will be deposited in a geothermal account in the general fund. Funds will be awarded 30 percent to the Department of Natural Resources for geothermal exploration and assessment, 30 percent to the State Energy Office for geothermal development, and 40 percent to the county of origin for geothermal development impact mitigation.

Termination Date: This act terminates on June 30, 1991, with geothermal lease receipts then going to the common school construction fund.

Appropriation: To maintain the Department of Natural Resources' geothermal exploration and assessment program, $148,000 is appropriated from the general

fund—to be repaid in part or wholly by leasing revenues credited to the department's share of the geothermal account.

VOTES ON FINAL PASSAGE:

House	93	4
Senate	49	0

EFFECTIVE: July 26, 1981

SHB 467

PARTIAL VETO

C 64 L 81

BRIEF TITLE: Providing for expedited review of energy facility siting decisions.

SPONSORS: House Committee on Energy and Utilities
(Originally Sponsored By Representatives Bond, Scott, Barr, Stratton, Fancher, McCormick, Hastings, Clayton, Nickell, Isaacson, Erak, Bender, McGinnis, Leonard, Williams, Eberle, Padden and Ellis)

HOUSE COMMITTEE: Energy and Utilities

SENATE COMMITTEE: Energy and Utilities

BACKGROUND:

Delays in siting and constructing large energy facilities cost consumers millions of dollars and increase the likelihood of energy shortages. Proponents contend that expediting court challenges on energy facility siting decisions, and consolidating all elements for review into one legal proceeding will help substantially reduce these costly delays.

SUMMARY:

All petitions for a court review of final decisions on energy siting facilities under RCW 80.50.100 are to be filed with the Thurston County Superior Court. The court is required to consolidate these petitions into a single proceeding to expedite the proceeding in every way possible, and to certify the petition for review to the Washington Supreme Court if certain conditions are met.

The Supreme Court is required to hear the petition at the earliest possible date, and expedite its review and decision in every way possible.

Energy Facility Site Evaluation Council's presentations to federal bodies concerning the Council's certification of an energy facility can encompass only environmental, health and safety aspects of the certification agreement.

VOTES ON FINAL PASSAGE:

House	67	29	
Senate	35	14	(Senate amended)
House	72	24	(House concurred)

PARTIAL VETO SUMMARY:

The limitations concerning presentations of the Energy Facility Site Evaluation Council to federal bodies are completely removed. (See VETO MESSAGE)

EFFECTIVE: April 25, 1981

HB 468

C 159 L 81

BRIEF TITLE: Appropriating funds for veterans employment seminars.

SPONSORS: House Select Committee on Vietnam Era Veterans and Representatives Tupper, Bender, Van Dyken, Scott, Dawson, Brown, Pruitt, Winsley, Maxie, Lux and Patrick

HOUSE COMMITTEE: Select Committee on Vietnam Era Veterans

SENATE COMMITTEE: State Government

BACKGROUND:

Workshops and seminars for employers are conducted under the auspices of the Employment Security Department.

SUMMARY:

The Employment Security Department for the Veterans Service Section shall conduct employer awareness seminars regarding veterans' employment programs. Such seminars shall be coordinated with the Department of Veterans Affairs. At least one seminar is to have a direct impact upon incarcerated veterans.

Appropriation: $10,000 is appropriated from the general fund to the Employment Security Department for the Veterans Service Section.

VOTES ON FINAL PASSAGE:

House	93	4
Senate	49	0

EFFECTIVE: July 1, 1981

SHB 484

C 160 L 81

BRIEF TITLE: Providing for the funding of emergency service communications system.

SPONSORS: House Committee on Revenue (Originally Sponsored By House Committee on Revenue and Representative Greengo)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Rules

BACKGROUND:

Several counties are considering investments in emergency services communications systems which are more advanced than the basic 911 system. These systems require large initial investments and annual operating costs.

Counties presently do not have the authority to levy excise taxes specifically for the purpose of financing basic or advanced 911 systems.

SUMMARY:

Counties may levy an excise tax to finance emergency services communications systems. The tax may be imposed to cover costs of a county-wide basic or an advanced 911 system.

Voter approval (60 percent in favor) is required before a county may impose this tax. A county may impose the tax for 6 years before again requiring voter approval.

This tax is imposed on the use of telephone access lines. A maximum tax of $0.50 per month for each access line is authorized. The tax may be levied one year prior to the expected implementation of the system which the tax helps finance.

VOTES ON FINAL PASSAGE:

House	58	37	
Senate	32	17	(Senate amended)
House	54	40	(House concurred)

EFFECTIVE: July 26, 1981

SHB 490

C 69 L 81

BRIEF TITLE: Providing for a state exhibition at Energy Fair '83.

SPONSORS: House Committee on Labor and Economic Development (Originally Sponsored By House Committee on Labor and Economic Development and Representatives Isaacson, Hankins, Hastings and Struthers)

INITIAL HOUSE COMMITTEE: Labor and Economic Development

ADDITIONAL HOUSE COMMITTEE: Revenue

INITIAL SENATE COMMITTEE: Energy and Utilities

ADDITIONAL SENATE COMMITTEE: Ways and Means

BACKGROUND:

Energy, its generation, use, and conservation will be the focus of the state Energy Fair approved by the Washington State Legislature for 1983. The Energy Fair Commission was created by a 1980 state statute to plan for such an event in the Tri-Cities area of Eastern Washington.

SUMMARY:

An appropriation of $1.5 million is authorized from the general fund to the Office of Financial Management. That agency is required to disburse the funds to the Department of Commerce and Economic Development, the State Energy Office, and the Department of Natural Resources for the purposes of preparing a state exhibition at the Energy Fair.

VOTES ON FINAL PASSAGE:

House	51	47
Senate	26	23

EFFECTIVE: April 26, 1981

SHB 491

C 134 L 81

BRIEF TITLE: Including Indian tribal agency employees under Criminal Justice Training Commission.

SPONSORS: House Committee on Institutions (Originally Sponsored By House Committee on Ethics, Law and Justice and Representatives Bickham, Dickie, Clayton, Barr, Lewis and Patrick)

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Financial Institutions and Insurance

SECOND ADDITIONAL HOUSE COMMITTEE: Institutions

SENATE COMMITTEE: Judiciary

BACKGROUND:

Law enforcement personnel of Indian tribes were not eligible for training by the Criminal Justice Training Commission.

SUMMARY:

Criminal justice training is authorized for the law enforcement personnel of an Indian tribe if the tribe (1) is recognized by the federal government, and (2) pays the full cost of the training. All moneys received must be placed into the criminal justice training account.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	48	0

EFFECTIVE: July 26, 1981

HB 493

PARTIAL VETO

C 161 L 81

BRIEF TITLE: Modifying requirements for the use and foreclosure of deeds of trust.

SPONSORS: House Committee on Ethics, Law and Justice and Representatives Ellis and Salatino

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

Deeds of trust are deeds conveying real property to a trustee in trust to secure performance of an obligation, usually a debt, of the grantor to the beneficiary. They are similar to mortgages except that upon default of the debtor, a deed of trust may be foreclosed and the real property sold without the necessity of a judicial proceeding.

Since the original deed of trust act was passed in this state in 1965, various amendments have been adopted to make the act more workable. It has been proposed that the deed of trust act be further refined and updated to make it more flexible and to provide additional protection for debtors.

SUMMARY:

In addition to various technical amendments, the following substantive changes are made in the deed of trust act:

(1) The list of persons qualified to serve as trustee under a deed of trust is expanded to include business and banking corporations and national banks. The trustee must resign if requested to do so by the beneficiary.

(2) Contents of the Notice of Trustees' Sale are modified to make the same applicable to various types of payment plans and to both residential and commercial properties.

(3) Notice of default shall be served by certified mail and by either personal service on the debtor or posting the notice on the subject real estate.

(4) The period during which a sale may be continued by public proclamation is increased from 30 to 120 days.

(5) The prohibition against the trustee bidding at the sale is removed.

(6) The amount of the trustee's fees and attorney's fees is no longer fixed by statute but is designated a "reasonable" fee.

(7) An order restraining a trustee's sale is available to any person having an interest in the real estate, regardless of the type of property or nature of the default involved. Procedures are provided for obtaining the order and for rescheduling a sale.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	36	4	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 26, 1981

PARTIAL VETO SUMMARY:

The partial veto has the effect of reinstating the prohibition against trustees bidding at a trustee's sale. (See VETO MESSAGE)

HB 502

C 162 L 81

BRIEF TITLE: Appropriating moneys to print the 1981 and 1982 session laws.

SPONSORS: House Committee on Ways and Means and Representative Chandler (By Code Reviser Request)

HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Costs associated with the publication of the session laws have historically been handled in legislation separate from the omnibus appropriation bill. This ensures that the session laws are printed and made available as soon as possible after a legislative session. Surplus copies of the session laws are for sale.

SUMMARY:

$144,201 is appropriated to the Statute Law Committee for the costs of compiling, printing, and distributing the 1981 and 1982 session laws. This appropriation permits 4,000 softbound and 2,500 hardbound volumes to be printed. The appropriation also provides funding for the printing and distribution of sliplaws (copies of enacted bills as signed by the Governor).

The sale prices for surplus session laws are increased. The hardbound volumes are increased from $4.00 to $20.00, and the softbound volumes from $1.00 to $5.00.

VOTES ON FINAL PASSAGE:

House	78	20
Senate	35	0

EFFECTIVE: May 14, 1981

SHB 520

C 246 L 81

BRIEF TITLE: Implementing the law relating to community colleges.

SPONSORS: House Committee on Higher Education (Originally Sponsored By House Committee on Higher Education and Representative Teutsch)

HOUSE COMMITTEE: Higher Education

SENATE COMMITTEE: Higher Education

BACKGROUND:

Community colleges provide community service courses. Community service courses are required to be self-supporting and do not receive state general fund support. Current methods of distinguishing between community service and state funded courses are inadequate. Fees for these courses are set by the trustees of the community colleges. However, there is no statute authorizing the boards of trustees to set these fees. Statutory authorization has been requested.

The State Board for Community College Education is charged by statute with coordinating the budget requests of the community college system. In this budget process, the State Board has been determining the eligibility of courses to receive state funding support. However, there is no statute authorizing the board to make these determinations. The State Board has requested statutory authorization.

Community colleges are authorized to contract educational services to public and private organizations on a self-supporting basis. The only exceptions are adult correctional facilities operated by the Department of Social and Health Services for the 1979–81 biennium.

The community colleges and the state four year institutions are developing a new payroll/personnel system to replace current outmoded systems. Processing payrolls for all community colleges as local disbursements on a common check stock and over a single signature would reduce the time it takes to issue paychecks by avoiding the shipment of warrants to and from Olympia for the signature of the State Treasurer. This would greatly increase the accuracy and efficiency of the payroll process.

The State Board for Community Colleges needs statutory authority to appoint a treasurer and to deposit designated local funds into a local depository.

SUMMARY:

The board of trustees of each community college may set fee rates for community service courses consistent with the rules and regulations of the State Board.

The State Board for Community College Education may establish minimum standards to govern the eligibility of community college courses to receive state fund support.

The limitations on providing educational services on a contractual basis are removed. Enrollments generated by courses offered on a contractual basis must be discounted to the percentage of the costs of such courses borne by the college. The State Board for Community College Education may adopt rules governing such contractual arrangements.

The State Board for Community College Education shall appoint a treasurer to act as financial officer for the Board. The treasurer shall make such vendor payments and salary payments for the entire community college system as authorized by the State Board.

All moneys received by the State Board and not required to be deposited elsewhere shall be deposited in a depository selected by the Board. These funds shall be subject to the same budgetary and audit provisions applicable to other state agencies.

The treasurer is required to post a bond for the faithful performance of the duties of the office in an amount determined by the Board. The Board shall pay the fees for such bonds.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	46	0	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: May 18, 1981

SHB 525

C 163 L 81

BRIEF TITLE: Establishing procedures for collection of public assistance overpayments.

SPONSORS: House Committee on Human Services (Originally Sponsored By House Committee on Human Services and Representatives Mitchell and Nisbet) (By Department of Social and Health Services Request)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The Department of Social and Health Services has a difficult time collecting public assistance overpayments fraudulently obtained by recipients.

SUMMARY:

All recipients of public assistance who owe a debt to the state for overpayment of public assistance obtained fraudulently must be notified by either personal service or certified mail.

Any recipient who alleges defenses to the debt or disputes the amount thereof has the right to request a hearing in writing pursuant to the State Administrative Procedure Act.

The Secretary of the Department of Social and Health Services may issue an order to withhold and deliver any overpaid recipient's wages, property or other assets to satisfy the amount of an overpayment fraudulently obtained.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	45	2

EFFECTIVE: July 26, 1981

HB 530

C 333 L 81

BRIEF TITLE: Modifying amounts payable for certain death benefits.

SPONSORS: Representatives O'Brien and Ellis

INITIAL HOUSE COMMITTEE: Financial Institutions and Insurance

ADDITIONAL HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

By statute, life insurance policies provided for post-death payments of up to $1,000 of the benefits to persons paying funeral and last illness expenses. Employers were also permitted to pay up to $1,000 of a decedent's unpaid wages to the decedent's surviving spouse immediately after the death. These payments avoid any delays in reaching survivors resulting from estate administration.

SUMMARY:

Immediate death-related payments are increased. Insurance policies may provide that the greater of 10 percent of total benefits, or $1,000, will be immediately paid to persons paying funeral and last illness expenses. Employers are allowed to immediately pay up to $2,500 of the decedent's unpaid wages to the surviving spouse.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	47	0

EFFECTIVE: July 26, 1981

SHB 532

C 164 L 81

BRIEF TITLE: Modifying the reporting requirements of the child protective services.

SPONSORS: House Committee on Human Services (Originally Sponsored By House Committee on Human Services and Representative Mitchell) (By Department of Social and Health Services Request)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The federal Department of Health and Human Services has advised the Department of Social and Health Services that the state law which defines child abuse and neglect does not include "sexual exploitation" and thus Washington State stands to lose approximately $140,000 in federal funds for projects relating to child abuse.

Upon receiving a report of an incident of abuse or neglect of a child or an adult developmentally disabled person, the Department of Social and Health Services or any law enforcement agency was required to report the incident to the county prosecuting attorney. This requirement resulted in many cases being referred to prosecutors which have not been thoroughly investigated or substantiated. It was believed that the role of law enforcement officials should be to undertake the investigatory duties on these cases and only make referrals to county prosecutors when there appeared to be sufficient evidence to prosecute an alleged abuser.

Personnel of the Department of Social and Health Services responsible for investigating the suitability of an agency or person for licensure as a day-care, group, or foster home did not have statutory authority to review the central registry of reported cases of child abuse and abuse of developmentally disabled adults. Instances had arisen where individuals who had been licensed to operate day care centers, group homes, or foster homes were on the central registry of reported cases of abuse.

SUMMARY:

The statutory definition of "child abuse or neglect" is expanded to include "sexual exploitation," which is further defined. The reporting requirements which apply to incidents of child abuse and neglect thus are applicable to incidents of sexual exploitation.

The Department of Social and Health Services must report incidents of abuse or neglect to the proper law enforcement agency, rather than to the county prosecutor as is presently required.

Whenever a law enforcement agency's investigation reveals that a crime has been committed it must report the incident to the county prosecutor or city attorney for appropriate action.

When investigating the suitability of an agency or person for licensure as a day-care, foster or group home, or operator thereof, the investigative personnel of the Department of Social and Health Services may review the central registry of reported cases of child abuse and abuse of developmentally disabled adults.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	47	0

EFFECTIVE: July 26, 1981

HB 537

FULL VETO

BRIEF TITLE: Permitting issuance of an occupational driver's license to a person whose license has been revoked for refusing a blood alcohol test.

SPONSORS: House Committee on Ethics, Law and Justice and Representatives Padden and McCormick

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

If a driver refused to take a breathalyzer test, then the driver's license was suspended for six months. There was no mechanism for the issuance of an occupational driver's license during such a suspension. In contrast, a driver whose license was suspended for a drunk driving conviction could obtain an occupational driver's license.

SUMMARY:

If a driver's license is revoked because of refusal to take a breathalyzer test, the driver may apply for an occupational license only if he or she has been convicted or pled guilty to driving while intoxicated.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	45	3	(Senate amended)
House	96	0	(House concurred)

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

HB 551

C 47 L 81

BRIEF TITLE: Extending authority of port districts to operate rail lines.

SPONSORS: House Committee on Transportation and Representatives Wilson, Clayton and Johnson

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Local Government

BACKGROUND:

Port districts have general authority to operate railroad systems for the movement of interstate and foreign cargo. Several port districts had opportunities to acquire rail facilities from defunct lines but needed specific authority to operate across district boundaries.

SUMMARY:

Port districts are authorized to operate rail services inside or outside the port district. However, in order to operate rail services outside the port district, there must be a finding by the port commission that such service is reasonably necessary in order to link the port district to the interstate railroad system. If such rail service is within another port district, that port district must consent to the operation of the rail service within its district.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	44	0

EFFECTIVE: April 22, 1981

SHB 561

C 270 L 81

BRIEF TITLE: Providing for the allotment of local funds of state agencies.

SPONSORS: House Committee on Ways and Means (Originally Sponsored By House Committee on Ways and Means and Representatives Williams and Chandler) (By Office of Financial Management Request)

INITIAL HOUSE COMMITTEE: Appropriations–General Government

ADDITIONAL HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The Budget and Accounting Act provides for a budget and accounting system for all activities of state government. Penalties are included for specific violations. During the development of the supplemental budget for the 1979–81 biennium, several weaknesses within the control functions of the Budget and Accounting Act became apparent. The entire Act was reviewed

along with provisions in the main appropriation act establishing the budget for the 1979–81 biennium. These reviews identified the need in the Budget and Accounting Act to: (1) make additional definitions and clarifications; (2) broaden the scope of the Act; (3) strengthen the controls in the Act; and (4) provide for additional enforcement of the Act.

SUMMARY:

New provisions define and clarify the funds subject to the Budget and Accounting Act and the reporting of and control over appropriations to state agencies. The scope of the Act is broadened to include nonappropriated funds maintained outside the state treasury and the reporting of major "budget drivers" which determine the level of agency expenditures.

Controls over allotment and agency expenditures are strengthened by requiring timely reporting and tracking of expenditure data. This includes making funds appropriated to the Superintendent of Public Instruction for the support of the common schools subject to allotment revisions if revenues are expected to be less than the amount appropriated.

The enforcement of the Act has been strengthened by requiring greater participation in and visibility of expenditure plans of agencies. Additional reports are required to clearly highlight variations in expenditures.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	46	3	(Senate amended)
House			(House refused to concur)
Senate	36	11	(Senate receded)
House	94	2	

EFFECTIVE: July 1, 1981

SHB 570

C 247 L 81

BRIEF TITLE: Revising laws on interest on life insurance loans.

SPONSORS: House Committee on Financial Institutions and Insurance

(Originally Sponsored By Representative Bickham)

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

After a policyholder has paid premiums on a whole life insurance policy for three years, the policy has built up a certain cash value, against which the policyholder may borrow. By statute, the maximum rate of interest on such loans was: (a) 6 percent per year; or (b) a variable rate, ranging between 4 and 8 percent. This variable rate was not adjusted more than once a year.

SUMMARY:

The maximum interest on life insurance policy loans is increased to: (a) 8 percent or (b) a variable rate not to be adjusted more than once every three months. The maximum allowable variable rate is equal to the "Moody's Index," an index which reflects the composite yield on a selected group of top–rated corporate bonds. The minimum allowable variable rate is equal to the rate used to determine the cash surrender value of the policy (this must be stated on the policy) plus 1 percent. This sets an effective floor of about 6.5 percent.

When Moody's Index increases or decreases by one–half of 1 percent, the policy loan rate must also be adjusted.

No policy can be cancelled during a policy year just because escalating interest rates make the value of outstanding loans exceed the cash value of the policy.

Policy loans are not be subject to general usury ceilings, unless the statute specifically states that those ceilings are to be applied to policy loans.

These changes apply only to loans made on policies issued after August 1, 1981.

VOTES ON FINAL PASSAGE:

House	59	39
Senate	35	12

EFFECTIVE: August 1, 1981

SHB 581

C 76 L 81

BRIEF TITLE: Abolishing the economic assistance authority.

SPONSORS: House Committee on Revenue (Originally Sponsored By Representatives Hastings, Wang, Erickson, North, Rinehart, Brown, Brekke, Burns, Rust, Lux, Granlund and Sommers)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The Economic Assistance Authority was created in 1972. The primary statutory purpose of the authority is to assist in the financing of employment-creating investments made by political subdivisions of the state and by private firms. The authority provides grants and loans to political subdivisions and sales tax deferrals to private firms for investments in manufacturing facilities.

SUMMARY:

Future tax deferrals are limited to a cumulative total of $30 million of investment per company. In calculating this total, all past deferrals are included.

Future Obligation: The House and Senate Ways and Means Committees must review the Economic Assistance Authority and report to the 1982 Legislature.

Termination Date: The Economic Assistance Authority terminates on June 30, 1982.

VOTES ON FINAL PASSAGE:

House	59	38	
Senate	42	7	(Senate amended)
House	76	18	(House concurred)

EFFECTIVE: March 1, 1981 (Sections 1 and 2)
May 1, 1981 (Section 3)
June 30, 1982 (Sections 4–7)

HB 590

C 330 L 81

BRIEF TITLE: Modifying provisions relating to court funds.

SPONSORS: House Committee on Ethics, Law and Justice and Representative Ellis

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government and Compensation

SENATE COMMITTEE: Rules

BACKGROUND:

The Administrator for the Courts operates the Judicial Information System (JIS) which provides computerized access to court records. JIS is currently used by many of the state's more populated counties and has been paid for by federal grants, the state general fund, and certain superior court filing fees. The Administrator for the Courts has requested additional revenue sources to replace federal grants and state general fund monies and to allow expansion of JIS services to additional counties.

SUMMARY:

The money available for the Judicial Information System (JIS) is increased by raising or shifting the application of various court fees. The JIS dedicated account is abolished. Fees are placed in the general fund to be appropriated for JIS, or are retained by the counties. Fifty percent of appellate court fees are designated for JIS.

Future Obligation: The Legislative Budget Committee must conduct a study of the Judicial Information System and report to the Legislature by October 1, 1982.

Appropriation: $100,000 is appropriated to the Legislative Budget Committee for the study of the Judicial Information System (JIS). $8.6 million is appropriated from the general fund to the Administrator for the Courts for the JIS.

Revenue:

1. Superior court filing fees are raised from $60 to $70, with $9 going to the Judicial Information System (JIS), and $1 to the counties.

2. District court filing fees are raised from $12 to $20, with $3 going to JIS and $5 to the counties.
3. Small claims court filing fees are raised from $5 to $10, with the entire $5 increase going to the counties.
4. A $5 fee for JIS is added onto traffic infraction convictions.
5. A $5 fee for JIS is added onto juvenile court penalties.
6. A $5 fee for JIS is added onto district court criminal fines.

VOTES ON FINAL PASSAGE:

House	81	17	
Senate	42	5	(Senate amended)
House	72	21	(House concurred)

EFFECTIVE: May 19, 1981

HB 599

C 329 L 81

BRIEF TITLE: Modifying provisions relating to enforcement of judgments.

SPONSORS: House Committee on Ethics, Law and Justice and Representatives Ellis, Rinehart, Patrick, Padden, Pruitt, Schmidt, Granlund, Becker, Wang, Tupper, Salatino, Winsley, Tilly, Gruger, Nelson (D.), Valle, Maxie, Lux, Eng, Burns, Galloway, Grimm, Rust and Brown

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

A judgment debtor's real property could be sold to satisfy a court judgment. In such an event, the property was sold to the highest bidder at a sheriff's sale. Often, the creditor was the only such bidder, and he customarily bid the amount of the debt. In most cases, the debtor then had one year to redeem his property for the amount of the bid—after which the property went to the bidder. The debtor was notified of the sale by posting on the property and by newspaper publication. A judgment debtor's personal property could be sold following 10 days notice posted in three public places in the county. No notice was required to be mailed to the debtor.

SUMMARY:

The notice requirements for the sale of property to enforce a judgment are increased. In the case of the sale of personal property, the judgment debtor and his/her attorney must be mailed a copy of the notice of sale at least 30 days prior to sale. In the case of the sale of real property, the judgment creditor must personally serve the judgment debtor in the same manner as in a civil action at least 30 days prior to sale and also mail the notice of sale to the debtor and his/her attorney. Notice of the completion of sale must be given to all parties.

Real property may only be sold if there is no personal property available for sale. An affidavit to that effect must be filed by the judgment creditor.

Every two months during the period following sale during which the debtor and certain others may redeem the property, the purchaser must mail a notice to the debtor advising of the amount required to redeem the property and the time remaining in the redemption period.

Real estate brokers in the county may sell the property after the redemption period has ended and ownership has been transferred to the sheriff's sale bidder. From the sale proceeds, the bidder shall receive 120 percent of his bid, the broker shall receive his normal commission, and the debtor shall receive the balance.

VOTES ON FINAL PASSAGE:

House	96	0	
Senate	46	1	(Senate amended)
House	98	0	(House concurred in part)
Senate	46	0	(Senate receded)

EFFECTIVE: July 26, 1981

SHB 601

C 331 L 81

BRIEF TITLE: Enacting the court congestion reduction act.

SPONSORS: House Committee on Ethics, Law and Justice
(Originally Sponsored By House Committee on Ethics, Law and Justice and Representative Ellis)

HOUSE COMMITTEE: Ethics, Law and Justice

SENATE COMMITTEE: Judiciary

BACKGROUND:

Court congestion has become a problem in many areas of the state. There has been a two to three year delay in obtaining a Superior Court trial in King County. Pierce and Snohomish County Superior Courts also have backlogs.

Various changes are necessary to deal with these backlogs and to improve the judicial system.

SUMMARY:

Court congestion is addressed in several ways. District justice court jurisdiction is raised from $3,000 to $7,500 in 1983, and small claims court jurisdiction is raised from $500 to $1,000. Justice court notification procedures for defendants and absent defendants are modified. Justice court judges are authorized to participate in the state's fall judicial conference.

The Supreme Court is directed to adopt rules for settlement conferences in civil cases in those Superior Courts and the Court of Appeals which may benefit from the process. Settlement conferences are mechanisms by which the opposing parties in a lawsuit may meet with a judge before trial to determine if a settlement can be reached.

Discovery is a process by which the opposing parties in a lawsuit can obtain information about the other party's case prior to trial. The Supreme Court is directed to adopt rules for discovery in civil cases in district courts and other courts of limited jurisdiction.

Statutory attorneys' fees are increased from $35 to $100 in all courts. Statutory attorneys' fees are generally awarded to the prevailing party in lawsuits.

The monetary jurisdiction of attorney district court judges, which is already scheduled to increase from $3,000 to $5,000 on July 1, 1981, will further increase to $7,500 on July 1, 1983.

Small claims court jurisdiction is increased from $500 to $1,000.

A temporary judge in district court need only be a registered voter of the county in which the court sits, rather than a registered voter of the court's district as under current law.

The language making a sheriff's "not found" return prima facie evidence that the defendant cannot be found in the state is eliminated.

The language in the Uniform Judicial Notice of Foreign Laws Act which freezes pleading requirements as of 1941 is eliminated.

Judges of courts of limited jurisdiction may participate in the annual judicial conference.

VOTES ON FINAL PASSAGE:

House	92	2	
Senate	40	4	(Senate amended)
Conference Committee			
House	93	1	
Senate	47	2	

EFFECTIVE: July 26, 1981

HB 604

C 15 L 81

BRIEF TITLE: Modifying provisions relating to public assistance.

SPONSORS: House Committee on Ways and Means and Representatives Chandler, Wang, Granlund, Galloway and Rust

HOUSE COMMITTEE: Rules

SENATE COMMITTEE: Rules

BACKGROUND:

A law implementing the 1981 supplemental budget discontinued the Federal Aid Medical Care Only (FAMCO) program. This reduction inadvertently excluded from state subsidized care approximately 430 nursing home residents unable to pay the full cost of their care.

SUMMARY:

State subsidized care is continued for those individuals in nursing homes on February 28, 1981 who would have otherwise lost such care as a result of the elimination of the FAMCO program. An appropriation is included to cover the cost.

Termination Date: June 30, 1981 for Section 1 of the Act.

VOTES ON FINAL PASSAGE:

House	97	0
Senate	47	0

EFFECTIVE: March 16, 1981

HB 615

C 248 L 81

BRIEF TITLE: Abolishing certain accounts for high school districts used for moneys from nonhigh districts.

SPONSORS: House Committee on Education and Representative Taylor

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

School districts without high schools contract with school districts with high schools to educate their students. A number of years ago, the compensation owed was deposited in an account held by the county treasurer of the serving district. The serving district then billed the county treasurer for payment. The Superintendent of Public Instruction has implemented a program providing for the payment of compensation directly to the serving district. Thus, the treasurer account was no longer used.

Some money from the prior compensation system still remains in the accounts of the county treasurers, but there is no procedure to allow county treasurers to distribute the funds.

SUMMARY:

Accounts held by the county treasurer to benefit high school districts are abolished and the remaining funds are to be distributed.

The funds are to be distributed to the nonhigh school districts in the county. If there are no nonhigh school districts, then the money will be distributed to all school districts in the county.

The educational service district superintendent which serves the largest number of school districts in the county is required to certify the distribution and provide a schedule to each of the appropriate county treasurers 20 days before the distribution is to occur.

Any money accruing to the fund after distribution shall be distributed in the same manner within 60 days.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	47	2

EFFECTIVE: July 26, 1981

HB 616

C 249 L 81

BRIEF TITLE: Implementing law relating to publication of school code.

SPONSORS: House Committee on Education and Representative Taylor

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

The Superintendent of Public Instruction is required to make copies of the manual of the Washington State common school code available to school districts and the public at actual cost. The manual contains Title 28A and other material the Superintendent of Public Instruction chooses to include. The superintendent has not been charging common school agencies and argued for authorization to continue this practice.

SUMMARY:

The Superintendent of Public Instruction may provide public agencies within the common school system with copies of the school code at no cost. All other public and nonpublic agencies or individuals are charged the approximate actual cost of publication.

Proceeds of the sale are to be deposited with and credited to the Superintendent of Public Instruction's account within the state printing plant revolving fund.

The content of the school code is expanded to include Title 28C and the rules and regulations relating to the common schools.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	49	0

EFFECTIVE: July 26, 1981

HB 620

C 165 L 81

BRIEF TITLE: Providing for disability leave for state patrol officers.

SPONSORS: House Committee on State Government and Representatives Addison, Walk and North
(By Washington State Patrol Request)

INITIAL HOUSE COMMITTEE: State Government
ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government and Compensation

SENATE COMMITTEE: State Government

BACKGROUND:

A State Patrol officer who is injured on the job may exercise one of three options:

— Take leave without pay, and receive time–loss pay from the Department of Labor and Industries until returning to work. The officer is not a member of the State Patrol retirement system while on leave without pay.

— Be placed on disability status by the Chief of the State Patrol, receiving one–half the pay he or she was entitled to at the time of the change in status. The officer is not a member of the retirement system during this time. To be fully reinstated in the retirement system, the officer must pay 7 percent of the actual wages which would have been earned to the retirement system. Re–entry into the retirement system is denied until this payment is made.

— Use all accumulated sick leave and compensatory time in order to retain active status in the retirement system. Upon exhausting all time due, one of the other two options must then be exercised.

SUMMARY:

Any State Patrol officer disabled while performing line duty, who is found by the Chief of the State Patrol to be physically incapacitated will be placed on disability leave for a period of not more than six months. "Line duty" is defined as active service which encompasses the traffic law enforcement duties and other enforcement–related responsibilities of the State Patrol to include: all enforcement practices of the law, accident and criminal investigations, or actions requiring physical exertion or exposure to hazardous elements.

During this period the officer will be entitled to all pay, benefits, insurance, leave and retirement contributions granted to an officer on active status, less any compensation awarded through the Department of Labor and Industries. No disability leave will be approved until an officer has been unavailable for duty for more than five consecutive working days. Before the end of the six–month period, the Chief will either place the officer on disability or return the officer to active status.

New Rule Making Authority: The Chief of the State Patrol will define the situations where disability has occurred during line duty.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	45	0	(Senate amended)
House	94	1	(House concurred)

EFFECTIVE: January 1, 1981

2SHB 624

C 71 L 81

BRIEF TITLE: Adopting a supplemental budget.

SPONSORS: House Committee on Ways and Means (Originally Sponsored By House Committee on Appropriations–Human Services and Representatives Chandler, Granlund and Wang) (By Governor Spellman Request)

HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

BACKGROUND:

A supplemental budget for prisons and mental health was necessary to deal with overcrowding and prevent inadequate staffing at prisons and mental health hospitals.

SUMMARY:

Second Substitute House Bill 624 adopts a supplemental budget and appropriates $7,095,000 for the Adult Corrections Program and $1,200,000 for the Mental Health Program of the Department of Social and Health Services for the 1979–81 biennium.

Specifies that $500,000 shall be contingent upon population increases in Adult Corrections. Allows expenditure of contingency funds for continuation of Adult Corrections contracted community programs. Delineates that of the amounts provided for the Mental Health Program, $750,000 is for Western State Hospital, and $450,000 is for Eastern State Hospital. Specifies that $200,000 of the funds appropriated for Western State Hospital are for fuel conservation costs.

Authorizes expenditure of funds for completion of dental treatment which had been authorized and begun prior to March 1, 1981, and which would result

in serious medical problems the patient would not otherwise have had if dental treatment had not begun.

Specifies that adoption of the supplemental budget shall not be construed as ratifying illegal expenditures or reducing any resulting liability.

Allows DSHS to transfer between programs certain 1979–81 unexpended or unencumbered funds.

Declares an emergency and takes effect immediately upon signature of the Governor.

VOTES ON FINAL PASSAGE:

House	85	13	
Senate	48	0	(Senate amended)
House			(House refused to concur)
Senate	45	4	(Senate amended)
House	73	22	(House concurred)

EFFECTIVE: April 30, 1981

HB 625

C 65 L 81

BRIEF TITLE: Modifying provisions relating to superior court judges.

SPONSORS: Representatives Barr, Fancher, Tilly, Hankins and Isaacson

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government and Compensation

SENATE COMMITTEE: Judiciary

BACKGROUND:

Data provided by the state court administrator indicated that several counties in eastern Washington needed additional superior court judges to handle increasing caseloads.

Benton and Franklin Counties were served by four judges. Projections by the court administrator indicated that two additional positions could be justified in 1981.

Okanogan and Ferry Counties comprised a judicial district served by one judge. Pend Oreille and Stevens Counties were also served by a single judge. While all of these counties were experiencing an increasing caseload, Okanogan County faced the largest increase.

SUMMARY:

A new superior court position is authorized for the Benton–Franklin judicial district.

Okanogan County is designated a single county judicial district. It retains the judge previously shared by it and Ferry County.

Ferry County is added to the Pend Oreille–Stevens judicial district. A new superior court position is authorized for that district.

The additional superior court positions take effect only if the county legislative authorities in each judicial district agree that the judicial district will bear the cost of the new positions to the same extent they bear the cost of existing positions.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	47	2	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 26, 1981

2SHB 628

PARTIAL VETO

C 166 L 81

BRIEF TITLE: Requiring parental consent for the release of youth from residential schools.

SPONSORS: House Committee on Appropriations–Human Services
(Originally Sponsored By House Committee on Institutions and Representatives Houchen, Johnson and Ellis)

INITIAL HOUSE COMMITTEE: Institutions

ADDITIONAL HOUSE COMMITTEE: Appropriations–Human Services

SENATE COMMITTEE: Social and Health Services

BACKGROUND:

The Department of Social and Health Services has implemented a policy of deinstitutionalization of the mentally retarded. This policy involves the Department's selection of those institutionalized retarded persons whom it believes do not require institutionalization and placing them in community facilities, typically group homes. The implementation of this policy is necessary in order for the state to receive matching federal funds for residential schools for the mentally

retarded. Major efforts in deinstitutionalization began in the 1960s and have been continued into the 1980s. These efforts have caused the average population of the institutions to contain more severely retarded individuals than in the 1970s.

Many parents of institutionalized persons have complained that the Department has not complied with the law or professional recommendations in making decisions to place their children into a community setting. The law does not provide clear, identifiable criteria for community placement.

There have been several instances of inappropriate placements, placements which resulted in the retarded persons receiving inadequate supervision, medical care, or training.

SUMMARY:

The Secretary may release a child from a residential school for community placement after 30-day notice and consultation with the resident, parent, guardian or other court-appointed personal representative of the resident. The Secretary is required to obtain the consent of the available parent, guardian or court-appointed personal representative. If such consent is refused, then the Secretary shall petition the court to waive the requirement for consent.

Prior to making a placement, the Secretary must complete a comprehensive assessment of the resident's condition and services which would be needed in the community. In addition, an habilitation plan for the resident must be prepared. The Department must also comply with federal standards in regard to the placement.

Termination Date: The above provisions expire on June 30, 1983.

After June 30, 1983, the Secretary of Social and Health Services may release a resident of a state school for community placement when he or she feels that the treatment and training of the resident has progressed to the point that such action would be advisable. This may only be done after reasonable notice to and consultation with the resident and any available parent, guardian, or other court appointed personal representative.

Periodic evaluations shall be conducted to evaluate the resident's adjustment to the placement and determine whether the placement should be continued or the resident returned to the institution or a different place.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	46	1	(Senate amended)
House	95	0	(House concurred)

EFFECTIVE: July 26, 1981
July 1, 1983 (Section 2)

PARTIAL VETO SUMMARY:

The vetoed language would have required either parental consent or a court order prior to the community placement of a developmentally disabled person from a state residential school. (See VETO MESSAGE)

SHB 636

C 56 L 81

BRIEF TITLE: Permitting reimbursement at monthly rates for municipal officers and employees using personal automobiles for official travel.

SPONSORS: House Committee on Local Government (Originally Sponsored By House Committee on Local Government and Representatives Lundquist and Isaacson)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

It was unclear whether counties could make monthly payments to their officers and employees who use their private automobiles on official business. Such monthly payments would be in lieu of payment for actual mileage.

SUMMARY:

Local units of government are permitted to establish payments to their officers and employees who use their private automobiles for official travel if such payments would be less costly than the cost of providing public automobiles for official travel.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	40	7

EFFECTIVE: July 26, 1981

SHB 648

C 167 L 81

BRIEF TITLE: Modifying provisions on real estate excise taxation.

SPONSORS: House Committee on Revenue (Originally Sponsored By House Committee on Revenue and Representative Greengo) (By Department of Revenue Request)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Beginning on September 1, 1981, the Department of Revenue will be responsible for administration of the 1 percent real estate excise tax. Real estate excise tax revenues will be deposited in a special account in the state general fund, and earmarked for the support of common schools.

Legislation which made these changes did not explicitly establish penalties which the Department of Revenue can assess for failure to pay this tax when due. As a result, the penalties which are assessed for the failure to pay other state excise taxes (B&O, sales/use tax, etc.) will apply.

Concerns have been raised about the requirement that both the buyer and seller of property must sign the real estate excise tax affidavit, and about the authority of the Department of Revenue to add questions to the affidavit.

SUMMARY:

Penalties are set for the failure to pay real estate excise taxes when due. Delinquent taxpayers are assessed a penalty of 1 percent per month. The Department of Revenue may assess a penalty of 50 percent of unpaid taxes if the intent to evade payment can be shown.

Real estate excise tax revenues are deposited in the basic state general fund instead of a special account in the general fund. Revenues are still earmarked for the support of common schools.

A limit is placed on the questions which must be answered by the buyer or seller on their real estate excise tax affidavit.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	42	1	(Senate amended)
House	95	0	(House concurred)

EFFECTIVE: September 1, 1981

SHB 650

PARTIAL VETO

C 250 L 81

BRIEF TITLE: Establishing school district building fund and specifying purposes for which it may be used.

SPONSORS: House Committee on Education (Originally Sponsored By House Committee on Education and Representative Cantu)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

Proceeds from the sale of bonds and leasing of buildings must be deposited in a school district's building fund. In addition, school districts may levy additional funds upon voter approval to be deposited into the building fund. Building fund moneys may only be used for the purchase of real property, the construction of buildings, improving the energy efficiency of school buildings or installing systems to utilize renewable or inexhaustible energy resources, or for major and minor structural changes and additions to buildings and building sites.

School districts are not authorized to use the building fund for the purchase and replacement of equipment or furniture.

SUMMARY:

A new fund is created called the building reserve fund. The existing building fund is incorporated into another new fund called the building and capital projects fund.

The permissible uses for bond sale revenue are identified more specifically to conform to present practice. In addition to the present uses indicated in statute, bond proceeds may be used for necessary initial equipment and furniture for a capital facility; special assessments for capital improvements such as streets, curbs, water mains, drainage, and sidewalks; and other

normal and necessary costs of acquisition and construction.

Money to be deposited in the building and capital projects fund includes, but is not limited to, bond proceeds, excess levies, a portion of the basic education allocation as requested by the district, investment earnings, and transfers from the building reserve fund. Proceeds from the sale of bonds must be deposited into the building and capital projects fund, and may only be used for the purposes allowed for bond proceeds. However, money deposited into the fund from other sources may be used for additional purposes, including major renovations and the replacement of facilities and systems where periodic repairs are no longer economical.

The building reserve fund may be used for the purchase and/or installation of additional major equipment or furniture, energy audits of school district buildings and resultant cost effective energy capital improvements, and for transfers to the building and capital projects fund. Money to be deposited in the building and equipment reserve fund includes, but is not limited to rental and lease proceeds from real property, and proceeds from the sale of real property.

Proceeds from the sale of real property may be deposited into the bond interest and redemption fund or the building reserve fund.

VOTES ON FINAL PASSAGE:

House	98	0	
Senate	45	1	(Senate amended)
House	96	2	(House concurred)

EFFECTIVE: September 1, 1981

PARTIAL VETO SUMMARY:

School districts will retain the broad authority to use bond proceeds for capital construction or structural changes that are necessary or proper to carry out the functions of a school district. Section 1, if not vetoed, would have limited this authority. In addition, a more specific description of the allowable uses of bond proceeds is vetoed, which would have provided conformity between the statutes and current practice. (See VETO MESSAGE)

HB 664

C 66 L 81

BRIEF TITLE: Modifying requirements for annexation petitions.

SPONSORS: Representatives Leonard, Berleen and McGinnis

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

Existing law provides that an annexation to a city or town by the direct petition method is presented to the city or town by the submission of a petition calling for the annexation which is signed by the owners of not less than 75 percent of the value of property proposed to be annexed. Property owners adjacent to Spokane have expressed concern that their property could be annexed by petition to the city without their having a real choice in the matter. This could occur due to the large amount of federally owned and city owned tax exempt property in the area.

SUMMARY:

The value of tax exempt property may not be considered in the determination of the required signatures by property owners under the direct petition method of annexation for any city or town east of the Cascade Mountains with a population greater than 160,000 people. However, tax exempt property may be annexed into such a city or town if the required signatures of owners of 75 percent of the value of the taxable property are included in the annexation petition. Exclusively tax exempt property may be annexed into such a city or town where owners of 75 percent of the value of the tax exempt property sign an annexation petition.

A severability clause is included.

VOTES ON FINAL PASSAGE:

House	81	14	
Senate	40	9	(Senate amended)
House	72	25	(House concurred)

EFFECTIVE: April 25, 1981

SHB 667

C 168 L 81

BRIEF TITLE: Modifying provisions relating to school districts.

SPONSORS: House Committee on Education (Originally Sponsored By House Committee on Education and Representatives Nelson (G.) and Sommers)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: Education

BACKGROUND:

The Levy Lid Act, as passed by the 1977 Legislature, contains a provision that allows school districts to levy additional local taxes in excess of the 10 percent basic levy lid. This additional capacity is commonly referred to as the "grandfather clause." In 1979, the Legislature amended the act and set a termination date of the grandfather clause beginning with the 1983 calendar year tax collections. For many districts in the state, this would result in a significant and immediate decrease in the ability to levy additional local taxes.

SUMMARY:

A method is provided for the "grandfather" capacity to be phased down over a seven year period to the 10 percent basic levy lid. For the 1982 tax collections, the total levy capacity for each district will be calculated as if the 1981 law did not pass. Thereafter, the total levy capacity will be determined as follows: (1) The 1983 levy capacity will be the same as the maximum dollar amount calculated for 1982; (2) After 1983, the levy capacity will be determined by use of a base amount calculated from the 1982 capacity. The 1982 capacity will be divided by the prior school year's basic education and state categorical allocation to arrive at a base year levy percentage figure. This base year percentage becomes the starting point for a seven year reduction in the percentage of allowable collections based on the prior year's state allocation. The reduction begins in calendar year 1984, and the percentage level is reduced in equal increments down to a 10 percent level by 1990. In calendar year 1990, all districts will have their excess levy capacity equal to 10 percent of the prior year's basic education and state categorical allocation.

VOTES ON FINAL PASSAGE:

House	94	4	
Senate	47	2	(Senate amended)
House	92	3	(House concurred)

EFFECTIVE: July 26, 1981

HB 677

C 341 L 81

BRIEF TITLE: Granting emergency powers to the governor to operate the Puget Sound ferry and toll bridge system.

SPONSORS: House Committee on Transportation and Representatives Schmidt, Wilson, Eberle, Houchen, Owen, McCormick, James, Lundquist, Nisbet and Berleen

HOUSE COMMITTEE: Transportation

SENATE COMMITTEE: Transportation

BACKGROUND:

The Department of Transportation operates the Washington State Ferry System. In emergency situations, it may be beneficial for the Governor to have power to act quickly to ensure continued operation of the system.

SUMMARY:

The Governor is authorized to take the necessary action to insure continued operation of the ferry and toll bridge system under any emergency circumstances that threaten interruption of system services. The Governor may assume all the powers over the ferry system granted to the Transportation Commission and the Department of Transportation during emergencies affecting the operation of the ferry system. Notwithstanding provisions requiring observance of collective bargaining agreements, during emergencies the Governor may contract with any qualified persons for the operation of the ferry system, or for ferry service to be provided by privately-owned vessels. The Department of Transportation will reimburse the Governor's Office for any administrative expenses incurred.

VOTES ON FINAL PASSAGE:

House	69	29
Senate	27	21

EFFECTIVE: May 19, 1981

HB 681

PARTIAL VETO

C 57 L 81

BRIEF TITLE: Implementing law relating to electrical installations with reference to medical devices and equipment.

SPONSORS: House Committee on Labor and Economic Development and Representatives Patrick, Sanders, Barrett, Hankins and Scott

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

State law provides that all electrical installations and all "materials, devices, appliances and equipment" used in such installations must meet the state's electrical safety standards. The Department of Labor and Industries — which inspects electrical installations — has interpreted this section quite broadly. It has taken the position that the above language covers medical equipment in hospitals, including some equipment which plugs into standard 110-volt circuits.

The Department has also taken the position that standards established by Underwriters' Laboratories (UL) or equivalent organizations should be applied to such equipment. To seek UL approval, manufacturers generally must provide samples of equipment which UL will test until the equipment is destroyed. As a result, many manufacturers of large, complex and expensive medical equipment (e.g., a CAT scanner) do not submit samples for testing, and the equipment is considered out of compliance with state law.

The federal Medical Devices Amendments of 1976 were passed to insure both the safety and effectiveness of "medical devices." (The definition of medical devices includes the equipment described above.) The Food and Drug Administration administers this law, and has established extensive regulations concerning medical equipment.

SUMMARY:

Any device used in the diagnosis or treatment of disease or injury which does not violate federal law is deemed to be in compliance with the state's electrical safety laws.

VOTES ON FINAL PASSAGE:

House	94	4
Senate	48	0

EFFECTIVE: April 23, 1981

PARTIAL VETO SUMMARY:

The usual rules of statutory construction will be applied to the provisions of the act. The vetoed section provided that the new statutory language was to be liberally construed and would prevail if it came into conflict with any other law. (See VETO MESSAGE)

HB 692

C 169 L 81

BRIEF TITLE: Implementing the law relating to filling of vacancies on water and sewer district commissions.

SPONSORS: House Committee on Local Government and Representative Isaacson

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

No procedures have been established to fill two vacancies on a three-member board of sewer district commissioners or three-member board of water district commissioners.

SUMMARY:

Whenever two vacancies occur on a three-member board of sewer district commissioners or three-member board of water district commissioners, the remaining commissioner appoints a second commissioner, and the two commissioners then appoint a third commissioner.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	45	0

EFFECTIVE: July 26, 1981

HB 697

FULL VETO

BRIEF TITLE: Modifying the application of the appearance of fairness doctrine.

SPONSORS: House Committee on Local Government and Representative Isaacson

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Judiciary

BACKGROUND:

Washington courts have developed a rule of law known as the "appearance of fairness" doctrine. Under this doctrine, an application before a governmental official or body not only must have a fair hearing, but it must appear to a neutral observer that the hearing was fair. Various decisions on land use applications, such as rezone and subdivision applications, have been invalidated under the appearance of fairness doctrine because of private meetings between a government official and a party applying for a permit or application.

SUMMARY:

The "appearance of fairness" doctrine is limited and eliminated as follows: (1) The right to petition county, city, and town officials may not be limited by the appearance of fairness doctrine; and (2) a decision by a municipal legislative body may not be invalidated based upon this doctrine unless it can be demonstrated that the deliberative functions of the body were prejudiced by reason of the act purported to form the basis of an appearance of fairness challenge.

VOTES ON FINAL PASSAGE:

House	97	1	
Senate	45	4	(Senate amended)
House	81	13	(House concurred)

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

HB 701

C 82 L 81

BRIEF TITLE: Modifying provisions relating to accounts offered by financial institutions.

SPONSORS: Representatives Dawson and Williams

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

During the past few years, many money market mutual funds have been established. These funds now have more than $105 billion in assets, money which normally would have been invested in financial institutions. Federal banking regulations prohibit financial institutions from offering these accounts.

SUMMARY:

Subject to federal approval, Washington's financial institutions are authorized to offer a deposit account which is very similar to a money market mutual fund. The interest paid to the depositor is allowed to go up and down depending on the returns received on the purchased assets.

Various restrictions are placed on the accounts, including some disclosure provisions, such as requiring a notice to a depositor that the deposit may not be insured and that the depositor may receive less than the original amount of the deposit. The notice that a depositor may receive less than his original investment must be more conspicuously disclosed than anything else.

The Depository Institutions Deregulation Committee is asked to designate Washington an experimental state so that Washington's financial institutions may offer these deposits.

New Rule Making Authority: The Supervisor of Banking and the Supervisor of Savings and Loan Associations are granted rule-making authority.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	47	0

EFFECTIVE: July 26, 1981

HB 705

FULL VETO

BRIEF TITLE: Prohibiting code city-owned cable systems if a private system is available.

SPONSORS: House Committee on Local Government and Representative Sanders

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

Several years ago, the city of Issaquah granted franchises to the predecessor of the Teleprompter Corporation giving the predecessor monopoly status to provide television cable service without competition throughout the city in return for the privilege of placing television cable on the city rights-of-way. One of the conditions of this grant of monopoly status accorded Issaquah the power, during the life of the grant, to acquire by purchase or condemnation all of the property of the grantee. The predecessor accepted the grant of franchise and its conditions. During a subsequent dispute over the rates of franchise fee charged by the city, Issaquah elected to exercise its rights and acquire the cable system. The Supreme Court upheld the inherent authority of a city to establish such conditions in a monopoly grant of franchise that is freely accepted by the cable company.

SUMMARY:

Code cities are precluded from acquiring, owning, or operating a television cable system within their boundaries if a privately owned cable television system is providing franchise service in the area and is meeting Federal Communication Commission standards for transmission.

VOTES ON FINAL PASSAGE:

House	83	12
Senate	30	18

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

HB 707

C 170 L 81

BRIEF TITLE: Appropriating funds for water supply facilities.

SPONSORS: House Committee on Appropriations-Human Services and Representatives Mitchell, Ehlers, Erickson, Scott, King (R.), Martinis, Grimm and Walk

HOUSE COMMITTEE: Appropriations-Human Services

SENATE COMMITTEE: Ways and Means

BACKGROUND:

In November of 1980, the voters of the State of Washington passed Referendum 38. This referendum authorized the sale of $75 million in bonds to finance water supply projects.

The Department of Social and Health Services (DSHS) has already received applications for projects in Everett, Snohomish and Puyallup. Yet, none of the referendum funds have been appropriated to DSHS for disbursement.

A request has been made for the appropriation of referendum funds in the 1981-83 biennial budget, but this appropriation is not effective until July of 1981.

If a portion of the referendum funds were appropriated before July of 1981, monies could be made available to projects early and thereby prevent costs from rising due to inflation.

SUMMARY:

Appropriation: $10 million is immediately appropriated from the state and local improvements revolving account in the general fund to the Department of Social and Health Services for water supply facilities. The appropriation is made out of the proceeds of bonds issued pursuant to Referendum 38.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	46	1

EFFECTIVE: May 14, 1981

SHB 711

(Allowed to become law without signature)

C 343 L 81

BRIEF TITLE: Providing reimbursement for school district transportation costs only to school geographically nearest or next-nearest to student's place of residence.

SPONSORS: House Committee on Education (Originally Sponsored By Representatives Addison and Lane)

HOUSE COMMITTEE: Education

SENATE COMMITTEE: State Government

BACKGROUND:

School districts are reimbursed for the costs of transporting pupils to and from the school of attendance under rules adopted by the Superintendent of Public Instruction.

SUMMARY:

Effective September 1, 1982, no school district may be reimbursed for any portion of the cost of transporting any student, except handicapped children, to or from any school other than one which is geographically located nearest or next-nearest to the student's place of residence within the district offering the appropriate grade level, course of study, or special academic program as designated by the local school board. The Superintendent of Public Instruction may waive these provisions if natural geographic boundaries or safety factors make them unworkable or too costly.

Any money not reimbursed to a school district for transportation costs as a result of the above provisions are to be allocated to that school district for special programs.

VOTES ON FINAL PASSAGE:

House	56	41	
Senate	38	11	(Senate amended)
House	55	41	(House amended)

EFFECTIVE: July 26, 1981

HB 727

C 171 L 81

BRIEF TITLE: Modifying provisions relating to assessments of forest land for fire protection and suppression purposes.

SPONSORS: House Committee on Appropriations-General Government and Representative Williams

HOUSE COMMITTEE: Appropriations-General Government

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Revenues derived from the forest patrol assessment provide partial support for the Department of Natural Resources' forest fire protection program. This program currently provides forest fire protection for 2.1 million acres of state land and 9.6 million acres of private forest land. The forest patrol assessment was last increased in 1971.

SUMMARY:

The forest patrol assessment is increased from 18 cents to 20 cents per acre per year on forest lands west of the Cascades; from 14 cents to 16 cents per acre per year on forest lands east of the Cascades. The maximum assessment on forest lands for administrative costs incurred by the Department of Natural Resources is raised from one-half cent to 1 cent per acre. The increased assessments will be payable in 1982 and thereafter.

VOTES ON FINAL PASSAGE:

House	96	1	
Senate	30	14	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: May 14, 1981 except assessment provisions of section 1 are payable in 1982 and thereafter

HB 734

C 305 L 81

BRIEF TITLE: Relating to the sale, purchase, or exchange of used mobile homes in conjunction with real estate.

SPONSORS: House Committee on Labor and Economic Development and Representatives Patrick and Sanders

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

The statutory definition of "real estate broker" did not contain any reference to mobile homes. Real estate brokers were not permitted to be involved in the sale of mobile homes, unless the land on which the mobile home was located was also being sold. They were required to obtain a mobile home dealer's license in order to negotiate the sale of mobile homes on land which was being rented or leased rather than sold.

SUMMARY:

The definition of "real estate broker" is amended to include persons negotiating the sale of used mobile homes made in conjunction with the sale, rental or lease of the land on which the mobile home is located.

The definition of "vehicle dealer" is amended to exclude a real estate broker performing the above activities, unless the broker is acting as an agent or representative of a vehicle dealer.

VOTES ON FINAL PASSAGE:

House	98	0
Senate	44	1

EFFECTIVE: July 26, 1981

SHB 747

C 74 L 81

BRIEF TITLE: Modifying the taxation of nonprofit youth organizations.

SPONSORS: House Committee on Revenue (Originally Sponsored By Representatives Greengo and Bickham)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

Nonprofit youth organizations are subject to the Business and Occupation Tax on (1) membership fees and dues which represent payment for goods and services received and (2) amounts received from members for camping and recreational services.

Also, nonprofit youth organizations are subject to the sales tax on the sale of amusement and recreational services.

SUMMARY:

Nonprofit youth organizations are not subject to the Business and Occupation Tax on (1) membership fees and dues which represent payment for goods and services received and (2) amounts received from members for camping and recreational services.

Nonprofit youth organizations are not subject to the sales tax on the sale of amusement and recreational services.

In order to qualify for an exemption, the youth organization must qualify for a property tax exemption.

VOTES ON FINAL PASSAGE:

House	96	0
Senate	45	0

EFFECTIVE: July 26, 1981

SHB 753

C 172 L 81

BRIEF TITLE: Modifying excise tax provisions.

SPONSORS: House Committee on Revenue (Originally Sponsored By House Committee on Revenue and Representative Greengo)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The cigarette tax is levied at the rate of 16 cents per pack. This tax was last changed in 1971 when it was increased by 5 cents per pack.

The basic rates applied to most businesses under the B&O tax are .44 percent for retailing, wholesaling and

manufacturing and 1 percent for services. There are a series of differential rates which apply to various businesses and activities.

The reporting requirements for excise taxes were altered recently. The result of this alteration would benefit by technical refinements.

SUMMARY:

The cigarette tax is increased from its current level of 16 cents to 20 cents per pack.

The differential B&O tax rates for aluminum manufacturers and cigarette wholesalers are eliminated and these businesses are taxed at .44 percent.

Technical changes are made in the methods of handling excise tax payments and delinquencies.

VOTES ON FINAL PASSAGE:

House	54	42
Senate	25	23

EFFECTIVE: July 1, 1981, except:
September 1, 1981 (Section 9)
October 1, 1981 (Sections 7 and 8)
July 1, 1983 (Section 10)

SHB 1610

Override of Veto from 1980 Regular Session

C 3 L 81

BRIEF TITLE: Creating the state investment board.

SPONSORS: House Committee on State Government (Originally Sponsored by Representatives McDonald, Sommers, Taller, Nelson (G.), Thompson, Becker, Nisbet, McGinnis, Garrett, Schmitten, Taylor, Williams, Struthers, Addison, Granlund, Hughes, Dunlap, Greengo, Sanders, Nelson (D.), and Hastings)

HOUSE COMMITTEE: State Government (1980)

SENATE COMMITTEE: State Government (1980)

BACKGROUND:

Authority to invest state trust and retirement funds was shared among the various retirement system boards and the State Finance Committee. Because of this fragmented and cumbersome structure, it was difficult to arrive at critical management decisions regarding investment policy. It was argued that a consolidated investment board might alleviate this problem and result in greater management control over the state's investments.

SUMMARY:

The authority to invest state trust and retirement funds is transferred from the State Finance Committee to a newly created State Investment Board, effective July 1, 1981. The new board consists of nine voting members and five nonvoting members, who advise the board on investment policy. The voting members include a member of PERS, appointed by the Governor; a member of LEOFF, appointed by the Governor; a member of TRS, appointed by the Superintendent of Public Instruction; a retired member of one of the state retirement systems, appointed by the Governor; the State Treasurer; the Director of the Department of Labor and Industries; the Director of the Department of Retirement Systems; a State Representative, appointed by the Speaker of the House of Representatives; and a State Senator, appointed by the Senate President. The nonvoting members will be appointed by the voting members. Neither the Senate nor the House members may serve as chairperson or vice-chairperson. An executive director will be employed, subject to confirmation by the State Finance Committee, for a term of three years.

The funds over which the Investment Board has investment authority are Public Employees' Retirement System funds, Law Enforcement Officers and Firefighters Retirement Fund, Teachers' Retirement System Fund, Washington State Patrol Retirement Fund, Judicial Retirement Fund, medical aid and accident funds, and permanent trust funds.

The State Treasurer has the direct responsibility to invest cash balances of treasury funds. The State Finance Committee retains the responsibility for debt management—the issuance and sale of bonds.

The Investment Board will be funded from the Investment Reserve Account subject to legislative appropriation. $5,000 is appropriated from the investment reserve account to the State Investment Board to cover transition costs.

(Modifications to this measure were made by SB 3740; see bill report on SB 3740 this report.)

VOTES ON FINAL PASSAGE:

Votes to Override Gubernatorial Veto

House	95	2
Senate	42	7

EFFECTIVE: February 6, 1981 (Sections 2, 4, 5, 6, 7, 10, 11, 16 and 47)
July 1, 1981 (all other sections)

SHJM 4

BRIEF TITLE: Requesting reallocation of federal funds to aid victims of the Mt. St. Helens eruption.

SPONSORS: House Committee on Local Government (Originally Sponsored By Representatives Lundquist, James, Chamberlain, Van Dyken, Barr, Leonard, Isaacson, Erickson, Barrett, Monohon, Garrett, Berleen, North, Stratton, Hine, Lewis, Lane, Johnson and Heck)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

BACKGROUND:

After the recent eruptions of Mount St. Helens, the federal government appropriated over $900,000,000 to fund aid and recovery costs for victims of the eruptions and governments which were impacted by the eruptions. Much of this money has not been expended. Not all of the costs incurred by government are eligible for federal reimbursement. A 75/25 percent reimbursement agreement was "forced" upon the state.

SUMMARY:

The President and Congress are requested to: (1) reassess and reallocate the funds appropriated to meet the needs of people and governments as a result of the Mount St. Helens eruptions; (2) reassess the eligibility criteria contained in the federal reimbursement program; and (3) reassess the 75/25 percent reimbursement agreement to provide greater aid to affected governmental entities.

VOTES ON FINAL PASSAGE:

House	92	0
Senate	48	0

EFFECTIVE: March 17, 1981

SHJR 7

BRIEF TITLE: Proposing constitutional amendment allowing state and municipal corporations and public corporations acting on their behalf to issue revenue bonds.

SPONSORS: House Committee on Local Government (Originally Sponsored By Representatives Chamberlain, Isaacson, Garrett, Galloway, Barrett, King (J.), Winsley, Nickell, Garson, Heck, Hine, Williams, Lundquist, Teutsch, Tilly, Stratton and Wang)
(By Governor Spellman, Secretary of State, State Treasurer Request)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Rules

BACKGROUND:

Most other states allow the state, or certain local units of government, to issue revenue bonds used to finance the acquisition of land, structures, and improvements, or the construction of structures and improvements, for the benefit of individuals or businesses. Federal statutes exempt interest payments on most of these bonds from federal income taxation.

It appears that the "lending of the credit" provisions of the Washington State Constitution preclude the state, or any local units of government in the state, from issuing such bonds used for the benefit of businesses or most individuals.

SUMMARY:

A proposed amendment to the Washington State Constitution will be submitted to the voters at the next general election.

The proposed amendment allows the Legislature to authorize the state, counties, cities, towns, port districts, and public corporations created by such entities to issue nonrecourse revenue bonds or other nonrecourse revenue obligations to finance industrial development projects as defined in legislation. After the Legislature has authorized the issuance of these bonds or obligations, the statutory definition of industrial development project may not be expanded unless the change is approved by three-fifths of the members of each house of the Legislature without an emergency clause and thereby being subject to a referendum petition.

The bonds and obligations shall be payable only from money or other property received as a result of projects financed by these bonds and obligations and from money and property from private sources. These bonds and obligations may not be payable from or secured by any tax funds or governmental revenue or by the faith and credit of the state or local government. No attributes of sovereignty, such as the power to tax or exercise eminent domain, shall be used on behalf of such an industrial development project.

The bonds and obligations may be issued only if the issuer certifies that it believes that the interest paid on the bonds or obligations will be exempt from federal income taxation. Proceeds of the bonds and obligations issued for financing privately owned property or loans to private persons or corporations may be audited by the state and are not deemed to be public money or public property.

VOTES ON FINAL PASSAGE:

House	86	12	
Senate	37	12	(Senate amended)
House	86	12	(House concurred)

EFFECTIVE: April 26, 1981

HCR 2

BRIEF TITLE: Creating a 1981 Joint Ad Hoc Committee on Science and Technology.

SPONSORS: Representatives Isaacson, Valle, Bond, Sherman and Sanders
(By Joint Ad Hoc Committee on Science and Technology Request)

COMMITTEE: Joint Ad Hoc Committee on Science and Technology

BACKGROUND:

The Joint Ad Hoc Committee on Science and Technology was established to oversee a legislative planning project on science and technology. In 1979, the Committee recommended the establishment of a legislative science and technology information system. In 1980, plans were developed for the establishment of that system.

The Washington State Legislature is one of seven states to receive a three-year National Science Foundation grant for implementing a science and technology system.

SUMMARY:

The Joint Ad Hoc Committee on Science and Technology is re-established and charged with the responsibility to implement the proposals of the 1979 and 1980 Committees.

The Joint Committee may appoint a technical advisory committee made up of representatives of the public and private scientific communities to assist the Legislature in the design and implementation of the information system.

Revenue: Three-year National Science Foundation grant:

FY81	$47,976
FY82	$55,503
FY83	$65,064

VOTES ON FINAL PASSAGE:

House	97	0
Senate	48	0

EFFECTIVE: February 9, 1981

HCR 4

BRIEF TITLE: Declaring foreign trade policy.

SPONSORS: House Committee on Labor and Economic Development and Representatives Patrick, Sanders, Scott, Flanagan, Smith, Garrett, Brown, Barrett, Hankins, Clayton, Eberle and Warnke

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

BACKGROUND:

In dealing with foreign trade throughout the world, Washington needs an additional tool to show the world and the rest of the nation that this state takes its trade program very seriously. Although the state does have a program, there is no articulated policy on foreign trade.

SUMMARY:

The policy of the Legislature is to encourage all segments of state government to give strong consideration to measures to assist the development of domestic and international commerce by (1) working

with local governments; (2) forming a legislative committee to primarily consider legislation affecting world-wide trade which would encourage future employment, tax revenue, a healthy environment, investment of foreign capital and intergovernmental trade missions; and (3) developing an effective data base with computerized collection and retrieval capacity for trade promotion.

In addition, it is the policy of the Legislature to increase state government and public awareness of the importance of international trade and business to the state, to review laws inhibiting foreign trade, and to support educational and research programs.

VOTES ON FINAL PASSAGE:

House adopted by voice vote
Senate 38 9

EFFECTIVE: April 9, 1981

HCR 7

BRIEF TITLE: Establishing an interim joint committee on illegal drug trafficking.

SPONSORS: Representatives Nelson (G.), Stratton, Nelson (D.), Patrick, Wilson, Mitchell, Salatino and Granlund

HOUSE COMMITTEE: Rules

SENATE COMMITTEE: Rules

BACKGROUND:

Legislators have expressed concern that the lack of objective information about the social and economic impact of the problems of illegal drug trafficking and drug use has resulted in public confusion regarding ways to address the problems and an absence of public policy addressing the social and economic impact of these problems.

SUMMARY:

An interim joint select committee is created to study illegal drug trafficking. The committee will study and investigate existing state and local government law enforcement programs, drug addict rehabilitation programs and public education programs related to drug use.

The committee is composed of three members of each political party appointed from their respective houses by the Senate majority leader and the Speaker of the House. Costs and responsibilities for providing staff and other resources will be shared equally by the houses.

Future Obligation: The interim joint select committee on illegal drug trafficking will report the results of its inquiries and its recommendations for further legislative action to the Legislature prior to the convening of the 1982 regular session.

VOTES ON FINAL PASSAGE:

House adopted by voice vote
Senate 48 0 (Senate amended)
House 95 0 (House concurred)

EFFECTIVE: April 16, 1981

HCR 17

BRIEF TITLE: Encouraging the location of high technology industries in Washington state.

SPONSORS: Representatives Wilson, Nelson (G.), Mitchell, Houchen, Scott, Sprague, Grimm, Ehlers, Erickson, King (R.), Clayton, Martinis, Walk, Sanders, Johnson, Lundquist, Gallagher, Eberle, Bender and Granlund

BACKGROUND:

Two large firms in the electronics industry are considering locating in Snohomish and Pierce Counties, but are concerned about the availability of public improvements offered by the counties. The Legislature believes that the electronics industry and related high technology industries are environmentally suitable growth industries and should be encouraged to locate here.

SUMMARY:

The Legislature resolves that the 1981 Regular Session will take appropriate action to assist Pierce and Snohomish Counties in the provision of public improvements to the electronic firms should they locate in their counties.

VOTES ON FINAL PASSAGE:

House (adopted by voice vote)
Senate 40 7

EFFECTIVE: March 23, 1981

HCR 19

BRIEF TITLE: Urging the construction of a bulk coal handling facility.

SPONSORS: Representatives Williams and Thompson

BACKGROUND:

The western U.S. has vast reserves of coal. The use of coal by this country's Asian trading partners could lower world demand for petroleum and thus ease a world energy crisis caused by a dependence on oil.

The Port of Kalama in Cowlitz County has secured private financing for a bulk coal handling facility to be built on port property. The Cooperative Development Committee of the Washington Public Ports Association has endorsed the port's planned facility.

SUMMARY:

The Legislature finds that a need exists for a bulk coal handling facility and states that such a facility should be permitted and built as soon as possible.

VOTES ON FINAL PASSAGE:

House (adopted by voice vote)
Senate (adopted by voice vote)

EFFECTIVE: March 25, 1981

HCR 26

BRIEF TITLE: Authorizing studies by the legislative transportation committee and the standing committees on transportation.

SPONSOR: Representative Wilson

HOUSE COMMITTEE: none

SENATE COMMITTEE: none

BACKGROUND:

Chapter 43.88 RCW authorizes the Legislative Transportation Committee and the House and Senate Standing Committees on Transportation to study transportation policies and issues of concern to the state.

Chapter 43.88 RCW requires certain oversight activities on the part of the Legislative Transportation Committee of those agencies who derive revenue support from the motor vehicle fund.

SUMMARY:

The Legislative Transportation Committee in conjunction and cooperation with the House and Senate Committees on Transportation is authorized to perform studies pertaining to transportation matters. The Committees are authorized to study: (1) the long-range funding requirements for state transportation programs; (2) the budget and allotment practices of the Department of Transportation; (3) existing and alternative methods for financing state transportation programs; (4) the state ferry system; (5) legislation affecting ferry employee labor relations; (6) a study of the material sources for highway construction materials; (7) the allocation of motor vehicle funds for highway construction programs specifically addressing Category C projects, developing criteria and necessary funding levels; (8) the distribution formula for allocating the counties' share of fuel tax revenues; (9) the need for a new bridge over the Duwamish Waterway; (10) the impact of changes in federal trucking regulations and the potential impact of proposed state trucking deregulation; (11) the need for new or improved transportation systems to operate in the Western Washington corridor; (12) future funding requirements for public transportation systems operating in this state.

The Legislative Transportation Committee and the Standing Transportation Committees are empowered to study any other transportation matters that they deem necessary and shall report the results of any studies or investigations to the 1983 Regular Session of the Legislature.

VOTES ON FINAL PASSAGE:

First Special Session		
House	92	6
Senate	32	12

EFFECTIVE: April 28, 1981

SB 3000

PARTIAL VETO

C 338 L 81

BRIEF TITLE: Modifying provisions relating to confirmation of gubernatorial appointees.

SPONSORS: Senators von Reichbauer, Clarke, Bottiger, Hayner, Sellar, Goltz, Talmadge and Jones
(By Senate Select Committee on Confirmation of Appointments Request)

SENATE COMMITTEE: Constitutions and Elections

HOUSE COMMITTEE: State Government

BACKGROUND:

The Senate Select Committee on Confirmation of Appointments, established in 1980, recommended several changes in Senate confirmation procedures.

Since 1955, the Senate has permitted the Governor to withdraw unconfirmed appointees with the consent of the Senate. Upon assuming office, Governor Rosellini was permitted to withdraw 12 appointments; Governor Evans, two; Governor Ray, 154; and Governor Spellman, 74. No statutory or constitutional authority exists for this withdrawal. The Select Committee proposed that withdrawals be governed by statute.

Under current law, the Governor must transmit appointments to the Senate within five days of the close of each session. The Select Committee proposed that appointments be required to be transmitted by an earlier date.

According to practice, appointees, except those to the State Personnel Board or Higher Education Personnel Board, may continue serving unless the Senate expressly votes to reject their appointment. However, there is no express statutory authority for this practice.

Of the over 1,000 appointments made by the Governor, approximately 318 require Senate confirmation. Under current law, some policy-making appointments are not confirmed by the Senate, while other advisory-type appointments are subject to confirmation. The Select Committee proposed changes as to which appointments require confirmation.

Members of the Pharmacy Board and Horse Racing Commission serve statutory terms, yet may be removed at the Governor's pleasure. The Select Committee recommended that this inconsistency be eliminated by making these members removable only for cause.

SUMMARY:

Only upon the consent of the Senate may the Governor withdraw an appointment prior to confirmation. This prohibition does not apply where the appointee serves at the Governor's pleasure, or where the appointee is being removed for cause.

All appointments must be confirmed by the end of the first full session following appointment. Any gubernatorial appointee subject to confirmation may continue to serve unless rejected by vote of the Senate. Appointees whose confirmation is rejected may not for one year be reappointed to the same position. Persons appointed to fill an unexpired term of an appointment requiring confirmation must also be confirmed.

Persons appointed to the following are added to those appointments requiring confirmation: Adjutant General; State Patrol Chief; Organized Crime Advisory Board; Public Printer; Interagency Committee for Outdoor Recreation; Data Processing Authority; Human Rights Commission; Board of Industrial Insurance Appeals; and Game Commission.

Persons appointed to the following no longer are subject to confirmation: Emergency Medical Services Committee; Western Interstate Compact for Higher Education; Commission on Mexican-American Affairs; Commission on Asian-American Affairs; and Data Processing Authority Executive Director.

Members of the Pharmacy Board and Horse Racing Commission no longer serve at the Governor's pleasure, and may be removed only for cause.

Future Obligation: The Governor must transmit all appointments to the Senate within 14 days of the appointment.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

PARTIAL VETO SUMMARY:

Sections requiring Senate confirmation of members of the Organized Crime Advisory Board, Data Processing Authority, and Pacific Northwest Electric Power and Conservation Planning Council are vetoed. Section making members of Horse Racing Commission

removable only for "cause" is vetoed. Emergency clause also vetoed. (See VETO MESSAGE)

SSB 3006

C 176 L 81

BRIEF TITLE: Authorizing the issuance of certificates of presumed death as a result of natural disasters.

SPONSORS: Senate Committee on Social and Health Services
(Originally Sponsored By Senators Talley, Shinpoch and Wojahn)

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Human Services

BACKGROUND:

Following the eruption of St. Helens, many lives were lost and bodies not recovered. This is creating problems in establishing deaths.

SUMMARY:

The issuance of certificates of presumptive death in natural disasters is authorized where it is unlikely that the bodies will be recovered. Instead of being prima facie evidence of death, the certificate will establish the legally accepted fact of death and will allow all persons thereafter to rely on the certificate with acquittance.

The coroner may withhold information on the identity of the decedent until either (1) 48 hours have elapsed after identification of the decedent by the coroner or (2) the next of kin has been notified.

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	97	1	(House amended)
Senate	49	0	(Senate concurred)

EFFECTIVE: May 14, 1981

SB 3009

PARTIAL VETO

C 70 L 81

BRIEF TITLE: Expanding the membership of the horse racing commission.

SPONSORS: Senators Shinpoch, Rasmussen and Conner

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

The Washington Horse Racing Commission is composed of three members, one of whom must be a horse breeder of one year's standing. There is no other restriction on the number of members who can be connected with the horse racing industry, nor is there any requirement concerning geographic representation. Conditions of members' service pending confirmation by the Senate or in cases where a member is not confirmed are not specified.

Potential conflicts of interest might be avoided if at least two members of an expanded five-member Commission are prohibited from being directly connected with the horse racing industry. Assuring that geographic areas other than those surrounding the three major race tracks (Longacres, Playfair and Yakima Meadows) are represented could expand the contribution of interested citizens to Commission policy. Specifying confirmation requirements will strengthen legislative oversight.

Allowing pari-mutuel pools at licensed tracks in Washington for nationally televised races would give fans an opportunity to bet legally on the most popular races, such as the Triple Crown.

SUMMARY:

The Commission is expanded to five members, at least two of whom may not be directly connected with the horse racing industry, although one member must still be a horse breeder of one year's standing.

No more than three members may be appointed from any of the approximate geographic areas surrounding the three major racetracks, such areas commonly referred to as western, central, and eastern Washington. Any member appointed during a legislative session or in the interim thereafter shall not continue to serve beyond the adjournment of the next regular session unless confirmed by the Senate.

Should an appointee fail to be confirmed, that individual may not be reappointed to the same position for one year after termination of service.

Three members constitute a quorum for conducting Commission business.

During a race meet in Washington, a licensed track may conduct pari-mutuel pools in the racecourse enclosure on televised out-of-state races of national interest. Such races include but are not limited to the Kentucky Derby, Preakness and Belmont races.

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	94	3	(House amended)
Senate	34	14	(Senate concurred)

EFFECTIVE: April 30, 1981

PARTIAL VETO SUMMARY:

The sections expanding the membership and establishing a quorum were vetoed. Pari-mutuel pools on out-of-state televised races were limited specifically to the Kentucky Derby, Preakness and Belmont races. (See VETO MESSAGE)

SB 3015

C 177 L 81

BRIEF TITLE: Revising law relating to privacy of records.

SPONSORS: Senators Rasmussen and Deccio (By Legislative Budget Committee Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: State Government

BACKGROUND:

Prior to 1977, the Department of Personnel and the Higher Education Personnel Board had regular access to Employment Security Department records for the purpose of conducting salary surveys. The 1977 Employment Security Record Privacy Act, by imposing a number of requirements on government agencies requesting access, has increased the cost of conducting these salary surveys. The Legislative Budget Committee in reviewing this matter has recommended that these two personnel agencies be granted an exemption from compliance.

SUMMARY:

The Department of Personnel and the Higher Education Personnel Board may have access to Employment Security Department records for the purpose of conducting salary surveys without having to notify each employee that an application for access has been made.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3018

C 90 L 81

BRIEF TITLE: Updating provisions allowing state credit unions to exercise powers conferred on federal credit unions doing business in state.

SPONSORS: Senators Talley, Lee and Quigg

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

State chartered credit unions believe they should be able to exercise the same powers granted to federally chartered credit unions. The Legislature passed a law in 1979 to allow the Supervisor of Savings and Loans to equalize the differences that existed with regard to credit unions as of April 1, 1979. The Supervisor needs authority to equalize the differences that have occurred since April 1, 1979.

SUMMARY:

Powers granted federally chartered credit unions are adopted for state chartered credit unions as of the effective date of the act. The Supervisor of Savings and Loans may thereafter update on a continuing basis the powers of state chartered credit unions to conform with federal credit unions. Such changes must be made for the convenience and advantage of members and maintain fairness of competition and parity.

New Rule Making Authority: The bill delegates new rule making authority to the supervisor of Savings and Loans as described above.

VOTES ON FINAL PASSAGE:

Senate	47	1	
House	96	1	(House amended)
Senate	33	15	(Senate concurred)

EFFECTIVE: May 8, 1981

SB 3023

C 178 L 81

BRIEF TITLE: Setting the business and occupation tax on beans, lentils and triticale.

SPONSORS: Senators Hansen and Gaspard

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Revenue

BACKGROUND:

The in-state wholesale sale of dry beans, lentils and triticale is subject to the wholesalers' B&O tax rate of .44 percent of the gross proceeds. The B&O tax rate on wheat, oats and dry beans, however, is .01 percent.

It has been proposed that the B&O tax rate on wholesale sales of dry beans, lentils and triticale be reduced to .01 percent.

Hospitals are allowed a business and occupation tax deduction on amounts received as compensation for services rendered to patients. Kidney dialysis facilities provide services similar to hospitals.

SUMMARY:

Nonprofit kidney dialysis facilities, whether or not operated in connection with a hospital, are allowed a business and occupation tax deduction on amounts received as compensation for services rendered to patients.

Revenue: The B&O tax rate on wholesale sales of dry beans, lentils and triticale is reduced from the current .44 percent to .01 percent.

VOTES ON FINAL PASSAGE:

Senate	40	6	
House	79	18	(House amended)
Senate	42	6	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3024

C 251 L 81

BRIEF TITLE: Authorizing fishing in designated areas by the Sokulk Indians.

SPONSORS: Senate Committee on Natural Resources (Originally Sponsored By Senator Hansen)

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The right of four Indian families to fish at their usual and accustomed places in the area which was flooded by the construction of Priest Rapids Dam was guaranteed by an agreement between the agency constructing the dam and the tribe. The agreement was repealed in error in the 1949 recodification of the fisheries' laws.

SUMMARY:

The Sokulk Indians are authorized to take salmon and other fish by traditional methods at any time in the Columbia River between Priest Rapids Dam and a point opposite White Bluffs. They may also fish at their ancient fishing grounds on the Yakima River for personal use and for traditional ceremonial rights. The rights extend only to this Indian group and do not allow any commercial fishing. The authority of the Department of Fisheries to manage the resource is stated which allows the department to set seasons for fishing.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	95	2

EFFECTIVE: July 26, 1981

SSB 3034

C 21 L 81

BRIEF TITLE: Pertaining to disability and death benefits for volunteer firemen.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Conner, Talley, Vognild and Craswell)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Ways and Means

BACKGROUND:

Volunteer firemen's disability and death benefits were more limited than those allowed by the Department of Labor and Industries. Volunteer firemen's retirement pensions benefits had not been keeping up with inflation.

SUMMARY:

All disability and death benefits for volunteer firemen are raised approximately 20 percent, and correspond to those benefits paid by the Department of Labor and Industries.

Members who sustained certain injuries after October 1, 1978, which have not prevented them from working can receive disability payments.

Retirement pensions for volunteer firemen are raised approximately 25 percent.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	98	0

EFFECTIVE: July 1, 1981

SB 3039

C 179 L 81

BRIEF TITLE: Modifying the exemption for alcohol to be used in certain equipment and implements.

SPONSORS: Senators Hansen and Gaspard

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

Under current state and federal laws, alcohol produced for use as fuel must be denatured (made unfit for human consumption) prior to being moved from the place of production.

Federal regulations by the Bureau of Alcohol, Tobacco and Firearms provide an exception from the federal law for alcohol transferred from one alcohol fuel plant to another. This exception allows producers of low-proof undenatured alcohol fuel to ship to a plant capable of redistilling it into pure alcohol. Pure alcohol is required to make gasohol. The low-proof undenatured alcohol cannot be denatured prior to shipment to the other plant because the material used in denaturing interferes with the redistillation process.

The federal regulations also require that the alcohol shipments be secured with locks or seals and that consignors prepare and maintain documents containing a detailed description of the shipment.

SUMMARY:

Alcohol which is being transferred between plants involved in the distillation or manufacture of alcohol fuel need not be denatured if transferred in accordance with existing federal regulations established by the Bureau of Alcohol, Tobacco and Firearms.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	97	0

EFFECTIVE: July 26, 1981

SSB 3041

C 14 L 81

BRIEF TITLE: Providing for the appointment of members to the Pacific Northwest Electric Power and Conservation Planning Council.

SPONSORS: Senate Committee on Energy and Utilities (Originally Sponsored By Senators Williams, Gould, Talley and Hurley)

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Rules

BACKGROUND:

Congress passed the Northwest Regional Power Bill in 1980 giving consent to the formation of the Pacific Northwest Electric Power and Conservation Planning Council. The council will develop a regional conservation and electric power plan and a program to protect and enhance fish and wildlife. The council will consist of two members each from the states of Washington, Oregon, Idaho and Montana. The states are given until June 30, 1981 to appoint their respective members. If the states do not act, the council will be established instead as a federal agency with council members appointed by the Secretary of Energy.

SUMMARY:

The measure includes three elements necessary for Washington's membership in the regional council: agreement to participate in the council; provision for appointments to the council; and establishment of a continuing mechanism for filling the positions. The Governor, with the consent of the Senate, has the authority to make the appointments. Members must be residents of Washington State and may be of the same political party. They may serve part-time and such service, which must sufficiently represent the interests of the state, does not prohibit them from other gainful employment or activities. For time spent on the council, they are to receive compensation as determined by the Governor and applicable federal law. Members serve for three years, except that one of the initial appointees will serve a two-year term. Initial appointments must be made within 30 days of the act's effective date. Appointees must disclose financial information as required by statute and such other information as the Senate may request. Council members must maintain liaison with the Governor and Legislature, and state agencies are directed to provide technical assistance to them upon request with reimbursement therefor requested from BPA. The council members must submit an annual report to the Governor and Legislature describing council activities and plans.

VOTES ON FINAL PASSAGE:

Senate	44	3	
House	93	4	(House amended)
Senate			(Senate concurred in part)
House	92	2	(House receded in part)
Senate	28	20	

EFFECTIVE: March 9, 1981

SB 3042

C 83 L 81

BRIEF TITLE: Expanding the authorization for satellite facilities of financial institutions.

SPONSORS: Senators Wojahn and Clarke (By Department of General Administration Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Financial institutions were authorized to operate satellite facilities only within the state of Washington. Satellite facilities are unmanned, free-standing facilities which function similarly to cash machines. Interest has been expressed in providing the citizens of this state who are traveling greater access to their bank accounts by authorizing use of out-of-state satellite facilities.

SUMMARY:

Financial institutions (commercial banks, savings banks, savings and loan associations, and credit unions) are authorized to use satellite facilities located outside the state. Out-of-state financial institutions are authorized to use satellite facilities located within the state. This authority is conditioned upon the approval of the appropriate financial institution supervisor. The supervisor's approval is dependent upon a finding that the public convenience will be served by the proposed use of the facility. The supervisor will not grant approval for the use of satellite facilities by out-of-state financial institutions unless the facilities located in the state where these institutions are organized are made available to Washington institutions on a reciprocal basis.

The supervisor's approval of the use of in-state satellite facilities by out-of-state financial institutions does not constitute authority for them to conduct any other business in this state which is not otherwise permitted.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3046

C 180 L 81

BRIEF TITLE: Providing for postponement of an election to fill a partisan elective office becoming vacant shortly before the primary.

SPONSORS: Senators Wilson and Sellar

SENATE COMMITTEE: Constitutions and Elections

HOUSE COMMITTEE: State Government

BACKGROUND:

There are no statutory provisions for filling a partisan elective office vacancy occurring after the week following the candidates' filing period but before the general election. A 1977 Attorney General's Opinion states that vacancies which occur during this period must be filled by a write-in vote held at the general election in that same year.

The confusion for voters, candidates and election officials resulting from a write-in election could be avoided if statutory revisions to establish a more reasonable process were adopted.

SUMMARY:

Partisan elective vacancies occurring after the first day of the regular filing period and before the fourth Tuesday prior to the state primary are to be filled at the next general election. The election officer will schedule and give prior notice of a special filing period of three normal business days. These provisions do not apply if the vacancy occurs in the last year of a term of office since filings will have already been accepted for the new term.

Those vacancies occurring after the fourth Tuesday prior to the state primary and before the general election will be held in the normal manner at an election held in the subsequent year. Charter counties with provisions inconsistent with those outlined above, are permitted to follow their charter provisions.

The county legislative authority may temporarily fill a vacancy in a partisan elective office by temporarily appointing the deputy or assistant of the vacant office to serve until the office is filled by election or appointment.

The conditions under which a vacancy occurs are clarified.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3049

C 181 L 81

BRIEF TITLE: Revising law relating to confidentiality of records of health care institutions.

SPONSORS: Senators Moore, Ridder and Kiskaddon

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Human Services

BACKGROUND:

Files of hospital review committees and boards which evaluate the competency and qualifications of staff are confidential and may not be used in court proceedings. Files of hospitals' boards and committees which evaluate and review the quality of patient care may be used in court proceedings.

SUMMARY:

Immunity and exemption from court proceedings is extended to the records and files of internal hospital committees and boards charged with evaluating and reviewing the quality of patient care. Proceedings and reports of such committees or boards shall not be subject to subpoena or discovery proceedings in any civil action, except actions arising out of the committees' or boards' recommendation, which involve the restriction or revocation of the clinical or staff privileges of health care provider.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	95	0

EFFECTIVE: July 26, 1981

SB 3051

C 91 L 81

BRIEF TITLE: Adding a requirement for the issuance of a driver's license or permit under certain circumstances.

SPONSORS: Senators von Reichbauer, Conner, Gallaghan, Guess and Zimmerman (By Department of Licensing Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

When a person has his driver's license revoked for refusing to take a breathalyzer test under the implied consent law, the license is revoked for six months and he must file proof of future financial responsibility before the license can be reinstated. However, if an unlicensed driver refuses to take the breathalyzer test, he must wait six months before applying for a license but is not required to file proof of future responsibility.

SUMMARY:

An unlicensed driver who has refused to take a breathalyzer test under the implied consent law must file proof of future financial responsibility when applying for a driver's license.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3052

C 22 L 81

BRIEF TITLE: Changing the availability of certain driver records.

SPONSORS: Senators von Reichbauer, Conner, Gallaghan and Guess (By Department of Licensing Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

The Department of Licensing always considered an individual's driving record to be confidential. Because of public disclosure laws, the photographic negatives in a driver's record file could be opened for public viewing and copying. The rest of the record remained confidential.

SUMMARY:

The negatives in a driver record file shall not be made available for public inspection. The Department of Licensing may make the file available to official government law enforcement agencies for investigation of suspected criminal activity.

The Department of Licensing may provide a print of the photo and the driver's record file to the driver's next of kin in the event the driver is deceased.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	96	2

EFFECTIVE: April 17, 1981

SB 3053

C 92 L 81

BRIEF TITLE: Allowing for cancellation of "identicards" issued by the Department of Licensing.

SPONSORS: Senators von Reichbauer, Conner, Gallaghan, Guess and Zimmerman (By Department of Licensing Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

A person is prohibited from fraudulently obtaining, defacing, loaning, misusing or permitting the misuse of a driver's license. No comparable provision exists for the defacement or abuse of identicards issued by the Department of Licensing. The Department also lacks authority to cancel an identicard because of defacement or abuse by the holder.

SUMMARY:

The Department of Licensing is empowered to cancel an identicard defaced or abused in any of the ways prohibited by this bill.

The defacement or abuse of identicards by any person doing any of the acts presently prohibited for drivers' licenses is also prohibited. Violations constitute a misdemeanor.

VOTES ON FINAL PASSAGE:

Senate	45	1
House	96	0

EFFECTIVE: July 26, 1981

SB 3055

C 93 L 81

BRIEF TITLE: Exempting certain intra-family transfers from the real estate excise tax.

SPONSORS: Senators Wilson, Hayner, Hansen and Lee

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Revenue

BACKGROUND:

Currently, property transferred to a corporation wholly owned by the transferor or his spouse or children is the only intra-family transfer excluded from the real estate excise tax. This exclusion could be extended to other intra-family transfers.

The real excise tax was recodified in Chapter 82.45 RCW during the 1980 legislative session. However, the recodification will not be effective until September 1, 1981. Therefore, technical language is necessary if amendments to the real estate excise tax are made prior to September 1, 1981.

SUMMARY:

Property transferred to a partnership owned by the transferor and/or his spouse or children is excluded from the real estate excise tax. Subsequent transfers within five years of the original transfer between a partnership, corporation or trust or transfers back to the original owners are not subject to the tax so long as the transaction involves the transferor, his spouse or his children as the only owners or beneficiaries. Transfers within five years of the original transfer to non-family members, partnerships, corporations or trusts will result in a tax being imposed on the original transfer.

Technical language is set forth to insure that all references and amendments to the real estate excise tax will be accurate when codified in statute.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	98	0

EFFECTIVE: July 26, 1981
September 1, 1981 (Section 2)

SB 3057

C 94 L 81

BRIEF TITLE: Permitting hotel, restaurant, and club patrons to remove wine from the premises.

SPONSORS: Senators Charnley, Newhouse, Vognild and Benitz

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

Class C and class H liquor licenses allow for the sale of liquor for consumption on the premises only. This forces the patron to leave behind a portion of the bottle of wine paid for but not consumed.

SUMMARY:

Patrons of a hotel, restaurant or club licensed to sell wine for on-site consumption may remove from the premises wine in its original container which has been recorked or recapped when the wine has been purchased for consumption with a meal.

VOTES ON FINAL PASSAGE:

Senate	46	2
House	93	3

EFFECTIVE: July 26, 1981

SB 3058

C 23 L 81

BRIEF TITLE: Implementing law relating to commercial operations selling term papers, theses and dissertations.

SPONSORS: Senators Charnley, Goltz and Scott

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: Higher Education

BACKGROUND:

Legislation passed in 1979 made the commercial sale of term papers, theses, dissertations or other work assignments to students in the state of Washington unlawful. However, sales to students in other states by commercial enterprises operating within Washington were still permissible.

The Attorney General's Office has received complaints from colleges in many other states that their students have been receiving these materials from commercial outlets in Washington.

SUMMARY:

A commercial enterprise operating in the state of Washington may not lawfully prepare for sale such papers to students in this or any other state.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	92	6

EFFECTIVE: July 26, 1981

SSB 3060

C 182 L 81

BRIEF TITLE: Authorizing wine wholesalers and retailers to provide single-serving samples to customers for sales promotion.

SPONSORS: Senate Committee on Commerce and Labor
(Originally Sponsored By Senators Charnley, Newhouse, Vognild and Benitz)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

A wine retailer or wholesaler can sell wine in the original bottle or package. However, the wine cannot be consumed on the premises where sold. Retailers and wholesalers believe that they should be allowed to serve single-serving samples for sales promotion on the premises.

SUMMARY:

Licensees whose business is primarily the sale of wine at retail may provide samples of two ounces or less to customers for the purpose of sales promotion. These single-serving samples may be provided free or for a charge.

Brewers, wholesalers, wineries or importers may furnish samples of beer or wine to licensees for the purpose of negotiating a sale according to regulations adopted by the Liquor Control Board. The samples are subject to taxes set by statute.

Revenue: Samples shall be taxed under RCW 66.24-.290 for beer and 66.24.210 for wine.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	97	1

EFFECTIVE: July 26, 1981

SB 3062

C 183 L 81

BRIEF TITLE: Exempting traffic restrictions shown by signs from adoption through the Administrative Procedure Act.

SPONSORS: Senators von Reichbauer, Sellar, Talley and Guess
(By Department of Transportation Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

All traffic restrictions, except speed limits, proposed by the Secretary of Transportation had to be adopted

in accordance with the Administrative Procedure Act. The Department of Transportation believed exempting traffic restrictions from the Administrative Procedure Act would save administrative costs and allow a quicker response to local transportation needs.

SUMMARY:

Traffic restrictions for motor vehicles, bicyclists, and pedestrians established by the Secretary of Transportation are exempt from the requirements of the Administrative Procedure Act where notice of such restriction is given by official traffic control devices.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: July 26, 1981

SSB 3063

C 184 L 81

BRIEF TITLE: Segregating revenues within the motor vehicle fund by investment source.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators von Reichbauer, Guess, Talley, Sellar and Conner) (By Department of Transportation Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Insurance proceeds received from the loss of the Hood Canal Bridge are deposited in the Motor Vehicle Fund (MVF) and are under control of the State Treasurer for investment purposes. Peoples National Bank, as trustee for the bond holders on the bridge, has filed suit against the state, demanding that it be granted control of the insurance proceeds to assure the bond holders that the proceeds will be properly spent in accordance with bond covenants. The deposit of these proceeds in a special account of the MVF will insure that these proceeds are used only for their intended purposes.

SUMMARY:

A Hood Canal Bridge account in the Motor Vehicle Fund (MVF) is created. Property damage insurance proceeds received by the state as a result of the Hood Canal Bridge destruction and the income derived from the investment of those proceeds must be deposited in the account. All monies in this account are to be used by the Department of Transportation for bridge reconstruction or to reimburse the United States in part for federal funds used for reconstruction of the bridge.

The State Investment Board is authorized to invest surplus moneys in the Hood Canal Bridge account as the Secretary of Transportation deems appropriate. All income from such investments shall be deposited in the Hood Canal Bridge account.

VOTES ON FINAL PASSAGE:

Senate	32	15	
House	87	11	(House amended)
Senate	45	0	(Senate concurred)

EFFECTIVE: May 14, 1981

SSB 3064

C 185 L 81

BRIEF TITLE: Prohibiting abandoning junk vehicles in public parking lots.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators von Reichbauer, Sellar, Talley, Guess and Zimmerman) (By Department of Transportation Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

The Washington State Department of Transportation did not have authority to establish parking regulations for park and ride lots. The Department has been building and operating new park and ride lots and freeway flier stops to facilitate commuter ride sharing and improved public transit operations. The Department has been experiencing problems at some of these facilities due to vehicle abandonment or the parking of vehicles for extended periods of time.

SUMMARY:

Authority is delegated to the Secretary of Transportation to adopt rules governing the use and control of park and ride lots and other parking facilities operated by the Department of Transportation.

The definition of abandoned vehicle is expanded to include vehicles left for more than forty-eight hours at a publicly operated parking facility in violation of posted parking regulations.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	97	1

EFFECTIVE: May 14, 1981

SB 3065

C 95 L 81

BRIEF TITLE: Clarifying authority over limited access highway facilities.

SPONSORS: Senators von Reichbauer, Guess, Talley and Sellar
(By Department of Transportation Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Prior to the creation of the Department of Transportation in 1977, the Highway Commission was responsible for conducting limited access hearings and designating limited access highways. Enactment of legislation creating the Department of Transportation changed the hearing process to require that the Department conduct such hearings and then adopt a limited access plan.

SUMMARY:

The Transportation Commission, rather than the Department of Transportation, shall be responsible for holding public hearings prior to the establishment of any limited access facility under its jurisdiction and for adopting limited access plans.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3067

C 96 L 81

BRIEF TITLE: Modifying provisions on the intergovernmental disposition of property.

SPONSORS: Senators Talley and Gould

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Before a local government or state entity can dispose of its real or personal property to another local or state entity, superior court approval is required. For example, a sewer district was required to get a superior court order in order to transfer obsolete sewer lines to a county, which created additional expense for the county.

SUMMARY:

State and local governments are no longer required to seek superior court approval before transferring real or personal property to other public entities. Public notice and a hearing are required for property with a value greater than $5,000.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3071

C 268 L 81

BRIEF TITLE: Implementing the constitutional amendment creating a judicial qualifications commission.

SPONSORS: Senators Talmadge, Clarke, Newhouse, Wojahn, Lee and Hayner
(By Judicial Council Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

In the 1980 general election, voters approved HJR 37 which established a new procedure for the discipline and involuntary retirement of state court judges.

The central feature of the amendment was the creation of a judicial qualifications commission to process complaints against judges and make recommendations to the Supreme Court for discipline or involuntary retirement. A judge may be disciplined for censure, suspension or removal from office for violating a rule of judicial conduct or may be retired for a disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties.

The Legislature is specifically directed to provide for the commissioners' terms of office and compensation. The commission itself is directed to establish rules of procedure for commission proceedings including rules dealing with due process and confidentiality of proceedings.

SUMMARY:

The judicial qualifications commission may receive, investigate and make recommendations on complaints concerning all state court judges. The commissioners will serve four-year terms with a limit of two consecutive terms. However, commissioners may be reappointed for another term after a one year lapse. Terms will be staggered.

The membership of a commissioner terminates when the person ceases to hold the office which qualified him or her for original appointment. A commissioner may be removed from office for good cause.

Commission members serve without compensation but receive reimbursement for travel expenses and a per diem at the normal state rate. The commission may employ staff including attorneys and make any other necessary expenditures. Commission staff are exempt from state civil service.

The commission may summon and examine witnesses, require the production of books and records, and issue subpoenas. Members of the commission and staff are absolutely protected from such in any civil or criminal action based upon acts performed in their official capacity. Charges made before the commission and any evidence or information given to the commission or its staff are absolutely privileged in actions for defamation.

The commission is not subject to the Administrative Procedure Act, although the commission's proposed and final rules of procedure will be published both in the State Register and in the same manner as Supreme Court rules.

The records and files of the commission including complaints and the identity of complainants are exempt from the public disclosure requirements of state law.

The commission is directed to establish rules governing the confidentiality of its proceedings with particular consideration for the privacy interests of judges and complainants. Any person providing information to the commission or its staff or any member of the commission or its staff may be subject to contempt proceedings in superior court for violating a commission rule on confidentiality.

The commission itself is to be considered an independent part of the judicial branch of government.

New Rule Making Authority: The commission is granted rule making authority.

Future Obligations: The commission will prepare and present its operating budget to the Legislature and will make such reports to the Legislature as required by law. No time frame is specified.

Termination Date: The Commission shall cease to exist on June 30, 1987.

VOTES ON FINAL PASSAGE:

Senate	42	6	
House	97	0	(House amended)
Senate	40	3	(Senate concurred)

EFFECTIVE: May 18, 1981

SB 3072

C 186 L 81

BRIEF TITLE: Providing for subsistence, lodging, and travel expenses of pro tem judges.

SPONSORS: Senators Talmadge, Newhouse and Wojahn
(By Judicial Council Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

In 1976, the Legislature adopted a uniform system for paying state officers and employees for mileage when traveling by private vehicle. Inadvertently, reasonable and necessary subsistence and lodging expenses for temporary judges were not included in that system.

SUMMARY:

Temporary judges are included in the uniform system for paying travel, lodging, and subsistence expenses.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	95	0

EFFECTIVE: July 26, 1981

SSB 3075

C 24 L 81

BRIEF TITLE: Authorizing the investment of water and sewer district funds in interest-bearing demand accounts.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Bauer and Lee)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Sewer and water districts have accounts with local banks where they deposit daily receipts.

The State Auditor ruled that these daily receipt accounts could not receive interest since only the county treasurer was authorized to make investments.

The daily receipt money is then transferred periodically to the county treasurer.

After receipt of the money, the treasurer could refuse to invest sewer or water district money (1) for periods of less than 90 days; (2) in amounts of less than $5,000; or (3) if the district required the money during the period of investment.

SUMMARY:

Water and sewer district funds must be deposited in an account, and the account may, at the option of the district be interest bearing, subject to conditions prescribed by the State Auditor.

The county treasurer may request that deposits be transferred to the treasurer at appropriate times.

The county treasurer may refuse to invest only those monies that must be disbursed during the period of investment to meet obligations of the district.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	98	0

EFFECTIVE: July 26, 1981

SSB 3076

C 18 L 81

BRIEF TITLE: Providing for the taxation of vending machine sales of food.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Goltz, Jones, Wojahn, Craswell and Shinpoch)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

Initiative 345, which took effect on July 1, 1978, removed the sales tax from food. However, the initiative was unclear as to how food products sold through vending machines should be taxed. The Department of Revenue issued an excise tax bulletin on this subject.

Sales of all convenience food products were subject to the retail sales tax when sold by vending machine which were operated in such a way as to invite or permit consumption of the food at or near the premises where the food was sold. This circumstance was presumed to occur where customers were provided facilities for immediate consumption of food sold, such as tables, chairs or counters, etc.

Vending machine operators and the Department of Revenue found it difficult and costly to ensure that proper amounts of sales taxes were remitted to the state. Problems of verification arose because vending machines were located at many sites, and the taxability of food sales depended on the locations of machines.

SUMMARY:

The distinction between the taxable and nontaxable status of food products sold through vending machines is removed. The retail sales tax will apply to 57 percent of the gross receipts from food products sold through vending machines.

Hot, prepared food items, dispersed from vending machines, remain fully taxable under the retail sales tax. However, food products which are heated after they have been dispensed from the vending machine are subject to sales tax on 57 percent of the gross receipts.

The present requirement that the sales tax be collected from the buyer and that the amount of tax be stated as a separate item is waived for sales from vending machines.

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	94	3	

EFFECTIVE: July 26, 1981

SB 3077

C 260 L 81

BRIEF TITLE: Correcting a double amendment to RCW 2.52.050.

SPONSORS: Senators Talmadge, Clarke, Newhouse and Wojahn
(By Judicial Council Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

In 1977, the statute specifying the duties of the Judicial Council was amended twice. Neither amendment referred to the other. The double amendment created an ambiguity concerning how frequently the Council was to report its recommendations for changes in the judicial system to the Governor and the Legislature.

SUMMARY:

Future Obligation: The affected statute is reenacted and now makes clear that the Council is to report its recommendations annually.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	95	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: May 18, 1981

SB 3079

C 187 L 81

BRIEF TITLE: Permitting written statements made under penalty of perjury in lieu of sworn written statements under some circumstances.

SPONSORS: Senators Talmadge, Clarke, Newhouse and Wojahn
(By Judicial Council Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Under current law, many documents prepared for use in legislative, judicial, administrative or other official proceedings must include a recitation that the statements made in the document have been sworn to be true before a person authorized by law to administer oaths. A person who falsely states something may be prosecuted for perjury. Such oaths are usually administered by a notary public. In many cases, however, it is difficult or inconvenient to locate a notary.

SUMMARY:

As an alternative to requiring that documents in official proceedings be sworn to before a notary, a person may sign a document which expressly provides that it is being executed subject to the penalties for perjury. A person who makes false statements in such a document is subject to prosecution for perjury.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SSB 3080

C 19 L 81

BRIEF TITLE: Correcting an erroneous cross-reference in RCW 46.63.020.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Talmadge, Clarke, Newhouse and Wojahn)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

A list in the traffic decriminalization statute incorrectly referred to RCW 46.83 as governing driver training schools. The statute which actually governs such schools is RCW 46.82.

Some motor vehicle offenses remained crimes under the traffic decriminalization statute. However, the statute did not include certain other motor vehicle, criminal offenses, which were created by the Legislature either at the same time or after it passed the traffic decriminalization statute.

Legislation passed in 1979 resulted in some confusion and concern about which party pays attorneys' fees and costs in traffic infraction cases.

Although the statute also provided that prosecuting and municipal attorneys could appear in traffic infraction cases, a recently adopted Supreme Court rule required a prosecuting or municipal attorney to appear in all contested traffic infraction cases.

Local governments expressed concern that the statute's monetary penalty for failure to respond to a notice of traffic infraction ($25) was excessive when the infraction involved was an overtime parking violation which usually entailed a relatively small penalty.

SUMMARY:

The inaccurate statutory reference is corrected.

The status of a number of motor vehicle offenses is clarified by including them in the traffic decriminalization statute's list of offenses which are crimes.

Each party in a traffic infraction case is to bear his or her own costs. A defendant may not be required to pay witness fees to the law enforcement officer who issued the notice of traffic infraction.

Notwithstanding any statute or court rule to the contrary, prosecuting and municipal attorneys may appear in traffic infraction cases but they are not required to do so even in contested cases.

The monetary penalty for failure to respond to a notice of traffic infraction issued for an overtime parking violation is to be set by the local legislative body which enacts the overtime parking law.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: April 16, 1981

SB 3098

C 25 L 81

BRIEF TITLE: Permitting fare adjustments on public transportation facilities for distinguishable classes of users.

SPONSORS: Senators von Reichbauer, Quigg and Talley

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Cities, counties, county transportation authorities, metropolitan municipal corporations, and public transportation benefit area authorities are authorized by statute to operate public transit systems and to set fares for the use of such facilities. Numerous Washington public transit systems offered discount fares for senior citizens, children and handicapped persons in the fare structure.

A recent Attorney General's Opinion (AGO 1980 No. 25) advised a county transit authority that publicly-operated transit systems lacked specific statutory authority to reduce or eliminate fares for senior citizens, students, low income citizens or the handicapped. The opinion stated that the state constitutional prohibition against lending of credit (Article VIII, Section 7) prohibited offering special fares to any of the above classes of transit users unless they qualified within the Constitution's exception for the "needy or infirm".

SUMMARY:

Metropolitan municipal corporations, public transportation benefit area authorities, county transportation

authorities, counties, and cities are expressly empowered to adjust or eliminate transit fares for any distinguishable class of users. Distinguishable classes of transit users include, but are not limited to senior citizens, handicapped persons, and students.

VOTES ON FINAL PASSAGE:

Senate	45	1
House	97	0

EFFECTIVE: July 26, 1981

SB 3102

C 188 L 81

BRIEF TITLE: Adding motor vehicle offenses used to define the habitual offender.

SPONSORS: Senators Talmadge, Newhouse and Bottiger
(By Department of Licensing Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

The Department of Licensing may revoke the driver's license of a person who is found to be an habitual traffic offender.

An habitual traffic offender is a person who has been, within a five year period, either (1) convicted three times of negligent homicide, driving while intoxicated, driving with a suspended or revoked license, hit and run involving injury to another person, or reckless driving; or (2) found to have committed at least twenty traffic offenses including any of those listed above. These are the only conditions under which a person can be classified as an habitual traffic offender.

The Department is to revoke an habitual traffic offender's license for five years. The revocation may be stayed if the Department finds that the offenses are alcohol related and the person has undertaken an alcohol treatment program. In staying the revocation, the Department may impose those conditions and terms it deems reasonable under the circumstances. The stay is effective as long as the person is not convicted of any of the more serious traffic offenses listed above, such as negligent homicide and driving while intoxicated. A conviction for any of those offenses will remove the stay and result in revocation of the person's license.

The Legislature has, in recent years, taken a number of steps intended to deter dangerous conduct on public highways and enhance the effectiveness of traffic law enforcement. Among these are the increase in punishments for (1) being in physical control of an automobile while under the influence of alcohol or drugs and (2) attempting to elude a pursuing police vehicle. These two offenses are just as serious as the other offenses considered in determining whether or not a person is an habitual traffic offender.

SUMMARY:

Physical control and attempting to elude a pursuing police vehicle are given the same status as the more serious offenses already designated in the statute. A conviction for either of these offenses is to be given the same effect as a conviction for negligent homicide, driving while intoxicated, reckless driving, driving with a suspended or revoked license, or hit and run involving injury or death to another person.

In an alcohol related case in which the revocation has been stayed, violation of any terms or conditions imposed by the Department will result in removal of the stay and revocation of the person's license. This broadens the current language which provides for removal of the stay and revocation only if the person is convicted of one of the more serious traffic offenses listed above.

VOTES ON FINAL PASSAGE:

Senate	48	1
House	95	0

EFFECTIVE: July 26, 1981

SSB 3104

C 317 L 81

BRIEF TITLE: Making appropriations for the operations and capital improvements of the department of transportation, urban arterial board, and the board of pilotage commissioners.

SPONSORS: Senate Committee on Transportation
(Originally Sponsored By Senators von Reichbauer, Guess, Hansen and Sellar)
(By Governor Ray Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Rules

BACKGROUND:

In December, 1980 Governor Ray submitted her official budget to the Legislature for the 81–83 biennium. The Legislature must make biennial appropriations for each agency's operational budget and capital improvements. The omnibus transportation budget provides funding for the Department of Transportation, Board of Pilotage Commissioners and the Urban Arterial Board, the Traffic Safety Commission, the County Road Administration Board and the Washington State Patrol.

SUMMARY:

The substitute bill is the Department of Transportation's addendum budget with increased funding over the budget proposed in Senate Bill 3698. The increase in funding is predicated on the passage of the variable fuel tax and the vehicle registration fee increase.

Changes to Governor Ray's recommendations include:

1. combining the Vehicle Equipment Safety Commission with the Washington State Patrol;
2. a separate appropriation for the Transportation Commission;
3. a savings of $5.4 million in the Department of Transportation management programs and transferring the savings to Category C highway project programs;
4. partial salary parity for the Washington State Patrol; and
5. eliminating the safety education program from the Washington State Patrol.

Changes to the budget proposed in Senate Bill 3698 include increased funding to the following agencies and program with the new levels as indicated:

Urban Arterial Board — $68,960,800

Department of Transportation
Marine Division — $148,850,900
Category A — $292,780,000
Category B — $440,760,000
Category C — $60,940,000

If House Bill 603 is enacted during the 1981 legislative session, the State Patrol appropriation will be reduced by $1,064,000.

The Transportation Commission is directed to restore the ferry fare discounts in effect on December 31, 1980 and are prohibited from reducing such discounts during the 1981–83 biennium. The Department of Transportation may transfer funds from management/support programs into construction, and transfer construction funds between construction programs but the Department is prohibited from transferring construction moneys to management.

Appropriation: A total of $1,658,786,859 (which includes federal and local funds) is appropriated to the Department of Transportation, the Board of Pilotage Commissioners, the Urban Arterial Board, the Traffic Safety Commission, the County Road Administration Board, and the Washington State Patrol.

VOTES ON FINAL PASSAGE:

Senate	30	19	
House	51	47	(House amended)
Senate	28	20	(Senate concurred)

EFFECTIVE: May 19, 1981

2SSB 3105

C 189 L 81

BRIEF TITLE: Establishing a natural heritage program.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Charnley, Zimmerman, Conner, Peterson, McDermott, Guess, Goltz and Gould)

INITIAL SENATE COMMITTEE: Natural Resources

ADDITIONAL SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Ways and Means

BACKGROUND:

The state's natural area preservation program was started in 1972 by an act of the Legislature. The Department of Natural Resources administers the program which establishes a statewide system of natural preserves from those land and water areas which are unique or are typical to Washington. A need to update and expand the existing program and to compile a list of potential properties has been perceived. Additional state funding would be required to maintain an expanded program.

SUMMARY:

The Department of Natural Resources (DNR) is to maintain a state register of natural areas containing significant natural heritage resources. However, DNR may not propose that private land be placed on the register without prior notice to the owner, nor may private land be registered without the voluntary consent of the owner. The owner of a registered natural area may dedicate an area as a natural area by executing a prescribed instrument of dedication.

DNR will also prepare a natural heritage plan to create and manage a system of natural areas. The plan will list resources to be considered for registration and provide criteria for selection of areas. Opportunities for public input are provided.

DNR must maintain a natural heritage program to:

1. maintain a classification of natural heritage resources, an inventory of their locations, and a data bank for such information;
2. provide assistance in the selection and nomination of areas containing natural heritage resources for registration or dedication; and
3. cooperate with the Department of Game in the selection and nomination of areas from the data bank that relate to special wildlife habitats.

A 15 member Natural Heritage Advisory Council replaces the existing Natural Preserves Advisory Committee. Nine qualified public members, from various state regions, will be appointed by the Commissioner of Public Lands, and six nonvoting members will represent specific state agencies: Natural Resources, Game, Fisheries, Parks, Ecology, and the Interagency Committee for Outdoor Recreation. The Council will:

1. recommend policy for the Natural Heritage program;
2. advise state agencies managing state-owned land or natural resources regarding areas appropriate for registration or dedication;
3. suggest rules to DNR; and
4. identify areas that qualify for registration and advise owners of opportunities for acquisition or voluntary registration or dedication.

Rule Making Authority: DNR must adopt rules and regulations relating to voluntary natural area dedications.

Future Obligation: Updated natural heritage plans must be submitted biennially by DNR for legislative review.

Appropriation: Up to $130,000 is appropriated to DNR. $70,000 of that amount will be from federal matching funds. Receipts from sales of services and data from the natural heritage data bank shall be credited to the appropriate program and treated as a recovery of expenditures.

VOTES ON FINAL PASSAGE:

Senate	45	4
House	97	0

EFFECTIVE: July 26, 1981

SB 3109

C 286 L 81

BRIEF TITLE: Enacting the uniform trade secrets act.

SPONSORS: Senators Talmadge and Clarke

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

The theft chapter of the criminal code covers the unauthorized use of trade secrets. However, there are no state statutes specifically providing civil remedies for the misappropriation of trade secrets. In addition, the Washington case law has not dealt exhaustively with a number of the basic issues normally involved in trade secret litigation.

Many other states also lack adequate statute and case law in trade secret litigation.

In order to provide a model for the states electing to legislate in this area, in 1979 the uniform law commissioners developed the Uniform Trade Secrets Act which, for the most part, codifies the basic principles of common law trade secret protection.

SUMMARY:

Trade secrets as defined are protected against misappropriation either (1) by improper acquisition of a trade secret, or (2) by disclosure or use without consent. The act does not cover discovery of a trade secret by proper means, including discovery by independent invention.

A party may obtain a court order to prevent actual or threatened misappropriation of a trade secret. If it is not practical to prohibit future use, a court may require payment of a reasonable royalty to a party entitled to trade secret protection or fashion other relief.

A party may also recover damages for actual losses and may recover for any unjust enrichment of the misappropriating party. If the misappropriation was willful or malicious, the court may award exemplary damages not exceeding twice the award of other damages. The court may also in certain cases award attorney's fees to the prevailing party.

The court is required to preserve the secrecy of an alleged trade secret during its civil proceedings. An action for misappropriation of a trade secret must be brought within three years of the time the misappropriation is discovered or should have been discovered by the exercise of reasonable diligence.

The act supersedes state case law dealing with civil liability for misappropriation of a trade secret.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	98	0

EFFECTIVE: January 1, 1982

SSB 3118

C 97 L 81

BRIEF TITLE: Permitting any port district to appoint police officers.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Gaspard and Sellar)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Only a port district operating an airport with a police department is authorized to appoint police officers to enforce laws and regulations on any port-owned or operated property or any port operation. The ports association believes that all ports should be allowed to have their own police departments.

SUMMARY:

A port district operating an airport with a police department or designated as a port of entry by the federal government is authorized to appoint police officers.

VOTES ON FINAL PASSAGE:

Senate	42	7
House	95	0

EFFECTIVE: July 26, 1981

SSB 3127

C 98 L 81

BRIEF TITLE: Establishing investment policies for state funds.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senators Rasmussen, Shinpoch, Lee and Deccio)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

The types of securities or other forms of investment in which the state has authority to invest funds are specified and limited by statute. The new State Investment Board, created by H.B. 1610, which was enacted February 6, 1981 through a legislative override of a gubernatorial veto, might have more flexible management of state investments if the Board is given full power to establish investment policy.

SUMMARY:

The statutory provisions specifying and limiting authorized investments are deleted. The State Investment Board has full power to manage, contract, sell and exchange investments in accordance with the new investment statute and investment policy established by the Board. All funds shall be sufficiently diversified. No corporate fixed income or common stock holding may exceed 3 percent of the cost or 6 percent of the market value of the assets of any fund.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	97	0

EFFECTIVE: July 1, 1981

SSB 3128

C 190 L 81

BRIEF TITLE: Modifying provisions on special purposes districts.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Sellar and Talley)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

The Boards of Sewer Commissioners or Water Commissioners have no authority to initiate the annexation of any territory.

Special purpose districts may not expend funds to recruit job candidates.

It is unclear whether special district commissioners are liable in a tort suit under present law.

At the present time, the sewer district representative who sits on the Metro Council is elected at 2:00 p.m. on the second Tuesday of June of each even-numbered year. The representative from cities below 15,000 population is elected at 2:00 p.m. on the third Tuesday in June of each even-numbered year.

Sewer districts are not expressly authorized to manage on-site septic tank systems.

Sewer districts are not expressly allowed to pay the employees' share of social security insurance. The district may provide a maximum of $5,000 life insurance to any employee.

SUMMARY:

Elected officials of special purpose districts are granted immunity so that the district and not the individual commissioner is liable in a tort suit.

Special purpose districts may reimburse job candidates for travel expenses.

The time for electing the sewer district representative on the Metro Council is altered from 2:00 p.m. to 7:00 p.m. on the second Tuesday of June of each even-numbered year. The specific time of day for electing the city representative on the Metro Council is deleted from the existing statute. The time of the election will be set by the council prior to July 1 of each even-numbered year.

Sewer districts are specifically authorized to manage on-site (septic tank) sewage systems.

Sewer districts are expressly allowed to pay the employees' share of social security insurance. The $5,000 policy limit on employee life insurance is deleted.

VOTES ON FINAL PASSAGE:

Senate	44	4
House	95	0

EFFECTIVE: July 26, 1981

SB 3129

C 99 L 81

BRIEF TITLE: Making dental examiners board members and employees immune from legal suits.

SPONSORS: Senators Moore and McCaslin

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Dental disciplinary board members have been granted personal immunity from suit for actions performed pursuant to their official duties. The Board of Dental Examiners, however, has not received a similar immunity for duties performed pursuant to their official position.

SUMMARY:

Immunity from civil or criminal suit is given to members of the Board of Dental Examiners and employees and staff of that board. The immunity applies only to official actions or actions taken in the course of any dental licensing examination. In order for the employee's immunity to apply, the employee must be acting at the board's direction and in the course of its official proceedings.

VOTES ON FINAL PASSAGE:

Senate	46	1
House	97	0

EFFECTIVE: July 26, 1981

SB 3131

C 174 L 81

BRIEF TITLE: Extending laws against patient abuse to state hospitals.

SPONSORS: Senators Talmadge, Kiskaddon, Moore and Quigg

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

The Nursing Home Patient Abuse Act attempts to eliminate instances of sexual abuse, neglect, injury, cruelty, and death to nursing home patients by providing a mandatory reporting system whenever there exists reasonable cause to believe such abuse has occurred. An average of 70 reports a month have been filed since enactment of the law. Similar abuses are known to occur in the state hospitals as well; however, current law provides no system for reporting such cases to the appropriate public authorities.

SUMMARY:

The mandatory reporting system established for nursing homes is extended to state hospitals. Employees of state hospitals are required to report incidents of nonaccidental abuse or neglect to either the Department of Social and Health Services or a law enforcement agency, both of which are required to report the incident to the county prosecutor. All persons reporting to the appropriate authorities or testifying in a judicial proceeding, in good faith, to alleged patient abuse or neglect shall be immune from civil or criminal liability and are protected from dismissal. Any person who knowingly fails to report under the act when required is guilty of a misdemeanor.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	94	0

EFFECTIVE: July 26, 1981

SB 3140

C 100 L 81

BRIEF TITLE: Authorizing the rental of certain city property for gardening.

SPONSORS: Senators Ridder, Williams, Scott and Lee

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

A city or town which owned electrical generating facilities was not authorized to lease the land under its electrical transmission and distribution lines for less than fair market value. Many people wanted to rent the land for gardening but could only afford nominal rents.

SUMMARY:

A city or town owning electrical generating facilities may lease the real property under its electrical transmission and distribution lines for private gardening at a nominal rent to any person with a yearly income of less than $10,000.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	98	0

EFFECTIVE: May 8, 1981

SB 3143

C 262 L 81

BRIEF TITLE: Modifying the authority of port commissioners to sell or convey port district property.

SPONSORS: Senators Talley, Hemstad and Zimmerman

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

A port commission may authorize the manager of a port district to sell only district personal property valued at less than $2,500.

It is unclear whether a port commission may sell surplus real property valued at more than $2,500.

SUMMARY:

A port commission may by resolution authorize the manager of a port district to sell any port property, real or personal, of less than $2,500 in value.

A port district may sell real or personal property valued at more than $2,500 when the port commission by resolution declares it to be no longer needed by the district.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	97	0	(House amended)
Senate	49	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3150

C 26 L 81

BRIEF TITLE: Modifying library district boundary provisions.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Zimmerman, Bauer and Wilson)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Instead of providing their own library services, many cities and towns found it beneficial to obtain the services of a rural county library district or intercounty rural library district by annexation to, or contracting with, the district. A library district levies an annual tax throughout the district and any city or town annexed. To initiate annexation, a city or town may adopt an ordinance stating its intent.

Only a city or town with a population of 8,500 or less could be annexed to a rural library district. A city or town in excess of 8,500 instead had to contract with the district.

Some cities and towns in excess of 8,500 preferred annexation instead of contracting with the district.

A trustee of a county library or rural county library district library could be removed by the county commissioners after a public hearing.

SUMMARY:

A city or town with a population of 100,000 or fewer may be included in a rural county library district or intercounty rural library district.

The legislative authority of a city or town, before adopting an ordinance to annex to a library district, must submit copies of the proposed ordinance to the library board, if any, of the city or town.

A trustee of a county library or a rural county library district library may be removed by the county commissioners only if there is just cause.

For property taxation purposes, the boundaries of library districts shall be the established official boundaries existing on October 15, 1981, for the year 1981 only.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	97	1

EFFECTIVE: April 17, 1981

SB 3153

C 191 L 81

BRIEF TITLE: Requiring notice of certain city programs to be provided to counties.

SPONSORS: Senators Charnley and Zimmerman

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Cities or towns establishing a welfare program or policy are not required to give notice to the county or counties within which the city is located. This lack of notice creates a potential for duplicate programs.

SUMMARY:

A city or town establishing a welfare program or policy for needy persons must provide notice to the county or counties within which the city or town is located.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	97	0

EFFECTIVE: July 26, 1981

SSB 3154

C 192 L 81

BRIEF TITLE: Regulating individual account deposits in financial institutions.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Wojahn, Hayner and Talmadge)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Current law applicable to individual account deposits (contracts of deposit entered into by one or more people with a financial institution, as opposed to accounts of trust, or business entities) is found in four separate titles of RCW. Many sections under the various titles are duplicative, while others are inconsistent. Existing rules for determining ownership of deposited funds and how payments should be made by a financial institution are especially unclear.

SUMMARY:

Individual account legislation is consolidated in a single chapter applicable to commercial banks, savings and loan associations, mutual savings banks and credit unions.

Individuals including minors, incompetents and married persons may establish single, joint (with or without survivorship), trust, pay on death (P.O.D.) or agency accounts, as defined by the bill, or any compatible combination of them. Financial institutions are required to describe to potential depositors the various types of accounts available.

Where there is a dispute between depositors or their successors regarding ownership of deposited funds, ownership is determined according to the form of account and the terms of the contract of deposit. Where questions of ownership of funds arise with respect to joint accounts, the form of account and contract of deposit are controlling, unless there is clear and convincing evidence of a contrary intent at the time the account was created.

A financial institution may make payments of deposited funds, according to the form of account and deposit contract, without regard to actual rights of ownership by depositors or their successors. However, if the financial institution has notification of a dispute between claimants to the funds, it may withhold payment, or it can make payment and require the adverse claimant to post a bond exonerating the financial institution from liability.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	97	0

EFFECTIVE: July 1, 1982

SB 3157

C 273 L 81

BRIEF TITLE: Authorizing revenue bonds for cities and towns for energy conservation.

SPONSORS: Senators Charnley, Williams, Gould and Goltz

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Revenue

BACKGROUND:

SJR 120, passed in 1979, authorizes municipalities to use public monies and lend credit to finance energy efficiency and conservation programs. However, Seattle City Light believes that such authority extends only to the service category of "system improvement" and excludes the financing of conservation programs. The City of Seattle has requested legislation allowing the issuance of bonds for conservation programs.

SUMMARY:

Powers of cities and towns are amended to include the authority to issue revenue bonds or warrants to finance conservation and other programs for the more efficient use of energy. These bonds shall be deemed to be for capital purposes.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	96	2

EFFECTIVE: July 26, 1981

SB 3158

C 27 L 81

BRIEF TITLE: Making changes in the tort law with emphasis on product liability law.

SPONSORS: Senators Talmadge, Jones, Bottiger, Talley, Hayner and Clarke

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

There has been considerable pressure for product liability legislation at both the state and federal level in the past few years. Proponents of legislation point to the significant increase in product liability insurance premiums which occurred in the early 1970's which they say resulted from judicial decisions increasing the exposure of product sellers to liability for defective products. Opponents have defended the judicial decisions and expressed skepticism about the industry explanation for the increase in insurance premiums.

In this state, product liability became a major issue in the 1979 session. While the product liability bill that session was not enacted, it led to the creation of a Senate Select Committee on Tort and Product Liability Reform. The Select Committee, as a result of its 1979–80 study, recommended a number of changes in product liability law and tort law in general.

SUMMARY:

Three areas of tort law are addressed: product liability, comparative fault, and contribution among joint tortfeasors.

The liability of manufacturers and other product sellers is set out in detail. Manufacturers are strictly liable in tort for construction defects and warning defects. They are liable only if negligent for design defects and warranty defects. Under the retailer relief section, product sellers other than manufacturers have a more limited liability.

A product seller is liable only for injuries which occur during the useful safe life of the product which is presumed to be twelve years from the first sale to a consumer. Additionally, any action must be brought within three years of the date of injury.

Evidence of industry custom and nongovernmental, legislative, or administrative standards may be considered by the trier of fact in determining liability. A manufacturer who produces a product in accordance with mandatory government contract specifications relating to design or warnings is given an absolute defense to liability.

The remainder of the bill applies to all tort actions. Comparative fault principles are adopted in actions where the plaintiff is partially at fault. In such cases any recovery will be reduced by the percentage of fault attributable to the plaintiff.

A right of contribution among joint tortfeasors (wrongdoers) is established. A tortfeasor who has paid more than his or her share of joint liability may require other tortfeasors to contribute their share. This right may be enforced in the original action or a separate action brought within one year.

The bill applies to all causes of action arising on or after its effective date except for the provisions on the right of contribution which can be applied in certain pending cases.

VOTES ON FINAL PASSAGE:

Senate	42	6
House	97	1

EFFECTIVE: July 26, 1981

SB 3168

C 28 L 81

BRIEF TITLE: Increasing the landowner contingency forest fire suppression account.

SPONSORS: Senators Conner, Fuller and Zimmerman

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

A landowner contingency forest fire suppression account exists for the purpose of paying emergency fire costs incurred or approved by the Department of Natural Resources in putting out forest fires on private lands.

Participating forest landowners were charged a rate of up to five cents per acre per year for enough years to establish a balance in the account of one million dollars.

Due to increased costs of fire suppression, there was a need to increase the assessment per acre to a maximum of ten cents as well as to increase the balance in the account.

SUMMARY:

The forest fire suppression account assessment paid by participating forest owners is increased from five cents per acre to ten cents per acre.

The necessary balance in the account is raised from one million dollars to two million dollars. The assessment will be reduced when the balance reaches two million dollars.

Revenue: the assessment is increased from five cents per acre to ten cents per acre

VOTES ON FINAL PASSAGE:

Senate	47	0
House	94	4

EFFECTIVE: July 26, 1981

SB 3170

C 29 L 81

BRIEF TITLE: Providing for the payment of bond anticipation notes.

SPONSORS: Senators Rasmussen and Jones (By State Finance Committee Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Appropriations–General Government and Compensation

BACKGROUND:

Capital construction projects are usually financed from the proceeds of the sale of bonds. Prior to the issuance of the bonds, the State Finance Committee may issue bond anticipation notes to raise cash for construction projects. These short–term notes may be issued in lieu of the bonds because of high interest rates in the financial markets at the time the bonds would normally be issued. The notes are also a mechanism to provide monies for a project and still insure that the Finance Committee does not over–issue long term bonds.

In most cases, the principal and interest on the notes have been payable from the proceeds of the bonds. Accordingly, a portion of the bond proceeds was diverted from capital construction to the payment of the note interest. The interest charges on the notes at maturity represent substantial reductions in the amounts available for capital construction.

Payment of the interest on bond anticipation notes from bond redemption funds rather than bond proceeds for construction will allow the State Finance Committee to apply all bond proceeds to capital construction. This change also gives the Finance Committee flexibility in its financing operations.

SUMMARY:

Payment of interest on future and outstanding bond anticipation notes will be made from the same revenue source from which bonds are repaid and with the same priority, unless a different source is specified in the outstanding notes.

Notes issued in anticipation of general obligation bonds must state that they are general obligations of the state and contain an unconditional promise to pay the principal and interest when due.

The State Finance Committee is authorized to issue bond anticipation notes to redeem prior outstanding notes if additional notes are necessary.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: April 17, 1981

SB 3183

C 193 L 81

BRIEF TITLE: Revising laws relating to proceedings after judgments against debtors.

SPONSORS: Senators Talmadge, Hemstad, Wojahn and Sellar

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Current law provides a number of means by which judgment creditors can recover the amount owing under a judgment. These include execution against (forced sale of) the property of the debtor and wage garnishment. Certain property of the debtor is exempt

from execution and garnishment to protect the debtor from being deprived of all property.

The purpose of the bill is to ensure that the debtor is informed of the right to exempt certain property from execution and garnishment and to reduce the cost of enforcing judgments.

SUMMARY:

A writ of execution served on the judgment debtor must contain copies of specified statutes creating exemptions from execution. A creditor in a garnishment proceeding will have to state the belief that the debtor's employer or bank has funds of the debtor which are not subject to an exemption.

The defendant-debtor in a garnishment proceeding must be informed of the right to claim exemptions under state or federal law. The writ of garnishment may be served on the debtor's employer or bank by certified mail as well as by personal service. If served by certified mail it becomes effective on the second business day following receipt. Supplemental proceedings, which involve examination of the debtor under oath to identify property subject to execution, can be brought in district court as well as in superior court.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SSB 3187

C 194 L 81

BRIEF TITLE: Specifying the manner of service for writs of garnishment and changing the fees collected for various services performed by sheriffs and their deputies.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Wilson, Zimmerman and Charnley)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Fees charged by county sheriffs and their deputies for performing official services pertaining to service and execution of process and to other matters have not kept up with rising costs. These services may not be performed, except for the state or the county, unless the fees have been paid in advance.

SUMMARY:

The schedule of fees to be collected by county sheriffs and their deputies for specified official duties is increased in varying amounts. In addition, the mileage rate charged for serving certain legal documents is increased from 15 cents to 25 cents per mile.

A county sheriff may allow payment of fees after an official service has been made. Fees collected by sheriffs and their deputies may be recovered by the prevailing party incurring the fees as court costs. If persons other than sheriffs or their deputies provide the service, the prevailing party may only recover the amounts set forth in the bill as costs.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	97	0

EFFECTIVE: July 26, 1981

SSB 3188

C 298 L 81

BRIEF TITLE: Modifying procedures for families in conflict.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Talmadge, Hayner, Bottiger, Zimmerman and Woody)

SENATE COMMITTEE: Judiciary

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Institutions

BACKGROUND:

The juvenile code's provisions governing runaways and families in conflict have generated considerable concern. Some parents view the law as giving children too much control over their lives while lessening parent's ability to control their children.

Parents and persons working within the system have expressed concern over the adversarial nature of alternative residential placement proceedings and the

financial burdens which may be imposed on parents as a result of such a proceeding. The fact that no sanction exists if a juvenile refuses to remain in a court ordered placement has also proven troublesome.

SUMMARY:

The term "crisis intervention service" is replaced with the term "family reconciliation services."

Law enforcement officers are authorized to take into custody a juvenile who has violated a court placement order issued in an alternative residential placement proceeding. The length of time a runaway juvenile may be held in the custody of law enforcement is changed from not more than six hours to a period of time reasonably necessary to take the child to a place authorized by law.

The requirement that a runaway's consent be obtained before he or she can be returned home is deleted. The general rule is that a runaway juvenile is to be returned home. A runaway may, however, be taken to a crisis residential center or the home of a responsible adult if: (1) the child is fearful of the prospect of being returned home; or (2) the officer believes that the child may be abused or neglected at home; or (3) it is not practical to return the child home; or (4) there is no parent available to accept custody of the child.

A juvenile picked up for a violation of a court order may be placed in juvenile detention facility. Procedures are set forth for the conduct of a detention review hearing and initiation of contempt proceedings for violation of a court order.

The person in charge of a crisis residential center must notify parents of a child admitted to a crisis residential center that it is the paramount concern of the family reconciliation service personnel to reconcile the family and to inform the parent of the procedures to be followed under Chapter 13.32A RCW.

If crisis residential center personnel cannot achieve a voluntary return of the child within 48 hours after the time the child is placed within the center, and if they do not consider it likely that a reconciliation between the parent and child will be achieved within 72 hours, then the parent and the child must be advised of the availability of counseling services, and their right to file a petition for an alternative residential placement. At no time shall information concerning the parent's or child's rights under the statute be withheld if requested.

The Department of Social and Health Services may authorize emergency medical or dental care for a juvenile who is in a crisis residential center or other placement pending resolution of an alternative residential placement petition.

The court is authorized to appoint a guardian ad litem in addition to or instead of legal counsel for a child in an alternative residential placement proceeding. Courts must also advise parents of their right to be represented by legal counsel at the time of the fact-finding hearing on a petition.

The standards to be applied in deciding whether or not to grant an alternative residential placement petition are modified A petition may be granted if: (1) the petition is not capricious; and (2) the petitioner has made a reasonable effort to resolve the conflict; and (3) the conflict cannot be resolved by delivery of services to the family during placement of the child in the parent's home. The court may not grant a petition filed by the child or the Department if the petition is based only upon a dislike of reasonable rules or reasonable discipline established by the parent.

If an alternative residential placement is approved by the court, the court must inquire into the ability of the parents to contribute to the child's support. If the parents are able to contribute to the child's support, they must be ordered to make such payments as the court believes equitable. Support payments may not be required of parents who have both opposed the placement of their child and have continuously sought reconciliation with, and the return of, the child.

An alternative residential placement may not extend more than 180 days from the date the review hearing is held.

Upon denying an alternative residential placement petition, the court shall enter an order requiring the child to remain at or return to the home of his or her parent. Failure to comply with this order will subject the child to contempt proceedings. Such a contempt proceeding may be initiated, however, only if the child's noncompliance occurs within 90 days of the entry of the order.

Failure by a party to comply with court orders in an alternative residential placement proceeding is deemed contempt of court and punishable by a fine of up to $100 and imprisonment for up to 7 days, or both. Juveniles found in contempt may be imprisoned only in a juvenile detention facility. Contempt proceedings may be initiated by a parent, child, court personnel, or by any agency or person having custody of a child pursuant to a court order entered in an alternative residential placement case.

Existing law relating to the harboring of a juvenile who is away from his or her home without parental consent is modified. A person commits the crime of harboring if he or she provides shelter to a minor without a parent's consent and after he or she knows that the minor is away from the parent's home without permission if he or she: (1) fails to release the minor to a law enforcement officer upon request; or (2) fails to disclose the minor's location to a law enforcement officer upon request; or (3) obstructs an officer from taking the minor into custody; or (4) assists the minor in avoiding the custody of the law enforcement officer. Harboring a minor is classified as a misdemeanor if the defendant has not previously been convicted for the same offense. It is a gross misdemeanor if the defendant was previously convicted of harboring.

The Department of Social and Health Services is to report to the Governor and the Legislature concerning the implementation of the juvenile code on at least a quarterly basis.

The House Institutions Committee and the Senate Judiciary Committee are to act as a joint legislative oversight committee to receive the Department's report, and to receive complaints and recommendations from the Department, any criminal justice or child care agency and any parents who have an interest in the implementation of the juvenile code. This legislative oversight committee expires on January 1, 1983.

VOTES ON FINAL PASSAGE:

Senate	46	2	
House	97	0	(House amended)
Senate			(Senate refused to concur)
House	98	0	(House receded in part)
Senate	46	2	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3189

C 195 L 81

BRIEF TITLE: Modifying procedures for dependent children.

SPONSORS: Senators Talmadge, Hayner, Bottiger and Woody

SENATE COMMITTEE: Judiciary

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Institutions

BACKGROUND:

Washington's juvenile code governs procedures to be followed when children have been abused, neglected or abandoned by their parents. The statute characterizes these as dependent children. This bill relates to the procedure for establishing a guardianship for a dependent child and to the obligation for financial support which may be imposed upon the parents of a dependent.

The juvenile code provides for the creation of a guardianship for a dependent child. This guardianship is viewed as being "in between" the termination of the parent/child relationship and a child's status as a dependent child. It is designed for those situations in which neither a continual process of court review and involvement in a dependency case nor termination of the parent/child relationship would be in the best interests of the family. In a dependency case there is court review every six months.

A guardianship essentially continues the child's dependent status without requiring judicial review of that status every six months. Juvenile court practitioners have indicated that some of the statutes outlining the procedures to be followed in establishing a guardianship are unclear. The statute does not, for example, specify what burden of proof must be met before a guardianship is to be established. Nor is it specific concerning qualifications for a guardian and the authority of a guardian.

The dependency statute authorizes the juvenile court to order the parents of a dependent child to contribute to the support of that child. The statute includes a reference to language which was repealed by the Legislature in 1979. This reference has resulted in some confusion. Judgments for financial support in dependency cases currently have a lifetime of six years. During the last two legislative sessions, the lifetime of all other judgments has been extended from six to ten years.

SUMMARY:

The procedures to be followed in establishing a guardianship for a dependent child are clarified. Parties to a guardianship proceeding have the right to present evidence and cross examine witnesses at the hearing. The rules of evidence are applicable at the hearing and the facts necessary to create the guardianship must be proven by a preponderance of the

evidence. The court must specify the rights and responsibilities of the child's guardian in the order creating the guardianship. It must also specify the frequency of visitation between the child and his or her parents.

Any person over 21 years of age may be appointed as a guardian for a dependent child unless he or she is of unsound mind, has been convicted of a crime involving moral turpitude or is otherwise found unsuitable by the court. A nonprofit organization or Indian tribe may also be appointed as a guardian.

The obsolete provisions in the statute dealing with the support obligation of a parent of a dependent child are deleted. The lifetime of a judgment for financial support entered in a dependency proceeding is extended to ten years.

VOTES ON FINAL PASSAGE:

Senate	45	1
House	98	0

EFFECTIVE: July 26, 1981

SSB 3190

C 299 L 81

BRIEF TITLE: Modifying provisions relating to juvenile offenders.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Talmadge, Hayner, Bottiger, Lee and Woody)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Institutions

BACKGROUND:

Since the laws dealing with juveniles who commit crimes were extensively revised in 1977 and amended in 1979, participants in the juvenile justice system have indicated that additional changes are desirable. The suggested revisions involve issues of sentencing policy as well as numerous technical changes intended to clarify ambiguities in the law.

The Department of Social and Health Services is required to submit to the Legislature for review and adoption proposed revisions to the sentencing standards used in sentencing convicted juveniles. Questions have arisen over the process by which the Department obtains input prior to making its recommendations to the Legislature. Questions have also been raised on whether it is appropriate for the Department which is responsible for the daily management of the state's juvenile institutions to also have responsibility for formulating the sentencing standards.

The juvenile code currently does not authorize the suspension or deferral of a sentence imposed on the juvenile offender. A recent state supreme court decision held that the statutes which allow the suspension of an adult's sentence are applicable to juvenile offender proceedings as well. Notwithstanding the detailed sentencing framework in the juvenile code, the juvenile court may, under this decision, suspend any sentence it imposes on a juvenile offender. Concern exists that this authority will undermine the Legislature's intent to hold juveniles accountable for their offenses and provide for punishment commensurate with their age, the offense they committed and their criminal history. Moreover, the decision implies that other statutes applicable to adult proceedings may be applicable to juvenile court proceedings as well.

Currently, a diversion agreement may require a juvenile to attend only one counseling or informational session as part of that agreement. It is felt that this limitation does not enable diversion units to adequately address the factors which led to the juvenile's criminal involvement. Additional sessions would aid diversion units. Diversion units have been concerned that persons with a minimal involvement with the law, such as only one referral for diversion, must wait until they are 23 years old before they can seek to have the records of the case destroyed. Diversion units prefer that such persons could seek to have the records destroyed at an earlier age.

Virtually everyone who works within the juvenile justice system on a day to day basis has encountered practical difficulties with interpretation and implementation of certain provisions in the code. These difficulties involve the accurate computation of criminal history, the procedures for scheduling certain types of hearings, the types of information which a prosecuting attorney may consider in making some charging decisions, which courts will hear diversion termination proceedings, the calculation of community supervision sentences for multiple offenses, and the detention and release of a juvenile pending appeal of a sentence which departs from the sentencing standards.

SUMMARY:

A commission is created and given the responsibility to propose sentencing standards for juvenile institutions to the Legislature for its review. The commission is to be appointed by the Governor and composed of representatives from groups working within the juvenile justice system, as well as three citizens with a demonstrated interest in juvenile justice. The Department is to provide technical assistance to aid the commission in performance of its responsibilities.

The suspension or deferral of a juvenile offender's sentence is prohibited. The juvenile code's provisions are deemed to be the only statutes applicable to the adjudication and disposition of juveniles alleged or found to have committed offenses.

Diversion agreements may require a juvenile to attend a maximum of two hours of counseling and a maximum of ten hours of informational or educational sessions. Persons whose entire criminal history consists only of one referral for diversion may have the records in that case destroyed if they are 18 years old and if at least two years have elapsed since the diversion agreement was completed.

The accurate determination of criminal history is expedited by defining criminal history to include those diversions and findings of guilt which were made prior to the commission of the current offense. Recognizing that this definition may, in some cases, result in some diversions or guilty findings being excluded from consideration from a criminal history in a given case, the bill authorizes that those diversions or findings may be considered by the court as aggravating circumstances during the disposition hearing.

The procedure for scheduling adjudicatory or disposition hearings is clarified by resolving some conflicting language in the statute concerning the time periods within which those hearings must be held.

The prosecuting attorney's discretion to divert or file charges in some cases is clarified by providing that the prosecutor may consider not only the juvenile's age and criminal history, but also the seriousness of the alleged offense when making the charging decision. This avoids the present law's implication that certain cases must be diverted if the juvenile has no criminal history.

Juvenile courts are given exclusive jurisdiction over all proceedings which involve termination of the diversion agreement regardless of the age of the divertee at the time of the proceeding.

A lid is placed on the duration and extent of community supervision which can be imposed as consecutive sentences for the middle offender. A term of community supervision in these cases cannot exceed two years in length; the fines imposed may not exceed $200; and the amount of community service required cannot exceed 200 hours.

The juvenile offender whose sentence is based on a manifest injustice finding may, pending resolution of his or her appeal of that sentence, be detained for a period equal to the standard range or 60 days, whichever is longer, in order to give the appeals court sufficient time to consider the case. If a juvenile is released pending such an appeal, the sentencing court can impose appropriate conditions on the juvenile's release.

The number of juveniles characterized as serious offenders — those who upon conviction must be committed to a state institution — is enlarged by a change in the definition of serious offender. Currently, certain offenses fall within that category only if they are accompanied by the infliction of grievous bodily harm or the use of a deadly weapon or firearm. The requirement that the bodily harm be grievous is deleted. The juvenile need only be "armed with a deadly weapon or firearm" and need not actually use it while committing a crime.

Future Obligation: The disposition standards commission is to hold its first meeting by January 1, 1982. It is to make its first recommendations for changes in the standards by November 1, 1982.

VOTES ON FINAL PASSAGE:

Senate	46	2	
House	97	0	(House amended)
Senate	40	2	(Senate concurred)

EFFECTIVE: May 19, 1981

SB 3191

C 266 L 81

BRIEF TITLE: Allowing counties to extend industrial insurance coverage to include juveniles performing community service.

SPONSORS: Senators Talmadge, Hayner, Bottiger and Hughes

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

Juveniles who have been diverted from the court system but who have committed minor offenses and juveniles who have been found guilty of an offense may be required to perform community service. Although the idea of community service is widely accepted, some counties are encountering difficulties in purchasing liability insurance covering juveniles participating in such community service programs. As a result, some programs have been hesitant to use juveniles for community service work.

SUMMARY:

Counties are authorized to purchase liability insurance in any amount deemed reasonable in order to protect against liability for the wrongful acts of, and for any injuries or damages incurred by, juveniles performing community service.

Counties may also treat juveniles as employees and/or workers for all purposes relating to medical aid benefits under existing workmen's compensation statutes.

Fines imposed on juvenile offenders may be used for payment of premiums or other assessments necessary to maintain the coverage.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3196

C 314 L 81

BRIEF TITLE: Increasing the bond requirement for notaries public.

SPONSORS: Senators Wojahn, Jones, Talmadge, Sellar and Hayner

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

A notary public must post a bond with the state to protect persons who may be harmed by the wrongful or mistaken conduct of the notary. Usually this conduct takes the form of notarizing a document which contains forged signatures or is otherwise fraudulently executed. A person who suffers a loss as a result of an improperly notarized document may make a claim against the notary's bond. Since 1890, the amount of the bond required has remained at $1,000. Inflation has greatly diminished the bond's effectiveness at protecting parties to a transaction.

SUMMARY:

The amount of the bond which must be filed by notaries public is increased to $10,000.

VOTES ON FINAL PASSAGE:

Senate	26	22
House	93	4

EFFECTIVE: July 26, 1981

SSB 3205

C 84 L 81

BRIEF TITLE: Modifying provisions regulating savings and loan associations.

SPONSORS: Senate Committee on Financial Institutions and Insurance
(Originally Sponsored By Senators Bauer and Sellar)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The savings and loan industry believed that certain modifications to the law governing savings and loan associations were desirable to clarify existing law and expand their ability to issue equity securities. Such associations were only allowed to issue one class of stock which had to be par value stock.

SUMMARY:

A number of revisions are made in the law relating to the powers of savings and loan associations. Some of the changes are set below.

(1) Guaranty stock savings and loan associations are authorized to issue preferred or special classes of shares of stock, and with or without par value.

(2) Guaranty stock associations are made subject to Chapter 23A.08 RCW governing transactions in shares, except as provided in Title 33 RCW.

(3) The statutory requirement that guaranty stock be paid for at par is repealed.

(4) References to "reserves" as part of the Federal Savings and Loan Insurance Corporation requirements are deleted.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: July 26, 1981

SSB 3206

C 5 L 81 E1

BRIEF TITLE: Implementing the law relating to control of intoxicating liquor.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senators Rasmussen and Jones)

SENATE COMMITTEE: State Government

ADDITIONAL SENATE COMMITTEE: Rules

HOUSE COMMITTEE: Labor and Economic Development

ADDITIONAL HOUSE COMMITTEE: Rules

BACKGROUND:

Several sections of law relating to alcoholic beverage control have not been amended to (1) conform with changing federal requirements and practices in the industry and conversion to the metric system; (2) correct internal inconsistencies; and (3) improve administrative requirements or delete obsolete language.

The Liquor Control Board has requested a number of amendments to accomplish these goals. Subjects covered include the definition of alcohol content of wine, identification documents for liquor buyers, age limits for selling and consuming alcoholic beverages, correcting differences in requirements among classes of licensees, and staggering renewal dates of licenses.

SUMMARY:

Policy Revisions

The maximum percentage of alcohol in wine is increased from 17 percent of alcohol by weight to 24 percent by volume.

The $5,000 limitation for additional audits of the Washington State Liquor Control Board (WSLCB) by certified public accountants is removed, and the limit on the charge to the agency for auditing by the State Auditor is increased from $10,000 to $30,000.

Employees and members of the WSLCB are specifically made subject to the Executive Conflict of Interest Act.

Washington State University is authorized to establish wine and wine grape research, extension and instruction programs. The programs will be funded from a one-fourth-cent increase in the wine tax.

Liquor identification documents, driver instruction permits and identification cards issued by Canadian provinces and Merchant Marine identification cards issued by the U.S. Coast Guard are added to the list of documents acceptable as proof of age to purchase alcoholic beverages.

The provisions of law prohibiting the issuance of liquor licenses to citizens of foreign nations is deleted.

A person convicted of a felony may be considered for a retail liquor license pursuant to the law permitting restoration of employment and licensing rights. Witnesses at board hearings are to be paid the same fees as witnesses in the courts of the state. The expiration dates for certain liquor licenses and certificates are to be staggered throughout the year.

Certain beer and wine licensees, as well as restaurants and clubs selling liquor, are added to the list of premises which may not be licensed within 500 feet of a church or school without prior approval of the church or school.

The proposed sale of more than 10 percent of the stock or any proposed change in officers of a corporation licensed by the Board must be approved by the board.

Brewers and beer and wine wholesalers are to make tax payments to the board before the 20th day of the following month. Delinquent payments will be subject to a penalty of 2 percent per month. Class H hotels must meet the same meal and space requirements as Class H restaurants which are not in a hotel.

A provision of law is deleted which prevents a Class I Special Occasion Liquor License from being issued to a Class H licensee for use of alcohol at a hall or other meeting place if another Class H restaurant in the area could accommodate the special occasion.

The maximum penalty for unauthorized public consumption of liquor is increased from $10 to $100. The maximum penalty for other individual violations of

the liquor act is increased from $300 to $500. The maximum penalty for violations by corporations is increased from $2,000 to $5,000 for first offenses, and from $3,000 to $10,000 for second offenses.

The cocktail lounge portion of Class H premises is declared off-limits for underage persons, except for musicians and employees. A person 18–21 years of age is authorized to sell beer and wine in a grocery store with adult supervision, but an adult supervisor need not be physically present in an adjacent checkstand.

A person is subject to arrest if he interferes with a law officer or liquor enforcement officer who is attempting to enforce the liquor act.

Tax and Fee Increases

The wine tax to wholesalers is converted to 20 1/4 cents per liter from 75 cents per wine gallon.

The beer tax on brewers and beer wholesalers is increased to $2.60 per 31-gallon barrel, including the tax on cans and bottles.

The liquor ounce tax is increased from 4 cents to 5 cents per ounce (converted to $1.72 per liter).

Several license fees and other types of fees are increased.

VOTES ON FINAL PASSAGE:

Regular Session

Senate	44	1	
House	52	46	(House amended)

First Special Session

Senate	25	24	(Senate amended)
House	55	43	

EFFECTIVE: July 1, 1981

SB 3207

C 101 L 81

BRIEF TITLE: Extending the authorization on the transfer of public funds by electronic communication.

SPONSORS: Senators Rasmussen and Jones (By State Treasurer Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Several public agencies besides the State Treasurer have responsibility to manage public fees and taxes. Examples include the Horse Racing Commission, the Liquor Control Board and county auditors. However, only state and local treasurers had statutory authority to transmit funds by electronic communications. It was believed that expanding this authority to other state agencies could expedite the cash flow of public transactions.

SUMMARY:

In addition to the state and local treasurers, other custodians of public funds may receive, disburse or transfer public funds by electronic communication.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3208

C 102 L 81

BRIEF TITLE: Excluding the state treasurer from the reporting requirement on highest bank balances during the fiscal year.

SPONSORS: Senators Rasmussen and Jones (By State Treasurer Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The Public Disclosure Act required the State Treasurer and several local treasurers to file reports on holdings in financial institutions, including the highest balance held in each such depository at any time during the previous fiscal year. The State Treasurer found that determining the highest balance during the year is a time consuming process requiring examination of twelve monthly statements for more than 400 branches of financial institutions and 470 state agency branches and liquor outlets.

SUMMARY:

The State Treasurer is required to provide the highest balance information on state deposits only upon request under the Public Records Section of the Public Disclosure Act.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	97	1

EFFECTIVE: May 8, 1981

SB 3209

C 9 L 81

BRIEF TITLE: Changing the state payroll revolving fund to an account.

SPONSORS: Senators Rasmussen and Jones (By State Treasurer Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The financial condition of the state is sometimes measured by the status of its general fund. The general fund is considered solvent until such time as the aggregate of the fund has reached a deficit position. The first week of every month is a period of time in which the fund is most likely to experience a deficit.

The state payroll revolving fund was a separate fund in the state treasury used for the payment of salaries to state employees. Approximately 75 percent of the money in the revolving fund was transferred into it from the general fund to meet payroll expenses.

If the payroll revolving fund is designated as an account in the general fund, the balance in the general fund could be increased by as much as $60 million during the first week of any month.

SUMMARY:

The state payroll revolving fund is abolished as a separate fund in the state treasury and is recreated as an account in the general fund.

All monies in the existing revolving fund are transferred to the new revolving account.

VOTES ON FINAL PASSAGE:

Senate	45	1
House	97	0

EFFECTIVE: February 27, 1981

SSB 3210

C 10 L 81

BRIEF TITLE: Modifying provisions on warrants.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senators Rasmussen and Jones) (By State Treasurer Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Occasionally the State Treasury does not have sufficient funds available to pay the state's debts and continue operation of the government. Registered warrants can be issued by the Treasurer to provide temporary operating money for the state. The statutory rate of interest on warrants could not exceed 8 percent. The 8 percent interest limitation was not high enough to market the warrants, since investors could purchase other financial instruments which provided a higher interest yield. The interest rate ceiling on county warrants was eliminated by the Legislature during the last session.

The Treasurer had to retain cancelled warrants for six years and keep active files on outstanding warrants for five years. A reduction in these time periods would eliminate lengthy computer printouts and save storage space. The Treasurer's liability for payment of warrants will not be altered by making such changes since cancelled warrants are available on microfiche.

SUMMARY:

The 8 percent interest rate limit on warrants is eliminated and the Treasurer is allowed to set a rate which will reflect the current market.

The Treasurer is required to retain canceled warrants for two years.

The length of time that a state warrant is retained in the active records in the Treasurer's Office is two years.

VOTES ON FINAL PASSAGE:

Senate	42	2
House	71	25

EFFECTIVE: February 27, 1981

SB 3213

C 17 L 81

BRIEF TITLE: Authorizing local improvement district assessments for electrified public streetcar lines.

SPONSORS: Senators von Reichbauer, Jones, Moore, Williams, Clarke and Charnley

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Local Government

BACKGROUND:

Electrified public streetcar lines and their appurtenances were not among those improvements specifically authorized by RCW 35.43.040 for local improvement district assessments.

SUMMARY:

Local improvement district assessments are specifically authorized for electrified public streetcar lines and their appurtenances.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	92	6

EFFECTIVE: April 3, 1981

SSB 3214

C 321 L 81

BRIEF TITLE: Providing for the sale of early milk to persons with multiple sclerosis.

SPONSORS: Senate Committee on Social and Health Services
(Originally Sponsored By Senators Zimmerman, Bauer and Hughes)

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Human Services

BACKGROUND:

Milk produced by cows and goats within ten days before or seven days after giving birth may not be sold. This milk is called "colostrum". Colostrum is the fluid produced by the mammary glands of animals and humans just before and after giving birth. Colostrum has been shown to be rich in protein and contains certain antibodies and qualities which assist the newborn in building up immunities.

Some individuals who have multiple sclerosis have consumed colostrum and feel that it has helped them. The process by which cows are injected with large doses of vaccines for human diseases is called hyper-immunization. Colostrum which is highly fortified with antibodies for human diseases may assist multiple sclerosis patients.

Some dairy farmers would be willing to supply colostrum to multiple sclerosis patients if requested to by a physician.

SUMMARY:

Colostrum milk may be sold to persons with multiple sclerosis upon the presentation of a form signed by a licensed physician which certifies that the intended user has multiple sclerosis. The user must also sign a statement releasing the provider of milk from liability resulting from consumption of the colostrum milk. Colostrum milk may only be sold if it is produced by cows who have been tested for brucellosis (a disease which causes high fever in humans) within 60 days of giving birth.

New Rule Making Authority: The Department of Agriculture must adopt rules to carry out this section. These must include, but not be limited to, establishing standards requiring hyper-immunization.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3215

C 274 L 81

BRIEF TITLE: Authorizing the revaluation and relisting of property in a disaster area.

SPONSORS: Senators Bauer, Zimmerman and Fuller

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Revenue

BACKGROUND:

County assessors must assess all taxable property each year with reference to its value on the first day of January of the year assessed. In practice, county assessors appraise property once every four years. If property is destroyed by a disaster during a given year, an assessor still uses the last appraised value until the next appraisal unless the property owner files an appeal with the county board of equalization.

SUMMARY:

Property owners whose real or personal property is destroyed in whole or in part, or reduced in value by more than 20 percent as a result of a natural disaster may file an application with a county assessor and a county legislative authority for a reevaluation of the impacted property.

The application for a reevaluation must be filed within 75 days after the day of destruction or reduction in property value or within the year in which the destruction or reduction in value occurred.

VOTES ON FINAL PASSAGE:

Senate	43	0	
House	96	0	(House amended)
Senate	44	1	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3221

C 20 L 81

BRIEF TITLE: Exempting certain students from other states from nonresident portion of tuition and fees where admitted to University of Washington dental school under contracts with certain other western states.

SPONSORS: Senators Goltz, Jones and Charnley

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: Higher Education

BACKGROUND:

The University of Washington participates in a statutorily authorized program of regionalized medicine whereby students from certain western states without a medical school are enrolled at the U.W. medical school and pay resident tuition and fees. These students are admitted under contracts with the other states. The contracts specify that the full cost of the program in excess of the resident tuition and fees is reimbursed to the University of Washington by or on behalf of the sponsoring or sending states.

In July of 1980, as a result of the federally supported Regional Dental Education Project (RDEP), the University of Washington entered into a contract with the University of Utah College of Medicine. Under the contract, Utah sponsors Utah residents at the University of Washington School of Dentistry. The contract states that students from Utah will pay resident tuition and fees at the University of Washington. The federal government reimburses the University of Washington for the difference between the actual cost of educating the Utah student and the resident tuition and fees paid.

To implement the federal RDEP, to fulfill the terms of the Utah contract, and to establish a regionalized dental program similar to the program of regionalized medicine, the University of Washington Board of Regents needed authorization to charge nonresident dental students resident tuition and fees if admitted under a contract with a participating state.

SUMMARY:

The Board of Regents at the University of Washington is authorized to exempt students admitted to the School of Dentistry under a contract with the states of Utah, Idaho or other western states not having a school of dentistry from the payment of nonresident tuition and fees. The contract must provide that the University of Washington will be reimbursed for the cost of the program in excess of the resident tuition and fees.

VOTES ON FINAL PASSAGE:

Senate	45	4
House	92	5

EFFECTIVE: July 26, 1981

SB 3230

C 196 L 81

BRIEF TITLE: Limiting liability of pilots.

SPONSORS: Senators Talley, Jones and Conner

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Non-exempt vessels must employ a Washington State licensed pilot when navigating in the Puget Sound, Grays Harbor and Willapa Bay pilotage districts.

It is frequently difficult and expensive for pilots to obtain insurance on a "trip" basis. There is currently no statutory provision permitting them to contractually limit their liability.

As a result, it has become general marine practice for the master, owner or operator of the vessel to insure against pilot error. This practice is not governed by any statutes, such as those in Oregon, which standardize and clarify the rights and responsibilities of parties to such pilotage agreements in which liability is contractually limited. Washington State pilots want similar legislation.

SUMMARY:

Marine pilots licensed in Washington are authorized to limit their liability by special contracts or tariffs which substantially conform to statutorily prescribed terms and conditions. If liability is contractually limited, the tariff shall state that fees charged for pilotage do not include insurance for errors or omissions by the pilot supplying the service, but that the pilot will provide insurance on a "trip" basis and add the premium to the rates and charges upon receipt of reasonable notice from the master, owner or operator that such insurance is desired.

Failure by the master, owner, or operator to request the pilot to provide "trip" insurance constitutes an irrevocable agreement by the master, owner, or operator to indemnify and hold harmless the pilot from any liability including lawsuits against the pilot by third parties. The contract, however, may not limit the liability of the pilot for willful misconduct or gross negligence.

Rule Making Authority: The Board of Pilotage Commissioners is directed to adopt regulations to carry out this act and to keep records of insurance and liability agreements.

Future Obligation: By January 5, 1983, the Board of Pilotage Commissioners shall deliver to the Legislature and Governor a report concerning the implementation of this act.

VOTES ON FINAL PASSAGE:

Senate	41	3	
House	97	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3231

C 303 L 81

BRIEF TITLE: Authorizing the board of pilotage commissioners to prescribe additional pilot qualifications.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators Talley, Jones and Conner) (By Board of Pilotage Commissioners Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Persons wishing to pilot vessels must meet certain criteria and pass both written and oral examinations in order to be licensed by the Board of Pilotage Commissioners. Applicants for pilot licenses must be U.S. citizens, over 25 years of age, residents of the state, and hold a U.S. government master's license and an unrestricted, first class U.S. government pilot endorsement for those waters the applicant wishes to be licensed to pilot in.

Some concern has been expressed as to whether or not the present qualifications are strict enough to insure competency.

SUMMARY:

In addition to existing statutory requirements, pilot applicants must be under 70 years old and have as a minimum a United States Coast Guard's license of master of freight and towing vessels of not more than 1,000 gross tons. Applicants must hold this master's license for at least two years before qualifying to take the Washington State pilot examination.

The Board of Pilotage Commissioners may establish additional qualifications which applicants must meet in order to acquire a pilot's license.

VOTES ON FINAL PASSAGE:

Senate	42	3	
House	97	0	(House amended)
Senate	43	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3232

C 197 L 81

BRIEF TITLE: Authorizing state patrol closures of highways.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators von Reichbauer and Guess) (By State Patrol Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

State Patrol officers frequently are first on the scene when an emergency or human or natural disaster renders a highway unsafe for travel. The State Patrol, however, does not have authority to immediately close the highway but must wait for action by the Secretary of Transportation who is the only one with such authority.

SUMMARY:

The State Patrol is authorized to immediately close state highways and temporarily reroute traffic if an emergency, disaster or extreme weather conditions cause unsafe highway conditions. All closures by the State Patrol must be immediately reported to the Secretary and local Department of Transportation authorities.

Alterations of vehicular traffic remain in effect until approved or altered by the Secretary of Transportation or other Department of Transportation authorities in their local jurisdictions.

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	91	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3234

C 30 L 81

BRIEF TITLE: Revising vehicle accident reporting procedures.

SPONSORS: Senators von Reichbauer and Guess (By State Patrol Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

A driver of any vehicle involved in an accident resulting in injury or death or property damage in excess of $300 or more had to file a written accident report with the local chief of police, sheriff, or with the State Patrol. The original of the report was forwarded by the local law enforcement authority receiving it to the State Patrol, and a second copy was sent to the Department of Licensing.

When accidents were investigated by a law enforcement officer, the officer also had to file a written accident report in the same fashion as the involved driver. In such cases, the Washington State Patrol received several reports from the same accident. The Patrol regarded the law enforcement officer's report as sufficient for Patrol purposes and receipt of the driver's report in such cases as unnecessary.

SUMMARY:

When an accident is not investigated by a law enforcement official, the original of the driver's accident report will continue to be forwarded to the Chief of the State Patrol.

When an accident is investigated by a law enforcement officer, the officer is required to file an accident report. In such cases, the original of the driver's accident report will be retained by the local law enforcement agency where the accident occurred. The second copy of the driver's accident report will continue to be forwarded to the Department of Licensing.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3238

C 198 L 81

BRIEF TITLE: Repealing law relating to state school building systems project.

SPONSOR: Senator Gaspard

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The Legislature directed the Superintendent of Public Instruction, in 1971 statutes, to develop and implement a six year project known as the Washington State School Building Systems Project. The project was completed June 30, 1977, and the statutes are no longer necessary.

SUMMARY:

Statutes dealing exclusively with the Washington State School Building Systems Project are repealed. Others are modified.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	91	0

EFFECTIVE: July 26, 1981

SB 3239

C 103 L 81

BRIEF TITLE: Repealing law providing for division of special education service known as division of recreation.

SPONSORS: Senators McDermott and Gaspard

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The division of recreation within the Office of the Superintendent of Public Instruction is directed by statute to coordinate and supervise the recreation programs operated by school districts. These responsibilities have now been assumed by local school districts. Furthermore, there is no longer a division of recreation within the Superintendent's Office.

The same statute authorizes school districts to extend use of their recreation facilities to adults. Other sections of the code now authorize use of school recreational facilities by community groups and the statute is no longer necessary.

SUMMARY:

The statute creating the division of recreation within the Office of the Superintendent of Public Instruction and authorizing school districts to extend use of recreation facilities to adults is repealed. References to the state supervisor of recreation are deleted in other statutes.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	92	0

EFFECTIVE: July 26, 1981

SB 3250

C 199 L 81

BRIEF TITLE: Requiring surplus line brokers to be residents of this state.

SPONSORS: Senators Deccio, Williams and Talley (By Insurance Commissioner Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Surplus line insurance is special risk insurance (e.g., insuring a county fair) that is not available through insurance companies authorized to do business in this state. Current law does not make residency a requirement for a surplus line broker's license. However, the Insurance Commissioner's Office is not issuing surplus

line brokers' licenses to non-residents because of the potential difficulty in resolving policy disputes.

Within the past year, several non-residents have applied for surplus line broker's licenses and have been denied. Questions are continuing to be raised on this practice of the Insurance Commissioner's Office. The Commissioner believes it would be in the best interests of the citizens of this state to amend the law to reflect current practice.

SUMMARY:

Residency is made a requirement for being licensed as a surplus line broker.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	92	0

EFFECTIVE: July 26, 1981

SSB 3254

C 243 L 81

BRIEF TITLE: Making available braille and/or taped transcripts of the voters' and candidates' pamphlets.

SPONSORS: Senate Committee on Constitutions and Elections
(Originally Sponsored By Senators Wojahn, Gould, Woody and Ridder)

SENATE COMMITTEE: Constitutions and Elections

HOUSE COMMITTEE: State Government

BACKGROUND:

There is no requirement that the candidates' and voters' pamphlets published by the Secretary of State be made available on tape and in braille. Availability of taped transcripts of the pamphlets would assist blind voters.

SUMMARY:

The Secretary of State must mail without charge taped transcripts of the candidates' and voters' pamphlets to blind persons and organizations representing the blind. If there is sufficient demand, the Secretary of State may also mail braille transcripts of the voters' and candidates' pamphlets to such persons and organizations.

Availability of these transcripts must be publicized by the Secretary of State through public service announcements and other appropriate means.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3255

- FULL VETO

BRIEF TITLE: Clarifying the law regulating carrying concealed weapons.

SPONSORS: Senators Pullen, Rasmussen, Hurley, Benitz and Vognild

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

A recent appellate court decision interpreted Washington's concealed weapon statute as prohibiting the carrying of a loaded pistol in a vehicle unless the weapon is on the person of an individual who has a concealed weapon permit. There is concern that this decision may not be consistent with legislative intent and that the ability to carry a loaded weapon anywhere in a vehicle enhances citizens' personal safety.

SUMMARY:

A loaded pistol may be carried anywhere in a vehicle if a concealed weapon permit has been obtained.

VOTES ON FINAL PASSAGE:

Senate	28	17
House	98	0

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

SB 3262

C 200 L 81

BRIEF TITLE: Mandating due process hearing before certification of school bus driver, required by state board of education rule, is cancelled.

SPONSOR: Senator Bottiger

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The State Board of Education regulates the training and sets qualifications for school bus drivers. The Board follows the Administrative Procedure Act in revoking driver certification. Under this act, the Board must provide the driver with written notice and a "reasonable opportunity to show compliance with all lawful requirements for the retention of the license" prior to revocation unless emergency action is required for the public's health, safety or welfare.

In actual practice, the Board automatically revokes certification after a driver commits certain traffic violations in any vehicle.

SUMMARY:

The State Board of Education must adopt rules and regulations to insure that school bus drivers are provided a due process hearing before certification is cancelled.

VOTES ON FINAL PASSAGE:

Senate	48	1
House	94	0

EFFECTIVE: July 26, 1981

SB 3264

C 201 L 81

BRIEF TITLE: Modifying procedures for commercial salmon fishing licenses.

SPONSORS: Senators Peterson, Gallaghan and Talley (By Department of Fisheries Request)

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

A commercial salmon fishing license cannot be issued for any year unless an application is filed by April 15 of that year.

Because of the current salmon license moratorium, a person without a license in any particular year is not eligible for a license the next year.

SUMMARY:

The act imposes a late application fee of $200 for applicants for a commercial salmon fishing license if the application is made after April 15 of the license year.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	95	0	(House amended)
Senate	34	11	(Senate concurred)

EFFECTIVE: May 14, 1981

SB 3265

C 202 L 81

BRIEF TITLE: Modifying the moratorium on salmon charter boat licenses.

SPONSORS: Senators Peterson, Gallaghan and Talley (By Department of Fisheries Request)

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

A moratorium on salmon charter boat licenses was enacted in 1980. The moratorium is to expire January 1, 1982.

SUMMARY:

The termination date for the moratorium is deleted. The moratorium on salmon charter boat licenses becomes permanent.

VOTES ON FINAL PASSAGE:

Senate	28	20
House	96	1

EFFECTIVE: July 26, 1981

SB 3272

C 275 L 81

BRIEF TITLE: Permitting private landowners to transfer dredge materials from the Toutle river area.

SPONSORS: Senators Talley and Fuller (By Department of Natural Resources Request)

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

Under current law, whenever any dredged material is placed on private lands and subsequently removed from those lands, for sale or otherwise, a royalty is paid to the Department of Natural Resources.

As a result of the volcanic activity on Mount St. Helens, approximately 52 million yards of silt, sand and gravel initially must be dredged from the Toutle and Cowlitz Rivers to prevent further flooding.

With the tremendous quantity of dredged materials deposited on private lands, often adversely impacting the beneficial use of that land, the Department of Natural Resources considers it equitable to permit landowners in these areas to dispose of the dredged materials without compensation to the Department.

SUMMARY:

Private landowners may sell or dispose of dredge spoils or materials on their land without charge by the Department of Natural Resources if the spoils or materials were deposited from state owned beds and shores of the Toutle, Cowlitz, and Coweman Rivers for navigation and flood purposes from 1980 through 1985.

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	98	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: May 18, 1981

SB 3293

C 104 L 81

BRIEF TITLE: Granting police powers to arson investigators.

SPONSORS: Senators Vognild, Clarke, Bluechel, Gaspard, Hansen, Haley, Gallaghan, Quigg and Talmadge (By Senate Oversight Committee on Arson Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

In 1980 the Legislature strengthened the laws relating to investigation and reporting of fires by local and state officials. County fire marshals were inadvertently omitted from the notification and investigation procedures for fires of criminal or undetermined origin. Although the 1980 amendments gave local law enforcement agencies the responsibility to investigate certain fires, there is concern that a lack of training and personnel may hinder some agencies' ability to conduct vigorous arson investigations. This situation could be remedied by extending police powers to certain state and local fire marshals.

SUMMARY:

County fire marshals must be notified of fires of criminal or undetermined origin occurring in unincorporated areas of the county. They must also investigate those fires.

Police powers to enforce the laws of the state may be extended to the State Fire Marshal, deputy state fire marshals and resident state fire marshals while investigating a fire of criminal or undetermined cause. To exercise these powers, deputy state fire marshals and resident fire marshals must obtain prior written authorization from the State Fire Marshal and complete a prescribed course of training.

VOTES ON FINAL PASSAGE:

Senate	46	1
House	98	0

EFFECTIVE: July 26, 1981

SB 3295

C 203 L 81

BRIEF TITLE: Modifying provisions on arson.

SPONSORS: Senators Vognild, Hansen, Gaspard, Clarke, Bluechel, Peterson, Quigg, Rasmussen, Talmadge, Pullen, Haley and Gallaghan
(By Senate Oversight Committee on Arson Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The increasing incidence of arson in this state indicates that the laws governing prosecution and punishment for arson may need to be strengthened. The statute of limitations for arson cases not involving a death is three years. Attempted arson in the first degree is a class B felony punishable by a maximum of ten years imprisonment and a $10,000 fine. Arson for collection of insurance proceeds has increased but is not specifically addressed in the criminal code.

SUMMARY:

The statute of limitations for arson cases not involving a death is extended from three years to ten years.

An additional category of first degree arson is created. A person who causes a fire or explosion on property valued at $10,000 or more with the intent to collect insurance proceeds is guilty of first degree arson.

Attempted first degree arson is designated a class A felony. This increases the punishment for the offense to a term of imprisonment of not less than 20 years and/or a fine of $10,000.

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	98	0	

EFFECTIVE: July 26, 1981

SB 3298

C 205 L 81

BRIEF TITLE: Permitting a jury to be selected in another county to accomplish a change of venue.

SPONSORS: Senators Bottiger and Fleming

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Criminal cases are filed and tried in the county where the offense, or any element thereof, occurred. If the defendant shows the court that a fair trial cannot be had in that county, the court may order the venue changed and transfer the case to another county for trial.

In a complex trial involving numerous witnesses, cumbersome exhibits, or necessitating a view of a certain location, the expense and inconvenience involved in transferring the case may be considerable. It may be more convenient and cheaper instead to have a jury chosen from another county and brought to the county where the case is filed.

SUMMARY:

When a change of venue is ordered in a criminal case, the court may consider the financial impact and other factors affecting transfer of the case.

If the court determines that moving the jury is more economical than transferring the cause and that the interests of justice will be served, it shall order a jury to be selected in the county to which venue would have been changed, and the panel selected to be brought to the county where the case is filed.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	95	0	(House amended)
Senate	43	0	(Senate concurred)

EFFECTIVE: May 14, 1981

SSB 3299

C 204 L 81

BRIEF TITLE: Providing for the preservation of access to public lands.

SPONSORS: Senate Committee on Natural Resources (Originally Sponsored By Senators Hemstad and Conner)

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

Various county roads connect to logging roads on state-owned forest lands. There is a problem in keeping up adequate access to state lands for both timber harvest and for public access for recreational purposes. The counties and the Department of Natural Resources have been trying to seek a method whereby state and local government can cooperate to provide adequate public access and adequate access for logging activities.

SUMMARY:

The Department of Natural Resources is authorized to enter into agreements which relate to the purchase and use of public roads used to provide access to public lands and/or state forest lands. The Department of Natural Resources is authorized to impose reasonable charges for the use of the roads constructed or reconstructed through funding which would be provided by the Department of Natural Resources. Money in the access road revolving fund is authorized for maintenance of such public roads.

An increase in timber removal on state forest lands which results in an increased long-range benefit to the county and the taxing districts to increase revenues will allow the department to enter into agreements with the county to identify roads in need of improvement and establish a time schedule for improvements.

The department and the county will work out advanced payments to fund the improvements on such roads. The Department of Natural Resources will be authorized to deduct the advanced payments plus interest from the timber sales revenues from state forest lands which otherwise would not be distributed to the forest development fund.

A procedure is developed whereby the county and the state can use funds in the access road revolving account to develop and maintain access to public lands thereby increasing the tax benefit and revenue benefit coming from the uses of those lands including timber harvest and timber management.

The proposal provides specifically that payments made to the county to fund the road improvement will be limited to no more than 50 percent of the access road revolving fund for advanced payments to counties. Additionally, the counties and the Department will work together to determine the equitable distribution of the costs of improvements between the county and the state through a negotiation of terms and conditions and that any resulting repayment to the fund or funds will be worked out as part of the negotiations.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3303

C 105 L 81

BRIEF TITLE: Revising law relating to speed traps.

SPONSORS: Senators Talmadge and Clarke (By Washington State Patrol Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Transportation

BACKGROUND:

The State Patrol has in recent years used timing devices aboard small aircraft to enforce the traffic laws against speeding. The device measures the time a vehicle takes to travel over a measured distance and thereby indicates the speed at which the vehicle is traveling.

There is, however, some concern about whether this procedure falls within the exception to a statute prohibiting speed traps. The existing speed trap statute prohibits the use of any evidence of speeding which is based on the time it takes a vehicle to travel over a certain distance, unless a mechanical, electrical or similar type of device is used to determine the vehicle's speed.

Courts considering the question have differed on whether a procedure utilizing an airborne timing device which is started and stopped by an officer as a vehicle passes markings on the highway removes the

"human element" to the degree apparently contemplated by the existing exception to prohibition against speed traps.

The State Patrol believes that the current procedure results in a reliable determination of speed which ought to be admissible in speeding cases. The Patrol proposed clarifying the speed trap law to specifically allow the use of that evidence in speeding cases.

SUMMARY:

Evidence of speeding based on a timing device operated from an aircraft is admissible in speeding cases.

The speed trap statute's existing limitations on the accuracy of the procedure by, and the distance over, which measurements must be made are applicable to airborne measurements.

VOTES ON FINAL PASSAGE:

Senate	27	22
House	94	4

EFFECTIVE: July 26, 1981

SB 3304

C 276 L 81

BRIEF TITLE: Modifying eligibility requirements for local jail improvement and construction funds.

SPONSORS: Senators Wilson and Deccio

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Institutions

BACKGROUND:

It has been asserted that the Jail Commission may withhold state funds for the remodeling or construction of jails from governing units with jails that do not meet mandatory care standards. It has also been suggested that state funds for jail remodeling and construction might be withheld by the Jail Commission while contractors are working on a project. In addition, the Jail Commission has begun to fund jail construction projects in phases.

SUMMARY:

The Jail Commission is directed to grant variances from custodial care standards to a governing unit with a deficient jail if the governing unit is eligible or has applied for state funds for remodeling or construction of a jail. Variances are to remain in effect until the state funds allocated to improve or reconstruct a deficient jail have been spent.

Funds from the local jail improvement and construction account are to be remitted to a governing unit in a reasonable and timely fashion so that a governing unit may meet its contractual obligations.

Governing units which have received state funds for jail remodeling or construction are not prohibited from receiving additional funds within ten years of the completion of a project if the Jail Commission funds the project in phases.

Full or partial closure of a jail is defined to mean the nonuse of a jail or a part of a jail for incarceration purposes. The term does not mean limitations on jail programs, services, capacities, or lengths of incarceration time.

All cities or counties which accept funding for jail remodeling or new construction under the City and County Jails Act are to certify to the Jail Commission that the facility to be built will, upon opening, meet all mandatory custodial care standards adopted by the Commission.

The Jail Commission cannot make funding under the City and County Jails Act contingent on the compliance of an existing jail facility with standards adopted by the Commission.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	98	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3306

C 106 L 81

BRIEF TITLE: Extending arrest authority of WSP officers.

SPONSORS: Senators Talmadge, Shinpoch and Clarke
(By Washington State Patrol Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

At common law, law enforcement officers could arrest without a warrant for a misdemeanor, such as a traffic offense, only if the offense was committed in the officer's presence. Under a 1975 statute, an officer investigating at the scene of an accident could also arrest a person for a traffic violation if there was probable cause to believe that the person committed the traffic violation in connection with the accident, even if the offense was not committed in the officer's presence.

In 1979, the Legislature codified the law of arrest in Washington and carved out some exceptions to these rules as they relate to serious traffic offenses. The Washington statute now provides that an officer may arrest a person if there is probable cause to believe that the person has committed or is committing the offense of hit and run, reckless driving, negligent driving, or driving under the influence of liquor or drugs. It is no longer required that these offenses be committed in the officer's presence. The statute still authorizes an arrest for any traffic violation in connection with an officer's investigation of an accident.

The State Patrol believes that the enforcement of Washington's traffic and driver licensing laws would be strengthened if law enforcement officers were empowered to arrest a person based on probable cause for the offense of driving while his or her license was suspended or revoked, rather than requiring that the violation be committed in an officer's presence.

SUMMARY:

Law enforcement officers are authorized to arrest a person for driving while his or her driver's license was suspended or revoked if there is probable cause to believe that the person has committed or is committing that offense.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	97	0

EFFECTIVE: July 26, 1981

SSB 3307

C 139 L 81

BRIEF TITLE: Tightening control of gambling activities.

SPONSORS: Senate Committee on Commerce and Labor
(Originally Sponsored By Senators Talmadge, Hayner, Bottiger, Wojahn, Clarke, Shinpoch, Bauer, Talley, Hughes, Hemstad, Pullen, Newhouse and Zimmerman)
(By Gambling Commission Request)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Ways and Means

BACKGROUND:

The Gambling Commission, following a review of the 1973 Gambling Act, has proposed a series of amendments and additions to the Act to give the Commission closer control on operators of gambling activities and to enable the Commission to make changes in its taxing authority to support its operation and enforcement program.

SUMMARY:

The definition of "bingo" is changed to limit it to games conducted only in the county within which the organization operating the game is principally located. Principal location is defined as the location of the organization's primary business office. If the organization has no business office, principal location is defined as the county of residence of the chief executive officer. Organizations conducting a licensed and established bingo game in any locale as of January 1, 1981 are exempt from this requirement.

The definition of a nonprofit organization is expanded to set forth criteria for recognition as a bona fide charitable or nonprofit organization for issuance of a fund raising event license.

A nonprofit organization can receive a fund raising event license if the organization has been in operation for at least one year, demonstrate that it has made significant progress toward the accomplishment of the purpose of the organization in the year preceding the application for the license or renewal, and has not less than 15 bona fide active members with equal right to vote.

The definition of member is expanded to insure that listed members are indeed actual members in an

organization eligible for a license by the Commission. "Bona fide member" is defined as a person who is an actual member for one or more years prior to participating in the management or operation of any gambling activity and whose membership is not dependent on payment for participating in gambling. Bona fide members shall also include members of the organization's specific chapter or unit, its auxiliary, and if allowed by the rules of the parent organization, members of chapters or local units of state, regional or national parent organizations may be considered members for gambling purposes.

Fund raising event time periods are currently defined in days. The time frame is changed to measurement in hours. Fund raising event means an event conducted once in any calendar year for 72 consecutive hours but more than 24 consecutive hours or twice in a calendar year for not more than 24 consecutive hours.

The Commission is given the power to prescribe the manner and method of payment of taxes, fees and penalties. Penalties shall not apply to activities which are authorized by the Commission and conducted in accordance with Commission rules and regulations.

RCW 9.46.075 is amended to allow the Commission to deny an application or suspend or revoke any license or permit where the applicant or licensee or any person with any interest therein:

(a) Has been convicted of, forfeited bond on or pled guilty to larceny, extortion, conspiracy to defraud or bribery or unlawfully influencing public officials or employees of any state or the United States, obtained a license by fraud, or any crime involving gambling or physical harm to others;

(b) Failed to prove by clear and convincing evidence qualifications in accordance with this chapter;

(c) Is subject to current prosecution, pending charges or conviction of any offense mentioned in subsection (a);

(d) Is involved in activity for economic gain which violates criminal or civil public policy and raises reasonable doubts about the advisability of such person being involved in gambling. There must be probable cause for such belief; or

(e) The person is a known criminal or has connections with organized crime for financial gain. There must be probable cause for such beliefs.

The Commission is given the power to suspend a license for 30 days or less and impose penalties. When the penalty is paid, the suspension is cancelled.

The Commission is given the authority to employ a deputy director.

The Commission is given discretion rather than mandated to study gambling and make recommendations to the Legislature.

Licensees are not required to report the names and addresses of winners on punch boards and pull tabs until prize value reaches $20 rather than current value of $5.

A lid is placed on the tax that a city or county can impose on social card games. The tax is limited to a maximum of 20 percent of gross receipts from such games.

A tax is imposed on coin–operated gambling devices at the rate of $350. This replaces revenue lost by the 1980 veto of HB 1410 and repeal of the federal tax. It is the major source of revenue for the Commission.

Power is given to the Commission to collect this tax through a civil action brought by the Attorney General five years after due. It includes penalties and interest.

Reasonable time for inspection or audit of records is defined as follows:

(a) If records are located on the premises, they may be inspected any time when the premises are open.

(b) If records are located off the premises, they may be inspected between 8:00 a.m. and 9:00 p.m., Monday through Friday.

The position of Deputy Director of the Gambling Commission is created and the Deputy Commissioner is added to the list of persons empowered to enforce rules, regulations and penal laws relating to gambling.

It is made clear that gambling equipment properly held and used under Commission rules and regulations cannot be seized.

Persons who manufacture, sell, supply, furnish or distribute gambling devices must be licensed by the Commission.

Duties of applicants or licensees are outlined and include the following:

(a) The applicant or licensee has an affirmative duty to establish by clear and convincing evidence the qualifications necessary for licensing.

(b) Applicants shall submit to inspection, search and seizure and supply a handwriting example.

(c) Licensees or persons having an interest in the licensee including employees have a duty to inform the Commission of violations of these rules. There is also a continuing duty to provide assistance and information required by the Commission or a Commission investigation. Refusal to comply with such requests is grounds for denial or revocation of a license.

(d) The applicant or licensee waives actions against the state for all but willful unlawful disclosure of information acquired by the Commission.

(e) Each applicant and licensee must be photographed for identification purposes.

(f) Persons providing information to the Commission on an applicant or licensee are given civil immunity.

No applicant or licensee shall give, provide or offer to public officials, employees or agents of the state or any political subdivision any compensation for consideration of receiving a license or permit to engage in gambling. Violation of this section is a felony punishable by imprisonment of five years and/or a fine of $100,000.

Within five years after any fee, interest, penalty or tax is due to the Commission, the Attorney General may bring suit to collect.

The Commission previously has not limited jurisdiction over actions brought against the Commission. In the future, the superior court of Thurston County shall have jurisdiction over any action or proceeding against the Commission or any member thereof arising under the scope of his or her employment. Contested cases of a final decision of the Commission denying, suspending, or revoking a license shall be governed by Chapter 34.04. Members or employees of the Commission are not personally liable in actions at law for damages, acts or omissions in the performance of his or her duties and in the administration of this title.

An expansion is made in the criteria for denial, suspension or revocation of a license or permit. No applicant for a license, licensee or operator of any gambling activity without the advance approval of the Commission shall knowingly permit persons to participate in the management or operation of any activity licensed by the Commission or authorized by this chapter if that person has been convicted of designated criminal, reporting requirements or violation of any provisions of this chapter or rules of the Commission.

VOTES ON FINAL PASSAGE:

Senate	40	9	
House	97	0	(House amended)
Senate	36	6	(Senate concurred)

EFFECTIVE: May 14, 1981

SSB 3309

C 320 L 81

BRIEF TITLE: Giving building warden immunity from liability for acts arising from assigned duties.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Moore, Guess, Talmadge, Jones and Vognild)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Fire prevention officials sometimes appoint persons called "building wardens" to assist in the orderly evacuation of large buildings or facilities during fires or other life threatening emergencies. Current law does not address the civil liability of such persons for their actions taken while assisting others to evacuate buildings under emergency conditions. There is concern that potential civil liability for their acts will discourage individuals from serving as building wardens and thereby increase the likelihood that injury and death may result during large fires or other emergencies.

Insurance companies may be sued for bad faith for their refusal to pay a fire loss claim if they have denied the claim based upon information that the insured was responsible for the fire.

SUMMARY:

A building warden appointed by a fire chief or the State Fire Marshal to assist in the evacuation of large buildings during fires or similar emergencies may not be personally liable for civil damages resulting from his or her negligent acts or omissions during the performance of his or her assigned duties as a building warden. This immunity does not extend to acts which constitute gross negligence or wanton or wilful misconduct.

An insurance company that refuses to pay a claim because officials investigating a fire believe it was caused by the insured is not liable for damages resulting from the refusal. This immunity exists only as long as the incident is under active investigation or prosecution, or the investigating agency's position is that the claim resulted from arson for which the insured was responsible.

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	95	2	(House amended)
Free Conference Committee			
House	97	0	
Senate	47	1	

EFFECTIVE: July 26, 1981

SSB 3315

C 283 L 81

BRIEF TITLE: Exempting barber and cosmetology schools from the educational services registration act.

SPONSORS: Senate Committee on Higher Education (Originally Sponsored By Senators Goltz and Patterson)

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: Higher Education

BACKGROUND:

Schools of cosmetology and barbering are required to register with the Council for Vocational Education under the Educational Services Registration Act, Title 28B.05 RCW. These schools must also be licensed to operate in the state of Washington by the Department of Licensing under Title 18 RCW. Fulfilling the requirements set down in two separate acts and being regulated by two separate agencies has created a great deal of confusion among the schools.

This situation of double regulation is complicated by the fact that the main purpose of each act is quite unique. The intent of the Educational Services Registration Act is the protection of the student attending such a school. The ESRA pertains to the school's business practices, financial capabilities, refund policies and documentation of student progress.

The intent of the licensing statutes is the protection of those who would purchase the services of the students of the school. The licensing statutes pertain to courses offered, student–teacher ratios and facilities.

Hardship exemptions from some or all of the requirements of the registration act are decided solely by either the Council for Postsecondary Education or the Commission for Vocational Education. There is no appeal process in the registration act for institutions denied a hardship exemption. The first determination is final.

There has been confusion over which agency, CPE or CVE, has jurisdiction over non–degree–granting, non–vocational institutions under the registration act.

A need for strengthening the prohibition of diploma mills in the registration act has been expressed due to recent advertisements for the sale of certain degrees in religious study by a California–based firm.

In order to provide for both regulatory functions and to provide for consistent regulation by one agency, the primary functions of the ESRA could be included in the licensing statutes pertaining to schools of cosmetology and barbering. In turn, these schools could be granted an exemption from the ESRA.

SUMMARY:

Barber and cosmetology schools are exempted from the Educational Services Registration Act.

The following criteria are included in the standards which must be met by schools of barbering and cosmetology prior to licensing:

(1) That the school be financially sound and capable of meeting its legal financial obligations and fulfilling its commitments to students.

(2) The school must provide the students or other interested parties with complete and accurate catalogs or brochures containing enrollment qualifications, programs offered, schedule of tuition fees and all other charges and expenses, refund and cancellation policies, the length of programs, and program objectives.

(3) Neither the school nor its agents will engage in methods of advertising, sales, collection, credit or other business practices which are false, deceptive or misleading.

(4) The school must maintain adequate records to document student performance and progress.

(5) Nonaccredited schools must establish a fair and equitable refund and cancellation policy consistent with guidelines set down by the Director of Licensing.

(6) The school must acquire and file with the Director of Licensing a surety bond in a form acceptable to the Director.

The Director of Licensing is authorized to accept a deposit of cash or securities in lieu of the surety bond. Procedure is established for executing upon the surety, for releasing a surety on the bond, and for bringing an action on the bond or security in superior court.

The Director of Licensing is required to keep public records of all suits brought against such bonds or securities.

"Private non-vocational institutions" is defined. The Commission for Vocational Education will administer the regulation of these schools under the registration act.

Definitions are provided, for the purposes of this act, of an "accredited school" and a "non-accredited school."

Provisions in the existing registration act pertaining to hardship exemptions have been expanded. An appeal process has been provided when hardship exemptions have been denied. The agency director is given authority to modify or suspend the requirements of the act in hardship cases for schools that provide education for which there is a substantial, demonstrated need among the residents of Washington.

A strengthened prohibition against diploma mills is included in the exemption section of the act.

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	97	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3319

C 107 L 81

BRIEF TITLE: Reviving foreign student scholarship program from extinction under sunset act.

SPONSORS: Senators Goltz, Patterson and Charnley

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: Higher Education

BACKGROUND:

The foreign student scholarship program is due for termination on June 30, 1981 under the Washington Sunset Act of 1977. This program allows each of the state universities to grant 100 tuition and fee waivers to foreign students.

The Senate and House Higher Education Committees, as committees of reference, met jointly on January 26, 1981 to hear the Sunset Review Report by the Legislative Budget Committee. The Legislative Budget Committee recommended continuation of this program.

SUMMARY:

The termination and repeal sections of the Sunset Act pertaining to the foreign student scholarship program are repealed. The foreign student scholarship program is continued, until June 30, 1987 unless extended by law for an additional fixed period of time.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	87	7

EFFECTIVE: July 26, 1981

SSB 3320

C 85 L 81

BRIEF TITLE: Prescribing procedures for conversion of mutual savings banks to capital stock savings banks.

SPONSORS: Senate Committee on Financial Institutions and Insurance
(Originally Sponsored By Senators Clarke, Wojahn and Sellar)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Mutual savings banks were not authorized to convert themselves into capital stock savings banks. The mutual savings bank industry believed that mutual savings banks should have the option to convert on a basis similar to that prescribed by the Federal Home Loan Bank Board (12 C.F.R. Sec. 563b et seq.) for the conversion of savings and loan associations from a mutual to stock form of organization. It was believed that conversion could provide a mechanism for obtaining additional capital.

SUMMARY:

Mutual savings banks are authorized to convert from a mutual to a stock form of organization. Numerous provisions prescribing the manner in which conversion shall take place are prescribed. Among these are requirements that application must be authorized by the trustees of the bank, the stock sold must be for an amount equal to the market value of the stock immediately after conversion as determined by independent valuation, and depositors of the converting bank are given first opportunity to acquire the stock. Trustees, officers, and employees are then eligible to acquire a limited amount of stock based upon the size of assets of the converting bank.

A liquidation account is established and depositor accounts would be carried over into the stock bank.

Exclusive voting rights are vested in the holders of the capital stock. Procedures governing the number and election of directors are specified.

Stock with a minimum par value of $1 per share is required. Provisions for preemptive rights are prescribed. Restrictions on the transfer of stock are imposed to prevent take-over by another company during the early years after conversion.

Up to 10 percent of the shares of stock may be reserved for a stock option plan.

The bill contains a number of provisions regulating the public offering and sale of bank securities incident to the conversion.

Initial articles of incorporation of the converted savings bank are to be made by the board of trustees but after conversion amendments are to be made in accordance with RCW 30.08.090.

Converted banks are authorized to merge, consolidate, etc., with certain other financial institutions with appropriate regulatory authority approval.

Converted mutual savings banks are prohibited from making loans secured by their own stock.

The Supervisor of Banking is given authority to adopt appropriate rules to be followed by converting mutual savings banks.

New Rule Making Authority: The Supervisor of Banking is given rule-making authority to facilitate the conversion of savings banks.

VOTES ON FINAL PASSAGE:

Senate	44	2
House	98	0

EFFECTIVE: July 26, 1981

SB 3327

C 86 L 81

BRIEF TITLE: Pertaining to powers and duties of mutual savings banks.

SPONSORS: Senators Gaspard, Wojahn, Clarke, Sellar, Bauer and Charnley

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The mutual savings bank industry believed that the changing pattern of savings and the economics of lending activities required that the powers granted mutual savings banks be modified to permit savings banks to remain competitive financial institutions. The industry also believed that various archaic provisions of the mutual savings bank law need to be repealed and ambiguous provisions clarified.

SUMMARY:

A number of revisions are made in the law relating to the powers of mutual savings banks. Some of the changes are as follows.

(1) The limits on annual operational expenses are increased.

(2) Mutual savings banks may increase borrowing from 10 percent of assets to 30 percent of assets for purposes other than repayment of deposits.

(3) Mutual savings banks may issue savings certificates of deposit on such terms as the bank may determine.

(4) The amount a savings bank is authorized to invest in real estate is increased to 20 percent of its funds instead of the lesser of 50 percent of surplus or 5 percent of funds.

(5) The prohibition against investment of mutual savings bank funds in banks with home offices in the state of Washington is deleted.

(6) The amount mutual savings banks are authorized to make in loans to individuals is increased from 10 percent to 20 percent of its funds. The dollar amount and time limitations are repealed, as is the prohibition against inventory lending.

(7) The limitation on the amount that a mutual savings bank may invest in loans secured by real estate is clarified to authorize investment of the sum of 85 percent of its funds and 100 percent of its borrowing, as defined, in such loans.

(8) Certain provisions limiting the security, term, and repayment of rehabilitation and remodeling loans are removed.

(9) State chartered mutual savings banks are given the same powers, and are subject to the same restrictions applicable to those powers, as federally chartered mutual savings banks.

(10) Mutual savings banks are authorized to engage in loan sales activities in any manner subject to the requirements of the Supervisor of Banking.

(11) Existing provisions of law regulating loans secured by real estate or mobile homes are repealed. Mutual savings banks are authorized to make these loans on such bases as the banks determine.

(12) Mutual savings banks are authorized to invest up to 20 percent of their funds in secured or unsecured loans.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3334

C 285 L 81

BRIEF TITLE: Implementing law relating to reimbursement of school districts when unforeseen events occur.

SPONSORS: Senators Gaspard and Bauer (By Superintendent of Public Instruction Request)

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

A school district which closes all of its schools due to unforeseen emergencies is eligible to receive state basic education monies even though it cannot meet the 180-day school year or the total program hour offering requirements. However, when only some schools within a district cannot operate due to unforeseen conditions, funding for the entire district is jeopardized.

Statute incompletely lists the basic education requirements which need to be waived in emergency situations and does not address all the emergencies which can force school closures.

It is proposed that the terms and conditions for the emergency closure of individual schools be set, that all basic education requirements be waived in case of emergency closure, and that the definition of emergency conditions be expanded to include natural events such as volcanic eruptions, unforeseen mechanical failures, and unforeseen actions or inactions of individuals.

SUMMARY:

The Superintendent of Public Instruction is authorized to establish the conditions under which a school district may receive basic education money when one or more schools are unable to meet the basic education requirements due to an unforeseen natural event, mechanical failure, or action or inaction of an individual which renders a school facility unsafe, unhealthy, inaccessible or inoperable.

Natural events specifically include such occurrences as: fire, flood, earthquake and volcanic eruption.

Closures resulting from mechanical failures and the unforeseen actions or inactions of individuals may be due to negligence or threats which are beyond the control of both a school district board of directors and

its employees. Specifically included in these definitions are arson, vandalism, bomb threats, delays in the scheduled completion of construction projects, and discontinuance or disruption of utilities. Labor disputes are specifically excluded from the definition of unforeseen actions or inactions.

VOTES ON FINAL PASSAGE:

Senate	45	0	
House	98	0	(House amended)
Senate	42	1	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3338

C 108 L 81

BRIEF TITLE: Repealing obsolete provision relating to minimum guarantee to school districts for 1974–75 school year.

SPONSOR: Senator McDermott
(By Superintendent of Public Instruction Request)

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The minimum guarantee of state and local funds to school districts for the 1974–75 school year was established by statute. The state no longer funds schools under the minimum guarantee concept. All funds for the 1974–75 school year have been appropriated. The statute is thus obsolete.

SUMMARY:

The statute establishing state funding obligations to the school districts for the 1974–75 school year is repealed.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	94	0

EFFECTIVE: July 26, 1981

SSB 3342

C 267 L 81

BRIEF TITLE: Making malicious harassment a crime.

SPONSORS: Senate Committee on Judiciary
(Originally Sponsored By Senators Fleming, Talmadge, Ridder, McDermott, Bottiger, Scott, Bluechel, Jones and Charnley)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

In recent months incidents of violence and intimidation based on racial or ethnic bias have increased throughout the state. Existing law protects minorities against discrimination in the areas of employment, public accommodation, credit, insurance and real estate transactions; the criminal code addresses assaultive conduct and malicious mischief. However, no current law provides criminal sanctions or civil redress for threats or vicious acts which are racially motivated. Such a law is believed necessary to prevent confrontations and to protect civil rights of all citizens.

SUMMARY:

A person is guilty of malicious harassment if he acts maliciously and with the intent to intimidate or harass another person because of that person's race, religion or ethnic background and commits one of the following: physical harm to another, damage to his property or words or conduct which places another in reasonable fear of physical harm or property damage.

A new civil cause of action is created which authorizes recovery by victims of malicious harassment of actual and punitive damages up to $10,000.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3343

C 206 L 81

BRIEF TITLE: Modifying the interagency committee for outdoor recreation.

SPONSORS: Senators Hurley, Quigg and Rasmussen

SENATE COMMITTEE: Parks and Ecology

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The Interagency Committee for Outdoor Recreation (IAC) was established by initiative in 1964. The IAC is composed of the directors of seven state agencies and five citizen members. The Directors of the following agencies serve as members of the IAC: Natural Resources, Parks and Recreation, Game, Fisheries, Transportation, Commerce and Economic Development, and Ecology. The five citizen members of the IAC are appointed by the Governor for three year terms.

The IAC allocates state and federal funds to state and local agencies for outdoor recreation projects. The agency also prepares a statewide recreation plan which qualifies the state to receive federal funds for outdoor recreation.

In 1979 the IAC was placed on the list of agencies to go through the "sunset" process. A termination date of June 30, 1981 was set for the IAC.

In accordance with the "sunset" process the Legislative Budget Committee (LBC) and the Office of Financial Management (OFM) completed a performance review of the IAC. The LBC and OFM concluded that the IAC should not be terminated. However, the LBC and OFM have recommended that the Directors of the Departments of Transportation, Commerce and Economic Development, and Ecology be removed as members of the IAC.

SUMMARY:

The IAC "sunset" termination date of June 30, 1981 is repealed. In addition, the Directors of the Departments of Transportation, Commerce and Economic Development, and Ecology are removed from the membership of the IAC. The name of the administrator of the IAC is also changed to director.

Termination Date: A new termination date for the IAC is established. The IAC is to terminate on June 30, 1987, unless extended by law for an additional fixed period of time.

VOTES ON FINAL PASSAGE:

Senate	44	2
House	96	0

EFFECTIVE: June 30, 1981

SSB 3344

C 207 L 81

BRIEF TITLE: Allocating funds for facilities for the handicapped.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators McDermott, Scott, Gaspard, Kiskaddon, Goltz, Wojahn, Bauer, Zimmerman and Fleming)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations–Human Services

BACKGROUND:

Referendum 37, approved by the people in 1979, authorized $25 million "for the planning, acquisition, construction, renovation, improvement, and equipping of regional and community facilities for the care, training and rehabilitation of persons with sensory, physical, or mental handicaps." In 1980, the Legislature authorized the sale of bonds and appropriated the $25 million to Department of Social and Health Services (DSHS).

Of the $25 million, $500,000 was to be set aside for administrative purposes over the life of Referendum 37. The remaining funds were to be allocated pro rata based on the county's population using population projections by the Office of Financial Management. In Class AA counties, a single project was not allowed more than 15% of the county's allocation.

In its guidelines, DSHS directed the planning and review process be done first at the county level, then at a regional level, and, finally, by DSHS headquarters. Except in several instances of legal ineligibility, based on Referendum 37 qualifications, all projects approved at the regional level have been adopted by DSHS.

SUMMARY:

As the first and second phase of Referendum 37, $22,730,046 out of the $25 million authorized is allocated to fund 93 projects throughout the state.

The final application for these approved projects must be submitted to DSHS by December 31, 1981, and approved by DSHS by March 31, 1982. If this does not occur, the funds allocated to the project are to revert to the remaining county allocation to be reallocated to other projects.

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	97	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: May 14, 1981

SB 3352

C 109 L 81

BRIEF TITLE: Repealing obsolete law requiring report on school districts' maintenance of resource services.

SPONSORS: Senators Kiskaddon and Gaspard

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The Superintendent of Public Instruction was required by statute to present to the 1977 Legislature a survey of the learning resource services of school districts. The survey was presented in 1977. The statute is no longer needed.

SUMMARY:

The statute requiring the Superintendent of Public Instruction to report to the 1977 Legislature on learning resource services is repealed.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3354

C 110 L 81

BRIEF TITLE: Repealing law, parts of which were declared unconstitutional, relating to student financial assistance program.

SPONSORS: Senators Kiskaddon and Gaspard

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The Legislature authorized a student financial assistance program in 1973. The act was later found to be unconstitutional under Article 9, Section 4 (Wise v. Bruno) and was not implemented. The code sections relating to the act have not yet been repealed.

SUMMARY:

The student financial assistance program is repealed.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	95	0

EFFECTIVE: July 26, 1981

SB 3355

C 296 L 81

BRIEF TITLE: Making miscellaneous changes in laws regulated by department of agriculture or director thereof.

SPONSORS: Senators Hansen, Deccio, Gaspard, Wilson and Jones
(By Department of Agriculture Request)

SENATE COMMITTEE: Agriculture

INITIAL HOUSE COMMITTEE: Agriculture
ADDITIONAL HOUSE COMMITTEE: Revenue

BACKGROUND:

The Director of Agriculture must perform a variety of duties related to crop inspection, disinfection, and quarantine. Budgetary restraints limit the Director's ability to perform these duties. However, because the duties are mandatory, the Director has been sued for failure to fully perform them. By making these duties permissive, rather than mandatory, the Director

would be absolved from possible liability for crop damage.

Methods for disinfecting fruit trees are established by an obsolete extension bulletin published by Washington State University in 1965.

The Department of Agriculture proposes that the Governor no longer be required to approve the Director's quarantine regulations for trees, plants and shrubs, nor to issue quarantine proclamations. These requirements, the Department contends, are burdensome to both the Governor and Director of Agriculture.

Bee yard owners are issued registration numbers which must be posted. The Department of Agriculture believes these numbers should be more prominently displayed to assist in protecting colonies during spraying and in discovering diseased colonies.

Current law does not permit eradication of diseased bee colonies by use of the fumigation chamber, which is the most modern method of eradication.

To assist enforcement, the Department proposes that the misdemeanor penalty for violating livestock quarantine orders be increased.

The Department is requesting authority to establish exemptions from the mandatory brand inspection laws for cattle and horses at public markets and points of slaughter. It also requests that cattle brand inspection fees be increased to meet higher inspection costs.

The commission merchants law permits the Department of Agriculture to license and regulate persons selling and receiving farm products, including cattle, on consignment or commission. The Department proposes several changes in this law to assist in eradication of brucellosis, a contagious cattle disease.

Persons who store grain must comply with provisions of the State Grain Warehouse Act, such as posting of a bond as security for the grain. Warehouses storing grain are exempt from the bond requirement of the commission merchants law, even though they also may store commodities other than grain. Therefore, warehouses that store grain are presently not required to be bonded for their non-grain commodities.

Horse brands are registered with the Department of Agriculture. To verify ownership, these brands are inspected by the Department at public livestock markets and points of slaughter and prior to horses being transported out of state. Several private organizations issue "individual permanent identification symbols" to horses. The Department does not verify ownership of horses with these symbols at brand inspection points.

These private organizations, along with the Department and various horse-owner groups, have requested that these private registration organizations be granted permits to issue registered symbols by the state so that their symbols can be recognized at mandatory inspection points. It is believed such recognition will encourage use of symbols in the state and help prevent horse theft.

Class II estrays are those cattle and horses presented at brand inspection points bearing an unrecorded brand or a registered brand unaccompanied by a certificate of permit proving ownership. Class II estrays are required to be sold by the Director of Agriculture. The director has no authority to impound Class II estray horses where theft is suspected.

The Department issues certificates to horses permitting them to be transported out of state without brand inspection. Some believe it is burdensome to require these certificates be renewed annually.

A person with a licensed warehouse for agricultural commodities is required to accept agricultural commodities that are presented for storage. The commodities must be accepted so far as the capacity of the warehouse will permit and as long as the commodities are in a condition that is suitable for storage. The person presenting the commodity need not be a member of the organization owning the warehouse, an owner of the warehouse, or a resident of the locale in which the warehouse is located.

SUMMARY:

Crop disinfecting and inspecting duties of the Director of Agriculture are made permissive rather than mandatory. Methods for disinfecting fruit trees will be prescribed by official publications of Washington State University as they are published.

Bee yards are to be identified by displaying the assigned identification number in at least four inch characters on the side and top of some colonies in each yard. The identification must be in a color contrasting with the color of the hive, and must be conspicuous to anyone approaching the yard. Fumigation chambers is added to burning as approved means of eradicating infected beehives. Persons willfully or maliciously killing honey bees are guilty of a misdemeanor, rather than a $10-$100 fine.

Persons violating livestock quarantine orders are guilty of a gross misdemeanor rather than a misdemeanor.

Persons purchasing cattle in another state for resale in this state are required to obtain a commission merchant license from the Department of Agriculture. Grain warehousemen will be exempt from the commission merchant law only with respect to that activity regulated by the Department under the State Grain Warehouse Act.

It is clarified that the Director of Agriculture may disinfect or destroy infected trees or shrubs on public property.

The Director of Agriculture may issue permits to any person to act as a registering agency for the purpose of issuing permanent identification symbols for horses. Application for a permit, or its annual renewal, shall include a copy of the proof of registration to be issued to the horse owner, and a fee of $100.

The registering agency must maintain permanent records of each symbol issued. Copies of the records are to be forwarded to the Director if requested. The decision whether to identify horses remains with the owner of the horse.

Horses bearing permanent identification symbols shall be inspected by the Department of Agriculture at all mandatory brand inspection points. A horse bearing a symbol, but unaccompanied by proof of registration and certificate of permit, shall also be considered a Class II estray.

Class II estray horses may be impounded by the director where theft is suspected.

A single lifetime fee, rather than an annual fee, shall be charged by the director for certificates that exempt a horse being transported out of state from brand inspection requirements.

Warehousemen are required to accept agricultural commodities only from historical depositors, although they may receive the commodities from new depositors as well. "Historical depositor" is defined as a person who normally and consistently has deposited, in a particular warehouse, commodities produced on the same land. It also includes persons who lease, purchase or inherit that land with regard to the commodities produced on that land.

New Rule Making Authority: The Director of Agriculture is authorized to adopt rules exempting cattle and horses from brand inspection at public livestock markets and points of slaughter whenever necessary to avoid duplication in inspection or to allow efficient administration of branding laws. Brand inspection exemptions are deleted when cattle or horses have been previously inspected or are being shipped directly to market from another state accompanied by a brand inspection certificate.

The Director of Agriculture no longer needs the approval of the Governor to issue regulations for quarantine of forest, agricultural, horticultural, ornamental, and floral trees, shrubs and plants. Such regulations must be adopted in accordance with the Administrative Procedure Act.

The Governor is no longer required to issue quarantine proclamations.

Livestock dealers must maintain individual animal identification and disposition records as required by the Director.

Revenue: The fees for brand inspection will be raised to 30–50 cents as prescribed by the Director of Agriculture subsequent to a hearing.

VOTES ON FINAL PASSAGE:

Senate	49	0	
House	95	1	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3356

C 208 L 81

BRIEF TITLE: Revising procedures for irrigation district elections.

SPONSORS: Senators Hansen, Deccio and Gaspard

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

Irrigation district elections are held on the second Tuesday of December each year. All candidates for irrigation district director must file not less than twenty days before the election. Some irrigation districts believe this twenty–day period provides insufficient time for organizing an election. There has also been confusion as to whether election day should be counted in the twenty–day period.

Election ballots for directors are required to be strung upon a cord or thread by the election inspector during the counting of the ballots. Some irrigation districts believe this requirement is burdensome and not necessary to protect the integrity of the elections.

One irrigation district in the state presently distributes electricity to residential customers. In 1979, by virtue of enabling legislation and voter approval of a constitutional amendment, public utilities, towns and cities were authorized to engage in an energy conservation program. However, due to an oversight, irrigation districts were not given this authority.

SUMMARY:

Candidates for irrigation district board of directors must file no later than five o'clock p.m. on the first Monday in November, rather than no later than twenty days before the elections which are held on the second Tuesday in December. The requirement that election ballots be strung on a cord or thread by the election inspector during ballot counting is eliminated.

Irrigation districts distributing electricity are authorized to assist owners of residences to conduct energy audits and make loans for cost-effective energy conservation improvements. The language is the same that authorized public utilities, cities and towns to engage in energy conservation programs.

VOTES ON FINAL PASSAGE:

Senate	49	0	
House	96	0	(House amended)
Senate	43	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3358

C 209 L 81

BRIEF TITLE: Modifying delinquency provisions on irrigation district assessments.

SPONSORS: Senators Hansen, Gaspard, Wilson and Jones

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

In order to assure sufficient revenue to meet annual operating expenses, there is a procedure to enforce the collection of irrigation assessments. If irrigation assessments are not paid in the year due, they are delinquent and the property is put up for sale in January. A public auction is conducted which allows private individuals to bid at least the amount of the delinquent assessment plus interest. If bids are received, the amount of the delinquent assessment plus interest is provided to the irrigation district to pay annual operating expenses. If no bids are received, the land is sold to the irrigation district for the amount of the assessment. In order to redeem the property, the landowner must, within one year, pay the amount of the delinquent assessment plus interest and costs incurred in the sale. A deed is issued conveying title to the land to the individual or district to whom the property is sold at the public auction if the landowner or any person with an interest in the property does not redeem the property.

A $1 delinquency charge is collected by the county treasurer and deposited to the county's general fund when delinquent assessments are paid.

The irrigation statutes were written before 1900 and some procedures may be outdated. There is concern over the adequacy of current safeguards against the unnecessary loss of land and proper notification to landowners. 750 parcels were sold, subject to redemption, in Spokane County in 1980.

The present interest rate charged on delinquent assessments is 10 percent. Because it is lower than current rates charged on bank loans, some people may be encouraged to allow their assessments to go delinquent.

In the Columbia Basin Project, there are presently over 550,000 acres of irrigated land and there exists a potential for irrigating another 500,000 acres. Under present law, in order to enter into a contract to irrigate land, irrigation districts are required to obtain majority approval of the qualified landowners of the district. Additionally, the contract becomes a general debt of the entire district and ultimately, the landowners of the entire district.

SUMMARY:

Due dates for assessments are changed to conform with dates for collecting property taxes in order to provide additional time to prepare delinquency lists and to contact delinquent landowners prior to public auction of lands. Notification by first class mail is required prior to selling the land.

The interest rate on delinquent assessments is increased from 10 percent to 12 percent.

Before a deed is issued to a private individual at the end of the one year redemption period, a title search is required and all parties having an interest in the property must be provided with notice by normal service of process procedures that a deed will be issued unless the property is redeemed by payment of the delinquent assessment. A superior court must

indicate that these procedures have been followed before a deed may be issued.

Prior to issuing a marketable deed to an irrigation district, a quiet title action must be completed. At the commencement of the quiet title action, notice by certified mail with return receipt must be sent to all parties having an interest in the property as shown through a title search. Redemption may be made prior to the completion of the quiet title action.

The landowner is required to pay interest at 12 percent per annum on delinquent assessments as well as all costs incurred by private individuals or districts if redemption is made.

The delinquency charge for late payment is increased to $10.

In future irrigation contracts, majority approval is required only from the landowners whose land would be affected by the extension of the irrigation service and only those affected lands would be liable for payment of the contract. This removes the requirement that owners of existing irrigated lands vote on the extension of service to irrigate new lands and that a lien is not placed on existing irrigated lands to satisfy the contract entered into to serve additional lands.

VOTES ON FINAL PASSAGE:

Senate	45	0	
House	96	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: December 1, 1981

SB 3359

(Allowed to become law without signature)

C 344 L 81

BRIEF TITLE: Placing ferry employees under the state civil service system.

SPONSORS: Senators Patterson, Hansen, Guess and Lee

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Since the state ferry system was acquired by the state in 1951, the state has contracted through collective bargaining agreements with labor organizations for the operation of the ferries and related shore activities. This has included collective bargaining over wages, hours, working conditions, and benefits.

The Public Employment Relations Commission (PERC) is statutorily directed to adjust complaints, grievances and disputes concerning labor arising out of the operation of the ferry system. Both labor and management can refer disputes for adjudication. In its deliberations, PERC may conduct surveys of wages, hours and working conditions and may consider prevailing practices for similarly skilled trades in the area in which the employee is working.

The right of ferry workers to strike is not recognized by statute, but work stoppages have halted ferry operations several times in the last five years. Some observers of ferry system operations in recent years have concluded that efficiencies and economies might be achieved, and disruptive work stoppages avoided or minimized, by bringing ferry system employees under state salary schedules and by prohibiting strikes.

SUMMARY:

State ferry employees' collective bargaining rights for wages and benefits are terminated, effective upon the expiration of existing labor agreements. Compensation is thereafter based on a statewide Maritime Classification and Compensation Plan to be adopted and revised from time to time by the State Personnel Board (DOP). The plan is to be prepared after an investigation and analysis of the duties and responsibilities of each position based on personnel board standards for salary surveys, classification, and compensation. Positions within the classification plan may be allocated or reallocated by the Department as necessary for ferry system efficiency.

In each even-numbered year, DOP is to prepare a comprehensive salary and fringe benefit survey plan. The plan is to be forwarded to the Transportation Commission for use in preparing the Department's transportation budget request bill. A copy of DOP's proposed salary and benefit survey, and supporting documentation, is to be furnished to the Legislative Transportation Committee as well.

The Transportation Commission is directed to adopt personnel rules for ferry system employees to be administered by the Department. Personnel rules shall address all subjects not determined by the classification and compensation plan, including working hours and conditions, recruitment, appointment, promotion, demotion, discipline, dismissal, and other personnel matters within the discretion of the Commission and Department. Employees retain the right

to bargain collectively with the Department over any matters which are subject to personnel rule-making and not determined by the classification and compensation plan.

Ferry workers, like other state employees, are covered under state insurance and health care plans provided by the State Employees Insurance Board. The practice of subjecting health and welfare benefits to collective bargaining is terminated.

Strikes are declared illegal, and injunctive remedies and fines for contempt are specified. The state or any person injured by a strike or the imminent threat of a strike may seek a restraining order or injunction pursuant to superior court civil rules. In the event an injunction issued by the court is not promptly complied with, the court shall fine labor organizations violating court orders in an appropriate amount determined by the court. Such fines shall not exceed $2,500/day for union organizations in violation of a court order.

The Transportation Commission is to adjust tolls annually, on May 1, taking into account amounts appropriated by the Legislature from the Puget Sound Ferry Operations Account, to assure a balanced biennial budget. The Commission shall adjust tolls at other times, when it determines that existing tolls, plus appropriations, will not meet projected biennial expenses.

Appropriation: $20,000 is appropriated from the motor vehicle fund to the Department of Personnel to prepare recommendations to the State Personnel Board for the classification of ferry system employees.

VOTES ON FINAL PASSAGE:

Senate	25	22	
House	55	42	(House amended)
Senate			(Senate concurred in part)
House	55	42	(House receded in part)
Senate	25	24	

EFFECTIVE: May 19, 1981

SSB 3360

C 210 L 81

BRIEF TITLE: Providing for park and recreation service areas.

SPONSORS: Senate Committee on Parks and Ecology (Originally Sponsored By Senators Patterson, Charnley and Zimmerman)

SENATE COMMITTEE: Parks and Ecology

INITIAL HOUSE COMMITTEE: Natural Resources and Environmental Affairs

ADDITIONAL HOUSE COMMITTEE: Local Government

BACKGROUND:

In 1963 legislation was enacted permitting counties to establish park and recreation service areas to finance and provide park and recreational facilities. Subsequently, a park and recreation service area was created in Pierce County, and a bond retirement levy was approved by the voters of the service area. In 1967 the Supreme Court in Pierce County v. Taxpayers Lakes District held that the bond retirement levy could not retire bonds used for operating purposes. In dicta the court indicated that under case law it was perhaps the county and not the service area which was levying the taxes to retire the bond. This was prohibited by the State Constitution which requires property taxes to be uniform throughout the entity which levies the taxes. The tax was being levied only within the service area and not within all of Pierce County.

The need for park and recreation service areas has grown since the 1967 court decision. In response to this need, county governments have requested that the service area law be amended to overcome the problems raised in the court case.

In addition, park and recreation districts have come to view their current funding authority as being cumbersome and their bonding authority as being inadequate.

SUMMARY:

The existing statutes on county park and recreation service areas are amended to: (1) clarify that service areas are separate, quasi-municipal corporations; (2) permit service areas to provide senior citizen activity centers; (3) grant counties the authority to lease park sites and recreational facilities for service areas; (4) make technical changes to the references to service areas and county legislatures authorities; (5) clarify

that service areas can present proposals for an excess levy to the voters after an area is created; and (6) clarify that counties can transfer funds to service areas.

Park and recreation service areas may include portions of more than one county when administered through an interlocal agreement.

Park and recreation districts are authorized to issue a regular property tax levy for five years which is equal to 15 cents per $1,000 of the assessed property value when approved by 3/5 of 40 percent of the electors in the district who cast votes at the last general election. A levy must be submitted to the voters not more than 12 months prior to the beginning of the levy. In addition, a levy may be submitted only twice during this 12–month period.

If a park and recreation district levy in combination with other property tax levies exceed the 1 percent of property value tax limitation set forth in the Constitution, then the park and recreation district tax is to be reduced or eliminated before the taxes of other districts.

Park and recreation districts are authorized to issue bonds equal to 1 1/4 percent of the value of the taxable property in the district when approved by 3/5 of the voters of the district who vote on the measure.

Park and recreation districts and road districts in all counties are authorized to submit excess levies to the voters.

VOTES ON FINAL PASSAGE:

Senate	44	5	
House	73	24	(House amended)
Senate	42	2	(Senate concurred)

EFFECTIVE: May 14, 1981

SB 3362

C 211 L 81

BRIEF TITLE: Permitting port commissions to offer rewards.

SPONSORS: Senators Jones and Fleming

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Port commissions presently have no authority to offer rewards for information leading to the arrest and conviction of persons committing crimes. Counties do have such authority but the amount of the reward is limited.

SUMMARY:

A port commission or county may offer rewards for information leading to the arrest and conviction of persons committing crimes. Limits on the amount of the reward a county may offer are deleted.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	95	0

EFFECTIVE: July 26, 1981

SB 3372

C 252 L 81

BRIEF TITLE: Increasing penalties for telephone or telegraph fraud.

SPONSOR: Senator Newhouse

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

A person who fraudulently obtains telephone or telegraph service in this state through the use of a false name or telephone number or the use of another's name or number is guilty of a crime. The offense is currently classified as a misdemeanor unless the value of the services obtained exceeds $75 during a 90 day period, in which case the person is guilty of a gross misdemeanor. It is believed that the penalties should be increased to more effectively deter telephone fraud.

SUMMARY:

The penalties prescribed for the offense of fraudulently obtaining telephone or telegraph service are increased.

A person who fraudulently obtains such services is guilty of a misdemeanor if the value of the services obtained during a 90 day period totals is not more than $50.

If the value of the services exceeds $50 but is not more than $250 during the 90 day period, the offense is a gross misdemeanor.

If the value of the services obtained during a 90 day period exceeds $250, the person is guilty of a class C felony.

VOTES ON FINAL PASSAGE:

Senate	38	11
House	98	0

EFFECTIVE: July 26, 1981

SB 3375

C 245 L 81

BRIEF TITLE: Doubling the life of driver's licenses and adjusting fees and the apportionment thereof accordingly.

SPONSORS: Senators Patterson, Peterson, Sellar, Gallaghan and Bauer (By Executive Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

A driver's license is issued for a two-year period for a $6.00 fee plus $1.00 for the photograph. Of the $6.00 fee, $4.10 is deposited in the Highway Safety Fund and $1.90 is deposited in the general fund. The $1.00 photograph fee is also deposited in the Highway Safety Fund.

The Governor has proposed that a driver's license be issued for a four-year period.

SUMMARY:

A driver's license shall be issued for a four-year period and for a $14.00 fee, including the photograph. The Department of Licensing must implement a staggered phase-in of the extension in the 1981-83 biennium whereby approximately 50 percent of currently issued licenses will be renewed for two years and 50 percent renewed for four years. The proportional distribution of license fees between the General Fund and the Highway Safety Fund is maintained.

An examination to determine driver license applicant's ability to understand and follow directives given in English, both orally or graphically, that regulate, warn, and direct traffic in accordance with state traffic laws is required.

Revenue: The fee for renewal of a driver's license is changed from $7.00 to $14.00, and the renewal period is changed from two years to four years.

VOTES ON FINAL PASSAGE:

Senate	33	14	
House	81	17	(House amended)
Senate	34	13	(Senate concurred)

EFFECTIVE: July 1, 1981

SB 3383

C 111 L 81

BRIEF TITLE: Revising licensing laws regulating insurance industry.

SPONSORS: Senators Deccio, Clarke and Shinpoch (By Insurance Commissioner Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Insurance agents and brokers must pass an examination to test their qualifications and competence in order to be licensed in Washington State. Examinations are given in the areas of life, disability, property and casualty insurance. The Insurance Commissioner's Office is responsible for preparing and administering the various tests, but it believes it lacks the staff to do so adequately. The Commissioner believes that the quality of the examinations would be greatly improved if they were given by an independent testing service. In order to facilitate using an independent testing service, the Insurance Commissioner's Office wants the authority to have the test fees collected directly by the service.

SUMMARY:

If the Insurance Commissioner contracts with an independent testing service for agent or broker examination development and administration, the examination fees may be collected directly by the testing

service. The Insurance Commissioner has the authority to approve the fees set by the testing service.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	96	0

EFFECTIVE: July 26, 1981

SSB 3386

C 324 L 81

BRIEF TITLE: Authorizing legislative review of agency rules by a joint select committee with power to suspend.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senators Deccio, Hurley, Moore, Craswell, Gallaghan, Bauer, Vognild, Sellar, Jones, Hughes, Scott, Woody, Hayner, Lee and Zimmerman)

SENATE COMMITTEE: State Government

INITIAL HOUSE COMMITTEE: State Government
ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government and Compensation

BACKGROUND:

Traditionally, state agencies and institutions of higher education have been delegated the power to adopt emergency and permanent rules to implement state statutes. For several years, the Legislature has been concerned that some agency rules have not adequately reflected legislative intent.

Publication of proposed and emergency rules in the Washington State Register has given such regulations higher visibility to the Legislature and interested parties. Several legislators have concluded that an additional mechanism for specific legislative review of agency rules is needed.

They also believe that some means should be available to give notice that a rule does not comply with intent.

SUMMARY:

Rule review committee. A bipartisan Joint Administrative Rules Review Committee is created to selectively review all rules of executive agencies and institutions of higher education. The Committee is composed of four Senators appointed by the President of the Senate and four Representatives appointed by the Speaker of the House. Appointments must be approved by the members' respective caucuses. The chair and vice–chair appointments rotate annually between the Senate and House.

Review procedure. Specific procedures are established for Review Committee action on proposed and existing rules, including emergency rules. Establishment of such procedures in no way serves as a presumption of legality or constitutionality of a rule in subsequent judicial proceedings.

Proposed rules. When an agency or institution of higher education files notice and a proposed rule with the Code Reviser for publication in the Washington State Register, it must also file the notice and rule with the Rules Review Committee, together with the reasons for the rule's adoption. If a majority of the members of the Review Committee determines that a proposed rule is not within legislative intent, the Review Committee will notify the agency at least seven days prior to the hearing on the rule, together with a statement of the Committee's findings. At the hearing, the agency must include questions of legislative intent in its consideration of the proposed rule.

Existing and emergency rules. If the Review Committee finds that an existing rule is not within legislative intent or has not been adopted in accordance with all applicable provisions of law, the agency shall be notified of the finding and reasons therefor. Within thirty days, the agency must file notice of a hearing on the rule in question and publish the notice in the Washington State Register, including the Review Committee's findings.

Sanctions. Within seven days of a hearing held after the Review Committee has given notice of its objections to any rule, the agency must notify the Committee of its action. If the Review Committee finds that the rule has not been modified or repealed to conform with legislative intent, it may file notice of its objection with the Code Reviser for publication in the Washington State Register and in the next supplement of the Washington Administrative Code. If the rule is found valid in any subsequent legal proceeding, the notice of objection shall be removed from the Washington Administrative Code.

The Rules Review Committee may recommend to the Legislature that the enabling legislation supporting an objectionable rule be amended or repealed as the Committee deems advisable.

Future Obligations: The Committee must report to the Legislature on its activities, including recommendations concerning rule–making procedures of state

agencies and institutions of higher education 30 days before the beginning of the 1984 session.

VOTES ON FINAL PASSAGE:

Senate	43	5	
House	95	2	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)
Senate	46	2	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3388

C 319 L 81

BRIEF TITLE: Authorizing county transportation authorities to provide public ambulance services upon voter approval.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Quigg, Talley and Patterson)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Transportation

BACKGROUND:

Only the Grays Harbor County Transportation Authority operates under RCW 36.57 whereas most county transportation authorities operate under a different RCW chapter. A transportation authority operating under RCW 36.57 may not provide or contract for ambulance service.

A county transit authority is authorized to receive state motor vehicle excise tax matching funds for locally generated revenues expended in the provision of transportation services. This matching fund was established to create a state and local partnership in provision of public transportation services.

SUMMARY:

County transportation authorities organized under RCW 36.57 may contract for ambulance service if a proposition authorizing such service is submitted to the voters and approved by a majority of those voting on the issue.

Ambulance service fares may be adjusted or eliminated for classes of users such as senior citizens, handicapped persons and students.

The state motor vehicle excise tax matching fund will not apply to funds expended to provide ambulance services nor shall local sales tax revenues used to provide ambulance service be matched by state motor vehicle excise tax funds.

VOTES ON FINAL PASSAGE:

Senate	49	0	
House	97	1	(House amended)
Senate	44	1	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3390

C 279 L 81

BRIEF TITLE: Expanding the scope of business improvement areas.

SPONSORS: Senate Committee on Commerce and Labor (Originally Sponsored By Senator Goltz)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

The Legislature has authorized the creation of parking and business improvement areas. These areas may levy special assessments on businesses in the area for the purposes of (1) acquisition, construction or maintenance of parking facilities, (2) decoration of any public place in the area, (3) promotion of public events in the area, (4) furnishing music in public places in the area, and (5) promotion of retail activities in the area.

For such areas to be effective in general economic development, the purposes of such areas should be expanded to include professional management and promotion of these areas.

Following the drastic increase in the price of gold and silver, ads often appear in newspapers offering to buy gold and silver in any form including watches, jewelry, silverware, etc. Often the operation is set up in a motel room and is not regulated in any way. There is no way to check to see if the property is stolen or if the consumer is receiving a fair price. These operations are similar to the operation of a pawnbroker which would require the purchaser to keep records on

the identity of the seller, items received and money given in exchange for the property.

SUMMARY:

It is expressly stated that business improvement areas are intended to aid in the general economic development of the area and that such areas facilitate cooperation of merchants located within the area.

Business improvement areas may provide professional management, planning and promotion for the area, including the management and promotion of retail activities within the area after a petition submitted by operators responsible for 60 percent of the assessment on businesses in the area. For this purpose, special assessments may be imposed giving consideration to such factors as business and occupation taxes imposed, square footage of business, number of employees, gross sales or any other reasonable factor relating to benefits received.

Cities, towns and counties are denied the authority to issue revenue bonds to finance the cost of any parking and business improvement area.

Every person who engages in the business of purchasing precious metal in places other than where precious metals are ordinarily purchased or sold shall be treated as a pawnbroker. This will affect persons who advertise in the paper and then set up shop in someplace like a motel room. These persons would be required to report like a pawnbroker to the chief of police or county sheriff.

VOTES ON FINAL PASSAGE:

Senate	40	8	
House	98	0	(House amended)
Senate	43	2	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3415

C 175 L 81

BRIEF TITLE: Revising laws relating to health care service contracts.

SPONSORS: Senate Committee on Social and Health Services
(Originally Sponsored By Senators McDermott, Moore, Ridder and Gould)

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Presently, when a nurse provides health services to an individual with insurance issued through a health service contractor under medical service bureaus, the nurse can only be reimbursed through a physician and cannot receive payments directly.

Some people feel that certain services which can be provided by registered nurses, which presently are covered only if provided by a licensed physician, should also be covered under health care contracts issued by medical service bureaus. This would be particularly helpful in areas such as Darrington and Vashon Island where there is a shortage of physicians to provide all services.

SUMMARY:

All services provided by registered nurses which are within their lawful scope of practice and which would have qualified if performed by a licensed physician shall be covered under health care contracts issued by health service contractors and nurses will receive reimbursements directly.

Agreements entered into or renewed by a health maintenance organization such as Group Health Cooperative which provides comprehensive health care services directly to participants on a prepayment basis are exempt.

VOTES ON FINAL PASSAGE:

Senate	45	1
House	97	0

EFFECTIVE: July 26, 1981

SSB 3453

C 271 L 81

BRIEF TITLE: Providing for the renovation, redevelopment, maintenance, and operation of state parks.

SPONSORS: Senate Committee on Parks and Ecology
(Originally Sponsored By Senators Hurley, Goltz and Zimmerman)

SENATE COMMITTEE: Parks and Ecology

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The Trust Land Purchase Account in the general fund was established in 1971. All of the overnight camping fees and other fees collected by the Washington State Parks and Recreation Commission are placed in the Trust Land Purchase Account.

Currently, the funds in the account may only be used for the purchase of specified trust lands which have been administered by the Department of Natural Resources and which are portions of state parks. Based on a contract, annual payments from the account are made to the Department of Natural Resources. Since more fee revenue has been placed in the account than is needed to make the annual payment to the Department of Natural Resources, a surplus of funds has been generated each biennium.

The Parks and Recreation Commission has adopted regulations on the management of timber in state parks. However, the Legislature has not directed the Commission to manage the timber in a manner to generate funds for state parks while maintaining the aesthetic and recreational values of the parks.

SUMMARY:

Funds in the Trust Land Purchase Account may be used for the renovation and redevelopment of state park structures and facilities and for the maintenance and operation of state parks during the 1981–83 biennium.

Thereafter, the funds may only be used for these purposes after the money has been used to pay the Department of Natural Resources for the remaining trust lands and timber within state parks. The payments for the trust lands and timber are to be on a schedule satisfactory to the Board of Natural Resources.

In addition, the Washington State Parks and Recreation Commission is directed to manage timber under its jurisdiction in accordance with specified criteria. Net revenues derived from timber sales by the Commission are to be deposited in the Trust Land Purchase Account.

VOTES ON FINAL PASSAGE:

Senate	45	0	
House	98	0	(House amended)
Senate	38	4	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3456

C 277 L 81

BRIEF TITLE: Removing the requirement that certain certificates and licenses be filed with county officials.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Sellar and Talley)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Clerks of the state's courts file all papers delivered in court actions. The Supreme Court is designing forms for use in the state's courts and is developing rules for filing papers in court actions.

Court clerks are required to maintain original court papers for six years and preserve these documents on microfilm. Storage of original records has resulted in space problems at many courthouses.

At the turn of the century, state laws were enacted to require certain professional certificates to be filed with county auditors or clerks. This requirement was instituted so that people could easily determine whether or not a professional was certified by checking the county records.

Currently, professional certificates are also filed with the Department of Licensing in Olympia. With advanced communication devices, a person may now verify the credentials of a professional by calling the Department of Licensing. Requests to check certificates are very seldom made at the county level anymore. Yet, some professional certificates must still be filed with the counties which are confronting storage space problems.

SUMMARY:

Court clerks must file papers as directed by court rule and statute. These clerks are required to publish notice of the procedures for inspection of the public records of the court. In addition, the county clerks are no longer required to maintain original court papers for six years.

The certificates or licenses for chiropractors, dentists, dental hygienists, optometrists, osteopaths, drugless

therapists, and midwives are no longer required to be filed with the county auditor or clerk. The records of county clerks and auditors which relate to previous filings by these professionals are transferred to the Department of Licensing.

VOTES ON FINAL PASSAGE:

Senate	43	0	
House	97	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3458

C 135 L 81

BRIEF TITLE: Authorizing the retention of an additional two percent of wagers on exotic races.

SPONSORS: Senators Shinpoch, Jones, McDermott and Deccio

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Revenue

BACKGROUND:

A race track with daily average gross receipts from parimutuel machines of more than $500,000 per day may retain

a. from the first $500,000, 10–1/2 percent of the receipts; and

b. from above the first $500,000, 10 percent.

All other tracks may retain 11 percent.

Of all the amounts retained over 10 percent, at least 50 percent must be used to support the general purse structure. Any remainder may be used for specified property maintenance.

Depending on the daily gross receipts from parimutuel machines, race tracks must pay to the Washington Horse Racing Commission a percentage ranging from 4 to 5 percent of the gross receipts. These funds are then allocated in fixed proportions to the Horse Racing Commission, the general fund, and other specified funds.

SUMMARY:

In addition to the percentage of gross receipts from the parimutuel machines, a track may retain 3 percent from wagers on exotic races. Regardless of the size of the gross at a race track, 1 percent is to be retained by the track and forwarded daily to the State Treasurer for deposit in the general fund. If the race track averages more than $500,000 gross from the parimutuel machines daily, the remaining 2 percent is distributed as follows:

a. 56 percent is to be used for Washington bred breeders awards, not to exceed 20 percent of the winner's share of the purse;

b. 44 percent, not to exceed $2,500 a day, is to be used for specified capital improvements; and

c. Any amount exceeding the above limitations may be used to support the general purse structure, except that the purse structure agreed to by the race track and the horsemen may not be supplanted.

If the race track averages less than $500,000 per day, 45 percent of the remaining 2 percent will be used for the Washington bred breeders awards, not to exceed the 20 percent of the winner's share of the purse. The remainder of the 2 percent may be used for the general purse structure, except that the purse structure agreed to by the race track and the horsemen may not be supplanted.

An exotic race is defined as those races known as "daily double," "quinella," "exacta," and "trifecta." These exotic races must be authorized by the Horse Racing Commission.

VOTES ON FINAL PASSAGE:

Senate	42	2
House	96	1

EFFECTIVE: May 12, 1981

SSB 3464

C 212 L 81

BRIEF TITLE: Directing the department of agriculture to study natural–based pesticides.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored By Senators Hansen, Bottiger and Conner)

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

Unlike chemical pesticides, naturally–based pesticides, such as fish fertilizer, are not derived from depletable fossil fuels. Some people believe that naturally–based pesticides pose less environmental and health risks than other chemical formulations and have been demonstrated to be effective in controlling insect pests. It is believed encouraging heavier reliance on naturally–based pesticides will reduce the use of chemically–based pesticides and thereby reduce the quantity of depletable fossil fuel used in the manufacture of chemically–based pesticides.

SUMMARY:

The Department of Agriculture must contract with Washington State University for research on natural based products that may have value as pesticides or biological control promoters and to determine their effectiveness.

The Department of Agriculture must determine with research personnel at Washington State University whether other biological controls may be effective in the control of pests and should be included in the research product.

Future Obligation: The Department of Agriculture and Washington State University must jointly issue a written progress report on the research by June 30, 1982, a preliminary report by June 30, 1983, and a final report by October 30, 1983.

Appropriation: $30,000 from the state general fund is appropriated to the Department of Agriculture to conduct the study.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3465

C 112 L 81

BRIEF TITLE: Eliminating expiration dates for risk management office.

SPONSORS: Senators Wojahn, Shinpoch, Clarke, Bauer, Jones, Bluechel and Sellar

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

The Risk Management Office, as part of the Department of General Administration, makes recommendations to state agencies on how to apply safety, security, loss prevention, and loss minimization methods in order to reduce or avoid risk or loss. The office is subject to the Sunset Act and will cease to exist after June 30, 1981 without action by this Legislature.

The Legislative Budget Committee, as a part of the Sunset process, found that during the period July 1, 1978–June 30, 1980 (FY 78–80), the Risk Management Office spent $179,000 from the general fund but saved the state $13,104,000 through cost savings and cost avoidances.

SUMMARY:

The sunset provisions which would eliminate the Risk Management Office are repealed and the Risk Management Office is extended 6 years to June 30, 1987. Further extensions are subject to legislative approval.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3498

C 31 L 81

BRIEF TITLE: Implementing law relating to bond financing by the Washington health care facilities authority.

SPONSORS: Senators Wojahn, Sellar and Bauer

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Appropriations–Human Services

BACKGROUND:

The Washington Health Care Facilities Authority had no authority to place more than one health care facility project under a single issue of revenue bonds. The advantage of placing more than one project under a single issue of revenue bonds is that it is easier for

relatively smaller projects to collectively compete with larger projects for bond financing.

SUMMARY:

The Washington Health Care Facilities Authority may provide bond financing to more than one project or authorized operator of a nonprofit health care facility in a single issue of revenue bonds utilizing a single bond fund or a single special fund.

VOTES ON FINAL PASSAGE:

Senate	44	0
House	98	0

EFFECTIVE: April 17, 1981

SSB 3514

C 213 L 81

BRIEF TITLE: Correcting terminology by using the term councilmember.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Lee, Ridder and Wojahn)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

In 1973 the Legislature substituted in the Revised Code of Washington words of a neutral gender for words of a specific gender where either gender was applicable. The words "councilman," "councilmen," and "chairman" were not changed at the time.

SUMMARY:

The terms "councilman" and "councilmen" in various sections of the code are changed to "councilmember" and "councilmembers." "Chairman" is changed to "chair."

VOTES ON FINAL PASSAGE:

Senate	42	7
House	75	21

EFFECTIVE: July 26, 1981

SB 3531

C 11 L 81

BRIEF TITLE: Making a capital appropriation to Western Washington University.

SPONSORS: Senators Goltz, Jones, McDermott, Scott and Ridder

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations–Education

BACKGROUND:

When the Legislature appropriated for the 1981–83 biennium $4.5 million to Western Washington University (WWU) for construction of a Business and Economics Building, there was no provision for equipment and inflation. Therefore, the building could not be completed until an adequate appropriation was made.

SUMMARY:

Appropriation: $788,000 is appropriated from the Western Washington University capital projects account in the general fund for planning, construction and equipping the College of Business and Economics building.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	79	17	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: February 27, 1981

SB 3532

C 214 L 81

BRIEF TITLE: Permitting the use of a renewed vehicle license for a full twelve–month period.

SPONSORS: Senators Metcalf and Peterson

SENATE COMMITTEE: Transportation

INITIAL HOUSE COMMITTEE: Labor and Economic Development

ADDITIONAL HOUSE COMMITTEE: Transportation

SECOND ADDITIONAL HOUSE COMMITTEE: Revenue

BACKGROUND:

A motor vehicle must be registered for a full 12 month period. If a vehicle registration has been expired for less than a year, the full registration fees for the established 12 month period must be collected at the time of renewal, regardless of the time of renewal, and even if the person renewing the registration just purchased the vehicle. For example, if a registration year runs from June to June and the registration is not renewed until December, the registration fees must be paid for the entire year.

However, if a vehicle registration has been expired for more than a year, all back registration fees are waived. A new registration period is then established from the time of renewal.

Many people feel it is unfair to require a new registered owner to pay the back registration fees on a vehicle just purchased.

SUMMARY:

The definition of a "registration year" is amended to allow a new twelve-month registration period to be established for a vehicle whose previous registration has been expired for more than thirty days when the vehicle is being renewed with a different registered owner.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3536

C 87 L 81

BRIEF TITLE: Authorizing parity between state and federal savings and loan associations.

SPONSORS: Senators Wojahn, Bauer, Sellar, Charnley and Fuller
(By Department of General Administration Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

State chartered savings and loan associations believe they should be able to exercise the same powers granted by federal law to federally chartered savings and loan associations. In the absence of such parity, state chartered institutions may elect to become federally chartered.

SUMMARY:

State chartered savings and loan associations are granted the powers that will have been conferred as of the effective date of the bill upon federally chartered savings and loan associations doing business in Washington.

The Supervisor of Savings and Loans may by rule authorize state chartered savings and loan associations to exercise any of the then existing powers of those federally chartered, if he finds borrowers and depositors would be convenienced and fairness of competition between state and federally chartered institutions would be maintained.

The Supervisor of Savings and Loans is authorized to modify reserve and certain other requirements applicable to state chartered savings and loan associations if they are federally insured.

New Rule Making Authority: This bill delegates rule-making authority to the Supervisor of Savings and Loans.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	97	0

EFFECTIVE: May 8, 1981

SSB 3542

C 326 L 81

BRIEF TITLE: Permitting self-insurers to close certain claims under workers' compensation.

SPONSORS: Senate Committee on Commerce and Labor
(Originally Sponsored By Senators Vognild and Jones)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Employers certified as self-insurers under the workers' compensation system feel that claims limited to medical treatment can be handled more efficiently if self-insurers can close these claims in a shorter period of time. Currently, claim closure may take up to six months. Part of the delay in closing claims is the time it takes the Department of Labor and Industry to process and approve a claim.

SUMMARY:

Self-insurers may close claims limited to medical treatment which do not involve temporary total disability at the time medical treatment is concluded and do not involve permanent disability.

Upon closure of the claim, the self-insurer shall enter a written order notifying the worker of: 1) the closure of the claim with medical benefits only, 2) the right of the worker to protest closure by contacting the Department of Labor and Industries in Olympia in writing within 60 days, and 3) the review process which will be followed by the department when there is a protest to closure.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	97	0

EFFECTIVE: July 26, 1981

SSB 3554

C 300 L 81

BRIEF TITLE: Implementing law by providing means to finance local economic and employment development.

SPONSORS: Senate Committee on Commerce and Labor
(Originally Sponsored By Senators Bluechel, Fleming, Ridder, Wojahn, Gaspard, Bauer, Zimmerman and Gallaghan)
(By Governor Spellman, Secretary of State and State Treasurer Request)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Rules

BACKGROUND:

Forty-six states have enacted legislation allowing state and local governments to issue tax-free revenue bonds to finance private investment. These tax-free revenue bonds aid the development of jobs, diversification of the industrial base, and efforts of local communities to attract new industry. Washington has no such program and it is unclear whether tax-exempt financing would be constitutional in this state. A constitutional amendment and implementing legislation are proposed to allow municipalities to create public corporations with authority to issue tax-exempt revenue bonds.

SUMMARY:

The Legislature finds there is an urgent need to promote higher employment, maintain and supplement capital investment in industry, enhance natural resources and the environment, and promote the production and conservation of energy.

To achieve the goals, municipalities may enact an ordinance creating a public corporation authorized to issue tax-free revenue bonds for the financing of industrial development facilities. Industrial development facilities are facilities for manufacturing, processing, production, assembly, warehousing, transportation, pollution control, and energy facilities.

The ordinance creating the public corporations shall approve the charter of the corporation and establish a board of directors to govern the affairs of the public corporation. The public corporation created by the municipality may be altered, changed or reorganized by the municipality. Finally, the municipality may dissolve the public corporation by ordinance if the public corporation (a) has no property or funds to administer, and (b) all its outstanding obligations have been satisfied.

It shall be illegal for directors, officers, agents or employees of the public corporation to have any interest in property, contracts, services or materials used in connection with industrial development facilities financed through the public corporation. Violation of this prohibition shall be a gross misdemeanor.

The financial statements, books and records of the public corporation shall be available to the creating municipality and to the state for review and annual audit.

Under this chapter, revenue bonds shall not be issued except on approval of the municipality creating the public corporation and the planning jurisdiction in which the industrial development facility is located.

The facility shall be located wholly within the municipality creating the public corporation or provide energy or waste disposal to the municipality.

Prior to issuance, the public corporation's board of directors must (a) find that the bonds will be exempt from federal taxation, (b) submit a copy of its enabling ordinance, charter and a description of any industrial development facility proposed to be undertaken to the Department of Commerce and Economic Development for its approval, and (c) issue a resolution describing the industrial development facility, the approval of the facility; the resolution must be adopted 60 days prior to sale of the revenue bonds.

No municipality may give or lend money or property to aid the public corporation. The revenue bonds issued under this chapter shall not be considered a debtor pledge of the faith and credit of the state, municipality, municipal corporation or state agency. The revenue bonds shall be payable solely from the revenue resulting from the industrial development facility funded by the revenue bonds or additional security furnished by the user of the industrial development facility.

Each bond shall contain on its face statements that (a) the state, municipality, municipal corporation or agency of the state is not obligated to pay the principal or interest on the bond, (b) no tax funds or governmental revenue may be used to pay the principal or interest on the bonds, and (c) the faith and credit of taxing power of the state municipality, municipal corporation or state agency is not pledged to the payment of the principal or interest on the bond.

A public corporation created under this chapter is not a municipal corporation within the meaning of the State Constitution and laws of the state or municipality. A municipality shall not delegate to the public corporation any of the municipalities' attributes of sovereignty, powers of taxation, eminent domain or police powers.

Public corporations, under this chapter, are empowered to:

(a) Construct and maintain more than one industrial development facility,

(b) To lease all or part of industrial development facilities under terms the board of directors consider advisable,

(c) To sell by installment contract or otherwise convey all or part of industrial development facilities,

(d) To secure loans for the purpose of providing temporary or permanent financing or refunding of the revenue bonds issued by the corporation,

(e) To mortgage or otherwise encumber all or any part of any industrial development facility then owned or acquired and to assign mortgages or repledge any security conveyed to the public corporation to secure revenue bonds issued by the public corporation,

(f) To sue or be sued as a corporate entity,

(g) To make contracts,

(h) To have a corporate seal,

(i) To borrow money as allowed under this chapter,

(j) To alter its by–laws,

(k) To collect fees and charges from users and prospective users of industrial development facilities to recover actual or anticipated costs,

(l) To execute financing documents, and

(m) To operate industrial development facilities only as a lessor, lendor, or seller.

If there is a sublease or assignment by the original lessee or contracting party, the original party or their successor remains primarily liable for the repayment of the revenue bonds.

In determining the terms of a lease, contract, or loan for industrial development facilities, the public corporation shall determine if there is sufficient revenue to pay:

(a) The principal and interest on the revenue bonds,

(b) An amount necessary to be paid into a reserve account, and

(c) To provide all proper maintenance and insurance on the facility.

If the user of the bonds defaults, the public corporation can enforce the agreement by mandamus, appoint a receiver to manage the operation, or foreclose.

The Department of Commerce and Economic Development shall report annually to the Legislature on the amount of revenue bonds issued and the amount of permanent employment generated by this investment.

VOTES ON FINAL PASSAGE:

Senate	36	13	
House	93	5	(House amended)
Senate			(Senate refused to concur)
Conference Committee			
House	87	7	
Senate	35	13	

2 EFFECTIVE: July 26, 1981

SB 3555

C 113 L 81

BRIEF TITLE: Mandating certain information from institutions of higher education relating to remunerated professional leaves.

SPONSORS: Senators Bluechel and Charnley

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: Higher Education

BACKGROUND:

The Council for Postsecondary Education (CPE) is required to determine if institutions of higher education are complying with the statute pertaining to remunerated professional leaves. The institutions in turn are required to submit annual reports of such information as the CPE deems is necessary in determining compliance. The Council for Postsecondary Education is required to periodically report this information to the Legislature. It is argued that these requirements make for unnecessary and costly paperwork for the institutions.

SUMMARY:

Institutions of higher education are no longer required to report annually to the CPE but must maintain information which will insure compliance with the provisions of the statutes on remunerated professional leaves. The Council for Postsecondary Education must periodically request this information from the institutions to insure that the institutions are in compliance. The Council for Postsecondary Education will no longer report such information to the Legislature.

VOTES ON FINAL PASSAGE:

Senate	25	23
House	96	0

EFFECTIVE: July 26, 1981

SB 3580

C 215 L 81

BRIEF TITLE: Excluding from disclosure certain information relating to bids.

SPONSORS: Senators Guess and Hansen

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: State Government

BACKGROUND:

Prospective bidders for state highway construction or improvement must submit a statement of financial ability and a statement of the experience of the bidder prior to submitting a bid proposal. The Department of Transportation believes that this statement of financial ability is a public document and therefore available for public inspection.

SUMMARY:

The Department of Transportation may not make available for public inspection and copying any financial information supplied by a bidder for the purpose of qualifying to submit a bid on highway construction or improvements.

VOTES ON FINAL PASSAGE:

Senate	30	19
House	92	6

EFFECTIVE: July 26, 1981

SSB 3584

C 115 L 81

BRIEF TITLE: Transferring the state archives to the secretary of state.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senators Goltz and Pullen)

SENATE COMMITTEE: State Government

INITIAL HOUSE COMMITTEE: State Government

ADDITIONAL HOUSE COMMITTEE: Appropriations-General Government and Compensation

BACKGROUND:

Among the major functions of the Office of Secretary of State are the maintenance and management of a variety of public documents, including corporate and elections records, public commissions and bonds, and certificates of official acts of the Legislature and the Governor. General authority for state archives and records management was in a division of the Department of General Administration. Agencies were charged for these services out of a portion of the General Administration Facilities and Services Revolving Fund.

Consolidation of these archives and records management functions under the Office of the Secretary of State might lead to improved coordination and efficiency.

SUMMARY:

The Division of Archives and Records Management in the Department of General Administration is made a division in the Office of the Secretary of State. Conforming amendments are made in other provisions of law.

The Secretary of State and the Director of Financial Management must establish a schedule of fees and charges for the services provided by the Division to state agencies. An Archives and Records Management Account is established, consisting of the fees and charges collected by the Division. The account shall be appropriated exclusively for operation of the Division.

All documents, records, equipment, funds and other assets of the Department of General Administration pertaining to archives and records management are transferred to the custody of the Secretary of State. All related appropriations to the Department of General Administration are similarly transferred. Any questions relating to the transfer shall be resolved by the Director of the Office of Financial Management.

All classified employees of the Division of Archives and Records Management in the Department of General Administration are transferred to the jurisdiction of the Secretary of State. The employees will continue to perform their usual duties without any loss of rights, subject to appropriate later changes in accordance with civil service laws and regulations. All rules, regulations and pending business before the Division shall be continued, and all obligations shall remain in effect.

If apportionments of budgeted funds are required because of the transfer, they shall be certified by the Director of the Office of Financial Management to the affected agencies, the State Auditor and the State Treasurer.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: July 1, 1981

SB 3586

C 261 L 81

BRIEF TITLE: Revising salmon enhancement program.

SPONSORS: Senators Peterson, Talley and Gallaghan

SENATE COMMITTEE: Natural Resources

INITIAL HOUSE COMMITTEE: Natural Resources and Environmental Affairs

ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government and Compensation

BACKGROUND:

The 1979 salmon enhancement program enacted by the Legislature designated that a facility should be built on the Skagit River. The Department of Fisheries looked at several sites and found that there is not sufficient water available for a hatchery on the lower Skagit River.

The success of a spawning channel on the Fraser River in Canada prompted the Department to develop a spawning channel proposal for the Skagit River. The Skagit River is a prime river for enhancement, and a spawning channel would benefit both the commercial and sports fisheries. Bonding authority for salmon enhancement is paid for out of the general fund and is supported by a tax from commercial and sports fishermen. $2 million of new bond funding plus an additional $1.5 million which exists under the present $32 million bonding package would be required to provide for a salmon spawning channel. Sufficient funds are not available at the existing bonding level to construct the spawning channel.

SUMMARY:

The bonding authority for salmon enhancement is increased from $32 to $34 million.

VOTES ON FINAL PASSAGE:

Senate	44	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3589

C 116 L 81

BRIEF TITLE: Revising certain laws governing the promulgation and distribution of transportation tariffs.

SPONSORS: Senators Talley and Guess (By Utilities and Transportation Commission Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Federal law enacted in 1980 deregulates certain aspects of the railroad industry. Corresponding state statutes need to be amended to conform to the federal law.

Currently, statutory language directs the Utilities and Transportation Commission to publish tariffs used by common carriers. Publications will be sold to the public for a fee of $10. The cost of publication has exceeded the allowable fee the UTC can charge.

SUMMARY:

When rail carriers propose rate increases or new rates they will not become effective until 20 days after publication of such notices. Decreases become effective 10 days after publication of such notices.

The Utilities and Transportation Commission will annually determine the cost of publishing common carrier tariffs and fix the price of publication accordingly.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3591

C 313 L 81

BRIEF TITLE: Permitting counties to establish local improvement districts for water, sewer and/or drainage.

SPONSORS: Senators Craswell, Bottiger and Guess

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Counties may not create local improvement districts (LIDs) for water or sewer purposes but may create utility local improvement districts (ULIDs) for water or sewer purposes.

LIDs are financed with bonds paid from assessments against individual properties within the LID. Thus, LID bonds are backed by all the taxable property within the district.

ULIDs are financed with either revenue bonds payable from revenue of the utility itself or general obligation bonds of the county. The general obligation and revenue bonds authorized for a ULID are not as attractive to investors as LID bonds which are secured by property within the district.

The establishment of most local improvement districts (LIDs) in cities and towns can be initiated in two ways. The first method is by petition of the owners of at least a majority of both the lineal frontage of the proposed improvement and the land area within the proposed LID. The second method is by resolution of the city or town governing authority. The establishment of an LID through resolution may be prevented when a protest is filed by the property owners who are subject to 60 percent or more of the proposed LID assessments.

Unlike most city and town LIDs, the establishment of an LID for street lights must be initiated by petition of the property owners of two-thirds of the lineal frontage of the improvement and two-thirds of the land within the proposed LID.

The initiation procedures for the establishment of LIDs for street lights have made it difficult for cities and towns which do not have their own electrical utility companies to fund the costs of providing electricity for street lights.

A city, town, sewer district, water district or drainage district may enter into a developers reimbursement contract which provides for the construction of water

or sewer facilities by the developer to connect a given development with the public water or sewer system.

Proceeds of county revenue bonds may not be used to pay interest on those bonds.

Special assessments to cover the cost and expense of local improvements must be paid with equal principal installments with the interest paid on the declining balance of the unpaid assessments. Because of this the early assessment installments are substantially higher than the later ones placing a much heavier burden on property owners in the early years.

The authority in current law for county sewer projects has caused problems for bond counsel.

It is unclear whether counties have the authority to identify an area that would benefit from a county drainage program and to assess the cost of such a drainage program on the property within that benefit area.

SUMMARY:

Counties are authorized to create local improvement districts for sewer and water purposes and to issue local improvement district bonds for these purposes.

A local improvement district guarantee fund may be established in the county treasurer's office for counties. Procedures for the operation and creation of the fund are specified.

The establishment of a city or town LID for street lights no longer must be initiated by petition of the property owners of two-thirds of the lineal frontage of the improvement and two-thirds of the land within the proposed LID.

The counties are authorized to enter into developers reimbursement contracts. Reservoirs are added to the list of facilities which may be subject to such contracts.

Proceeds of county revenue bonds may be used to pay interest on those bonds during the construction of such facilities and for a period no greater than one year after such construction is completed.

Revenue bonds may be issued to refund revenue bonds or general obligation bonds of the county which are issued to carry out any county power.

County revenue bonds may be wholly registered (registered as to both principal and interest) and such interest may be payable at times other than semi-annually.

Facsimile signatures of the chairman of the board of county commissioners and the clerk of the board and facsimile seals may be used on county revenue bonds.

At the option of legislative authority, special assessments for local improvements may have level or equal principal and interest installments. This will provide for installments of principal and interest which are equal throughout the duration of the installments, similar to those of a home mortgage or car loan.

The definition of system of sewerage is amended to include septic tanks.

Counties which have no comprehensive plan may adopt a sewerage or water general plan independently of a comprehensive plan. The sewerage general plan may include a description of the regulations deemed appropriate to carry out the plan.

Language concerning the costs which must be set forth in a water or sewerage general plan is deleted and altered to clarify that a county need not know the actual costs of a sewerage or water system at the planning stage.

A county providing sewer service is included within the definition of a municipal corporation.

Language is inserted to cover the change and form of county governments' adopting a home rule charter from the county commissioner form to a county council.

Instead of a review committee for each sewerage or water general plan area, the county legislative authority may create a review committee for the entire county or counties.

A county must file a preliminary assessment roll (an estimate of the costs for each parcel of property) for all assessments in any local district.

Pending the issuance and sale of bonds for a sewerage and/or water improvement, assessments may be deposited in a fund for the payment of such costs.

The bill contains a severability clause.

VOTES ON FINAL PASSAGE:

Senate	47	1	
House	98	0	(House amended)
Senate	36	0	(Senate concurred)

EFFECTIVE: May 19, 1981

SB 3595

C 117 L 81

BRIEF TITLE: Permitting public service companies to sell, lease, or otherwise dispose of property to municipal corporations without authorization of the utilities and transportation commission.

SPONSORS: Senators Williams and Gould (By Utilities and Transportation Commission Request)

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Local Government

BACKGROUND:

The Utilities and Transportation Commission (UTC) must approve substantially all sales, leases, assignments or other dispositions of property made by a public service company. However, UTC authorization is not required for disposition of such property made to a public utility district.

The UTC maintains that sales or dispositions of public service company property to other municipal corporations also should not require approval.

SUMMARY:

UTC approval is no longer needed for disposition of property by public service companies to special purpose districts, cities, counties and towns.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	97	0

EFFECTIVE: July 26, 1981

SSB 3602

C 325 L 81

BRIEF TITLE: Establishing industrial insurance benefit payment requirements for self-insurers.

SPONSORS: Senate Committee on Commerce and Labor (Originally Sponsored By Senators Vognild and Newhouse)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

In the event of an employee death or permanent total disability, an employer recognized as a self-insurer for workers' compensation purposes is required to make a single lump sum payment to the pension reserve fund for monthly disbursement by the Department of Labor and Industries to those entitled to death benefits or permanent total disability benefits.

A lump sum payment may cause a drain on the assets of the employer and affect cash flow.

SUMMARY:

In the event of an employee's death or permanent total disability, a self-insurer may post a bond for the amount of annuity due. The Department of Labor and Industries will make payments to the beneficiary. The self-insurer shall deposit with the department an amount equivalent to three months payments. The self-insurer shall reimburse the department for payments made at least quarterly. In the event of late payment by the self-insurer to the department, the self-insurer must pay the department a penalty of 25 percent of the benefits due. Late payment means payment not received within 15 days after the due date.

VOTES ON FINAL PASSAGE:

Senate	38	8
House	97	0

EFFECTIVE: July 26, 1981

SB 3610

C 142 L 81

BRIEF TITLE: Authorizing a class L liquor license for nonprofit arts organizations.

SPONSORS: Senators Wojahn, Jones, Vognild, Deccio, Hemstad, Williams, Quigg, Hurley and Newhouse

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

A Class K license allows not-for-profit organizations to sell liquor at special events twice during a calendar year when sales are made to members and invited guests. This license does not cover events open to the public and does not allow more than two activities during the year.

SUMMARY:

A Class L retailer's license is created to allow nonprofit arts organizations which sponsor and present productions or performances of an artistic or cultural nature to sell liquor to patrons for consumption on the premises. The license fee is $250 per year.

No part of the income from the sale of liquor may be paid directly or indirectly to directors, members, trustees or stockholders except for services rendered. Assets of the organization must be dedicated to the activities for which the license is granted. The proceeds derived from sale of liquor must be used in furtherance of the purposes of the organization.

Artistic or cultural exhibitions are limited to (1) exhibitions of works of art or objects of cultural or historic significance; (2) musical or dramatic performances or a series of these performances; or (3) educational seminars or programs or a series of such programs offered by the organization to the general public on artistic, cultural or historical subjects.

The license is restricted to events at those theaters or other indoor premises designated in advance by the nonprofit arts organizations and approved by the Liquor Control Board.

VOTES ON FINAL PASSAGE:

Senate	41	8
House	83	13

EFFECTIVE: July 26, 1981

SB 3626

C 118 L 81

BRIEF TITLE: Providing for the future termination of the forest practices appeals board.

SPONSOR: Senator Peterson

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The Forest Practices Appeals Board is scheduled to terminate through the sunset process on June 30, 1981. The Forest Practices Appeals Board was established by the Forest Practices Act in 1973. The Legislative Budget Committee has conducted a program and fiscal review of the board and has concluded that the board should be authorized to continue its current functions.

The Forest Practices Appeals Board is a quasi-judicial body charged with hearing appeals regarding administration of forest practices by the Department of Natural Resources. Both citizens and governmental units may file appeals with the board and challenge the correctness of actions taken by the Department of Natural Resources to enforce provisions of the Forest Practices Act. Among the appeal areas considered by the board are actions taken on applications to conduct a forest practice, stop-work orders, notices to comply, and civil penalties.

The powers and duties of the Forest Practices Appeals Board have remained unchanged since its inception in 1975. As of May, 1980, the Forest Practices Appeals Board has received 12 appeal requests. The Appeals Board has been successful in mediating disputes short of the formal hearing stage in most cases. Mediation has been the primary objective of the board. Very few hearings went beyond the informal conference meeting stage. There probably will be a greater number of appeal requests because of the reforestation requirements in the Forest Practices Act.

The Legislative Budget Committee concluded that the Forest Practices Appeals Board has performed the appeals review function in an organized and effective manner and has provided a needed service for independent reviews of disagreements between those involved in forest practices and the Department of Natural Resources. The Legislative Budget Committee found that the service has not duplicated activities of other state agencies. It was also found that termination of the board would eliminate an important means for both citizens and governmental units to reconcile their differences concerning forest practices prior to a final appeal to the superior court.

SUMMARY:

The Forest Practices Appeals Board is continued until June 30, 1987. The sunset statutes terminating the Board are repealed.

Sunset Provision: The Forest Practices Appeals Board will terminate on June 30, 1987 unless extended by the Legislature.

VOTES ON FINAL PASSAGE:

Senate	46	1
House	97	0

EFFECTIVE: May 8, 1981

SSB 3630

C 216 L 81

BRIEF TITLE: Expanding the authority of department of ecology for land reclamation.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored By Senators Benitz, Hayner and Jones)

SENATE COMMITTEE: Agriculture

INITIAL HOUSE COMMITTEE: Agriculture
ADDITIONAL HOUSE COMMITTEE: Ways and Means
SECOND ADDITIONAL HOUSE COMMITTEE: Appropriations–General Government and Compensation

BACKGROUND:

There is presently a balance of $1.5 million in the land reclamation revolving account. Added to this account each year is approximately $230,000 derived from annual hydroelectric power license fees and repayment of loans and interest made from the reclamation account.

Presently, the reclamation revolving account is a dedicated fund and can be used only for administrative expenses incurred by the Department of Ecology in making investigations and surveys of reclamation projects proposed to be financed by the department from the reclamation revolving account.

Rather than seeking an increase in the general fund appropriation, the department wants to be able to use funds from the reclamation revolving account to conduct water right adjudications; make studies of proposed reclamation projects, which projects are to be funded from sources other than the reclamation revolving account; and fund studies relating to the rehabilitation of reclamation projects.

SUMMARY:

Funds from the reclamation revolving account may be appropriated by the Legislature to:

(1) conduct surveys, studies, investigations and water right examinations for proposed reclamation projects and the rehabilitation of existing projects to be funded by the sale of bonds;

(2) prepare and administer proceedings to adjudicate water rights; and

(3) fund the rehabilitation of existing reclamation projects.

Appropriation: $400,000 is appropriated for the 1981–83 biennium for the costs of adjudicating water rights in the Yakima River Basin.

VOTES ON FINAL PASSAGE:

Senate	44	3
House	97	0

EFFECTIVE: May 14, 1981

SB 3632

C 73 L 81

BRIEF TITLE: Modifying provisions relating to branch banking.

SPONSORS: Senators Wojahn and Clarke

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Branch banking may be accomplished by taking over existing banks under restricted conditions. It was believed that with authorization of branch banking, it might be unnecessary to restrict the ability of newly formed banks to merge or consolidate.

A bank was prohibited from operating a branch in another city or town where another bank was operating except by taking over an existing bank in that city.

The commercial banking industry believed that authority for existing banks to establish branches throughout the state would foster competition and better serve banking customers.

SUMMARY:

The law restricting the ability of an incorporated bank or trust company to merge or consolidate with or to sell to another banking entity is modified so that after

June 1, 1985, prior approval of the Supervisor of Banking is not required.

On and after July 1, 1981 a bank or trust company with a paid-in capital of at least $500,000, may, with the approval of the Supervisor of Banking, establish branches within the same county (including within any city or town located in the county) in which its principal place of business is located without regard to the existence of other banks in that location. On and after July 1, 1985 such a bank may establish with the approval of the Supervisor of Banking a branch at any location within the state, without regard to the existence of other banks at any such location.

VOTES ON FINAL PASSAGE:

Senate	44	4
House	97	1

EFFECTIVE: July 1, 1981

SSB 3636

PARTIAL VETO

C 340 L 81

BRIEF TITLE: Adopting the budget.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Hayner, Scott and Jones) (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Ways and Means

SUMMARY:

The 1981-83 biennium budget is adopted. (See Budget Highlights this report and Veto Message.)

VOTES ON FINAL PASSAGE:

Senate	25	23	
House	50	47	(House amended)
Senate	26	23	(Senate concurred)

EFFECTIVE: May 19, 1981

SB 3639

C 217 L 81

BRIEF TITLE: Modifying provisions relating to the state auditor.

SPONSORS: Senators McDermott, Rasmussen and Gallaghan (By State Auditor Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: State Government

BACKGROUND:

The State Auditor conducts post-audits of every state department on a prescribed, periodic basis. By statute, those departments with biennial appropriations over $600,000 must be audited at least every two years while those with appropriations under $600,000 must be audited at least every five years. The exact frequency of audits, within these statutory parameters, is left to the State Auditor's discretion.

The division of departmental audits examines the books and accounts of each agency, and issues a report to the Governor, the Director of OFM, the Attorney General, the department itself, the House and Senate Ways and Means Committees, the Speaker of the House and the Secretary of the Senate.

In 1979, the Office of Financial Management initiated the issuance of an annual statewide combined financial statement. Similar to annual reports of corporations, it summarizes the fiscal strength of the state as a whole by fund.

Rather than have the State Auditor continue with its two to five year agency audit cycle, it might be more efficient and comprehensive to audit the OFM annual financial statement. In addition, federal and industry trends indicate that an audit of a state's financial statement should be done within six months of the end of the fiscal year upon which it is based.

SUMMARY:

The State Auditor's division of departmental audits must audit OFM's combined financial statement. The examiners will analyze the statements for validity and accuracy of accounting methods, procedures and standards behind their preparation. The accuracy of the statement itself will be verified.

The statutory requirements for frequency of post-audits by appropriation level are deleted. Periodic legal-compliance post-audits of state agencies will

remain the State Auditor's responsibility, but their frequency will be up to his discretion. Reports on the annual audit of the financial statement and those on the post–audits will be disbursed to the same recipients as mentioned above.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	1

EFFECTIVE: July 26, 1981

SSB 3640

C 335 L 81

BRIEF TITLE: Granting the attorney general authority to investigate and prosecute crimes of public corruption.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Hayner, Rasmussen, Newhouse, Jones, Talley and Benitz) (By Attorney General Request)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

The Attorney General has only limited criminal law enforcement powers. Although the Attorney General may, upon request, investigate certain violations and assist local prosecutors, the Attorney General has no authority to initiate or control a criminal proceeding. In addition, the procedural powers conferred upon prosecuting attorneys are not available to the Attorney General.

Recent racketeering cases involving county officials emphasized the desirability of having a qualified, independent agency available within the state to prosecute such offenses.

SUMMARY:

The Attorney General is granted authority concurrent with county prosecutors to investigate and prosecute criminal offenses upon written request from, or with the concurrence of, a county prosecutor, the Governor or a majority of the Oversight Committee of the Organized Crime Intelligence Unit.

In conducting a criminal prosecution the Attorney General shall have all the powers conferred upon prosecuting attorneys by court rule or statute.

In the event both the Attorney General and a prosecuting attorney charge a defendant with substantially the same offense, the court shall determine which of them shall prosecute and shall dismiss the other case.

Future Obligation: The Legislative Budget Committee is directed to conduct a performance audit reflecting findings, conclusions and recommendations regarding the continuation, modification or termination of the act which shall be available to the Legislature six months prior to the termination date.

Termination Date: The act will terminate on June 30, 1985 unless extended by law.

VOTES ON FINAL PASSAGE:

Senate	27	21	
House	94	2	(House amended)
Senate	27	20	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3641

C 119 L 81

BRIEF TITLE: Permitting penalties and interest on late reports and contributions relating to social security coverage of government employees.

SPONSORS: Senators Ridder, Bauer and Zimmerman (By Department of Employment Security Request)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

The state collects from its political subdivisions contributions to the social security system on behalf of employees of the political subdivisions. The state then forwards the contributions and necessary reports to the federal Social Security Administration. The Social Security Administration assesses the state an interest charge of 6 percent per year for any late payment of contributions. This penalty is passed on by the state to the political subdivision. The Social Security Administration now proposes to assess a penalty of 5 percent for late filing of reports and an interest charge

equal to the prime lending rate for late payments of contributions. The state needs authority to pass on to the political subdivision any increases in the penalty and any interest assessed the state.

SUMMARY:

The state may pass on to a political subdivision of the state interest charges at the rate of 6 percent or, if higher, the rate charged the state, if the late report or payment by the political subdivision for social security contributions leads to any federal penalty.

VOTES ON FINAL PASSAGE:

Senate	46	1
House	98	0

EFFECTIVE: July 26, 1981

SB 3646

PARTIAL VETO

C 337 L 81

BRIEF TITLE: Revising laws regulating to professional athletic contests.

SPONSOR: Senator Rasmussen

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

The State Athletic Commission was among the entities scheduled for review by, and termination on, June 30, 1981 under the Washington Sunset Act.

In the review process, the Legislative Budget Committee recommended that the Commission be reinstated, but only for regulation of boxing. The LBC auditor concluded, and the Committee agreed, that professional wrestling should be de-regulated on the basis that it is not a professional competitive sport, but rather an entertainment event. The Office of Financial Management concluded that professional exhibition wrestling should continue to be regulated by the state.

SUMMARY:

The State Athletic Commission will not be terminated. However, the Athletic Commission is redesignated as the Boxing Commission with specific regulatory authority over all professional non-exhibition combat contests including boxing, wrestling, sumo, judo, karate, etc.

Professional exhibition wrestling may no longer be regulated by the Commission. A reference to the state athletic fund is deleted, since it no longer exists. The Commission is authorized to meet at such times as they deem necessary.

The terms "boxing" and "contest" and the purpose of the Commission are specifically defined.

Future Obligations: The Legislative Budget Committee is required to conduct a performance audit of the Boxing Commission and furnish its final report to the Legislature at least six months before the scheduled termination date. Specific criteria are included for the performance audit. The sections in the Sunset Act terminating the Commission are repealed.

Termination Date: The Boxing Commission will terminate on June 30, 1987, unless otherwise provided by law.

VOTES ON FINAL PASSAGE:

Senate	44	3	
House	90	7	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: May 19, 1981

PARTIAL VETO SUMMARY:

All of the provisions relating to deregulation of wrestling were vetoed. Left intact were the definitions of "boxing," the change of the Commission's name, optional meeting times, the new termination date following a Legislative Budget Committee performance audit, the repeal of the Sunset Act sections and the emergency clause. (See VETO MESSAGE)

SSB 3655

PARTIAL VETO

C 288 L 81

BRIEF TITLE: Providing for redistricting and reapportionment.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senators Metcalf, Fuller and Gould)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Rules

BACKGROUND:

The Washington State Constitution requires that the Legislature accomplish legislative redistricting following each federal decennial census (Article II, Section 3) and congressional redistricting following each congressional apportionment (Article XXVII, Section 13). Information from the 1980 census and the apportionment of congressional seats has been made available so that the Legislature may carry out its constitutional duties.

SUMMARY:

Congressional and legislative redistricting plans are proposed based upon the state's population as reported in the 1980 Federal Decennial Census. The legislative plan establishes a 49-member Senate and a 98-member House of Representatives. The congressional plan divides the state into eight congressional districts in accordance with the number of seats allocated to this state by the congressional apportionment.

DISTRICT CRITERIA

The bill contains several statements of legislative intent which stipulate that:

1) Each district will encompass a number of inhabitants as nearly equal as is practicable;

2) The plan is based on the 1980 census, since no other practical means are available to more accurately ascertain district population;

3) Transient military population will be excluded from the plans. If a court later rules that such exclusion is improper, those persons must be included in the district from which they were excluded.

Procedures are established for subsequently assigning areas not properly assigned to a district(s) in the original plans. Such areas will be assigned as follows:

1) Any area completely surrounded by a particular district, but not assigned to a district, will be assigned to that district in which it is contained;

2) Any area not assigned to a district, but which is part of several districts, will be assigned to the district contiguous to that area, with the smallest population; or

3) Any area assigned to two or more noninclusive districts will be reassigned to the adjacent district with the smallest population.

District boundaries may not cross the Cascade Mountains (except Skamania County) and must be described in the following terms:

1) Census bureau tracts, enumeration districts, block numbering areas, block groups, blocks, or county census divisions established by the United States Bureau of the Census in the 1980 Federal Decennial Census;

2) Counties, municipalities or other political subdivisions as they existed on April 1, 1980;

3) Natural or artificial boundaries or monuments including but not limited to rivers, streams or lakes as they existed on April 1, 1980;

4) Legal descriptions used to describe real property including "section," "range" and "township;"

5) Roads, streets or highways as they existed on April 1, 1980; and

6) Standard surveying terminology including latitude, longitude, compass direction and metes and bounds.

LEGISLATIVE DISTRICTS

The plan proposes fifty-one legislative districts. Four of these districts (Districts 19-A, 19-B, 39-A, and 39-B) will be single-member representative districts and the remainder will be multimember representative districts each electing two representatives.

All legislative districts will be single-member senatorial districts, except that 19-A and 19-B will be combined to form the 19th Senatorial District and 39-A and 39-B will be combined to form the 39th Senatorial District. Each such district will elect one senator.

To maintain the election scheme set forth in the State Constitution, the 15th District will elect one senator and the 12th, 15th and 36th Districts shall elect one representative at the November, 1981 general election. Members of the House of Representatives shall be elected at the November, 1982 general election and every two years thereafter.

Districts 6, 7, 8, 13, 15, 21, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 42, 43, 44, 45, 46, 47 and 48 will elect one senator for a four-year term at the November, 1982 election, and every four years thereafter. The remainder of the districts will elect one senator for a four-year term at the November, 1984 general election, and every four years thereafter. Holdover senators elected in 1980 will continue to serve out their full four-year term in newly created districts with new boundaries. Those newly created holdover districts are assigned as follows:

SENATOR	NEW DISTRICT
Senator Kiskaddon	New District 1
Senator Bottiger	New District 2
Senator Hurley	New District 3
Senator McCaslin	New District 4
Senator Hughes	New District 5
Senator Patterson	New District 9
Senator Metcalf	New District 10
Senator Shinpoch	New District 11
Senator Sellar	New District 12
Senator Deccio	New District 14
Senator Hayner	New District 16
Senator Zimmerman	New District 17
Senator Talley	New District 18
Senator Quigg	New District 19
Senator Fuller	New District 20
Senator Hemstad	New District 22
Senator Craswell	New District 23
Senator Conner	New District 24
Senator Gaspard	New District 25
Senator Wojahn	New District 27
Senator Haley	New District 28
Senator Woody	New District 39
Senator Peterson	New District 40
Senator Clarke	New District 41
Senator Bauer	New District 49

CONGRESSIONAL DISTRICTS

The plan proposes eight congressional districts. Each district will elect one congressman at the November, 1982 general election, and every two years thereafter for two-year terms. Congressional districts are subject to the same criteria and boundary descriptions as legislative districts, except that legislative districts may be used as boundary descriptions for congressional districts.

OTHER PROVISIONS

The legislative and congressional districts proposed by this plan supersede those established by court order on April 21, 1972. The 1964 redistricting plan and the 1974 amendments to the court ordered plan are repealed. Further, if the legislative districts designated by "A" and "B" are found to be invalid, they shall be combined and treated as a multimember district.

The bill contains a severability clause. However, if a provision of the bill is found invalid, the Legislature will be responsible for providing the remedy. In such cases, the Speaker of the House of Representatives, the President of the Senate and the Secretary of State shall each designate a person, the three of whom will jointly make recommendations for any necessary remedies at the next regular or special legislative session.

VOTES ON FINAL PASSAGE:

Senate	27	22
House	57	41

EFFECTIVE: May 18, 1981

PARTIAL VETO SUMMARY:

The Governor vetoed sections of the bill which established new congressional districts and all other provisions regarding congressional redistricting. (See VETO MESSAGE)

SSB 3669

C 315 L 81

BRIEF TITLE: Authorizing urban arterial bonds.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senator Peterson)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: none

BACKGROUND:

The Legislature has previously authorized two bond issues for city and county arterials within urban areas under the Urban Arterial Board. Series 1 in the amount of $200 million in 1967 and Series 2 in the amount of $60 million in 1977 were authorized. These bond funds plus fuel tax revenues have been fully obligated to arterial projects. The cities and counties have identified $875 million of additional needed arterial improvements. However, there are no available funds to meet these needed improvements.

SUMMARY:

A general obligation bond issue of $100 million for city and county arterials within urban areas is authorized over the next six year period. Fuel tax revenues to support the bond issue are dependent upon enactment of Substitute Senate Bill 4283 (modified variable fuel tax).

Appropriation: $35 million of bond funds is appropriated from the urban arterial trust account in the motor vehicle fund to the Urban Arterial Board.

VOTES ON FINAL PASSAGE:

Senate	42	7
House	60	38

EFFECTIVE: July 1, 1981

SSB 3699

C 316 L 81

BRIEF TITLE: Authorizing state highway bonds.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senator Talley)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: none

BACKGROUND:

In 1979, the Legislature authorized a $100 million bond issue for the state's share of costs of Interstate 90 (I-90) from I-5 to I-405. Because of inflation, the costs of I-90 and other interstate projects have increased. Revenues from existing tax sources are not adequate to finance the state's share of these projects. Furthermore, there are inadequate funds to start any new Category C (major non-interstate projects) in the next six year period.

SUMMARY:

Two general obligation bond issues totalling $450 million are authorized. One is a $225 million authorization for interstate projects. Another is a $225 million authorization for Category C projects. The Category C bond authorization may be increased to the extent that the Transportation Commission, in consultation with the Legislative Transportation Committee, determines that unissued bonds for interstate projects, including the 1979 $100 million bond authorization for I-90, are no longer required for the original purposes. Fuel tax revenue to support these bond issues now depends on passage of Substitute Senate Bill 4283 (modified variable fuel tax).

Appropriation: $120 million of bond proceeds from the motor vehicle fund is appropriated to the Department of Transportation: $70 million for interstate projects and $50 million for Category C projects.

VOTES ON FINAL PASSAGE:

Senate	31	17
House	85	13

EFFECTIVE: May 19, 1981

SSB 3704

C 259 L 81

BRIEF TITLE: Modifying provisions relating to the law against discrimination.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senator Rasmussen)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: State Government

BACKGROUND:

The Human Rights Commission is responsible for the enforcement of the state law against discrimination.

When a discrimination complaint reaches the hearing stage, a three member hearing tribunal is appointed consisting of members of the Human Rights Commission or hearings examiners selected from a list developed by the Commission. Some concern has been expressed about the impartiality of the tribunal because of the close connection between the members of the tribunal and the Commission.

A respondent who prevails at the hearing stage is currently not entitled to recover attorneys' fees even if the complaint was frivolous.

SUMMARY:

A single administrative law judge is substituted for the current three person hearing tribunal which adjudicates complaints of discrimination. The respondent at such hearing is entitled to cross-examine the complainant. If the administrative law judge finds that the complaint is frivolous, unreasonable, or groundless, the judge may award the respondent attorneys' fees.

Two statutes are repealed. The first permitted a complainant to ask the full Commission to reconsider a finding that there is no reasonable cause to believe that an unfair practice has been committed or to reconsider the terms of a settlement agreement. The second prohibited courts from issuing restraining orders or injunctions against the Commission.

Cities with over 125,000 population may by ordinance establish local administrative agencies to process discrimination complaints.

The sections of the bill providing for an administrative law judge will take effect upon the passage of HB 101, setting up an independent administrative law judge agency.

VOTES ON FINAL PASSAGE:

Senate	27	21	
House	96	1	(House amended)
Senate	30	8	(Senate concurred)

EFFECTIVE: April 25, 1981 (Sections 2, 3, 4 and 5)
July 26, 1981 (Sections 1 and 6)

SSB 3705

C 334 L 81

BRIEF TITLE: Relating to the cemetery board.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senator Rasmussen)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

The State Cemetery Board was included in the 1981 sunset termination and review schedule.

The program and fiscal review by the Legislative Budget Committee concluded that the regulatory functions of the Cemetery Board, especially with respect to endowment and prearrangement trust funds for cemeteries, are needed as a public service. The report's conclusion therefore was that the board should be reinstated as currently constituted.

The Office of Financial Management and the Board agreed.

SUMMARY:

The Cemetery Board will not be terminated in 1981. The sections of the Sunset Act terminating the Board are repealed.

Termination Date: The termination date of June 30, 1987 is incorporated into the provisions of the Washington Sunset Act of 1977.

VOTES ON FINAL PASSAGE:

Senate	45	0	
House	97	0	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: May 19, 1981

SB 3722

C 255 L 81

BRIEF TITLE: Modifying provisions relating to home made wine.

SPONSORS: Senators Benitz, Newhouse and Deccio

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

Liquor control laws allow persons to make and consume wine at home. This home-made wine cannot be for sale and cannot be removed from the home. These provisions restrict home wines from being entered in exhibitions, fairs or other competitions.

SUMMARY:

An adult member of a household is allowed to take up to one gallon of home-made wine to exhibitions, organized affairs or competitions. The wine cannot be removed for sale or for the use by anyone other than the producer except for necessary tasting when used in exhibitions or competitions. Any remaining portion must be returned to the family home following a judging or contest.

VOTES ON FINAL PASSAGE:

Senate	44	1
House	95	0

EFFECTIVE: July 26, 1981

SSB 3726

C 322 L 81

BRIEF TITLE: Providing for higher interest rates on delinquent property taxes.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Scott, Craswell, Gallaghan and Gould)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Revenue

BACKGROUND:

The interest rate on delinquent property taxes is statutorily fixed at 8 percent per year. The county treasurer must issue certificates of delinquency to the county to foreclose on property five years after the date of delinquency. To prevent foreclosure against the property, taxpayers do not have to pay all delinquent property taxes; payment of one year of delinquent taxes will prevent any legal action because of the delinquency.

A fixed interest rate of 8 percent encourages tax delinquencies whenever market interest rates are higher.

SUMMARY:

Senior citizens enrolled in the property tax deferral program (RCW 84.38) will be subject to an interest rate of 8 percent on deferred property taxes.

The delinquent property tax interest rate is raised to 12 percent from the current 8 percent.

In addition, the following penalties would be imposed on delinquent taxes:

a) a penalty of 3 percent of the amount of tax delinquent on May 31 of the year in which the tax is due.

b) a penalty of 8 percent on the amount of the tax delinquent on November 30 of the year in which tax is due.

The maximum delinquency period is shortened from five years to three years after May 1, 1983. If a certificate of delinquency has been issued by the treasurer to the county, all delinquent property taxes must be paid to prevent foreclosure actions.

The county treasurer shall notify all taxpayers with taxes delinquent for two years or more prior to May 1, 1983.

Foreclosure action to recover delinquent taxes is prohibited on property owned and occupied by a person 62 years of age and older.

VOTES ON FINAL PASSAGE:

Senate	25	23	
House	88	10	(House amended)
Senate	25	23	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3730

C 218 L 81

BRIEF TITLE: Requiring investment of certain municipal moneys.

SPONSORS: Senators Charnley and Guess

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

A city treasury handles funds from many different departments of the city. Any of these city funds in excess of current needs may be commingled within one common investment portfolio, but the income must be apportioned among the various participating funds in direct proportion to the amount of money invested by each. The apportioning of income has become difficult for some cities because of the complexities involved with the investments and flow of funds in and out of these investments.

SUMMARY:

All income derived from the investment of excess city funds must be apportioned and used for the benefit of the various participating funds or for the benefit of the general or current expense fund of the city.

Funds derived from the sale of general obligation bonds or revenue bonds must be used or invested in the manner set forth in the initiating ordinances, resolutions, or bond covenants.

VOTES ON FINAL PASSAGE:

Senate	45	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3740

C 219 L 81

BRIEF TITLE: Modifying provisions relating to the state investment board.

SPONSOR: Senator Shinpoch

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

The new law creating a State Investment Board, enacted through a legislative override of a gubernatorial veto, called for employment of a single investment officer exempt from civil service classification. The new law did not contain a specific reference to establishment of investment policy. The law also called for funding of the State Investment Board from the Investment Reserve Account. (See bill report on HB 1610.)

Allowing the Board to employ more than one investment officer, specifying investment policy, and funding the Board's operations from the funds it manages would assist in accomplishing the overall objectives of the basic statute. In particular, shifting the funding source could return approximately $1 million from the Investment Reserve Account to the general fund, since that amount is the budget of the State Finance Committee, whose investment functions will be assumed by the new Board.

As originally created, the Board includes two legislator members to have been appointed no sooner than January 1, 1981. Given the delayed enactment, a challenge might be raised on legislative membership under Article II, Section 13 which states in part: "No member of the legislature, during the term of office for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created . . . during the term for which he was elected."

SUMMARY:

The Board may employ investment officers, whose compensation levels shall be established by the State Personnel Board. Investment policies and procedures designed exclusively to maximize return at a prudent level of risk shall be established by the State Investment Board. The State Investment Board shall be funded from earnings of the funds managed, proportional to the value of the assets of each fund managed, rather than from the Investment Reserve Account.

The initial appointment of legislative members is extended to no sooner than January 10, 1983, and conforming changes are made to the number of members which constitutes a quorum, as well as the effective date.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	97	0

EFFECTIVE: May 14, 1981, except for sections 1 and 2, which take effect on July 1, 1981

SB 3745

C 220 L 81

BRIEF TITLE: Relating to the state library newspaper collection.

SPONSORS: Senators Wilson and Hemstad (By State Library Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

For many years, the State Library has served as a depository for newspapers published in the state. Almost all newspaper publishers furnish complimentary subscriptions to the State Library, which serves as a central resource for all local libraries and their users.

Recognizing the newspaper collection in law would assure that the service can be continued.

SUMMARY:

The State Library is declared the depository for newspapers published in Washington State to provide a central location for this valuable historical record.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SB 3752

C 308 L 81

BRIEF TITLE: Authorizing certain joint actions by private schools and public agencies.

SPONSORS: Senators Gaspard, Hemstad, McDermott, Craswell, Fleming and Deccio

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

Although educational Service Districts and school district joint purchasing agencies are authorized to extend their services to private schools, they are not required to give consideration to private school requests to make joint purchases. Additionally, private schools cannot enter into cooperative purchasing agreements with individual school districts or with public agencies, such as the King County Directors Association, that coordinate school district purchasing.

When private schools do participate in purchasing agreements, they are not required to pay in advance for the goods. Several private schools have defaulted on payment causing the public school district to make payment.

It has been requested that all statutory school district purchasing arrangements be amended to require that private school requests to participate in purchasing be considered and that private schools pay in advance for goods ordered.

SUMMARY:

Joint purchasing agencies, individual school districts, and public purchasing agencies must consider any private school requests to participate in cooperative purchasing so long as the private schools pay in advance their proportional share of costs involved.

VOTES ON FINAL PASSAGE:

Senate	44	2	
House	91	5	(House amended)
Senate	41	1	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3765

C 2 L 81 E1

BRIEF TITLE: Modifying the cost reimbursement system for nursing homes.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senator Moore)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

The Nursing Home Auditing and Cost Reimbursement Act of 1980, Chapter 74.46 RCW, extensively revised the nursing home cost reimbursement system. Since enactment of the Act, federal legislation has been passed which affects the state law and makes clarification of state law necessary and desirable.

SUMMARY:

The method of reimbursing nursing homes for the costs of care of public patients during the 1981–83 biennium is defined. Funds are reallocated to enhance patient care. Management discretion and flexibility is provided Preliminary settlement reports are required within 90 days of submittal of the annual cost report. The implementation of RCW 74.46 is delayed for two years.

VOTES ON FINAL PASSAGE:

First Special Session		
Senate	30	19
House	67	31

EFFECTIVE: July 1, 1981 (Sections 1, 2, 3, 10–26)
July 1, 1983 (Section 4)
July 1, 1984 (Sections 5–9)

SB 3776

C 318 L 81

BRIEF TITLE: Revising procedures for issuance of vehicle trip permits.

SPONSORS: Senators von Reichbauer, Gallaghan, Conner and Guess
(By Department of Licensing Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

An interstate truck passing through the state of Washington must either be fully licensed, proportionally licensed, or must obtain an interstate permit.

Some vehicles may operate freely in Washington under reciprocal agreements with other states. A reciprocal agreement guarantees the free operation of an out–of–state commercial vehicle in Washington on the proviso that the same privilege is extended to a

Washington-based truck in that other state. Proportional registration is a percentage of the licensing fee and is based on the total miles that the vehicle operates in Washington in proportion to its total miles of operation in all states.

The owner of a commercial vehicle operating in the state through reciprocal agreement, in lieu of proportional licensing, is required to buy an interstate, or single trip, truck permit, subject to the gross weight of the vehicle. This permit may be issued for a maximum period of 240 hours. The fee for the permit is $5 and an excise tax is also collected, sometimes as much as six months later. If the vehicle's itinerary includes several stops within the state, the owner must also purchase "in-transit" permits pursuant to a gross weight fee schedule.

An unlicensed vehicle subject to licensing requirements, i.e., an unregistered vehicle which is sold and must be moved to the location of the new owner, may also be operated under the authority of an "in-transit" permit, issued for one trip only.

These interstate and in-transit vehicle trip permits are issued by the State Patrol, the Department of Licensing, or their designated agents, usually the county auditors. Single permits are issued at the time they are needed for use. Each permit is processed individually with separate administrative and filing fees collected at the time of issuance by the various licensing agents. In addition, variable filing fees and excise taxes are applied to vehicles based on their time within the state and the legal weight limits.

The licensing agents of the state are required to process and issue each permit based on the varying fees and information on each vehicle. This procedure frequently causes long lines and long waiting periods before the vehicle operator is able to purchase the necessary permits to proceed through the state. It also uses a great deal of the agency official's time that perhaps could be used in a more efficient manner.

SUMMARY:

The owner of a commercial vehicle operating in this state through reciprocal agreement, or of an unlicensed Washington vehicle, may purchase a trip permit good for a three-day period. For commercial vehicles, this permit replaces the the interstate permit and the in-transit permit previously required. No more than three trip permits may be obtained for use by any one vehicle during a thirty-day period.

The trip permit may be purchased in advance and shall be displayed on the vehicle. Blank trip permits may be obtained from numerous designated state agency offices. The fee for the permit is a flat $10, regardless of vehicle weight. No exchanges, credits or refunds may be given after the trip permits have been purchased.

Failure to comply with any of the provisions of this section is a gross misdemeanor.

New Rule Making Authority: The Department of Licensing is authorized to adopt rules for the administration of this section.

Revenue: The current variable permit fee is replaced by a three-day permit costing $10. The permit cost includes a $1 excise tax fee allocated to the general fund; an $8 administrative fee; and a $1 filing fee allocated to the motor vehicle fund.

VOTES ON FINAL PASSAGE:

Senate	31	18
House	98	0

EFFECTIVE: July 26, 1981

SSB 3777

C 221 L 81

BRIEF TITLE: Establishing appeal and collection procedures for proportionally licensed vehicles.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators von Reichbauer, Gallaghan, Conner and Guess)
(By Department of Licensing Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Some commercial vehicles may operate freely in Washington under reciprocal agreements with other states. A reciprocal agreement guarantees the free operation of an out-of-state commercial vehicle in Washington on the proviso that the same privilege is extended to a Washington-based truck in that other state. Proportional registration is a percentage of the licensing fee and is based on the total miles that the vehicle operates in Washington in proportion to its total miles of operation in all states.

A proportionally registered motor vehicle is required by law to preserve all travel records for a period of four years. These records are required for periodic audit by the Department of Licensing, but are not always adequate for property review by the agency. The audit is performed to determine if the vehicle is paying the correct proportional registration fee.

The law presently does not provide appeal procedures for the licensee when an audit assessment is disputed.

The owner of a commercial vehicle operating in the state through reciprocal agreement, in lieu of proportional licensing, is required to buy an interstate, or single trip truck permit, subject to the gross weight of the vehicle.

SUMMARY:

The owner whose application for proportional vehicle registration has been accepted shall maintain certain prescribed records for four years, including the year prior to the application.

The Department of Licensing is authorized to assess and collect any unpaid fees and taxes to the state from proportionally registered vehicles and to provide credits or refunds for overpayments. It shall be the Department's responsibility to attempt to reconstruct records if the owner fails to keep them. If the fleet mileage records are missing and cannot be reconstructed, an assessment not to exceed the amount of the difference between proportional fees paid and 100 percent of the fees and taxes may be paid. The Department is given the authority to deny the owner prorated benefits until any final audit assessment under this chapter has been satisfied, if his records are incomplete or if the Department determines that the owner should have registered more vehicles in Washington State.

The Department of Licensing is authorized to audit the records of any owner of proportionally registered vehicles. Upon audit, the fees found owing are assessed interest at 12 percent per annum from the end of the calendar year when the deficiency occurred until the date of payment.

Overpayments to the state in excess of $5 shall bear interest at 4 percent per annum from the end of a calendar year in which the overpayment occurred.

If the assessment made by the Department is not paid within the prescribed period, a 10 percent penalty is imposed on the unpaid assessment. The notice of assessment, oral hearings, reassessment or decision may be paid by personal service or by mail.

Appeal procedures are provided for the licensee when an audit assessment is disputed, providing the licensee's petition is filed with the Department within 30 days of a notice of assessment, except as provided by the Administrative Procedure Act.

Failure to pay the delinquent fees and taxes including interest and penalties for which an assessment has become final constitutes a lien upon all property of the licensee. The Department shall file the lien with the county auditor from the involved county.

If the owner becomes delinquent in his accounts and an assessment has become final with the Department, notification may be sent to anyone having in their possession any credits or personal property belonging to the licensee or any debts owing to him. The individual notified must advise the Department within 20 days of such credits or debts, and must forthwith deliver the credits, personal property or payment of debts to the Department for payment of the indebtedness. The court may render judgment by default against any person failing to answer the notice within the prescribed period.

If the delinquency is continued after notification and demand, the Department shall seize the involved property, which shall be sold at public auction, following prescribed notification, to satisfy the debt and any costs incurred by the seizure and sale.

Proceeds from the sale exceeding the amount owed to the state shall be returned to the delinquent owner. The return of the excess money may be withheld from the owner if another person has filed with the Department a lien on the property prior to the sale. Property rights would then be determined by the court.

When an assessment has become final, the Department may file a warrant for the amount due, plus a $5 filing fee, with the county clerk. The warrant shall be entered in the superior court judgment docket.

The Department is authorized to refer the delinquencies of an owner of proportionally registered vehicles to the Attorney General for collection. A certificate from the Department indicating the indebtedness is prima facie evidence of the amount owed.

The Department is authorized to initiate audits and investigations of violations of this section. It is further empowered to administer oaths and issue subpoenas. A court order may be issued to any person refusing to obey a subpoena requiring his appearance before an official of the Department.

An individual is automatically entitled to a refund for overpayment of $5 or more. Refunds for overpayment

under $5 must be applied for. If the Department has failed to collect all fees and taxes, it shall be entitled to charge and collect the additional amount in excess of $5.

Judicial review and appeals under this chapter shall be governed by the Administrative Procedure Act.

Revenue: A $5 filing fee must be paid to the county clerk upon the filing of a warrant for the delinquent fees, taxes and penalties owed by an owner of proportionally registered vehicles to the Department of Licensing.

VOTES ON FINAL PASSAGE:

Senate	38	11
House	96	1

EFFECTIVE: July 26, 1981

SSB 3778

C 222 L 81

BRIEF TITLE: Revising proportional vehicle licensing laws.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators von Reichbauer, Gallaghan, Conner and Guess) (By Department of Licensing Request)

SENATE COMMITTEE: Transportation

INITIAL HOUSE COMMITTEE: Transportation
ADDITIONAL HOUSE COMMITTEE: Revenue

BACKGROUND:

The Director of the Department of Licensing and the Chief of the Washington State Patrol are required to personally represent their agencies on the Reciprocity Commission. They may not designate anyone else from their agency to represent them at these meetings.

Current law designates the Reciprocity Commission as the agency authorized to collect the proportional registration fees, when in fact this task is being done by the Department of Licensing.

Some vehicles may operate freely in Washington under reciprocal agreements with other states. A reciprocal agreement guarantees the free operation of an out-of-state commercial vehicle in Washington on the proviso that the same privilege is extended to a Washington-based truck in that other state. Proportional registration is a percentage of the licensing fee and is based on the total miles that the vehicle operates in Washington in proportion to its total miles of operation in all states.

The owner of a commercial vehicle operating in the state through reciprocal agreement, in lieu of proportional licensing, is required to buy an interstate, or single trip truck permit, subject to the gross weight of the vehicle.

The Department of Licensing is not authorized to provide a hearing prior to revoking or refusing to issue a proportional license under certain conditions. An individual does not have the right to a hearing, to appeal the refusal to license or the revocation action taken by the department.

Washington State still levies an excise tax on proportionally registered interstate truck fleets while the rest of the western states have exempted the proportionally registered vehicles from excise taxation.

The department has not had one request for "floater" license plates which can be used interchangeably on various trailers in-city for four years.

SUMMARY:

Official designees of the Director of the Department of Licensing and the Chief of the State Patrol shall be allowed to represent them on the Reciprocity Commission.

The responsibility of collecting and forwarding fees under a multi-state proportional agreement is transferred from the Reciprocity Commission to the Department of Licensing.

An owner engaged in interstate fleet operations is authorized to register and license each fleet for operation by filing a prescribed pro-rate application with the Department of Licensing, in lieu of other registration and tax requirements. The pro-rate application must be accepted and approved by the Department of Licensing before license plates or identification stickers are issued.

The Department of Licensing is given the authority to refuse to issue or to revoke the license of any individual for certain prescribed reasons. Before such refusal or revocation takes place, the department is required to grant the applicant a hearing and must allow him ten days written notification. The department, however, is restricted from refusing issuance because the owner or lessor has had a previous license or permit revoked, if that cause has been removed.

In order to be eligible for proportional registration in Washington State, each fleet must be fully or proportionally registered in at least one other jurisdiction, using the same fleet vehicles.

A reciprocity identification license plate is declared valid through December 31 of the registration year in which it was issued.

Vehicles operating under reciprocal agreements are exempted from the state excise tax. The total tax on these vehicles is allowed to be less than the $2.00 minimum for fully registered trucks.

The portion of Chapter 46.85 RCW relating to "floater" license plates is repealed.

Chapter 46.86 RCW, "interstate commercial vehicles—single cab cards", is repealed.

Revenue: A $1.00 filing fee shall be collected in addition to the present $1.00 fee for each temporary proration authorization permit pending issuance of license identification.

The filing fee for special reciprocity identification plates is increased from 50 cents to $1 to be deposited in the motor vehicle fund.

VOTES ON FINAL PASSAGE:

Senate	34	15
House	98	0

EFFECTIVE: July 26, 1981

SSB 3780

C 272 L 81

BRIEF TITLE: Revising the Securities Act.

SPONSORS: Senate Committee on Financial Institutions and Insurance
(Originally Sponsored By Senators Wojahn, Clarke and Moore)
(By Department of Licensing Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

With the increase in the number of securities salespeople engaging in sales activity in more than one state, the burden of registration in each state is increasing. Arrangements have been made in the securities industry to provide for a centralized national application and examination procedure.

There are securities offerings which because of their size or because of the nature of the offering entity may not require registration with the division in order to insure protection of the public.

Concern has been expressed that certain state officials who approve offering statements but do not actually participate in their preparation may have personal liability under existing law if a misstatement occurs in connection with offerings.

The Department of Licensing has proposed revisions to the Securities Act, Chapter 21.20 RCW, to address these and certain other issues.

SUMMARY:

Written examinations for registration as a securities salesperson are to be prepared with the advice of the state securities advisory committee. The duty of the advisory committee to conduct examinations is repealed. Certain limitations on the number of officers of a company doing securities business who must be registered are repealed.

The supervisor is given authority to set the length of the term of registration of securities sales people, investment advisors, and others who must register and authority to assess a delinquency fee not to exceed $200 for late registration.

The director is permitted to exempt from registration securities payable from nongovernmental industrial or commercial enterprises if he finds that registration would not be in the public interest.

The supervisor may establish a fee for filing certain notices of claim of exemption not to exceed $300.

The limited offering exemption from registration is revised to permit offerings not exceeding $500,000 to be exempted by rule of the director.

Members of governing bodies and employees of state and state agency offices issuing securities are exempted from personal liability for fraudulent activities in connection with the sale of securities unless they had knowledge of the fraud.

New Rule Making Authority: The supervisor is given certain rule-making powers to exempt certain offerings from registration.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	98	0

EFFECTIVE: July 26, 1981

SB 3784

C 302 L 81

BRIEF TITLE: Revising laws relating to filing and recording documents.

SPONSORS: Senators Sellar, Zimmerman and Talley (By Secretary of State Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

In 1977, the Washington Business Corporation Act was amended to delete a requirement that a copy of certain corporate documents be filed and recorded with the county auditor in the county where the corporation has its principal place of business. The original must still be filed with the Secretary of State and another copy is kept by the corporation.

Several provisions of law relating to other types of corporations require that additional copies of corporate documents be filed and recorded with county auditors. Among this latter group of organizations are nonprofit corporations, banks and other financial institutions, and insurance companies.

Eliminating the requirement of filings would reduce cumbersome paperwork for both the business community and the auditors. The Secretary of State's office would continue to serve as the central source for all such information.

SUMMARY:

Throughout the statutes relating to Washington corporations, the requirement of filing copies of certain corporate documents with a county auditor is deleted.

VOTES ON FINAL PASSAGE:

Senate	47	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3785

C 88 L 81

BRIEF TITLE: Authorizing certain lenders to be identified as mortgage bankers.

SPONSORS: Senators Wojahn and Bluechel

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Mortgage companies are not allowed by statute to use the terms "bank, banker, banking, or trust" in the course of their business. Violations are gross misdemeanors. In practice mortgage companies, often referred to as mortgage bankers, have used these terms and the statute has not been enforced.

SUMMARY:

The terms "mortgage banker" and "mortgage banking" may be used by lenders in the course of their business if the lenders are approved by the federal Department of Housing and Urban Development in any mortgage insurance program under the National Housing Act.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	97	0

EFFECTIVE: July 26, 1981

SB 3796

C 287 L 81

BRIEF TITLE: Modifying provisions relating to intoxicating liquor.

SPONSORS: Senators Benitz, Charnley and Jones

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

A Class J wine retailer's license allows a not-for-profit society or organization to sell wine for consumption in a specified or designated area at a special event. These

groups have conducted wine auctions over the past few years to promote development of the wine industry and to raise funds. However, these groups lack authorization for such wine auctions because a Class J license does not allow sale of unopened bottles of wine for off-premises consumption.

SUMMARY:

A Class J licensee is authorized to sell wine in unopened bottles for off-premises consumption by paying an additional fee of $10 per day.

"Society or organization" and "nonprofit organization" means a not-for-profit group organized and operated solely for certain purposes. Restrictions are set on the compensation for officers of not-for-profit groups and the use of profits from events sponsored by these groups. Recognition by the Secretary of State or the federal Internal Revenue Service as a nonprofit organization may be submitted as proof that a group is a not-for-profit group.

A Class J shall authorize sales of limited quantities of wine in unopened bottles to members and guests in attendance at special occasions.

No more than two Class J licenses shall be issued to any one nonprofit organization during a calendar year.

The Liquor Control Board shall adopt appropriate regulations for carrying out this provision.

VOTES ON FINAL PASSAGE:

Senate	45	2	
House	94	2	(House amended)
Senate	42	0	(Senate concurred)

EFFECTIVE: July 1, 1981

SSB 3797

C 3 L 81 E1

BRIEF TITLE: Modifying provisions relating to the management of joint operating agencies.

SPONSORS: Senate Committee on Energy and Utilities
(Originally Sponsored By Senators Gould, Bottiger, Guess, Hemstad, Hurley, Scott, Williams, Woody and Moore)

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Local Government

BACKGROUND:

One of the recommendations from the 1980 Senate inquiry into the reasons for the schedule delays and cost overruns experienced by the Washington Public Power Supply System (WPPSS) in constructing its five nuclear power plants was that "the WPPSS board of directors should be strengthened to improve its capacity to set policy, oversee management performance and maintain the financial viability of the projects." The inquiry committee believed the board could be strengthened by the establishment of an executive board to manage the affairs of WPPSS.

SUMMARY:

The power of the board of directors of operating agencies building certain nuclear plants is restricted to a limited number of duties including appointing a treasurer, accepting or rejecting bond sales, approving annual budgets submitted by the executive board, and deciding to construct, acquire or sell power generation facilities.

Management and control of these operating agencies is vested in an executive board consisting of eleven members, seven of whom are members of the board of directors and four of whom are outsiders. The president of the board of directors is the twelfth member and non-voting presiding officer. All members of the executive board shall be selected by the board of directors and will serve four-year terms and must be policy-representative of business, finance or science, or who are recognized experts in the construction or management of nuclear projects. Their compensation is established by the full board of directors. The outside directors may not be affiliated in any way with the Bonneville Power Administration or with electric utilities conducting business in the Northwest, nor involved in an underwriting or financial advisory capacity with the operating agency or any of the participants in such projects. The compensation of the four outside directors of the executive board is established by the full board of directors.

The executive board so selected shall select and employ a managing director of the operating agency and shall appoint an auditor and an administrative auditor for the issuance of warrants and other purposes, as specifically provided, and recommend to the board of directors an individual to be appointed as treasurer. The administrative auditor is not required once the plants become operational. The board of directors is given the additional power to "acquire or

sell" any power plants. The board of directors must also approve annual budgets submitted by the executive board. In addition, the Legislative Budget Committee must also evaluate management audits and make recommendations to the executive board.

Procedures for transition to the executive board form of governance for existing operating agencies are provided. The authority of the executive board with respect to each plant terminates when that plant becomes operational.

Future Obligation: Upon concurrent request of both legislative committee chairpersons, the executive board must report semi-annually to the House and Senate Energy and Utilities Committees on project schedules, budgets, progress, and other relevant matters.

VOTES ON FINAL PASSAGE:

Regular Session			
Senate	31	18	
House	89	8	(House amended)
Senate			(Senate concurred in part)
House			(House refused to recede)
First Special Session			
Senate	42	7	
House	95	3	

EFFECTIVE: July 28, 1981

SB 3834

C 223 L 81

BRIEF TITLE: Revising laws regulating agents of title insurers.

SPONSORS: Senators Clarke, Wojahn and Bauer (By Insurance Commissioner Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Title insurance company employees that are authorized to sign title insurance policies are required to be licensed as agents under the Insurance Code. However, the general practice is to license the physical plant itself as the agent. The Insurance Commissioner's Office believes that the requirement for licensing employees as agents is not needed for the protection of the public and results in over-regulation.

SUMMARY:

The bill exempts employees of title insurance companies from being licensed as agents. The bill also clarifies that in order to be licensed as an agent of a title insurer, the applicant must own or lease and maintain a complete set of tract indexes of the county in which the agent will do business.

VOTES ON FINAL PASSAGE:

Senate	44	4
House	97	0

EFFECTIVE: July 26, 1981

SSB 3843

PARTIAL VETO

C 143 L 81

BRIEF TITLE: Adopting the capital budget.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Scott, McDermott, Jones and Hayner) (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Ways and Means

SUMMARY:

A budget prescribing disbursement of appropriated moneys for specified capital projects is adopted. (See Budget Highlights this report and Veto Message.)

VOTES ON FINAL PASSAGE:

Senate	39	10	
House	71	27	(House amended)
Senate	29	20	(Senate concurred)

EFFECTIVE: July 1, 1981
May 14, 1981 (Section 7 (10))

SSB 3845

C 265 L 81

BRIEF TITLE: Implementing law relating to school district authorized transportation.

SPONSORS: Senate Committee on Education (Originally Sponsored By Senators Wilson, Sellar, Bauer and Hughes)

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

The Legislature reimburses school districts for student transportation costs according to a formula developed by the Superintendent of Public Instruction. Experience by the Superintendent in administering the transportation system has revealed several areas which need correction. For example, the amount of state funding under a reimbursement system cannot be accurately determined when the Legislature makes appropriations in advance of each school year. As a consequence, school districts do not receive consistent amounts of funding. State involvement in review of local programs is high because the state must review and approve routes and consider special local factors, such as the unavailability of safe sidewalks, to determine eligibility for reimbursement.

An allocation system would enable the state to better estimate transportation costs, would provide school districts with a more stable source of funding and would remove the state from compliance review, thereby increasing local control and reducing paperwork.

SUMMARY:

An allocation system is developed which directs how state funds for student transportation will be distributed to school districts and sets school district performance criteria.

Local school districts are given the responsibility to operate student transportation programs and are authorized to determine which students will be transported and what routes will be utilized. State moneys allocated to districts for student transportation must be spent only for transportation, but need not be spent in the same manner as allocated by the state.

Funds allocated for transportation shall be in addition to the basic education allocation. Transportation operating costs shall include 1) transportation of a student "to and from" school; 2) transportation between schools; however, field trips are excluded; and 3) transportation of student participants for extracurricular activities.

Operational costs for "to and from" school transportation shall be funded statewide at 100 percent before any operating costs are provided for transportation between schools and for extracurricular transportation.

Each school district must annually submit to the Superintendent of Public Instruction a report describing the number of eligible students and a route map, the actual number of miles driven the current year and anticipated the ensuing year between schools, and the number of miles scheduled for extracurricular transportation.

The Superintendent of Public Instruction will annually develop standard rates to determine the transportation allocation. These rates will consider such things as climate, terrain, salaries and insurance costs. Based on the report presented by the district and the applicable rates, the Superintendent will develop each district's student transportation allocation. The Superintendent will distribute the balance of moneys due to the districts in approximately equal parts in September, December, February and April.

The Superintendent of Public Instruction, in conjunction with local districts, will develop categories of student transportation vehicles. A state-determined purchase price based on anticipated market price will be determined by the Superintendent for each category. Local school districts are responsible for selecting appropriate student transportation vehicles. The districts, however, will be paid only the state-determined price. The Superintendent shall develop a reimbursement schedule to pay districts for the costs of student transportation vehicles. Districts are required, to the extent possible, to operate vehicles not less than the assigned number of years associated with the class of vehicle. A transportation vehicle fund is created which shall contain all monies associated with the vehicle acquisition.

New Rule Making Authority: The State Board of Education is granted rule-making authority to approve extracurricular transportation activities.

Future Obligation: The Superintendent of Public Instruction shall report the methodology and rationale used in determining the annual standard student unit cost to the Office of Financial Management, the Senate Ways and Means Committee and the House Appropriations Committee prior to June 1 of each year.

The Superintendent of Public Instruction shall submit a preliminary report prior to September 1, 1981 and final report prior to December 15, 1981 comparing the distribution of transportation funds among the state's school districts under the existing methodology and that established under this bill.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	96	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: September 1, 1982
July 26, 1981 (Sections 8 and 13)

SSB 3857

C 120 L 81

BRIEF TITLE: Extending authority for use of legend drugs.

SPONSORS: Senate Committee on Social and Health Services
(Originally Sponsored By Senators Moore, Haley and Hemstad)

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Human Services

BACKGROUND:

A recent Attorney General Opinion questioned the authority of family planning clinics to dispense birth control pills under present law relating to prescription drugs.

SUMMARY:

Nothing from Chapter 18.64 RCW (the chapter relating to pharmacies) shall prevent the sale of oral contraceptives prescribed by authorized licensed health care practitioners in family planning clinics.

VOTES ON FINAL PASSAGE:

Senate	34	15
House	70	22

EFFECTIVE: July 26, 1981

SB 3866

C 253 L 81

BRIEF TITLE: Modifying the powers and duties of the state capitol historical association.

SPONSORS: Senators Hemstad and Lee

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

BACKGROUND:

The State Capitol Historical Association is designated by law as a trustee for the state to collect, catalog, preserve and display materials related to the history of Washington State and its capital city, Olympia. Its two main program objectives are to: (1) provide educational exhibits in the State Capitol Museum, and (2) provide an extension service to local museums across the state.

The Association concluded that more flexibility is needed in its basic statutory authority to meet long-term goals, as well as to clarify its status as a true nonprofit corporation. Further changes have been suggested to meet exceptions reported by the State Auditor relating to the status of the museum's inventory and the current prohibition against expending state general funds for cultural and educational programs unless such expenditures benefit the museum, rather than possibly resulting in profit to private individuals and corporations.

SUMMARY:

The trustee purposes of the Association are revised. Changes in the powers of the Association include the following:

— The Association may engage in appropriate fund-raising activities to increase its self support.

— The Association shall assist and encourage historical studies and interpretative efforts of government entities and private non-profit organizations.

— The authority to engage in cultural and educational activities is expanded to include artistic activities, but such activities must be related to the Association's basic purposes.

— The Association is authorized to plan and conduct celebrations of significant events in the history of the capital city and the state, and

may assist other historical associations and societies in similar activities.

The powers of the Association as a nonprofit corporation are clarified, to the extent that its activities are not prohibited or do not frustrate the purposes of the Association as a trustee. In addition to using the present State Historical Museum in Olympia to house and interpret its collection, the Association may also use other structures. The powers of the Association to lend, exchange, sell, divest itself of and refuse to accept historic materials are also clarified.

The Governor or a designee is substituted for the Superintendent of Public Instruction as an ex officio member of the Association's board of trustees. The Director of the museum is specifically authorized to employ personnel and prescribe their duties.

VOTES ON FINAL PASSAGE:

Senate	39	3	
House	98	0	(House amended)
Senate	46	2	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3867

C 224 L 81

BRIEF TITLE: Revising air pollution control procedure.

SPONSORS: Senate Committee on Parks and Ecology (Originally Sponsored By Senator Goltz)

SENATE COMMITTEE: Parks and Ecology

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The regulation of industrial air pollutants by local air pollution control authorities and the Department of Ecology has traditionally involved the monitoring of emissions from each emission source of a given plant facility. Industrial representatives have complained that this method is overly restrictive, and limits the flexibility of plant managers. An alternative regulatory concept has recently evolved, allowing, for instance, increases in emissions from one stack at a plant to be offset by decreases in emissions from another stack at the plant; the aggregate emissions level would not be allowed to increase overall. This is referred to as the "bubble" concept. The Environmental Protection Agency has indicated that it will favorably consider this regulatory method where equivalent emissions levels are provided for.

SUMMARY:

The use of a control program involving the "bubble" concept, as defined, may be authorized where attainment or maintenance of air quality standards may be achieved through the use of such concept. Total emissions within the bubble may not exceed the aggregate emissions for all sources covered. The regulatory orders are to be issued by the Department of Ecology or the local control authority with jurisdiction. Where interjurisdictional approval is required, concurrence in the total program must be secured from each regulatory entity concerned.

VOTES ON FINAL PASSAGE:

Senate	45	3
House	96	1

EFFECTIVE: July 26, 1981

SB 3871

C 327 L 81

BRIEF TITLE: Facilitating construction of a toll bridge at north Richland.

SPONSORS: Senators Benitz, Patterson and Guess

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

Chapter 212 Laws of 1979, Extraordinary Session, authorized the Department of Transportation to design and construct a toll bridge across the Columbia River in the vicinity of Horn Rapids Road at North Richland. That authorization was conditioned upon the bridge being found to be economically feasible and assurances by Franklin County and Richland and/or Benton County that several of the bridge approach roads would be brought up to four-lane standards. The issuance of up to $75 million in bonds to construct the bridge was also authorized.

The bridge feasibility study was completed in December, 1980 and its findings showed that the bridge was technically feasible but that a four-lane toll bridge was not economically feasible. The study indicated that projected tolls would support a two-

lane project, assuming 7 to 8 percent interest rates. Staging of the project with the addition of a third lane to the bridge or construction of a parallel structure was recommended as an option to meet future traffic demands. Bond authority necessary to construct the two-lane bridge was estimated to be $72 to $76 million.

Because only a two-lane bridge is now feasible, the Transportation Commission and persons supporting the construction of the toll bridge recommend elimination of provisions requiring four-laning of county and city roads.

SUMMARY:

The responsibility for any improvements to the approaches to the Columbia River toll bridge at North Richland is transferred from Franklin County and Benton County and/or the city of Richland to the toll bridge project administered by the Transportation Commission. Such improvements may be included as part of the original toll bridge construction or as future stages of the project and financed through the sale of general obligation bonds ranking on a parity with bonds originally issued to construct the toll bridge. Bonds to finance future improvements will require legislative authorization.

Bonding authority to finance the construction of the toll bridge is increased from $75 million to $80 million.

The definition of western approach roads to the bridge is extended from George Washington Way westerly to State Route 240 and may include improvements to the Horn Rapids Road. The requirements of eastern approach roads are reduced from four-lane standards and include improvements to Alder Road leading to State Route 395 and existing county roads leading to State Route 182.

One million dollars is appropriated from the motor vehicle fund to the Department of Transportation as a loan to pay for preliminary construction costs. That money is to be repaid from project bond proceeds if the bridge is constructed.

VOTES ON FINAL PASSAGE:

Senate	41	7
House	97	0

EFFECTIVE: July 26, 1981

SB 3872

C 225 L 81

BRIEF TITLE: Exempting certain commodity commissions from state civil service and personal service contract requirements.

SPONSOR: Senator Hansen

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

There are presently seventeen commodity commissions formed under several different enabling statutes. The commissions are established by the persons producing a particular agricultural commodity, and assessments are levied to fund research and perform market promotion for that particular commodity.

Presently, most of the commodity commissions are exempted from the civil service law, the budget and accounting act, and requirements for submitting personal service contracts to the Office of Financial Management. Some people believe that it was due to an oversight that all commodity commissions were not exempted from these requirements.

SUMMARY:

The Washington Tree Fruit Research Commission, the Washington State Beef Commission and commissions formed under Chapter 15.65 RCW are exempted from the civil service law, the budget and accounting act and requirements for submission of personal service contracts to the Office of Financial Management.

VOTES ON FINAL PASSAGE:

Senate	45	3
House	97	0

EFFECTIVE: July 26, 1981

SB 3886

C 121 L 81

BRIEF TITLE: Implementing law relating to the Washington health care facilities authority.

SPONSOR: Senator Shinpoch

SENATE COMMITTEE: Social and Health Services
HOUSE COMMITTEE: Human Services

BACKGROUND:

The Health Care Facilities Authority is a public body established in 1974 to issue bonds to cities, counties, municipal corporations or any corporation, hospital or health maintenance organization for construction or acquisition of health care facilities. The members of the Authority include the Governor, who serves as chairman, and the Lieutenant Governor, the Insurance Commissioner, the Chairman of the State Hospital Commission and one member of the public.

The Authority has no express statutory authority to establish rates of interest and the price at which the bonds are sold. The law also does not precisely state who may execute the bonds issued by the Authority.

SUMMARY:

The Health Care Facilities Authority may determine the price and interest charged for bonds which it issues. The bonds may also be issued in the manner determined by the Authority and the execution may be accomplished by the chairman, secretary or executive director of the Authority and a trustee, if the Authority chooses to utilize a trustee. Execution of the bonds may be manual or by facsimile signature; however, at least on signature must be manually signed.

The position of executive director is officially designated as a staff position within the Authority. The Authority may delegate to the executive director or other appropriate persons the power to execute legal instruments.

VOTES ON FINAL PASSAGE:

Senate	49	0	
House	98	0	(House amended)
Senate			(Senate concurred in part)
House	97	0	(House receded in part)
Senate	41	0	

EFFECTIVE: May 8, 1981

SSB 3890

C 254 L 81

BRIEF TITLE: Modifying provisions on commercial paper.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Jones, Moore and Hemstad)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

A number of problems have been identified by merchants who have accepted and attempted to recover on NSF checks.

Unlike a bank, the payee or holder of a bad check currently has no authority to recoup a handling fee on a returned check.

The amount of collection costs which the present statute authorizes a holder to recover is considered inadequate in light of inflation.

The notice required to be sent via certified mail by the holder of the check to the drawer prior to instituting suit is often refused by the bad check artist, leaving the holder unable to establish proof of service of the notice.

SUMMARY:

Portions of the Uniform Commercial Code covering commercial paper are modified as follows:

(1) The payee or holder of a dishonored check may recover a reasonable fee per instrument to cover handling fees.

(2) Although a party who makes an improper demand for interest, collection costs or attorney fees is barred from recovering such interest, cost or fees, he may still recover the handling fee.

(3) The statutory costs of collection are increased from $20 to $40.

(4) The requirement that the Notice of Dishonor be served by certified mail is deleted. Instead, the notice may be sent by regular mail and the holder of the check shall execute an affidavit attesting to such mailing, which shall be attached to the Notice of Dishonor and a copy filed with the clerk in the event of subsequent litigation.

In addition to the Uniform Commercial Code amendments, a portion of Title XIX regulating collection

agencies is amended to reflect that the handling fee authorized by the bill is an appropriate sum to be collected in addition to the principal claim.

VOTES ON FINAL PASSAGE:

Senate	45	2	
House	96	0	(House amended)
Senate			(Senate concurred in part)
House	98	0	(House receded in part)
Senate	46	0	

EFFECTIVE: July 26, 1981

SB 3893

C 89 L 81

BRIEF TITLE: Revising laws relating to banking.

SPONSORS: Senators Clarke and Wojahn (By Department of General Administration Division of Banking Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Corporations organized or licensed to do business in Washington are prohibited from acquiring more than 25 percent of the capital stock of more than one state-chartered bank or national banking association. Bank and trust companies are not authorized to issue other than common stock. It is felt that changing these limitations will encourage the development of multi-bank holding companies and increase banking competition.

SUMMARY:

Existing law requiring one-fourth of net profits to be transferred to a surplus fund until it equals 25 percent of paid-in capital before any dividend declaration is amended to provide that one-tenth of such funds shall be transferred until equaling 25 percent of the paid-in common capital.

Amounts paid by a bank out of net profits into a fund for retirement of any preferred stock are deemed to be additions to its surplus funds.

The restriction on corporations organized in or licensed to do business in Washington acquiring shares of stock of banks, trust companies, and national banking associations is repealed.

The articles of incorporation of bank and trust companies may provide for classes of shares of stock with voting rights other than one vote per share.

Subject to approval by the Supervisor of Banking, banks and trust companies are authorized to issue various classes of preferred stock, with such cumulative dividend, voting, and conversion rights as are approved by the Supervisor and specified in the articles of incorporation.

The requirement for maintaining reserves—minimum available funds—is repealed.

VOTES ON FINAL PASSAGE:

Senate	43	5
House	92	5

EFFECTIVE: May 8, 1981

SB 3903

C 122 L 81

BRIEF TITLE: Excluding weekends and holidays from definition of "banking day."

SPONSOR: Senator Newhouse

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Under Article 4 of the Uniform Commercial Code, Bank Deposits and Collections, various deadlines relating to notice of or payment of various instruments, such as checks or other drafts are defined in terms of "banking days." There was no uniform practice in the banking industry as to which days are banking days for these purposes, as some banks may be open on Saturdays and certain other days. The commercial banking industry believed that the definition of "banking day" should be clarified.

SUMMARY:

The definition of "banking day" in Article 4 of the Uniform Commercial Code is modified to exclude Saturday, Sunday and legal holidays, but language is added to make clear that banks may remain open to

the public for the transaction of business on Saturdays and Sundays.

VOTES ON FINAL PASSAGE:

Senate	46	0
House	97	1

EFFECTIVE: July 26, 1981

SB 3928

C 312 L 81

BRIEF TITLE: Revising laws relating to industrial loan companies.

SPONSORS: Senators Clarke and Deccio (By Department of General Administration Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Current law allows for industrial loan companies to sell notes or take deposits directly from the public. However, these practices have been discouraged in this state by regulatory overview of the Supervisor of Banking. The Supervisor believes that the Industrial Loan Company Act should be amended to conform with current regulatory practices.

The Supervisor also believes that limiting the authority of industrial loan companies lessens the need for extensive examinations by the Supervisor's office.

Application fees for filing various documents under the Industrial Loan Act have not been increased since 1929. The Supervisor has recommended that fees be increased to bring them in line with the actual cost of services to the Supervisor.

SUMMARY:

The bill increases various fees charged industrial loan companies. The fee for filing a certificate of authority increases from $100 to $500. New language is added to provide for a filing fee of $100 for an application for a branch or its relocation.

Industrial loan companies are precluded from selling notes or taking deposits directly from the public.

The bill increases the maximum loan that may be made to any one borrower from 2 percent of the company's capital to 15 percent.

Financial statement filings with the Supervisor are changed from biannual to annual. Also, examinations of industrial loan companies by the Supervisor will address compliance with statutory requirements rather than their economic condition.

Late filing penalties are increased from $10 to $50 per day.

The maximum authorized loan secured by real estate is increased from 75 percent to 90 percent of the value of that real estate. The maximum interest rate on such loans with maturities in excess of two years is limited to 25 percent per annum.

VOTES ON FINAL PASSAGE:

Senate	43	5
House	98	0

EFFECTIVE: July 26, 1981

SB 3931

C 256 L 81

BRIEF TITLE: Revising laws relating to deferred compensation plans.

SPONSORS: Senators Gaspard, Hemstad and Shinpoch (By Washington State Deferred Compensation Committee Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations–General Government and Compensation

BACKGROUND:

Section 457 of the Internal Revenue Code permits public employees to defer a limited portion of their compensation to an "eligible state deferred compensation plan."

The amount of compensation deferred under an eligible plan, and any income attributable to amounts deferred, are included in income only in the taxable year in which the compensation is paid to the participant or beneficiary.

The maximum amount of income which may be deferred under federal law in any year is the lesser of 25 percent of gross income or $7,500.

An eligible state deferred compensation plan must meet the following conditions, among others: (1) the plan must be established and maintained by the state or its political subdivisions; (2) the plan must limit the maximum amount deferred; (3) no distribution may be made to a participant before he separates from service or is faced with an unforeseeable emergency; and (4) all deferred amounts must be the exclusive property of the employer.

The existing state deferred compensation statutes need to be modified to establish an "eligible state deferred compensation plan" if public employees are to be able to defer compensation under the federal law.

SUMMARY:

The present statutes allowing the state to provide a deferred compensation plan for public employees are modified to bring the state plan into conformity with federal law. Obsolete and unnecessary language is deleted.

The Deferred Compensation Committee is given broader investment authority. The committee may invest deferred compensation funds in the same class of investments as the state investment board and the director of retirement systems.

One member of the committee must possess expertise in the area of insurance, rather than being a representative of an insurance association or investment company.

Participation in deferred compensation programs established by the state Deferred Compensation Committee is restricted to employees of the state.

Deferred compensation funds are to be considered as pension or retirement funds for investment purposes. All deferred compensation moneys are to belong solely to the state until distributed to the beneficiaries.

Various retirement system laws are amended to insure that any deferred compensation will be included as salary for determining pension benefits.

New Rule Making Authority: The Deferred Compensation Committee is given rule making authority.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: May 18, 1981

SSB 3945

C 226 L 81

BRIEF TITLE: Authorizing the establishment of an Oregon–Washington bi–state Columbia River Gorge agreement.

SPONSORS: Senate Committee on Natural Resources (Originally Sponsored By Senators Zimmerman, Bauer, Benitz and Talley)

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The Columbia River Gorge area provides the citizens of Washington State with unique aesthetic, recreational, and historic benefits through the area's diversity of scenic beauty, variety of life–forms, and significant role in the history of the nation and state.

A mechanism should be established to identify and protect the sensitive scenic, biological, and historical characteristics of the Columbia River Gorge.

SUMMARY:

The Legislature finds the Columbia River Gorge area to be unique and declares that the preservation of the special characteristics of the area is a public purpose.

A Governor's Select Committee on the Columbia River Gorge of ten members is created, and will make specific recommendations to the Governor and the Legislature on preservation of the area and methods to assure full local participation in the process.

The Committee will conduct a comprehensive analysis of the management alternatives for the area and hear the views of all interested parties. The committee shall prepare a land inventory, identify sensitive lands, and coordinate efforts of state, federal and private parties.

The Committee is authorized to cooperate with a similar committee established by the Oregon Legislature.

Future Obligation: Governor's Columbia River Gorge Committee must report its findings and recommendations to the Governor and Legislature by December 1, 1981.

VOTES ON FINAL PASSAGE:

Senate	39	10	
House	98	0	(House amended)
Senate	42	1	(Senate concurred)

EFFECTIVE: July 26, 1981

SB 3953

C 123 L 81

BRIEF TITLE: Permitting rape to be charged by one spouse against another after a marriage dissolution action has been filed.

SPONSORS: Senators Williams, Hemstad, Kiskaddon, Hayner and Charnley

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

Rape occurs between spouses and is recognized as part of the battered wife syndrome. Incidents of spousal rape frequently take place when the spouses have separated and an action to terminate the marriage has been initiated.

As currently defined, "rape" does not include any sexual acts between married persons.

The purpose of the bill is to remove the spousal defense to rape in certain cases.

SUMMARY:

"Married", as defined in the rape statute, does not include a person who is living separate and apart from his or her spouse and who has filed an action in court for legal separation or for dissolution of the marriage.

VOTES ON FINAL PASSAGE:

Senate	45	0	
House	98	0	(House amended)
Senate	43	1	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 3972

C 4 L 81 E1

BRIEF TITLE: Providing for a study on the feasibility of completing nuclear power plants.

SPONSORS: Senate Committee on Energy and Utilities

(Originally Sponsored By Senators Williams, Gould, McDermott, Ridder, Bottiger, Lysen, Talmadge, Moore, Charnley and Hurley)

INITIAL SENATE COMMITTEE: Energy and Utilities

ADDITIONAL SENATE COMMITTEE: Rules

INITIAL HOUSE COMMITTEE: Energy and Utilities
ADDITIONAL HOUSE COMMITTEE: Rules

BACKGROUND:

One of the recommendations resulting from the Senate Energy and Utilities Committee inquiry into the cost overruns and schedule delays at the five Washington Public Power Supply System (WPPSS) nuclear power plants was that an independent study be conducted of the feasibility and soundness of completing plants 4 and 5. This recommendation was prompted by the substantial changes that have occurred in the original assumptions utilized and conditions which existed at the time the decision was made to construct these two nuclear power plants.

SUMMARY:

The joint Washington Energy Research Center of the University of Washington and Washington State University is designated to conduct an independent study on the feasibility and soundness of completing Washington Public Power Supply System (WPPSS) nuclear power plants 4 and 5.

In analyzing the question of the soundness of completing the plants, the center shall examine certain listed factors, including: financing, rate impacts, likely cost and completion scheduling for the plants, need/cost-effectiveness of the plants, and the market for surplus electricity outside of the Pacific Northwest region.

WPPSS is required to provide those conducting the study with unrestricted access to its personnel and records.

A study director must be appointed by Washington State University. The study director must contract with nationally recognized and disinterested consultants to expedite the completion of the study. The assembly of a technical advisory panel, which includes public works construction and financing experts, is mandated.

A legislative subcommittee is established, composed of four Senators from the Senate Energy and Utilities Committee and four Representatives from the House

Energy and Utilities Committee. The subcommittee will review progress of the study and act as a clearing house for concerns raised by the study director and the steering committee.

A steering committee is established to oversee the study, with specifically identified authorities, the extent of which does not diminish the independent aspect of the study. The steering committee is composed of no more than nine members: one appointed by WPPSS, one appointed by the WNP 4/5 participants' committee (composed of the 88 public utility owners of the two nuclear plants), one appointed by the investor-owned utility and six appointed jointly by the chairmen of the Senate and House Committees on Energy and Utilities.

Future Obligation: The study completion date is extended to March 15, 1982, with a draft report to be submitted to the Legislature on January 31, 1982. Upon concurrent request of the chairmen of the Energy and Utilities Committees of both houses, the study director shall report to them on the progress and preliminary findings of the report. The Legislative Budget Committee will monitor the fiscal administration of the study.

Appropriation: $1.5 million is appropriated for the study from the state general fund. The Washington Public Power Supply System is required to reimburse the state upon the completion of the study using construction funds for plants 4 and 5.

VOTES ON FINAL PASSAGE:

Regular Session
Senate 34 12

First Special Session
Senate 31 18
House 80 18

EFFECTIVE: May 14, 1981

SSB 3989

C 282 L 81

BRIEF TITLE: Adjusting the school district apportionment schedule for general fund moneys.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Lee and Fuller)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

Local school districts receive state funds on the basis of a twelve month schedule. This schedule provides 9 percent of the local district's entitlement to state funds in June, followed by 8.5 percent in both July and August. The cash needs of local school districts do not coincide with this distribution of state funds.

The supplemental budget for the common schools passed this session temporarily modified this schedule to provide 4.5 percent in June followed by 11.0 percent in both July and August.

SUMMARY:

The distribution of state funds is modified so that the local districts receive 7 percent, 9.5 percent, and 9.5 percent of their entitlement to state funds during the months of June, July, and August, respectively.

VOTES ON FINAL PASSAGE:

Senate 26 20
House 55 43

EFFECTIVE: July 26, 1981
September 1, 1981 (Section 1)

SB 4022

C 114 L 81

BRIEF TITLE: Providing for the transfer of the Saint Edwards Seminary to the parks and recreation commission.

SPONSORS: Senators Bluechel and Scott

SENATE COMMITTEE: Parks and Ecology

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

In 1977, the Legislature appropriated funds for the purchase of the former Saint Edwards Seminary on northern Lake Washington by the state.

The budget bill directed the Department of General Administration to acquire the property and contract with the Washington State Parks and Recreation Commission to maintain the grounds for recreation purposes. Since the seminary facility is used as a park, it should be placed under the jurisdiction of the Parks and Recreation Commission.

Recently, King County has also expressed a willingness to operate the swimming pool at the park.

SUMMARY:

The Director of the Department of General Administration is to transfer the former Saint Edwards Seminary facility and real estate to the Washington State Parks and Recreation Commission.

The Commission may not operate the swimming pool at the park, but the Commission may enter into a contract with one or more local governments for the operation of the pool.

VOTES ON FINAL PASSAGE:

Senate	30	16
House	93	5

EFFECTIVE: July 1, 1981

SB 4026

C 263 L 81

BRIEF TITLE: Redefining personal service for the purposes of personal service contracts with state agencies.

SPONSOR: Senator Bluechel

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: State Government

BACKGROUND:

State agencies must file requests with, and receive approval from, the Office of Financial Management for all personal service contracts, even personal service contracts which are designed to meet routine maintenance needs. The original intent of the statutes requiring approval of personal service contracts was to provide a restraint on agencies entering into contracts for highly professional judgments on complex matters. The definition of personal service needs to be redefined to incorporate only this original intent. Otherwise, agencies will be required to continue filing requests for authority to purchase routine services.

SUMMARY:

The definition of "personal service" in the personal service contract statutes is redefined to exclude personal service performed for the purpose of routine services, including but not limited to routine maintenance, operation of the physical plant, security, data entry, key punch services, and graphic design.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	62	34

EFFECTIVE: July 26, 1981

SB 4027

C 227 L 81

BRIEF TITLE: Modifying provisions relating to deckhands on charter boats.

SPONSORS: Senators Quigg, Peterson and Gallaghan

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

On charter boats the deckhands have traditionally collected green salmon eggs (salmon roe) and have sold them to buyers on the docks when the charter boat returns from its salmon fishing trip. The eggs are given to the deckhands by those persons fishing on charter boats. Green salmon eggs are not ready to be fertilized or spawned and cannot be used to raise new salmon at hatcheries. The salmon eggs are sold by the deckhands to buyers and the eggs are used for various purposes. Present law technically prohibits the sale of any fish or fish parts without authorization of the Director of the Department of Fisheries. Because of technicalities in the law, it would be impossible for the Director of Fisheries to authorize deckhands to collect and sell green salmon eggs in the manner that they have traditionally done it.

SUMMARY:

A licensed deckhand on a licensed salmon charter boat may sell salmon eggs taken from fish caught. The deckhand would have to sell the eggs to a licensed wholesale dealer at the dock.

The salmon must be taken while fishing on charter boats, and the salmon eggs remain the property of the angler until they are given to the deckhand. The deckhand must sell the eggs to a licensed wholesale dealer.

The deckhand must be licensed and pay a license fee of ten dollars.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	96	0

EFFECTIVE: July 26, 1981

SB 4033

C 336 L 81

BRIEF TITLE: Establishing an auditing services revolving fund.

SPONSOR: Senator Scott (By State Auditor Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Ways and Means

BACKGROUND:

Agencies whose primary function is the central support of state government operations are generally financed by user fees paid by the agency using the services rendered. The Department of General Administration, the Attorney General's Office, the Department of Personnel and the State Printer are examples of agencies which are supported by various user fees paid by other agencies.

A primary function of the State Auditor's Division of Departmental Audits is the support of governmental operations. The division audits all state agencies. However, it receives all of its operational funding by appropriation from the general fund. It may be desirable to establish a revolving fund from which the Division of Departmental Audits is reimbursed for audits of state agencies and into which agencies pay for audits. Such a revolving fund already exists for the Auditor's Division of Municipal Corporations.

The biennium begins on July 1, 1981, and there is need to grant authority to make expenditures from the revolving fund beginning on that date.

SUMMARY:

The Auditing Services Revolving Fund is created from which the costs of conducting state agency audits will be paid.

Agencies will be billed for audit costs on a quarterly basis. Expenditures from the revolving fund will be subject to appropriation and allotment control under the Budget and Accounting Act (RCW 43.88) in a manner similar to the Attorney General's Legal Services Revolving Fund.

Biennial budgets submitted to the Legislature by the Governor must contain specific amounts for projected audit costs of each agency. These amounts will be reflected in each agency's recommended budget authorization.

The State Auditor's Office must keep records of auditors' time and other expenses incurred in support of each audit for the purpose of cost allocation.

The Office of Financial Management must establish a committee of at least three certified public accountants with private sector audit experience to prepare guidelines for determining audit costs and standards of auditor productivity.

Future Obligation: The findings of the committee composed of the three certified public accountants must be presented to the House and Senate Ways and Means Committees prior to the 1982 session of the Legislature.

VOTES ON FINAL PASSAGE:

Senate	45	3	
House	97	0	(House amended)
Senate	47	0	(Senate concurred)

EFFECTIVE: July 1, 1981

SB 4034

C 228 L 81

BRIEF TITLE: Modifying provisions on refunds for property taxes paid.

SPONSORS: Senators Talmadge and Newhouse

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Revenue

BACKGROUND:

In 1979, various timber companies instituted a court case challenging the statewide forest land values set by the Department of Revenue. The case was heard in the Thurston County Superior Court. The Court held that the Department had set the land values in an incorrect manner and ordered the Department to recalculate the forest land values for the state.

Chapter 84.69 RCW authorizes county commissioners to allow refunds of property taxes paid under certain specified circumstances. However, the refund statute does not specifically allow county commissioners in the various counties to refund taxes paid on property in their counties when a court in another county overturns a statewide method of valuing property. In cases such as these, a taxpayer must secure an order from the board of equalization in the appropriate county directing the county commissioners to refund the overpayment of taxes, or sue in the superior court of the appropriate county.

If county commissioners were statutorily authorized to allow refunds of property taxes paid on the basis of an assessed valuation which was adjudicated to be unlawful or excess, it might save money and time for taxpayers, counties, and the courts.

Existing statutes which limit a regular property tax levy of a district (the 106 percent limit) are unclear on whether a tax levy for a refund of overpaid taxes is included within the 106 percent limit.

SUMMARY:

County commissioners may order the refund of taxes paid when the assessed valuation of property was adjudicated to be unlawful or excessive.

The amount refunded is the difference between the amount of tax paid on the overturned value and the amount of tax payable on the value resulting from adjudication.

A person may file a claim in superior court within one year of filing a claim with the board of county commissioners if the board fails to act on the filed claim.

County commissioners may only make refunds on overpaid taxes that first become payable subsequent to January 1, 1981.

The computation of the 106 percent regular property tax levy lid of a taxing district does not include any tax levy for the purpose of providing monies for a property tax refund.

VOTES ON FINAL PASSAGE:

Senate	49	0	
House	97	0	(House amended)
Senate	43	0	(Senate concurred)

EFFECTIVE: July 26, 1981

SSB 4036

FULL VETO

BRIEF TITLE: Requiring a bond to maintain an action based on the State Environmental Policy Act of 1971.

SPONSORS: Senate Committee on Parks and Ecology (Originally Sponsored By Senators Deccio, Hansen and Quigg)

SENATE COMMITTEE: Parks and Ecology

HOUSE COMMITTEE: Local Government
ADDITIONAL HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

Since the State Environmental Policy Act of 1971 (SEPA) was enacted, sponsors of projects subject to the Act have expressed concern that unnecessary delays and expenses in the completion of those projects have been caused by SEPA-mandated procedures.

SUMMARY:

A detailed environmental impact statement (EIS) appropriately prepared is considered adequate seven days after publication of the statement. A final decision on an administrative appeal on the adequacy of the statement must be rendered within 45 days of the filing of the appeal; otherwise the statement is considered adequate. No judicial appeal is allowed on the question of the adequacy of the EIS, where a procedure for administrative appeal is available. All comments in the EIS are to be considered before a decision on the governmental action is made.

In Class A and AA counties, residential developments of less than 100 lots or 300 attached dwelling units are exempt from the filing of a detailed statement if the development is consistent with the comprehensive plan which has undergone the SEPA process.

A claim or counterclaim for malicious prosecution is authorized for any court action under SEPA brought primarily for the purpose of delay.

Termination Date: The provisions of the bill terminate July 1, 1983.

VOTES ON FINAL PASSAGE:

Senate	28	19
House	60	38

EFFECTIVE: FULL VETO
(See VETO MESSAGES)

SSB 4078

C 280 L 81

BRIEF TITLE: Establishing a budget stabilization account.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Scott, Jones, Hayner and Craswell) (By Governor Spellman Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Ways and Means

BACKGROUND:

Neither state law nor the state constitution have provisions allowing for a "rainy day fund" which can be drawn upon in times of need or state emergency.

SUMMARY:

A Budget and Stabilization Account is created in the general fund. Funds equal to 1 percent of general state revenues will be put into the account during each biennium. Also, at the conclusion of each biennium the state treasurer shall transfer the entire surplus of state revenues in the general fund to the Budget and Stabilization Account. The account balance shall not exceed 5 percent of general state revenues.

When projected revenues fall below projected expenditures, funds in the Budget and Stabilization Account may be transferred to the general fund to maintain agency programs at or near existing appropriation levels. The funds may be transferred by 1) a separate legislative appropriation or 2) executive order when the Legislature is not in session pursuant to an appropriation to the Governor's office for that purpose, only when approved by the Legislative Budget Committee.

Either the Governor or the Legislature may provide for the waiver of deposits to the stabilization account in the event of a transfer from the account.

VOTES ON FINAL PASSAGE:

Senate	43	5
House	98	0

EFFECTIVE: July 1, 1981

SB 4080

C 229 L 81

BRIEF TITLE: Implementing monthly tonnage purchases.

SPONSORS: Senators Wilson, Guess and Sellar

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

BACKGROUND:

The State of Washington has specific weight and load limits for vehicles operating on the public highways of the state as set forth in the weight schedule in Chapter 46.44 RCW. The average gross weight allowed on any single axle is 20,000 pounds.

In order for a truck to haul additional tonnage exceeding the specified gross weight requirements, a special permit must be obtained from a Department of Transportation office.

Only certain types of trucks are allowed to purchase additional tonnage permits. The permits could only be issued on a quarterly basis. These additional tonnage permits are frequently needed for less than a month. Many purchasers believed that purchasing additional tonnage permits on a quarterly basis was unnecessary and costly.

SUMMARY:

All trucks which have paid tonnage fees may purchase additional tonnage permits on a one month as well as a quarterly basis, provided the additional tonnage is not less than 6,000 pounds.

The fee for a monthly additional tonnage permit shall be one-twelfth of the amount charged for a twelve-month period, plus a five dollar handling fee.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: July 26, 1981

SSB 4085

PARTIAL VETO

C 295 L 81

BRIEF TITLE: Modifying powers and duties of the energy office.

SPONSORS: Senate Committee on Energy and Utilities
(Originally Sponsored By Senators Gould, Williams and Newhouse)
(By Governor Spellman Request)

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Rules

BACKGROUND:

The State Energy Office was created by the Legislature in 1976. It has been the subject of performance audits and of a Governor's Task Force report, all of which are available. It is due to terminate on June 30, 1981.

SUMMARY:

The measure extends the existence of the State Energy Office for six years. All but the purpose and policy sections of existing Energy Office legislation are repealed. The 1965 Nuclear Energy Act which placed promotion and development of nuclear energy under the Department of Commerce and Economic Development is also repealed.

Existing state energy policy is reenacted with a proviso stating that the supply of energy shall be sufficient to insure the health and economic welfare of Washington's citizens.

The following specific duties are assigned to the State Energy Office:

(1) Develop energy policy recommendations for the Governor and the Legislature;

(2) Submit a biennial report on energy supply and demand to the Governor and the Legislature;

(3) Provide support for increasing cost-effective energy conservation practices;

(4) Encourage an efficient and balanced mix of state energy resources;

(5) Support the development of cost-effective energy conservation practices;

(6) Implement energy programs as assigned or required by law or regulation;

(7) Prepare emergency plans for energy shortages or energy emergencies;

(8) Coordinate state energy-related activities;

(9) Advise state agencies on the energy consequences of their actions;

(10) Assume regulatory functions;

(11) Adopt rules to carry out this act;

(12) Represent state energy interests with other jurisdictions and private interests;

(13) Assist and support the state's two representatives to the Pacific Northwest Electric Power and Conservation Council;

(14) Fulfill state responsibilities regarding land for low-level waste disposal within the Hanford Reservation;

(15) Assume state responsibilities under the perpetual care agreement; and

(16) Assure maintenance of adequate insurance coverage by state licensees and lessees handling radioactive wastes;

(17) Take over representation of state interests regarding nuclear waste storage and disposal from the Department of Commerce and Economic Development.

The Energy Office is granted authority to obtain information from energy producers, suppliers, and consumers, regarding sales volume, forecasts, and inventory. Such information shall be confidential and may be disclosed only as provided by law. Disclosure is punishable by a $1,000 fine for each offense and may subject a person to dismissal.

The Energy Office is prohibited from intervening in any regulatory proceedings before the UTC.

The Energy Office's representation on the Energy Facility Site Evaluation Council is terminated.

The number of civil service exemptions in the Energy Office is increased from five to nine.

A nine-member advisory council is created to aid and advise the Energy Office Director. Council members are appointed by the Governor for two-year terms and may be reappointed.

Rule Making Authority: The State Energy Office is granted rule-making authority.

Future Obligations: The State Energy Office will submit a report on energy supply and demand to the Legislature and the Governor biennially on December 1st beginning December 1, 1982.

It will also develop recommendations for energy policy for the Legislature and the Governor.

Termination Date: The Energy Office will terminate on June 30, 1987, unless extended.

VOTES ON FINAL PASSAGE:

Senate	28	20	
House	77	21	(House amended)
Senate	36	12	(Senate amended)

EFFECTIVE: May 18, 1981

PARTIAL VETO SUMMARY:

The Governor vetoed Section 15, which would have deleted the Energy Office from membership on the Energy Facility Site Evaluation Council (EFSEC). The Governor noted that the Energy Office, to the extent possible, should provide its expertise and viewpoint on EFSEC. (See VETO MESSAGE)

SSB 4087

C 278 L 81

BRIEF TITLE: Relating to cloud seeding.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored By Senator Benitz)

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

Some areas of the state have occasional drought situations which can develop into serious water shortages affecting water supplies for agriculture, power generation, and domestic purposes. These water shortage situations can develop very quickly into an emergency. Cloud seeding is one method that can be used to increase the precipitation and water supplies to alleviate hardships. Presently, it is difficult to respond to these emergency situations because of the requirements for publication of notice for three weeks, an environmental impact statement, and public hearings.

SUMMARY:

Upon a proclamation of a state of emergency by the Governor, emergency cloud seeding activities are exempt from requirements for public notice, public hearings, and environmental impact statements.

New Rule Making Authority: The Director of the Department of Ecology may establish standards and guidelines for an emergency cloud seeding program.

VOTES ON FINAL PASSAGE:

Senate	36	13
House	52	43

EFFECTIVE: May 18, 1981

SSB 4090

C 257 L 81

BRIEF TITLE: Modifying higher education tuition and fees.

SPONSORS: Senate Committee on Higher Education (Originally Sponsored By Senator Benitz)

SENATE COMMITTEE: Higher Education

HOUSE COMMITTEE: Higher Education

BACKGROUND:

Tuition and operating fees at the state's universities and colleges are set by the Legislature. In 1977, the Legislature expressed an intent that the general tuition and operating fees for resident undergraduate students at the state universities (University of Washington and Washington State University) should not be more than 25 percent of the operating costs of instruction. It was also declared that these fees for a) undergraduate resident students at the regional universities and The Evergreen State College and b) resident community college students should not be more than 80 and 45 percent, respectively, of the same fees charged at the state universities. Accordingly, in 1977 the Legislature set the actual dollar amounts for these fees at approximately these levels. Tuition and operating fees were also set for nonresident undergraduate, resident graduate and nonresident graduate students.

Tuition and operating fees have not been increased since 1977. Since then, the rates charged have fallen well behind the national average in tuition and fees and are below the average rates charged by state institutions in seven other states with which institutions Washington's public universities and colleges are often compared. Educational costs have also risen dramatically since 1977.

To provide greater support for the operating budgets of the respective institutions, it may be necessary to increase tuition and operating fees and to provide a program of increased financial aid so that needy students will not be denied a college education.

SUMMARY:

Tuition and operating fees for undergraduate resident students at the state universities for each academic year are set at one–third of the educational costs at the state universities. Such fees at the regional universities and The Evergreen State College for each academic year are set at one–fourth of the educational costs at the regional universities. Such fees at the community colleges for each academic year are set at 23 percent of the educational costs at the community colleges. Tuition and operating fees are also increased for nonresident undergraduate, graduate resident, and nonresident graduate students.

Parttime rates shall be proportionate to fulltime resident and nonresident rates respectively. Oregon and Idaho residents may attend community college district No. 20 at resident rates where reciprocal arrangements exist or where district residents benefit from the fact that a nonresident fee waiver exists.

Operating fees are phased in at 75 percent for the 1981–82 academic year. Tuition and operating fees, beginning in the 1983–85 biennium, will automatically increase as actual educational costs increase.

The base rate for services and activities fees is increased from $117 to $138 at the state universities, from $162 to $184.50 at the regional universities and The Evergreen State College and from $51 to $64.50 at the community colleges. Beginning in the 1983–85 biennium services and activities fees may be increased by the institutions at the same rate that general tuition and operating fees increase.

Definitions, criteria, and procedures for determining the educational costs at the state colleges and universities will be developed by the Senate and House Higher Education Committees.

A guaranteed loan program for eligible residents is established. Two and one–half percent of operating fees revenues at each institution shall be exempt from the requirement of deposit in the state general fund and shall be retained by the institution for an institutional long–term loan fund.

Moneys in this fund will be used to make guaranteed loans to eligible students. An eligible student is defined as a student registering for at least six credit hours or the equivalent thereof who is a resident student and who is a needy student as defined in statute.

The amount of any such loan may not exceed the demonstrated financial need of the student. Each institution must establish loan terms and conditions consistent with terms of the federal guaranteed loan program. All loans will be guaranteed by the Washington Student Loan Guaranty Association (WSLGA).

Each institution is responsible for collecting these loans. Collection and servicing of loans made by community colleges will be coordinated by the State Board for Community College Education. The actual functions of collecting and servicing such loans must be performed by entities approved by the Washington Student Loan Guaranty Association. However, institutions may perform the servicing functions if specifically recognized to do so by the WSLGA. Receipts from the payment of interest or principal will be deposited in the institution's general local fund and be used to cover the costs of making the loans, maintaining necessary records, and making collections. These costs may not exceed 5 percent of the total outstanding loans. All receipts beyond the amount needed to cover the costs will be used to support the institution's operating budget.

Loaning activities must be directed toward students who normally do not have access to loans from private financial institutions. Maximum use must be made of secondary markets in the support of loan consolidation. All institutions are granted authority to operate as eligible lenders under the guaranteed loan program.

The regents or trustees of each institution are required to set aside from the tuition and fees revenues collected an amount pledged and necessary for the purposes of bond retirement.

New Rule Making Authority: Each four–year institution and the State Board for Community College Education are granted rule–making authority to implement the institutional guaranteed loan program.

Revenue: (See Tuition Chart this report.)

VOTES ON FINAL PASSAGE:

Senate	25	24	
House	54	44	(House amended)
Senate	26	23	(Senate concurred)

EFFECTIVE: May 18, 1981

SSB 4095

C 230 L 81

BRIEF TITLE: Relating to corporate license fees.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senator Metcalf) (By Secretary of State Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

1. Fees for Foreign Corporations

Foreign corporations seeking to do business in Washington must pay to the Secretary of State initial filing fees and annual license fees equal to those paid by domestic corporations. The minimum filing fee is $50 for the first $50,000 or less of authorized capital stock. The minimum annual license fee is $30 for the first $50,000 or less of authorized capital stock. There is also a 25 percent surcharge applied to the base fees.

2. Fees for Corporate Dissolution and Withdrawal

Licensed corporations must file with the Secretary of State the intent to dissolve, articles of dissolution, and applications for withdrawal in the case of foreign corporations. The current fee for each of the three filings is $5.

3. Penalty Waiver

The Secretary of State must assess penalties on any foreign or domestic corporation which fails to pay its annual license fee when due. One penalty is an "additional license fee" equivalent to 1 percent per month of the annual license fee for the period the fee remains unpaid. However, if a corporation is remiss in three years of license payments, it is subject to automatic dissolution by the Secretary.

SUMMARY:

1. Fees for Foreign Corporations

The initial minimum filing and annual minimum license fees for foreign corporations are increased from $50 and $30, respectively, for the first $50,000 or less of authorized capital stock to $100 each.

2. Fees for Corporation Dissolution and Withdrawal

The fee requirements for filing an intent to dissolve or articles of dissolution are eliminated. The $5 fee covering foreign corporation withdrawal and subsequent issuance of a certificate of withdrawal is reduced to $2. However, corporations still are responsible for reporting these changes in status.

3. Penalty Waiver

The Secretary of State is authorized to waive penalty fees in nonpayment cases where there are sufficiently mitigating circumstances. However, it will be the corporation's responsibility to request and justify such relief by following a notification procedures detailed in the bill. If the Secretary denies the request, the corporation has no further recourse. The discretionary waiver authority only applies to penalty assessments and not to basic corporate licensing fees.

Future Obligation: The Secretary of State must submit an annual report to the Legislature on the number of requests for waiver of penalty assessments and their disposition.

Revenue: See Summary.

VOTES ON FINAL PASSAGE:

Senate	31	17
House	60	37

EFFECTIVE: July 26, 1981

SSB 4131

C 258 L 81

BRIEF TITLE: Requiring mandatory minimum terms for certain felonies involving firearms.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored By Senators Pullen, Clarke and Hughes)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

A person convicted of committing or attempting to commit a felony or certain misdemeanors and gross misdemeanors while armed with or in possession of a firearm shall, in addition to the punishment prescribed for the crime when committed without a firearm, be sentenced to an additional term of imprisonment. The additional sentence for use or possession of a firearm cannot be suspended or deferred by the court (RCW 9.41.025).

Recent appellate court decisions have held that the mandatory sentencing provisions are not applicable in cases where use of a firearm is an element of the

underlying offense. It is not clear to the courts whether or not the Legislature intended the provisions to be applicable in such cases. Statute currently refers only to adding penalties over and above those when crimes are committed without the use or possession of a firearm.

RCW 9.41.025 also characterizes certain misdemeanors or gross misdemeanors as "inherently dangerous." The terminology used to describe those offenses has not been updated to conform to the criminal code which was revised several years ago.

SUMMARY:

Those felonies for which the use of a firearm is an element of the offense are specifically included as crimes which are subject to the mandatory sentencing provisions of RCW 9.41.025.

The list of "inherently dangerous" misdemeanors and gross misdemeanors in RCW 9.41.025 is amended to conform to the terminology used in the remainder of the criminal code. A number of relatively less serious crimes for which it is believed that a mandatory sentence would be inappropriate, even if a firearm is used, are deleted from the list.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	98	0

EFFECTIVE: July 26, 1981

SSB 4182

PARTIAL VETO

C 124 L 81

BRIEF TITLE: Enacting the Northwest Interstate Compact on Low-Level Radioactive Waste Management.

SPONSORS: Senate Committee on Energy and Utilities
(Originally Sponsored By Senator Gould)

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Rules

BACKGROUND:

Initiative 383, passed in November, 1980, requires that after July 1, 1981, no area in Washington State may be used as a storage site for radioactive wastes generated outside the state, except medical waste. It provides, however, that the state may enter into a regional interstate compact for the storage of such wastes.

There are serious questions about the constitutionality of Initiative 383 on the basis of federal preemption and impairment of interstate commerce which have not yet been resolved, but which could affect the July 1, 1981 implementation date.

Meanwhile, Washington has one of only three low-level radioactive waste disposal sites in the United States and has been receiving increasing amounts of these wastes from all over the country.

A committee was established by the Western Interstate Energy Board to find a regional solution to the problem of low-level radioactive waste.

SUMMARY:

Washington State enacts and enters into the Northwest Interstate Compact on Low-level Radioactive Waste Management. Other states eligible to join are Alaska, Hawaii, Idaho, Montana, Oregon, Utah and Wyoming.

The purpose of the compact is to provide for safe and economical management of low-level radioactive wastes through cooperation of the party states on a continuing basis.

When shipping wastes, each party state agrees to adopt practices which conform to the packaging and transportation requirements of the host state (Washington). These practices include but are not limited to: (1) maintaining an inventory of low-level radiological waste producers; (2) periodic unannounced inspections; (3) designation of certain containers for shipment of wastes; (4) inspection of carriers which transport wastes; and (5) enforcement of violations.

Party states may impose fees on waste generators and shippers to cover the costs of these requirements.

Waste facilities in party states are required to accept low-level waste generated in any other party state after the effective date of the compact if such wastes are properly packaged and transported. Party states are not to accept waste generated outside the region except those specifically approved by the Northwest Low-level Waste Compact Committee established under the compact.

Party states agree to cooperate in determining future waste disposal facility sites in the region so that no one state would be the host on a permanent basis.

In consideration of Washington maintaining its radioactive waste disposal facility, Oregon and Idaho agree to maintain disposal sites for hazardous and chemical wastes. This is not to be construed as preventing any state from limiting or closing any of its facilities. Party states may establish fees and bonding requirements as they deem necessary to assure that adequate site closure, perpetual care, and maintenance needs are met.

The Governor of each party state designates one state official to administer this compact. This person shall be subject to confirmation by the Senate, and is required to adhere to all provisions of the compact when considering special conditions for access to the state's facilities for waste generated outside of the region. These state officials together comprise the Northwest Low-level Waste Compact Committee and shall meet together and keep each other informed. The Committee may enter into agreements with jurisdictions or persons outside the region regarding waste disposal by a two-thirds vote of all members including the affirmative vote by the party state in which an affected facility is located.

Any party state may withdraw from the compact by enacting a statute repealing its approval. Once the compact has begun (approval by two states), there are two ways for other eligible states to join: one, by enactment of a statute, or two, by execution of an executive order by the Governor, subject to action by the state's legislature by the end of the next session or by July 1, 1983, whichever occurs first.

Congress may withdraw its consent after every five year period.

VOTES ON FINAL PASSAGE:

Senate	27	21
House	67	23

EFFECTIVE: May 8, 1981

PARTIAL VETO SUMMARY:

The Governor vetoed Section 3, which would have made the gubernatorial appointee serving on the Northwest Low-Level Waste Compact Committee subject to Senate confirmation. The Governor declared that insofar as the designee is already a government official, there is no need for Senate confirmation. (See VETO MESSAGE)

SSB 4190

C 289 L 81

BRIEF TITLE: Providing for a study and evaluation of the state environmental policy act.

SPONSORS: Senate Committee on Parks and Ecology (Originally Sponsored By Senator Lee)

SENATE COMMITTEE: Parks and Ecology

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

Since the State Environmental Policy Act of 1971 (SEPA) was enacted, there have been many attempts to amend it, and much controversy as to its accomplishments and problems. There has been no comprehensive legislative review of SEPA and its implementing rules, however in the ten years since it was enacted. It has been suggested that a comprehensive review would now be appropriate, rather than a continual piecemeal amendatory process.

SUMMARY:

The Commission on Environmental Policy is established, composed of four members of the Senate, two from each caucus, appointed by the President of the Senate; four members of the House, two from each caucus, appointed by the Speaker of the House; two representatives of industry; two representatives of the environmental community; one representative of cities and one representative of counties, all appointed by the Governor. A legislative member is to be elected as chairperson.

The Commission is to:

1) Study SEPA and its administrative rules;
2) Utilize legislative staff of the appropriate committees, and conduct necessary studies (state agency staff may be used to the maximum extent practicable);
3) Consult with various concerned entities;
4) Use, to the fullest extent possible, the assistance of appropriate groups to avoid duplication of similar efforts;
5) Hold public hearings;
6) Review model ordinances for local government for consistency with proposed SEPA changes;
7) Propose any necessary amendments to SEPA and its administrative rules; and

8) Appoint a voluntary advisory committee, fairly balanced in membership, including representatives of a statewide environmental organization, business, labor, and the public.

Future Obligation: The Commission must report to the Senate Parks and Ecology Committee and the House Natural Resources and Environmental Affairs Committee during the 1983 regular legislative session.

Termination Date: The Commission ceases to exist on July 1, 1983.

Appropriation: $50,000

VOTES ON FINAL PASSAGE:

Senate	47	1
House	98	0

EFFECTIVE: July 26, 1981

SB 4205

C 231 L 81

BRIEF TITLE: Authorizing fisheries facilities bonds.

SPONSOR: Senator Scott
(By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvements for the Department of Fisheries is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue, subject to prior legislative appropriation, $6,500,000 of general obligation bonds to finance capital improvements for the Department of Fisheries.

The proceeds of the bond issue are to be deposited into the fisheries capital projects account. The 1977 fisheries bond retirement fund is to be used for the payment of principal and interest on the bonds.

VOTES ON FINAL PASSAGE:

Senate	35	11
House	91	3

EFFECTIVE: May 14, 1981

SSB 4206

C 232 L 81

BRIEF TITLE: Authorizing higher education buildings and facility bonds.

SPONSORS: Senate Committee on Ways and Means
(Originally Sponsored By Senator Scott)
(By Office Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvements for institutions of higher education, including community colleges, is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue $8,100,000 of general obligation bonds to finance capital improvement projects for institutions of higher education, including community colleges. The proceeds of the bond issue are to be deposited into the state higher education construction account subject to legislative appropriation.

The higher education bond retirement fund of 1977 is to be used for the payment of principal and interest on the bonds.

VOTES ON FINAL PASSAGE:

Senate	32	15
House	93	3

EFFECTIVE: May 14, 1981

SB 4208

C 281 L 81

BRIEF TITLE: Modifying the governor's powers during energy shortages.

SPONSORS: Senators Gould, Newhouse and Williams
(By State Energy Office Request)

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Rules

BACKGROUND:

The Governor's emergency powers for dealing with energy emergencies or shortages expire on June 30, 1981. The prospect of an energy shortage is still great today. These powers must be extended by legislation if the Governor is to have the ability to handle an energy emergency.

SUMMARY:

The Governor's emergency powers are extended until June 30, 1985.

Local governmental agencies that carry out the Governor's orders in good faith are exempted from any legal liabilities.

Termination Date: The Governor's emergency powers are extended until June 30, 1985.

Future Obligation: The Governor must annually review the status of state contingency plans for energy supply alerts or emergencies with the legislative committees on energy and utilities.

VOTES ON FINAL PASSAGE:

Senate	43	4	
House	97	0	(House amended)
Senate	42	6	(Senate concurred)

EFFECTIVE: May 18, 1981

SSB 4209

C 323 L 81

BRIEF TITLE: Modifying procedures for forming and financing local improvement.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Fuller and Charnley)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

Some of the present procedures for forming and financing local improvements need to be revised.

A local improvement may be initiated upon a petition signed by the owners of property aggregating a majority of the lineal frontage upon the improvement. The petition for a local improvement district must set forth the mode of payment for the improvement.

Local improvement bonds may be issued at not less than par and accrued interest.

Warrants issued by a city or town in payment of the costs of a local improvement district shall bear interest at a rate or rates as authorized by ordinance.

Installment notes issued by a city or town to pay for local improvements may be sold or transferred by said city or town, pursuant to a call for public bid, on terms set by the city or town.

Bonds issued to pay the cost of a local improvement need not state the estimated interest rate in the ordinance confirming the assessment roll.

If on the first day of January in any year two installments of any local improvement assessment are delinquent or if the final installment has been delinquent for more than one year, the city or town shall proceed with the foreclosure of the delinquent assessment or delinquent installments.

A city or town must maintain a local improvement guaranty fund to insure payment of warrants. For the purpose of maintaining such a local improvement guaranty fund, every city and town shall at the time of making its annual budget and tax letter provide for the levy of a sum sufficient to pay the warrants issued against the fund during the preceding fiscal year, provided that a levy in any one year shall not exceed 5 percent of the outstanding obligations guaranteed by the fund.

Warrants drawing interest at a rate not to exceed 6 percent shall be issued against the local improvement guaranty fund to meet any liability accruing against it.

SUMMARY:

A local improvement may be initiated upon a petition signed by the owners of property constituting a majority of the area within the proposed district. A petition for a local improvement need not contain the mode of payment.

Local improvement bonds may be issued at the price established by the legislative authority of the city or town.

Warrants issued by a city or town in payment of costs of a local improvement shall bear interest at a rate or rates established by the issuing officer under the direction of the legislative authority of the city or town.

Installment notes issued by a city or town to pay for a local improvement may be sold or transferred upon

terms set by the city or town without a call for public bid or may be issued to another fund of the city or town.

Where bonds are issued to pay the costs of a local improvement, the estimated interest rate shall be stated in the ordinance confirming the assessment roll (an estimate of the cost for each parcel of property within the local improvement district).

Notification of foreclosure proceedings must be sent by registered mail to owners of affected property.

For the purpose of maintaining the local improvement guaranty fund, every city and town shall at the time of making its annual budget and tax levy provide for the levy of a sum sufficient to pay the warrants issued against the fund during the preceding fiscal year and to establish a balance therein but the levy in any one year shall not exceed the greater of 12 percent of the outstanding obligations guaranteed by the fund or the total amount of delinquent assessments and interest accumulated on the delinquent assessments before the levy as of September 1.

Warrants drawing interest at a rate established by the issuing officer under the direction of the legislative authority of the city or town shall be issued against the local improvement guaranty fund to meet any liability occurring against it.

VOTES ON FINAL PASSAGE:

Senate	44	4
House	97	0

EFFECTIVE: July 26, 1981

SSB 4210

C 233 L 81

BRIEF TITLE: Authorizing higher education facilities bonds.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Scott and Craswell) (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvement for institutions of higher education is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue $86 million of general obligation bonds to finance capital improvements for institutions of higher education, including the University of Washington Hospital and related facilities.

The proceeds of the bond issue are to be deposited into the Higher Education Construction Account subject to legislative appropriation.

The regents and the trustees of the various institutions of higher education are to administer and expend funds solely for purposes specified in this act. The Higher Education Bond Retirement Fund of 1979 is to be used for payment of principal and interest on the bonds. All surplus monies remaining upon completion of the projects are to be transferred to the Bond Retirement Fund.

All state general fund monies used to pay the principal and interest on the bonds are to be replaced by transfers to the general fund from the appropriate higher education building account, capital projects account, or local hospital accounts.

VOTES ON FINAL PASSAGE:

Senate	33	13
House	95	3

EFFECTIVE: May 14, 1981

SSB 4211

C 234 L 81

BRIEF TITLE: Authorizing social and health service facilities bonds.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senator Scott) (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvements for social and health service facilities is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue, subject to legislative appropriation, $100,800,000 in general obligation bonds to finance the construction of social and health services facilities. The term "facilities" will include facilities for use in adult corrections, juvenile rehabilitation, mental health, and developmental programs. Proceeds of the bond issue are to be deposited in the social and health services construction account to be administered by the Secretary of the Department of Social and Health Services. The state general obligation bond retirement fund is to be used for payment of principal and interest on the bonds.

VOTES ON FINAL PASSAGE:

Senate	26	20	
House	92	2	(House amended)
Senate	40	8	(Senate concurred)

EFFECTIVE: May 14, 1981

SSB 4212

C 235 L 81

BRIEF TITLE: Authorizing state buildings and facilities bonds.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senator Scott) (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvements for office buildings, parking facilities and other necessary space for state government is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue, subject to legislative appropriation, $11,200,000 of general obligation bonds to finance the construction of office buildings, parking facilities and other work-related space for the Legislature, other elected officials, and other state agencies.

The proceeds of the bond issue are to be deposited in the state building construction account. The Department of General Administration will administer the proceeds in the account, subject to legislative appropriation.

The state general obligation bond retirement fund is to be used for payment of principal and interest on the bonds.

VOTES ON FINAL PASSAGE:

Senate	34	14
House	93	2

EFFECTIVE: May 14, 1981

SB 4213

C 236 L 81

BRIEF TITLE: Authorizing outdoor recreational areas and facilities bonds.

SPONSOR: Senator Scott (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvements for outdoor recreational areas and facilities is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue, subject to legislative appropriation, $13,400,000 in general obligation bonds to finance the construction of outdoor recreational areas and facilities. The proceeds from the bond issue are to be deposited in the outdoor recreation account for allocation to the Interagency Committee for Outdoor Recreation as matching funds to public bodies. The state general obligation bond retirement fund is to be used for payment of principal and interest on the bonds.

VOTES ON FINAL PASSAGE:

Senate	35	13
House	95	2

EFFECTIVE: May 14, 1981

SSB 4214

C 237 L 81

BRIEF TITLE: Authorizing capital projects bonds for community colleges.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senators Scott and Craswell) (By Office of Financial Management Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

A bond issue to fund capital improvements for construction of buildings and other capital assets of the community colleges is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue, subject to legislative appropriation, $7,300,000 in general obligation bonds to finance the construction of buildings and other capital assets owned by the State Board for Community College Education.

Proceeds from the bond issue are to be deposited in the 1975 community college capital construction account to be administered by the Board exclusively for such purposes.

The 1975 community college capital construction bond retirement fund is to be used for payment of principal and interest on the bonds.

The Board is to accumulate in the community college capital projects account from tuition fees and other deposits an amount equal to the necessary bond retirement payments for transfer to the general fund to the extent that such funds are available. Any unpaid debt service is to be a continuing obligation against the project's account.

VOTES ON FINAL PASSAGE:

Senate	35	13
House	92	3

EFFECTIVE: May 14, 1981

SSB 4275

C 238 L 81

BRIEF TITLE: Establishing a WSU dairy/forage research facility at Rainier school.

SPONSORS: Senate Committee on State Government (Originally Sponsored By Senator Quigg)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Human Services

BACKGROUND:

Shortly after Rainier School was established a program was instituted to train the developmentally disabled residents in a dairy and farming operation. The initial dairy herd was donated to the school by local residents who were engaged in the dairy business and who have maintained a continuing interest in the well-being of the herd. Recent policies of moving the developmentally disabled out of institutions have left very few residents of the school who are capable of performing the hard work necessary to either operate the farm or the dairy herd. Washington State University has desired to expand its agricultural research west of the Cascade range. This herd and the land that surrounds the school offer the facilities for an extended opportunity in agricultural research.

SUMMARY:

The land surrounding the Rainier School except that part used for the school buildings and school grounds is to be transferred from the Department of Social and Health Services (DSHS) to Washington State University, along with all livestock, supplies and equipment. The exact areas and buildings to be transferred shall be settled by negotiations between DSHS and Washington State University with the proviso that any differences which cannot be adjusted between the two agencies shall be resolved by the Office of Financial Management. Washington State University will set up a revolving fund to handle monies received from the operation of the facility and any appropriated monies. This fund shall be subject to the Budget and Accounting Act, but expenditures

from the fund shall not be required to be appropriated.

In the event state funding is not sufficient to operate the dairy cattle herd, the University may lease the herd and buildings.

VOTES ON FINAL PASSAGE:

Senate	42	2	
House	98	0	(House amended)
Senate	44	0	(Senate concurred)

EFFECTIVE: July 1, 1981

SSB 4283

C 342 L 81

BRIEF TITLE: Modifying taxes and fees pertaining to motor vehicles.

SPONSORS: Senate Committee on Transportation (Originally Sponsored By Senators Guess, Quigg and Benitz)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Rules

BACKGROUND:

The current variable fuel tax is a percentage tax based on the average retail price of fuel, less all state and federal taxes. The tax rate is 21.5 percent and the actual tax paid is expressed in cents per gallon to the nearest half-cent, computed every six months. There is a 12-cents per gallon ceiling, as well as a revenue limit based on 1973 revenue adjusted for inflation at 6 percent per year. The computed tax is reduced in the event too much revenue is collected, the 21.5 percent of retail price exceeds the 12-cents per gallon ceiling, or unanticipated federal funds are received. Once the ceiling of 12-cents per gallon was reached in July of 1979, the tax was no longer variable. Consequently, it reverted back to a cents per gallon tax. At the same time, consumption of fuel had stabilized, thus fuel tax revenues are remaining constant while transportation programs are being impacted by double-digit inflation. Because the variable fuel tax is no longer sensitive to inflation, revenues are inadequate to fund existing programs.

Prior to 1971, appropriations for the highway and other activities of the State Patrol were funded from the State Patrol Highway Account (SPHA). The major source of revenue in that account was $6.00 of each $9.40 vehicle license fee. The SPHA was abolished in 1971 and the $6.00 portion was deposited in the Motor Vehicle Fund. Since 1971, State Patrol highway appropriations from the Motor Vehicle Fund have consisted of revenues from the $6.00 portion and $95 million of fuel taxes and other fees. Over the next six years, it is estimated that $190 million of such fuel taxes and fees will be required, in excess of the $6.00 portion, to finance State Patrol highway activities.

Furthermore, state ferry system operating costs are projected to increase because of rising labor and fuel costs. Substantial increases in ferry fares are programmed to finance these cost increases. Additional revenue is still needed to meet the rising operating costs.

SUMMARY:

The existing variable fuel tax is modified to make the tax responsive to inflation. The percentage tax rate is reduced from the current 21.5 percent to 10 percent. The percentage tax rate continues to be applied to the average retail sales price of gas, excluding state and federal taxes, and is expressed in equivalent cents per gallon. There are three revenue limitations. The first is on the entire Motor Vehicle Fund, which is based on 70 percent of the average annual growth in state personal income for the most recent three years. The second limit is on fuel taxes only, which limits the increase in fuel taxes in any fiscal year to 2 cents per gallon. The third restriction is an absolute tax lid of 16 cents per gallon.

The fuel tax continues to be collected from fuel distributors by the Department of Licensing. The department will calculate the tax rate every six months, and, during this calculation, will ensure that the revenue collections do not exceed the maximum limits. For the first six months, July through December 1981, the tax rate is set by statute at 13 1/2 cents per gallon. This is 10 percent of the average price projected for that period. Fuel tax revenues will continue to be distributed to cities, counties, the Urban Arterial Board, the state ferry system, and the state according to existing formulas. Therefore, all these entities will share in the additional revenues generated. Gasohol is provided an increase in tax credits.

The State Patrol Highway Account (SPHA) and is reestablished as an account within the Motor Vehicle Fund. The vehicle license fee is increased from $13.40 to $23.00 and the vehicle license renewal fee is increased from $9.40 to $19.00. $15.60 of each fee must be deposited into the SPHA. The SPHA will be

for the use of the State Patrol and the source for expenditures for highway activities of the State Patrol.

Twenty-seven and three-tenths percent of the remaining current license fees are deposited in the Puget Sound ferry operation account. Seventy-two and seven-tenths percent of the remaining current license fees are deposited in the Motor Vehicle Fund.

Annual ferry fare increases of not less than the growth in the Seattle Area Consumer Price Index (CPI) are required, plus authority is granted to the Transportation Commission to increase ferry fares at times other than the required annual fare increases.

The bill shall be null and void in its entirety in the event that Senate Bill Nos. 3669 and 3699 are not enacted by the 1981 regular session of the Legislature.

VOTES ON FINAL PASSAGE:

Senate	27	20	
House	50	48	(House amended)
Senate	29	19	(Senate concurred)

EFFECTIVE: July 1, 1981

SSB 4299

PARTIAL VETO

C 6 L 81 E1

BRIEF TITLE: Modifying provisions relating to public assistance.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored By Senator Moore)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules

BACKGROUND:

Public assistance standards, medical assistance standards, and chore service eligibility standards need to be modified. The Victim of Crime Compensation Act required revision.

SUMMARY:

A consolidated emergency assistance program is established for families with children who are not eligible for other assistance. A limited casualty program is established to provide for medical care to the medically needy and medically indigent.

General assistance is redefined to include aid only for eligible unemployable persons in need. Public assistance grant levels are established based upon the U.S. Department of Agriculture thrifty food plan adjusted for the state of Washington. Assistance standards may vary by geographical areas. Standards must be adjusted annually by the Department of Social and Health Services. Standards of assistance must include an energy allowance.

Recipients of supplemental security income assistance who have failed to comply with federal drug and alcoholism treatment requirements are ineligible for state assistance. The Department of Social and Health Services may establish work programs. Payments made for any funeral or burial service by any third party must be subtracted from the payments made by the Department. The Department is granted the authority to charge fees for services provided. Block grants for developmental disability centers are authorized.

Services authorized under the chore services program are redefined. The eligibility levels under the chore services program are redefined. Emergency chore services are allowed under certain conditions.

Medical assistance eligibility is redefined. Medical assistance may be provided to the extent of available funds.

The Victim of Crime Compensation Act is suspended except for persons on pensions.

New Rule Making Authority: The Department of Social and Health Services is granted rule-making authority.

VOTES ON FINAL PASSAGE:

Regular Session

Senate	25	24	
House	52	46	(House amended)

First Special Session

Senate	25	24	(Senate amended)
House	50	48	

EFFECTIVE: July 1, 1981

PARTIAL VETO SUMMARY:

The Governor vetoed four sections, consistent with his vetoes in the 1981-83 biennial appropriations bill, SSB 3636. The vetoed sections dealt with aggregate state payment levels under the Income Maintenance Program, the maximum allowable payments in the Consolidated Emergency Assistance Program, and block grants for developmental disabilities centers. (See VETO MESSAGE)

SSB 4309

C 239 L 81

BRIEF TITLE: Implementing law relating to students living in nonhigh districts and attending high schools and nonhigh districts' contributions to high school districts for capital fund aid.

SPONSORS: Senate Committee on Education (Originally Sponsored By Senator Quigg)

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

BACKGROUND:

Students from nonhigh school districts attend the high school of their choice. Consequently, these students may be attending school in various school districts. The nonhigh district must then contribute to building programs for each of the various high school districts attended by their students.

It is proposed that each nonhigh school district designate the district or districts it desires its students to attend. The nonhigh district would contribute to the building program only of the designated districts. Students would continue to be permitted to attend the high school of their choice.

SUMMARY:

The board of directors of a nonhigh school district shall, by mutual agreement with the serving high school district(s), designate which district(s) it desires its high school students to attend. High school students shall be allowed to attend a high school other than the one designated. The nonhigh school board of directors, however, shall not be required to contribute to building programs in those high school districts not designated. Nonhigh school district boards of directors shall be required to contribute to building programs and capital aid provisions in high school districts which are designated for attendance.

VOTES ON FINAL PASSAGE:

Senate	45	2
House	98	0

EFFECTIVE: July 26, 1981

SSB 4319

C 240 L 81

BRIEF TITLE: Authorizing certain counties to provide for the taking and keeping of records of the board of county commissioners.

SPONSORS: Senate Committee on Local Government (Originally Sponsored By Senators Fuller and Hemstad)

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

The county auditor acts as clerk of the board of county commissioners, attends meetings, and keeps a record of proceedings. Home rule county councils are authorized to have their own employees act as clerk of the county councils. Some feel this would be a more efficient practice for non–home rule counties.

SUMMARY:

Boards of County Commissioners may have employees of the board take and keep records of proceedings.

VOTES ON FINAL PASSAGE:

Senate	47	1
House	97	0

EFFECTIVE: July 26, 1981

SB 4327

C 284 L 81

BRIEF TITLE: Authorizing the department of social and health services to establish fee schedules for certain services.

SPONSOR: Senator Deccio

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Human Services

BACKGROUND:

Blood tests are not required to obtain a marriage license in Washington. However, some states do require blood tests. Persons in Washington but getting married in other states that require blood tests may want to have a blood test performed in this state. The

Department of Social and Health Services conducts blood tests and issues certificates necessary to meet marriage license requirements of other states. The department, however, has no authority to charge for such services.

The department maintains a repository of seldom used vaccines, such as the rabies vaccine. However, the department has no authority for the charging of fees for these vaccinations.

SUMMARY:

The Department of Social and Health Services must establish a fee schedule for providing certificates necessary to meet marriage license requirements of other states. The fees shall be based upon the cost of conducting premarital blood screening tests and issuing certificates.

The department must also establish a fee schedule based upon the cost of providing a repository of emergency vaccines and other biologics.

New Rule Making Authority: The Department of Social and Health Services shall prescribe the fee schedules for premarital blood screening and for providing a repository of emergency vaccines and other biologics.

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	93	4	(House amended)
Senate			(Senate refused to concur)
House	95	3	(House receded)

EFFECTIVE: July 26, 1981

SB 4348

C 241 L 81

BRIEF TITLE: Establishing revolving funds for the division of banking and the division of savings and loan associations.

SPONSORS: Senators Sellar, Clarke and Bauer (By Department of General Administration Request)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

Within the Department of General Administration, the Division of Banking and the Division of Savings and Loan Associations for the past ten years have been self-supporting. Revenues generated have been equal to or greater than allocated appropriations. The respective supervisors believe that local control of these revenues is in order and will make their divisions more responsive to the changing needs of the financial institutions they regulate. Revenues generated by the divisions generally consist of examination fees, penalties for violation and fees for other services rendered.

SUMMARY:

A Banking Examination Fund and a Savings and Loan Associations and Credit Unions Examination Fund are created as local funds for the Division of Banking and the Division of Savings and Loan Associations, respectively. All moneys received by the divisions must be deposited into the respective funds. All salaries, wages, utilities, and other incidental costs for the proper maintenance of the divisions must be paid for from the respective funds. Disbursements are controlled by the Director of General Administration, the supervisor of the appropriate division, or the supervisor's designee. The Budget and Accounting Act (43.88 RCW) applies to the funds even though appropriations are not required to permit expenditures and payments of obligations from the funds.

VOTES ON FINAL PASSAGE:

Senate	25	24
House	95	2

EFFECTIVE: July 1, 1981

SSB 4360

C 264 L 81

BRIEF TITLE: Changing procedure for determining payments by nonhigh school districts to high school districts.

SPONSORS: Senate Committee on Education (Originally Sponsored By Senator Hayner)

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

SSB 4360

BACKGROUND:

Students who reside in nonhigh school districts attend high school districts in order to attend those grades the nonhigh school district does not offer. The nonhigh school district then reimburses the high school district for any costs above state and federal funding levels. The high school district bills the nonhigh school district a dollar amount equivalent to the additional costs associated with educating the student. Excess levy amounts authorized for nonhigh school districts frequently do not generate enough revenue per pupil to meet the high school district billing. In addition, the billing process does not coincide with levy collection dates. Since the nonhigh school district levy capacity is not adequate, the district must reduce its own programs to make these payments.

It is proposed that nonhigh school districts be authorized to generate enough revenue through their levies to meet the per pupil high school district assessments. In order to do this, the billing process must be simplified, a payment schedule must be set, and a method of determining per pupil costs between nonhigh school and high school districts must be established.

SUMMARY:

The intent of the bill is to (1) simplify the nonhigh school district billing process; (2) provide a payment schedule to meet the needs of the high school district while providing the nonhigh school district with the ability to pay such payment; and (3) establish the maximum dollar amount per full-time equivalent student that a nonhigh school district may be assessed by a high school district to be no greater than the excess tax levy rate per FTE (full-time equivalent) student levied upon the school district.

For billing purposes, the student enrollment shall be determined as follows: before July 10 of each school year the high school districts shall estimate (1) the number of nonhigh school district students that will be enrolled in the high school district during the school year; (2) the total estimated number of students that will be enrolled in the high school district during the school year; and (3) the number of students enrolled the preceding year. The high school district shall submit to SPI the names and corresponding information regarding affected nonhigh school district students. If the high school district and nonhigh school district superintendents cannot agree to an estimated number of students to be enrolled, the Superintendent of Public Instruction will establish the estimate.

The amount of payment will be computed as follows: The high school district's levy will be divided by the total number of FTE students in the high school district. This will determine a per FTE rate. This rate will then be multiplied by the number of nonhigh school district students to determine the maximum nonhigh school payment. An adjustment process the following year is provided to make up for any over or underpayments made the previous year.

Nonhigh school districts shall pay high school districts 50 percent of the billing in May and 50 percent in November. High school districts may assess no amount or less than a specified amount so long as the Superintendent of Public Instruction is notified.

Implementation of the payment procedures will be phased in over a three-year period. During the 1980–81 school year, those procedures currently in operation will continue. In the 1981–82 school year, the new statute will take effect although any adjustments for previous overpayment or underpayment will not be allowed. Beginning with the 1982–83 school year, the new statute will take effect and payment adjustments can be made.

The levy lid law is amended to give nonhigh school districts the capability to levy an amount of money equal to the nonhigh school district billing amount. The amendment applies to levies collected beginning in 1982.

Nonhigh school students are defined as those students residing in a nonhigh school district that does not offer that student's appropriate grade level.

Current nonhigh school district billing statutes are repealed.

New Rule Making Authority: The Superintendent of Public Instruction is granted rule-making authority.

VOTES ON FINAL PASSAGE:

Senate	43	6	
House	97	0	(House amended)
Senate	44	3	(Senate concurred)

EFFECTIVE: July 26, 1981, except section 10, which shall take effect with 1982 collections

SB 4363

C 242 L 81

BRIEF TITLE: Modifying provisions relating to state funds.

SPONSORS: Senators Shinpoch and Scott

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations–General Government and Compensation

BACKGROUND:

Presently if there is an excess balance in either the cash balance or within any fund of the State Treasury over the amount necessary for current authorized expenditures, the State Investment Board may invest or reinvest such surplus in one or more specified categories.

From the earnings resulting from these investments, 80 percent is apportioned back to the original cash balance or fund; and, 20 percent is set aside in the Investment Reserve Account in the State Treasury. The Legislature appropriates from this reserve account for the operating expenses of the State Investment Board. If there are any remaining funds after covering certain losses, they are then transferred to the General Fund.

SUMMARY:

The operations of the State Investment Board will be funded from the earnings of those funds managed by the Board, based on the proportional value of a fund to the value of all funds. Prior to November 1 of each even–numbered year, the Board shall determine and certify to the State Treasurer and the Office of Financial Management the value of the various funds. The Treasurer will then transfer the appropriate amount of funds to the State Investment Board Expense Account within the General Fund, which is created by this bill. 20 percent of all earnings from the authorized investment of surplus funds will be deposited directly to the General Fund.

The Investment Reserve Account is abolished and all funds in it are transferred to the General Fund.

VOTES ON FINAL PASSAGE:

Senate	49	0
House	98	0

EFFECTIVE: July 1, 1981 (Sections 1, 2, 4)
September 1, 1981 (Section 3)

SSJM 106

BRIEF TITLE: Requesting a review of federal pesticide regulations.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored By Senators Conner, Bottiger, Benitz and Sellar)

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

Some people believe that naturally–based pesticides pose less environmental and health risks than other chemical formulations and have been demonstrated to be effective in controlling insect pests. Unlike chemical pesticides, naturally–based pesticides, such a fish fertilizer, are not derived from depletable fossil fuels.

Presently, naturally–based pesticides have to go through the same stringent and expensive testing and analysis procedures in order to obtain registration from the Environmental Protection Agency as do manufactured chemical formulations. Some feel that these registration requirements should be reviewed for the purpose of relaxing those requirements pertaining to naturally–based pesticides.

SUMMARY:

The Environmental Protection Agency is asked to review its current pesticide registration requirements for the purpose of relaxing those requirements pertaining to natural–based pesticides.

VOTES ON FINAL PASSAGE:

Senate	48	0
House	98	0

EFFECTIVE: April 22, 1981

SJR 107

BRIEF TITLE: Authorizing additional court commissioners.

SPONSORS: Senators Talmadge, Hemstad and Wojahn

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Ethics, Law and Justice

BACKGROUND:

The State Constitution authorized the Superior Court in each county to appoint from one to three court commissioners to perform certain judicial functions. This three-per-county limitation meant that a small, rural county could have as many court commissioners as a more populous county.

The Constitution also specifically limited the activities of a court commissioner to taking depositions, conducting business connected with the administration of justice as prescribed by law and performing duties as a Superior Court judge at chambers.

SUMMARY:

An amendment to the Washington State Constitution will be submitted to the people at the next general election.

The amendment allows the number of superior court commissioners in each county may be limited by statute. The specific limitations on the powers of court commissioners are removed from the Constitution.

VOTES ON FINAL PASSAGE:

Senate	35	11
House	98	0

EFFECTIVE: April 15, 1981

SSJR 133

BRIEF TITLE: Amending the constitution to clarify signature requirements and filing dates for initiatives to the legislature.

SPONSORS: Senate Committee on Constitutions and Elections
(Originally Sponsored By Senators Pullen, Woody and Gould)

SENATE COMMITTEE: Constitutions and Elections

HOUSE COMMITTEE: State Government

BACKGROUND:

The procedures for submitting initiatives to the Legislature require that a sponsor obtain a certain number of registered voters' signatures in order to qualify a proposed measure for submission to the Legislature. That number must be more than "eight percentum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election." (Article II, Section 1(a) as amended by Amendment 30). This provision has resulted in confusion for initiative campaigns during a gubernatorial election year.

The text of an initiative is usually filed before the general election, but the signature petitions are not usually filed until after the general election. Therefore, it is not clear in a gubernatorial election year whether the 8 percent requirement is based on that year's gubernatorial election or on the last preceding gubernatorial election. Since voter turnout varies significantly from one gubernatorial election to the next, the number of signatures required also varies significantly. As a result, if the sponsor of an initiative to the Legislature during a gubernatorial election year sets the signature goal based on the election held four years prior, that sponsor may be susceptible to a court challenge resulting in an increased signature requirement shortly before the deadline for filing the signature petitions.

Sponsors of initiatives to the Legislature may file signature petitions with the Secretary of State until ten days preceding the date that any regular legislative session convenes. The Secretary of State contends that ten days may be insufficient to certify the sufficiency of the signature petitions.

The original language in Article II, Section 1 of the Constitution was superseded, but not deleted, by Amendments 7 and 30 to the Constitution. Retention of the original language has caused confusion because of the difficulty in discerning the superseded language from current law.

SUMMARY:

The State Constitution is amended to clarify which gubernatorial election will be the basis for calculating the signature requirements for submission of initiatives to the Legislature. The percentage of registered voters will be derived from the last gubernatorial election preceding the date on which the text of an initiative is filed with the Secretary of State.

The Secretary of State must certify an initiative to the Legislature within 40 days after the sponsor files the signature petitions with his office. If certification is not complete, the Secretary of State must provisionally certify the measure pending final certification. Initiative measures, whether certified or provisionally certified, take precedence over other legislative matters except appropriations bills.

The Legislature is specifically prohibited from enacting an initiative to the Legislature and ordering a referendum on that measure.

Certain technical revisions are made to compensate for annual regular legislative sessions, to delete provisions superseded by Amendments 7 and 30 and to insert provisions of Amendment 26 into Article II, Section 1(c).

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	93	4	(House amended)
Senate			(Senate refused to concur)
House	97	1	(House amended)
Senate	46	0	(Senate concurred)

EFFECTIVE: April 26, 1981

SCR 109

BRIEF TITLE: Establishing the Joint Select Legislative Committee on International Trade.

SPONSORS: Senators Jones, Fleming, Bottiger, Hayner and Quigg
(By the Office of the Lieutenant Governor Request)

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic Development

BACKGROUND:

During the past biennium, the Joint Committee on International Business and Tourism made initial contacts with the Pacific Rim trading partners of the State of Washington in an attempt to enhance and expand the scope and quantity of international trade with Washington businesses. These contacts resulted in the generation of approximately $12 million of new business. Emerging trends indicate that continued expansion of international trade may be in the best interest of the State of Washington.

SUMMARY:

A Joint Select Legislative Committee on International Business, Tourism and Investment is created to 1) encourage expansion of international trade, determine the impact of international trade, tourism and investment on the economy of the State of Washington, 2) evaluate current state law in relation to encouraging international trade, 3) evaluate current administrative programs for development of trade tourism; 4) develop alternative state programs to enhance trade and tourism; 5) develop models whereby the public and private sector may foster international trade, tourism and investment and 6) to develop and implement a state policy to insure viable international trade.

The Joint Select Legislative Committee on International Business, Tourism and Investment shall be composed of members of the Senate and House of Representatives with the Lieutenant Governor as chairman.

VOTES ON FINAL PASSAGE:

Senate	38	5	
House	92	3	(House amended)
Senate	45	1	(Senate concurred)

EFFECTIVE: April 26, 1981

SCR 114

BRIEF TITLE: Providing for a select joint committee to study mental health services.

SPONSORS: Senators Hayner and Jones

SENATE COMMITTEE: Rules

HOUSE COMMITTEE: Rules

BACKGROUND:

In recent years the state of Washington has experienced many crises in the areas of community and institutional mental health services. Inadequate service delivery, cost overruns, loss of accreditation, lack of a management information system, and lack of community residential treatment beds are some of the many problems affecting the state mental health system.

During the 1981 legislative session a comprehensive community mental health bill was introduced but failed to pass. It was felt by many that further study of the problem was needed before major reform of the present system could be accomplished.

SUMMARY:

The Legislature recognizes that major reform in the area of community mental health is needed.

A select joint committee on mental health services is formed. The committee consists of twelve legislators representing the House Human Services and Ways and Means Committees and the Senate Social and Health Services and Ways and Means Committees.

The select joint committee is directed to review legislative proposals and by November 1, 1981 present to the Legislature for introduction at the regular legislative session in 1982.

VOTES ON FINAL PASSAGE:

First Special Session		
Senate	25	24
House	51	46

EFFECTIVE: April 28, 1981

SCR 121

FIRST SPECIAL SESSION

BRIEF TITLE: Select Committee on Local Government established.

SPONSORS: Senators von Reichbauer, Zimmerman, Bottiger and Hayner

SENATE COMMITTEE: Rules

HOUSE COMMITTEE: Rules

BACKGROUND:

The costs of providing local government services have increased. The federal government has cut the funding level for many federally-supported local programs.

SUMMARY:

A Joint Select Committee on Local Government Finance is established to study local government funding from some state and federal sources.

The Joint Select Committee on Local Government Finance will consist of fourteen members: four from the majority party and three from the minority party will be appointed by the President of the Senate; four from the majority party and three from the minority party will be appointed by the Speaker of the House.

Future Obligation: The Joint Select Committee on Local Government Finance must prepare and submit to the Legislature a report of its findings, recommendations and proposals for legislation by January 1, 1982.

VOTES ON FINAL PASSAGE:

First Special Session		
Senate	34	15
House	98	0

EFFECTIVE: April 28, 1981

VETO MESSAGES

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State of Washington

JOHN SPELLMAN, Governor

April 17, 1981

OFFICE OF THE GOVERNOR

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 of Substitute House Bill No. 49 entitled:

AN ACT Relating to forms management.

I am vetoing Section 6 in order to allow the codification of this bill into RCW 43.19, which governs the duties of the Department of General Administration. (This bill relates to their duties.)

With the exception of Section 6, which I have vetoed, the remainder of Substitute House Bill No. 49 is approved.

Respectfully submitted,

John Spellman
Governor

Legislative Building • Olympia, Washington 98504 • (206) 753-6780 • (Scan) 234-6780

State of Washington

JOHN SPELLMAN, Governor

May 8, 1981

OFFICE OF THE GOVERNOR

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 House Bill No. 137 entitled:

"AN ACT relating to usury."

Sections 4, 5, and 6 of this bill duplicate the substance of three sections contained in House Bill 160, but use slightly different wording. I have determined to veto these sections in order to avoid difficulties in codification and future interpretation of these sections.

With the exception of sections 4, 5, and 6 which I have vetoed, House Bill No. 137 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 18, 1981

OFFICE OF THE GOVERNOR

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. 138 entitled:

"AN ACT Relating to public retirement."

Current statutes provide for members of the Teachers' Retirement System and the Public Employees' Retirement Systems to establish credit for service previously rendered within five years of re-entering service. This is an inopportune time to extend the credit buy-back beyond the current five-year provision. It would result in an unwarranted and substantial increase in retirement costs to the state over the next 25 years at a time when we are encountering extreme difficulty in funding basic programs.

For the foregoing reasons, I have vetoed Sections 10, 11, and 15 of Substitute House Bill No. 138. The remainder of the bill is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 19, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to seven sections Substitute House Bill No. 144 entitled:

"AN ACT Relating to insurance."

This bill contains three bills in their entirety which I have already signed:

Section 7, 11 and 12 -- SB3383
Section 8 -- SB3250
Section 23 and 24 -- SB3834

I have vetoed the duplicative sections in order to avoid codification problems and difficulties for future users of the affected sections of the Revised Code of Washington.

Section 25 of this bill would prohibit an agent from replacing an existing life insurance policy, excepting a policy issued by his own company, during the first two years that the agent is licensed. This provision would be strongly anti-competitive, exacerbating the already very difficult problems that face new agents. While I appreciate the problem being addressed, this is not the remedy.

I feel that the Insurance Commissioner has mechanisms in place (replacement disclosure forms and the law prohibiting "twisting") which, if enforced, can prevent policy replacements detrimental to the insured parties.

With the exceptions of the aforementioned sections I have approved Substitute House Bill No. 144.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 8, 1981

OFFICE OF THE GOVERNOR

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. 160 entitled:

"AN ACT Relating to retail installment sales."

Section 6 of this bill duplicates the substance of a section contained in House Bill 137, but uses slightly different wording. I have determined to veto this section in order to avoid difficulties in codification and future interpretation of the section.

With the exception of Section 6 which I have vetoed, House Bill No. 160 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 23, 1981

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill 171. I have taken this action because I believe the formula set forth in the Bill does not reasonably take into account the variations of costs in different areas of the state, and because of a strong presumption in favor of local government control of issues such as this.

I would be receptive to a review of this matter in order to assure that local governments in terms of such fees receive only the remuneration necessary to totally reimburse their actual costs of such services.

Sincerely,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor | February 19, 1981 | OFFICE OF THE GOVERNOR

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 of Substitute House Bill 208 entitled:

AN ACT Relating to excise taxation.

Section 3 of this bill allows those who collect retail sales tax to keep one-fourth percent of the tax they collect as compensation for collecting the tax.

The principle that taxpayers should not be compensated for complying with tax laws has long been accepted by federal, state, and local governments in the United States with only minor exceptions. I believe it would be unwise to depart from that principle at this time. To award retail sales taxpayers a subsidy estimated to be nearly $8 million during the 1981-83 biennium, while the state faces serious financial problems, demonstrates an indefensible order of priorities.

With the exception of Section 3, which I have vetoed, the remainder of Substitute House Bill 208 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor | May 14, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to lines 22 through 28, Section 123, Second Substitute House Bill No. 235 entitled:

"AN ACT Relating to corrections."

The above-referenced paragraph of Section 123 frustrates the directive of the bill -- to create a separate, well managed Department of Corrections. Inherent in the legislation is the assumption that several improvements in management may be required. I have, therefore, vetoed lines 22 through 28 in Section 123.

With the exception of lines 22 through 28 of Section 123, which I have vetoed, the remainder of Second Substitute House Bill No. 235 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 14, 1981

OFFICE OF THE GOVERNOR

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 of House Bill No. 254 entitled:

"AN ACT Relating to casualty insurance."

Section 2 of this bill would require that auto insurance policies providing comprehensive or collision coverage would also have to provide liability coverage.

Since this bill passed the legislature, information has come to light that calls into question the potential effectiveness of this bill in preventing driving by underinsured motorists and also raises the question of unintended economic impacts on both the auto industry and financial institutions. I feel that the most prudent course of action at this time would be to veto Section 2 so that the legislature can more thoroughly study this issue.

With the exception of Section 2, which I have vetoed, the remainder of House Bill No. 254 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 18, 1981

OFFICE OF THE GOVERNOR

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 2 (15), 3 (4), 3 (7), and 11 Substitute House Bill No. 320 entitled:

"AN ACT Relating to land use."

The first three provisions conflict with similar provisions in Substitute House Bill No. 323, which I have signed today.

Section 11 would limit court review to final plats. The more timely stage for review--the preliminary plat stage--has been eliminiated by Section 11. To preserve this option I have vetoed Section 11.

With the exceptions of Sections 2 (15), 3 (4), 3 (7), and 11, Substitute House Bill No. 320 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

April 30, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to the proviso in Section 7, Substitute House Bill No. 335 entitled:

An Act Relating to community college districts.

Section 7 of this bill delineates certain requirements of the State Board of Community College Education. A proviso, however, added to this section, restricts the use of instructional funds at Everett and Edmonds Community College. This proviso is inconsistent with the intent of the 1981-83 appropriations act. In addition, the provision, which does not apply to other community colleges, is unnecessarily restrictive on the effective management of the first new community college district since the creation of the community college system.

Consequently, I have vetoed the proviso beginning after the colon on line 12 down through and including the word "positions" on line 14.

With the exception of the proviso in Section 7, which I have vetoed, the remainder of Substitute House Bill No. 335 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 18, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill 371 entitled:

"AN ACT Relating to shoreline management policy as applied to forest practices."

The state's Forest Practices Act was enacted in 1974. That act recognized the power of local governments to regulate forest practices in shoreline areas under the authority of the Shoreline Management Act of 1971. Then, in 1975, by amendments to the Forest Practices Act, the power of local governments to regulate forest practices in shoreline areas was eliminated, and their power to control logging road construction was significantly reduced. Thereafter, however, the State Supreme Court invalidated the 1975 amendments because the form of their enactment was unconstitutional. House Bill 371 is a reenactment of the substance of the amendments.

I have evaluated the relationship of local governments and the Forest Practices Board to the control of forest practices in shoreline areas under both the 1974 act and the 1975 amendatory version. I have concluded that the 1974 version strikes the better balance in terms of both the allocation of governmental powers between the Forest Practices Board and local governments, and the achievement of the objectives of the Shoreline Management Act. I have therefore vetoed House Bill 371.

Respectfully submitted,

John Spellman
Governor

Legislative Building • Olympia, Washington 98504 • (206) 753-6780 • (Scan) 234-6780

State of Washington

JOHN SPELLMAN, Governor

May 19, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to part of Substitute House Bill 397 entitled:

"AN ACT Relating to property."

This is a comprehensive and laudable effort to define the relationship between landlords and mobile home tenants. There are two topics, however, that cause me some concern.

Section 3 and Sections 6 through 16 establish new and significantly different procedures for declaring mobile homes abandoned and for disposing of them. While we may need new abandonment procedures, I feel these provisions need more study; existing law is sufficient in the meantime.

Sections 23 through 31 would require the Department of Licensing to impose and collect an annual excise tax on certain travel trailers and/or campers. This includes the collection of back taxes even if a vehicle has not been in use on the highways of the state and ownership has changed. This imposes an unfair obligation on the purchaser of such vehicle in that he/she might not be aware of such obligation until after the change in ownership had taken place. Further, the manpower required to enforce these changes exceeds the revenue gained from enforcement.

With the exceptions of Sections 3, 6 through 16, and 23 through 31, House Bill 397 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

April 25, 1981

OFFICE OF THE GOVERNOR

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 of Substitute House Bill No. 467 entitled:

AN ACT Relating to review of energy facilities certification decisions.

Most of Section 1 is a reiteration of intent language found in Chapter 80.50 RCW. The last sentence, however, is an ambiguous statement that seems to imply a further restriction of the kinds of state concerns and issues that EFSEC can share with federal authorities. Since this language would only serve to cloud the authority of EFSEC, I have vetoed Section 1.

With the exception of Section 1, which I have vetoed, the remainder of Substitute Hwuse Bill No. 467 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor | May 14, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 2 and Section 4 House Bill No. 493 entitled:

"AN ACT Relating to real property and deeds of trust."

Section 2 restates verbatim the current statute (RCW 62.24.020) and is therefore supurflous.

Section 4 strikes the following sentence from law: "The trustee may not bid at the trustee's sale." Striking this sentence is inconsistent with keeping RCW 62.24.010. I have therefore vetoed Section 4.

With the exceptions of Sections 2 and 4, which I have vetoed, the remainder of House Bill No. 493 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor | May 19, 1981 | OFFICE OF THE GOVERNOR

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. 537 entitled:

"AN ACT Relating to occupational drivers licenses."

The Implied Consent Law, passed by the voters of this state in 1969, provides that a person's privilege to drive is conditioned on a promise to take a breathalyzer test when suspected of driving under the influence of alcohol. Failure to take the test results in a six-month loss of license.

House Bill No. 537 would undermine the Implied Consent Law. It would permit persons who refuse the breathalyzer and who subsequently are found guilty of DWI to apply for an occupational driver's license. Ironically, those who were acquitted of the charges could not apply for the occupational permit.

If we are to have an Implied Consent Law--and I believe we should--we must enforce it. There must be a clear consequence to refusing the breathalyzer or the Implied Consent Law will be intolerably weakened.

I have therefore vetoed House Bill No. 537.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 14, 1981

OFFICE OF THE GOVERNOR

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 1 (1), and Section 3 Second Substitute House Bill No. 628 entitled:

"AN ACT Relating to residential schools."

This bill would establish a special procedure for deinstitutionalizing mentally retarded residents of the state residential schools for the next two years.

I am very sensitive to the concerns of the parents who advocated the passage of this bill. The changes that have come about in recent years in the treatment of the mentally retarded have been controversial and often upsetting to those most closely involved, both lay and professional.

I am not convinced, however, that the procedure for decision-making and appeal outlined in Section 1 (1) is going to solve the problem -- and it may raise other problems. I <u>am</u> willing, though, to ask for a "trial run." I have therefore directed Alan J. Gibbs, Secretary of the Department of Social and Health Services, to freeze disputed placements for a period of six months. I have also directed him to examine placement practices during this period and report to me prior to the next legislative session.

For the reasons outlined above, I have vetoed Section 1 (1) and Section 3. The remainder of Second Substitute House Bill No. 628 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 18, 1981

OFFICE OF THE GOVERNOR

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 1, Substitute House Bill No. 650 entitled:

"AN ACT Relating to school districts."

Section 1 of the bill removes the phrase "necessary or proper to carry out the functions of a school district." As a result, school districts could not use funds to finance any school facility for which there is not specific authority in law. Surprisingly, without this phrase there is no other law that gives school districts definite authority to acquire and construct the broad range of facilities required to carry out many essential school district functions. Without the authority of the "necessary and proper" phrase, school districts may not be able to finance construction of school buildings through the issuance of bonds.

With the exception of Section 1, which I have vetoed, the remainder of Substitute House Bill No. 650 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor | April 23, 1981 | OFFICE OF THE GOVERNOR

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 of House Bill No. 681 entitled:

AN ACT Relating to medical devices and equipment.

I am vetoing Section 2 in order to allow the normal rules of statutory construction to apply.

With the exception of Section 2, which I have vetoed, the remainder of House Bill No. 681 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 14, 1981

OFFICE OF THE GOVERNOR

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. 697 entitled:

"AN ACT Relating to petitioning local government officials."

This bill would eliminate, for all practical purposes, the "appearance of fairness doctrine" with respect to deliberations of local legislative bodies. This doctrine has served a useful purpose in this state and has helped establish public confidence in the actions of local officials.

While some modifications of the doctrine may be needed, elimination of such a basic concept as appearance of fairness is not in the public interest. I have therefore vetoed House Bill No. 697.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 19, 1981

OFFICE OF THE GOVERNOR

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. 705 entitled:

"AN ACT Relating to local government."

House Bill No. 705 would prohibit code cities from owning, operating or controlling cable television systems under certain circumstances. In my view this would unwisely hamper the ability of local governments to ensure quality cable service to their communities. For that reason I have vetoed House Bill No. 705.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor | May 19, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 5, 8, 18, 22 and 23 Senate Bill No. 3000 entitled:

"AN ACT Relating to gubernatorial appointees."

In my view the requirement of Senate confirmation should be limited to major administrative posts and governing bodies. In light of the 1500 or so gubernatorial appointments to boards and commissions, a routine requirement of Senate confirmation is impractical. For that reason I have vetoed Sections 5 and 8, which require Senate confirmation of the gubernatorial appointments to the Organized Crime Advisory Board and the Data Processing Authority.

I have vetoed Section 18 because it unnecessarily restricts the Governor's control over the membership of the Horse Racing Commission.

Section 22 is vetoed because it is identical in substance to Section 3 of Engrossed Substitute Senate Bill No. 3041, which has been signed into law.

Section 23 is vetoed because, the legislative session having been concluded, no emergency exists with respect to the gubernatorial appointments covered by this bill.

With the exceptions of the aforementioned sections, which I have vetoed, the remainder of Senate Bill No. 3000 is approved.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

April 30, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to three sections of Senate Bill No. 3009 entitled:

An Act Relating to the horse racing commission.

I am vetoing these sections because the first two sections create a larger commission than is desirable in this State; and section three without the veto would allow indiscriminate betting on races from other tracks with exclusive television lines.

With the exception of Sections 1, Section 2 and a portion of Section 3, which I have vetoed, the remainder of Senate Bill No. 3009 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor | May 18, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Senate Bill No. 3255 entitled:

"AN ACT Relating to firearms."

Under present law one who carries a loaded pistol in a vehicle must carry it on one's person. If it is not on one's person, the weapon must be unloaded.

Senate Bill No. 3255 would permit loaded pistols to be carried in vehicles whether or not on one's person. This could foster many dangerous situations: loaded guns in exposed positions in automobiles, accessible to children, neighbors, or even burglars.

While perhaps a minor convenience for those who wish to leave loaded guns in their cars, this bill poses an unacceptable threat to public safety. I have therefore vetoed Senate Bill No. 3255.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor | May 19, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to several provisions ESSB 3636 entitled:

"AN ACT Adopting the Budget."

The provisions I have vetoed and the reasons therefore are as follows:

1. Special Appropriations

In Section 14, on page 9, lines 2 and 3, I have vetoed the reference item "in sections 110 through 116 of this act." The phrase should have referenced sections 107 through 113. This appears to be a clerical error and the intent of the proviso is sufficiently clear without the reference.

2. Insurance Commissioner

On page 17, Section 29 I have vetoed the proviso on lines 17, 18, and 19 that reads "The appropriation in this section is subject to the following condition or limitation: A maximum of $1,000 may be expended for the continuing education program."

RCW 48.17.150 (2) requires that the Insurance Commissioner promulgate and administer a continuing education program. If the $1,000 limitation is not removed, it is not possible to administer an effective program. Therefore, the restrictive language is removed.

3. Department of Social and Health Services

On page 27, Section 47, I have vetoed subparagraphs (b) and (c) of Subsection (4) which establish a requirement that "for each month that the Department operates without a completed contingency plan, 0.75 percent of the General Fund-State appropriations will be placed in reserve status."

I support the need for a contingency departmental expenditure plan to reflect the anticipated loss of federal funds. I accept the parameters of change as established by the legislature and the required report prior to implementation. However, the requirement that General Funds be placed in reserve for each month for failure to have a completed contingency plan seems to add unnecessary complexity to the already difficult task of planning for the reduction of federal funding -- particularly since detailed information will not be available from the federal level until long after the next biennium begins. Furthermore, it is not entirely clear if the percentage of General Funds to be placed in reserve relates to the entire departmental appropriation or to the program involved.

4. Adult Corrections

On page 29, I have vetoed the sentence on lines 28 and 29 in Subsection (5) of Section 48 that reads "No other transfers between category appropriations shall be made." This provision is not consistent with Section 47, Subsection (2) which provides for the transfer of funds between categories. Transfers between categories may be necessary to reallocate resources upon completion of the reorganization plan to establish a separate Department of Corrections. In addition, it is imperative that the Secretary of Corections have maximum management flexibility to meet rapidly changing demands on the corrections system. Changes in population characteristics may very well result in the need to modify programs and shift funds.

5. Mental Health Program

On page 33 and 34, Section 50, I have vetoed Subsection (2) (f):

> "The Department of Social and Health Services in conjunction with the Office of Financial Management and the Legislative Budget Committee shall develop staff-to-patient ratios for each treatment unit by September 1, 1981. By October 1, 1981, the state hospitals shall operate at these required ratios."

The October 1 staffing ratio implementation date is unrealistic. This schedule does not provide adequate time for executive consideration of the programmatic and fiscal implications of the proposed standards and it precludes such a review by the legislature. I am, however, requesting a report on staffing ratios to be prepared by the Department and OFM. It is to be comparable to the study required in Section 48, Subsection (2) (b) for Adult Corrections. It is to include a comparison between the proposed staffing and prior biennial staffing levels as well as a discussion of the programmatic and fiscal implications of the new standards.

6. Developmental Disabilities Program

On pages 34 and 35, Section 51, I have vetoed Subsection (1) (b) which directs that:

> "The funds appropriated for community services are to be allocated by the department to county services including developmental disability center funding, on a block grant basis . . ."

It would be administratively unworkable to apply the block grant mechanism to all programs within the Community Services category. Furthermore, the language of the enabling legislation (SSB 4299) for this budget indicates that it is legislative intent to confine this type of funding to Developmental Disability Centers. Deletion of the subsection will eliminate this confusion.

7. Income Maintenance Program

On page 37, Section 53, I have vetoed Subsection (1) which provides that the Department "shall maintain state payments for grants at the state payment level provided for in Chapter 74.08 RCW and this section."

This section requires the Department to maintain payments for income maintenance grants at a level which reflects the aggregate appropriation level for the Income Maintenance program. Such an approach would be far too restrictive in this period of economic uncertainty and could prevent the Department from imposing a rateable reduction in the event that overall revenues are insufficient to support biennial appropriations.

On page 37, Section 53, Subsection (2) I have vetoed the sentence, starting on line 19, that reads: "Provided that no more than the value of 60 percent of a full AFDC grant shall be allocated in the first month and no more than 100 percent of a full AFDC grant in any consecutive twelve-month period.

These limitations are arbitrary and unnecessarily restrictive and will conflict with the intent of the program which is to meet specific emergent needs of the applicants.

On page 38, Section 53, I have vetoed the portion of Subsection (4), beginning on line 2, that reads:

> "The Department of Social and Health Services shall immediately request waivers for federal proposals relating to standard flat deductions for work expenses and child care, earned income disregards, and mandatory work experience programs."

The Department intends to pursue federal waivers when it is cost-effective to do so. However, the determination of which waivers

to request should only be made after careful consideration of alternatives. It should not be restricted by the programs or time period mandated in this proviso.

On page 39, Section 53, I have vetoed Subsection (7), which requires the Department to establish a procedure to ensure that eligibility standards are as restrictive as is permitted under state and federal law.

While I do not object to a detailed review of service manuals or to changes in eligibility standards, this should be done only after the extent of pending federal reductions is known. The deadline date of September 15, 1981 is inconsistent with the timing of anticipated federal reductions.

8. Community Social Services Grants Program

On page 40, Section 54, I have vetoed the last sentence of Subsection (2), beginning on line 16, which requires that the Department "shall not disperse any more than one-eighth of the funds under this subsection in any three month period."

The intent of Subsection (2) is to provide funds for exceptional Chore Service cases as a measure in the possible prevention of institutionalization. Exceptional cases are not experienced on precise schedules. Actual reimbursement results from the payment of proper bills, not from providing services. Disbursements generally lag behind service, further complicating adherence to a strict disbursement schedule.

9. Department of Social and Health Services - Medical Assistance Program

On page 42, Section 55 I have vetoed Subsection (4) which requires the Department to authorize chiropractic and podiatry services when it is the most cost-effective and appropriate treatment. This section will lead to a substantial amount of litigation and fair hearings regarding the general and case-by-case application of these criteria. Additionally, no funds were provided to the Department for these services and other legislation has been provided that specifically prohibits provision of these services by the Department.

On page 43, Section 55, I have vetoed Subsection (6) which requires the Department to reimburse ophthalmologists and optometrists at the same rate for the performance of identical services. Although many of the services performed are similar from a procedural standpoint, the legal liability to the opthalmologist is much greater because of the more comprehensive nature of required medical training and certification. If let stand, this proviso would lead to a reduction in the availability of opthalmological services to state patients.

10. Planning and Community Affairs Agency

On page 49, I have vetoed Subsection (3) of Section 62 that provides $250,000 of the General Fund-State appropriation for assistance to Canadian border areas. I have signed into law Substitute House Bill 257 which also provides $250,000 for the same purpose. The language is nearly identical in both instances. This veto will avoid a duplication of appropriations for financial assistance to Canadian border areas.

11. State Energy Office

On page 53, Section 72, I have vetoed the condition that makes the appropriations in this section contingent on "enactment of House Bill 402 during the 1981 regular session of the legislature." This proviso made funding for the State Energy Office contingent on passage of a bill reinstating the agency under the provisions of the Sunset Act. However, another bill, ESSB 4085, was selected by the legislature to serve as the vehicle to reinstate the State Energy Office. Therefore, I have vetoed this proviso in order to preserve legislative intent to provide for the continued operation of the State Energy Office.

12. Department of Commerce and Economic Development

On pages 59 and 60, Section 80, I have vetoed all of the language relating to condition of limitations beginning on line 31, page 59 and concluding on page 60, line 8. The language, which specifies an expenditure level by program is overly restrictive for an agency such as the Department of Commerce and Economic Development. The language, in effect, does not provide the Department the flexibility necessary programmatically to respond to a continually changing economic and business environment.

13. Salary and Compensation Increase (K-12)

On page 74, Section 92, I have vetoed Subsection (8) which directs that:

> "If any provision of Chapter 16, Laws of 1981, or LEAP Document 2, or its application to any person or circumstance, is held invalid, the appropriation in this section shall lapse."

Given the extreme complexities associated with salary and compensation policies in our school system, it is almost assured that the application of LEAP Document 2 on some individual person or circumstances will be invalid. I believe it is inappropriate to punish school employees, particularly those that adhered to the legislative guidelines over the past four years, if there is an error on the part of the legislature.

14. Higher Education

On page 80, Section 106 I have vetoed that part of Subsection (1) which reads as follows:

> "The University of Washington shall allocate not less than 755.4 FTE faculty positions and Washington State University shall allocate not less than 344.3 FTE faculty staff positions to departments defined as high cost in the council for postsecondary report #81-1: PROVIDED, That deviations from this subsection are permitted subject to approval of the Office of Financial Management: PROVIDED FURTHER, That".

The number of faculty positions identified in this sub-section are in error. More importantly, however, is the implication that the higher education funding formula is a spending plan. The funding formula was never intended as a spending plan but rather a distribution model. If the legislature wishes a spending model, the funding formulas must be reconstructed as I have recommended in my budget proposal.

15. Enrollment Contract Levels

On page 83 and 84 I have vetoed Section 117.

This section imposes a financial penalty if institutions of higher education accept more students than funded in the budget. Such restrictions discourage efficiency in higher education and reduces the educational opportunities in the state.

16. Commission for Vocational Education

On page 84, Section 118, I have vetoed Subsection (2) which states:

> "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."

One of my goals as Governor is to reduce needless paperwork and reporting requirements and I will take every reasonable step necessary to attain this goal. Therefore, it is inappropriate and unnecessary to single out any particular agency in this fashion.

17. Washington State Arts Commission

On page 85, Section 121, I have vetoed the sentence that reads: "Of this amount, not more than $37,500 shall be expended for administration of the program."

This is an unrealistic restriction on the management of the Commission.

18. Matching Federal Funds

I have vetoed Section 133 on page 94. This section requires that state funds appropriated to match anticipated federal funds must lapse if not required to qualify for federal funds. The Department of Social and Health Services is exempted from this restriction.

In these times when the federal budget is in such a state of flux compared to the assumptions upon which the appropriation act was based, I feel it is critical that the executive have the maximum flexibility to respond to changing conditions. I believe the legislature gave partial recognition to this position by exempting the Department of Social and Health Services from the restriction; that same condition should apply to all programs.

19. Federal Funding Loss

I have vetoed Section 136 on page 95. This section provides that no additional state funds be provided to programs which are supported in whole or in part by federal funds, in the event that federal funds are reduced or eliminated for the program. The Department of Social and Health Services is exempted from this requirement.

While this kind of provision may be appropriate for those programs that are wholly funded from federal funds, there are many programs that have shared funding between federal and other sources. If all anticipated federal funds do not materialize, the state must have the capability to maintain essential programs from state funds. I believe the legislature gave partial recognition to this position by exempting the Department of Social and Health Services from the restrictions; that same condition should apply to all programs.

20. Appropriation Lapsing

I have vetoed the last sentence in Sub-section (1) of Section 137 on pages 95 and 96. This sentence requires that the unexpended portion of the initial first year allotment shall lapse at the end of the first year regardless of any revisions that may have occurred subsequent to that initial allotment for the first year.

This requirement can effectively negate the purpose of the allotment amendment authority granted by RCW 43.88.110 and cause funds needed during the second year of the biennium to be unavailable to meet planned program needs. It is unrealistic to assume that the initial expenditure estimates for a 24 month period can be developed as accurately as required by this proviso.

With the exceptions of the aforementioned sections, which I have vetoed, ESSB 3636 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 19, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 1(1)(b), 1(3), 3, 4, 5, 6, 7, 8, 9, and 10 Senate Bill No. 3646 entitled:

"AN ACT Relating to athletics."

The aforementioned sections remove professional wrestling from regulation under the State Athletic Commission (renamed the "State Boxing Commission"). I feel that wrestling should remain under the auspices of the Commission, which promotes safety and honesty in boxing and wrestling events.

The reason I have approved the Commission's new name ("State Boxing Commission") is that Section 11, which extends the sunset of the Commission to 1987, refers to the Commission by its new name.

With the exceptions of the aforementioned sections, the remainder of the bill is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 18, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 69 through 81, Section 86, and portions of Section 82, Substitute Senate Bill No. 3655 entitled:

"AN ACT Relating to redistricting."

Sections 69 through 81 and Section 86 redraw the state's Congressional districts. Section 82 contains minor references to Congressional redistricting. Having reviewed the proposed new districts, having heard the unanimous disapproval of the plan expressed by the state's Congressional delegation, and having heard the concerns of voters around the state, I find that the public interest is not served by needlessly dividing into separate Congressional districts major cities, counties, regions and areas of common interest. Also, existing districts are changed radically to the extent that for the next 18 months more than two million residents of this state will reside in their existing districts while their former congressman will have been assigned to a new district. This wholesale disenfranchisement is neither necessary nor desirable.

Fortunately Section 84 provides a mechanism by which to resolve next session remaining problems in redistricting. It is my hope that the leadership will work with the Congressional delegation and others to develop a new plan by January. There also may be provisions in the signed portions of the bill dealing with legislative districts that need similar review and remedial action next session.

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I have talked with the leadership of the House and Senate and am confident that these issues can be resolved.

With the exceptions of Sections 69 through 81, Section 86, and portions of Section 82, which I have vetoed, Substitute Senate Bill No. 3655 is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor

May 14, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to certain sections and items Reengrossed Substitute Senate Bill 3843 as amended by the House entitled:

> "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."

The specific items and sections that I vetoed are as follows:

1. General Administration

On page 7, Section 3 (16), I have vetoed the following language on line 6 and ending on line 11:

> The appropriation contained in this subsection shall complete the Old Capitol Building renovation. The department of general administration shall revise renovation specifications in order that the renovation is completed within the funds appropriated in this subsection.

This language leaves the department no flexibility should unanticipated problems occur which would require additional funding.

There are numerous difficulties and unknowns associated with the renovation of a building constructed 90 years ago. Health and safety codes become more demanding, structural deterioration occurs, and functions and spatial requirements change. I want to ensure that the department has sufficient latitude to complete this project as planned.

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2. General Administration

On page 8, Section 3 (23), I have vetoed the entire Subsection 23. It is the apparent intent of this language to move the Office of Financial Management and the Department of Natural Resources out of the House Office Building and the Public Lands Building so that the space can be converted to legislative use. No space provisions have been made for the agencies that would be displaced from the two buildings.

This project had not been reviewed by the Department of General Administration for feasibility and cost before being placed in the capital budget by the legislature. Approval of this project would be premature since funds have been appropriated within this act for a Capitol Area Master Plan.

3. Donations of Real Estate

I have vetoed Section 37 on page 78. In a study conducted by the Office of Financial Management during the current biennium it was determined that land donations could be acquired through the unanticipated receipts system. This procedure ensures that a potential acquisition will be reported to the Office of Financial Management and analyzed for potential impact before acceptance. It also ensures timely notification to the legislature of contemplated actions while allowing for the expeditious acceptance of donations that may be beneficial to the state. Therefore, Section 37 is excessively restrictive and unnecessary.

4. Capitol Facilities

I have vetoed Section 38 on page 79. The section in effect transfers control of capitol buildings occupied wholly or in part by the legislature from the Department of General Administration to the legislature. This language would unduly restrict the executive branch in its responsibility to complete projects in an efficient and timely manner.

With the exceptions of the foregoing sections and items which I have vetoed for the reasons stated, the remainder of Reengrossed Substitute Senate Bill 3843 as amended by the House is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor | May 18, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute Senate Bill No. 4036 entitled:

"AN ACT Relating to environmental protection."

This bill would severely restrict judicial review of the adequacy of environmental impact statements. It would also exempt the developers of certain residential development projects from having to file environmental impact statements.

These provisions would substantially modify the State Environmental Policy Act (SEPA). While the Act and the EIS process may indeed need to be modified, these provisions go too far. It is my hope that the SEPA study authorized by Senate Bill No. 4190, which I have signed today, will produce suggestions for modifications that reduce the cumbersome aspects of SEPA but maintain its essential protections of our environment.

I have therefore vetoed Substitute Senate Bill No. 4036.

Respectfully submitted,

John Spellman
Governor

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State of Washington

JOHN SPELLMAN, Governor

May 18, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute Senate Bill No. 4085 entitled:

"AN ACT Relating to the energy office."

Section 15 would delete the Energy Office from membership on the Energy Facility Site Evaluation Council (EFSEC). To the extent that the Energy Office can provide its expertise and viewpoint on EFSEC it should do so.

I have therefore vetoed Section 15. The remainder of the bill is approved.

Respectfully submitted,

John Spellman
Governor

State of Washington

JOHN SPELLMAN, Governor | May 8, 1981 | OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 3 Substitute Senate Bill No. 4182 entitled:

"AN ACT relating to low-level nuclear waste management."

This bill adopts the Northwest Interstate Compact on Low-Level Radioactive Waste Management. Insofar as the Governor's designee to administer the Compact is already a government official, there is no need for the designee to be confirmed by the Senate. I have therefore vetoed Section 3.

With the exception of Section 3, which I have vetoed, the remainder of Substitute Senate Bill No. 4182 is approved.

Respectfully submitted,

John Spellman
Governor

Legislative Building • Olympia, Washington 98504 • (206) 753-6780 • (Scan) 234-6780

State of Washington

JOHN SPELLMAN, Governor

May 19, 1981

OFFICE OF THE GOVERNOR

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 1 (10), 6 (2), 10 (4) and 24 Substitute Senate Bill No. 4299:

"AN ACT Relating to Social and Health Services; reenacting and amending certain sections of RCW 74 and other sections and declaring an emergency."

Sections 1 (10) and 10 (4) define "state payment level" as the aggregate expenditure authority within the limits of funds appropriated for the Income Maintenance program. These provisions would prevent the imposition of rateable reductions unless the entire Income Maintenance program appropriation was in danger of overexpenditure. This program represents a large part of the total DSHS appropriation; rateable reductions will probably be needed if adverse financial conditions are experienced.

Section 6 (2) would unnecessarily restrict the appropriate administration of AFDC grants.

Section 24 provides block grant funding for Developmental Disabilities Centers. Such a mechanism would unnecessarily limit the agency's ability to monitor and control specific purchased services for clientele.

With the exceptions of the above mentioned sections, Substitute Senate Bill No. 4299 is approved.

Respectfully submitted,

John Spellman
Governor

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SUNSET LEGISLATION

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BACKGROUND

In accordance with the provisions of the Washington Sunset Act of 1977, the Legislative Budget Committee submitted to the 47th Legislature twenty-two sunset reports. Those reports, covering the twenty-two agencies or programs scheduled for termination on June 30, 1981, were referred to appropriate House and Senate standing committees (designated by the Act as "committees of reference") for review.

The committees held joint hearings, as required by the Act, and heard testimony from persons interested in the audited agency or program. Following the joint hearings, each respective committee, at its discretion, could introduce legislation, hold additional hearings or simply take no further action. Independent of committee action, individual legislators could also introduce legislation regarding the entities scheduled for termination.

SESSION SUMMARY

As a result of the 1981 Sunset Process, six entities were allowed to terminate without legislation being introduced. Sixteen entities were the subject of legislation; however, six of these were permitted to terminate with legislation pending.

A total of ten entities will be continued or modified, or their existing duties will be transferred to another entity. The 47th Legislature scheduled ten entities for termination in the future.

AGENCIES CONTINUED/MODIFIED

STATE ATHLETIC COMMISSION

The commission is continued as the Boxing Commission, and its duties are modified. The Boxing Commission is continued until June 30, 1987. (SB 3646 PV -- See bill report and VETO MESSAGE)

CEMETERY BOARD

The board is continued until June 30, 1987. (SSB 3705)

CRIMINAL JUSTICE TRAINING COMMISSION

The commission is continued with modifications until June 30, 1987. (HB 433) The judicial personnel training function of the commission is transferred to the Office of the Administrator for the Courts. (SHB 431)

STATE ENERGY OFFICE

The office is continued with major modifications until June 30, 1987. (SSB 4085)

FOREIGN STUDENT SCHOLARSHIP PROGRAM

The program is continued until June 30, 1987. (SB 3319)

FOREST PRACTICES APPEALS BOARD

The board is continued until June 30, 1987. (SB 3626)

STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

The board is continued with modifications until June 30, 1987. (SHB 308)

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

The committee is continued with modifications until June 30, 1987. (SB 3343)

RISK MANAGEMENT OFFICE

The office is continued until June 30, 1987. (SB 3465)

AGENCIES TERMINATED--DUTIES TRANSFERRED

STATE PLANNING ADVISORY COUNCIL

The council is terminated, and the duties are transferred to the Office of Financial Management. (HB 354)

AGENCIES TERMINATED--LEGISLATION PENDING

	Legislation	Final Status
CONSUMER ADVISORY COMMITTEE	HB 310	H Rules 3
FURNITURE AND BEDDING INDUSTRY	SB 3606	S Commerce and La
	HB 309	H Human Services
STATE BOARD OF GEOGRAPHIC NAMES	SB 3648	S Rules 2
	HB 527	S Rules 3
BOARD OF REGISTERED SANITARIANS	SB 3314	S Rules 2
	SHB 311	H Failed 3
	HB 267	H Human Services
STATE VOTING MACHINE COMMITTEE	HB 572	S Rules 2
YOUTH SERVICES CORPS ACT OF 1977	SB 3389	H Rules

AGENCIES TERMINATED--NO LEGISLATION INTRODUCED

ADULT SERVICES ADVISORY COMMITTEE -- Department of Social and Health Services

ANTIFREEZE VENDING REGULATION -- Department of Agriculture

BASIC SCIENCE LAW

CASCARA BARK PEELING

COMIC BOOK SCREENING

REGULATION OF SALE OR USE OF SHODDY

ENTITIES SCHEDULED BY THE 47TH LEGISLATURE FOR TERMINATION

THE BOXING COMMISSION

Previously entitled the State Athletic Commission, the commission is extended until June 30, 1987. The Legislative Budget Committee must conduct a performance audit according to specified criteria at least six months before termination and submit a report to the Legislature. (SB 3646 PV -- See bill report and VETO MESSAGE)

CEMETERY BOARD

The board is extended until June 30, 1987 subject to sunset review. (SSB 3705)

CORRECTIONAL STANDARDS BOARD

The board terminates six years after the effective date of this measure unless extended by law. The Legislative Budget Committee is directed to review the board and recommend whether it should be extended beyond January, 1987. (2SHB 235)

CRIMINAL JUSTICE TRAINING COMMISSION

The commission is extended until June 30, 1987 subject to sunset review. (HB 433)

STATE ENERGY OFFICE

The office is extended until June 30, 1987 unless further extended by the Legislature. (SSB 4085)

FOREIGN STUDENT SCHOLARSHIP PROGRAM

The program is continued until June 30, 1987 and will terminate unless extended by the Legislature. (SB 3319)

FOREST PRACTICES APPEALS BOARD

The board will terminate on June 30, 1987 unless extended by the Legislature. (SB 3626)

STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

The regulation of funeral directors and embalmers terminates on June 30, 1987 subject to the Sunset Act. (SHB 308)

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

The committee is continued until June 30, 1987 unless extended by the Legislature. (SB 3343)

RISK MANAGEMENT OFFICE

The office is continued until June 30, 1987 unless extended by the Legislature. (SB 3465)

BUDGET

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General Fund Revenue and Expenditure Reconciliation - 1981-83 Biennium

($ In Millions)	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND TOTAL
REVENUES			
Beginning Fund Balance	$ .3		$ .3
Revenue Ests. Dec. 20, 1980	6,805.0	$1,832.9	8,637.9
Adjustments:			
General Fund-Local	(36.1)		(.9)
D.O.R. Audit Recovery	5.0		5.0
D.O.R. Truck Valuations	15.5		15.5
Interest Earnings Reduced	(10.0)		(10.0)
Criminal Just. Trng. Acct. Transfer	(.8)		(.8)
Adjusted Liquor Funds	.7		.7
Adj. for Fed. Revenue Budgeted		(37.9)	(37.9)
Federal Revenue Sharing		(60.0)	(60.0)
Revenue Legislation (Page)	207.3	1.2	208.5
Reappropriation - Reversions	26.6	19.9	46.8
	$7,013.4	$1,756.1	$8,805.1
EXPENDITURES			
Omnibus Operating Budget	$6,936.2	$1,720.9	$8,692.1
Expenditure Legislation (Page)	32.1	14.2	46.4
Reappropriations Authorized	26.6	19.9	46.8
	$6,994.8	$1,755.0	$8,785.3
ESTIMATED BALANCE	$ 18.6	$ 1.1	$ 19.8

Revenue Legislation Summary

$ in thousands

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND TOTAL	ALL OTHER FUNDS	TOTAL ALL FUNDS
SHB 61	Phone comp. equal tax	$ 620	$ -	$ 620	$ -	$ 620
SHB 116	Game fees	-	-	-	7,797	7,797
SHB 145	Timber harv. small	-	-	-	(400)	(400)
SHB 212	Nonprofit art organ.	(63)	-	(63)	-	(63)
SHB 222	UCC and ULC 1972 amend.	1,600	-	1,600	-	1,600
SHB 277	Propane purchase decal	-	-	-	1,200	1,200
ESHB 308	Funeral dir., embalm.	7	-	7	-	7
SHB 316	Midwifery licensing	32	-	32	-	32
ESHB 397	Mobile homes	4	-	4	-	4
HB 464	Education Grant Fund	(20)	-	(20)	20	-
SHB 525	Pub. Ass't Overpmt. Col.	1,200	1,200	2,400	-	2,400
SHB 581	Econ. Assis. Authority	18,200	-	18,200	-	18,200
EHB 590	Court funds	8,860	-	8,860	-	8,860
HB 727	For. lands, fire assess.	-	-	-	522	522
SHB 753	Excise tax modifications	29,700	-	29,700	-	29,700
SB 3023	B&O tax, beans, lentils	(20)	-	(20)	-	(20)
ESSB 3206	Intox. liquor control	32,900	-	32,900	5,400	38,300
ESSB 3307	Gambling activ. control	-	-	-	1,715	1,715
ESB 3355	Agric. Dept. dir.	-	-	-	120	120
SB 3375	Drivers lic., life, fee	3,000	-	3,000	8,300	11,300
SB 3458	Wagers, exotic races	980	-	980	-	980
SB 3532	Renewed vehicle lic.	(74)	-	(74)	(19)	(93)
ESB 3610	Class L lic. nonprofit art	4	-	4	4	8
ESB 3646	Profess. athletic con.	(32)	-	(32)	-	(32)
SSB 3726	Interest del. prop. tax	17,900	-	17,900	-	17,900
SSB 3776	Vehicle trip permits	700	-	700	1,200	1,900
SSB 3778	Prop. vehicle lic.	(180)	-	(180)	-	(180)
SSB 4090	Higher ed. tuition/fees	90,700	-	90,700	-	90,700
SSB 4095	Corporate lic. fees	1,270	-	1,270	-	1,270
ESSB 4283	Motor veh. tax and fees	-	-	-	170,000	170,000
	TOTAL	$207,288	$ 1,200	$208,488	$195,859	$404,347

$ in thousands

BILL NO.	PURPOSE	AMOUNT AUTHORIZED
HB 388	Local jail improvement and construction	$130,500
SB 3586	Salmon enhancement	$ 2,000
ESSB 3669	Urban arterial projects	$100,000
ESSB 3699	State highways	$450,000
ESB 3871	North Richland toll bridge	$ 5,000
SB 4205	Fisheries facilities	$ 6,500
SSB 4206	State higher education facilities	$ 8,100
SSB 4210	Higher education facilities	$ 86,000
SSB 4211	Social and Health Services facilities	$100,800
SSB 4212	State building construction	$ 11,200
SB 4213	Outdoor recreation projects	$ 13,400
SSB 4214	Community College Capital Construction	$ 7,300

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	TOTAL GENERAL FUND	ALL OTHER FUNDS	TOTAL ALL FUNDS
						$ in thousands	
HB 101	Admin. Hearings Off. (Admin. Hearings)	$ 120	$ -	$ -	$ 120	$ -	$ 120
HB 112	Limited Partshp. Act (Sec. of State)	10	-	-	10	-	10
HB 228	Fin. Resp. Motor Veh. (Licensing)	-	-	-	-	104	104
HB 235	Correc. Reform (Corrections)	5,090	-	-	5,090	-	5,090
HB 257	Border Areas Pol. Prot. (PCAA)	250	-	-	250	-	250
HB 316	Midwifery Licensing (Licensing)	31	-	-	31	-	31
HB 341	Bus. Oppor. Fraud Act (Licensing)	137	-	-	137	-	137
HB 364	Scholars Program (CPE)	8	-	-	8	-	8
HB 388	Local Jail Improv. Bonds (Jail Comm.)	-	-	-	-	130,500	130,500
HB 440	Sentencing Reform Act (Sent. Guidelines Comm)	685	-	-	685	-	685
HB 464	Educational Grant Fund (Council on Post. Sec. Ed)	-	-	-	-	20	20
HB 466	Geothermal Steam Funds Dist. (DNR)	148	-	-	148	-	148
HB 468	Vets. Employ. Seminars (Employ. Security)	10	-	-	10	-	10
HB 490	Energy Fair '83 Exhibits (OFM)	1,500	-	-	1,500	-	1,500
HB 502	Session Laws Printing (Statute Law Comm.)	144	-	-	144	-	144
HB 590	Court Funds (LBC/Court Admin.)	8,700	-	-	8,700	-	8,700
SB 3071	Judicial Qualif. Comm. (Judicial Qualif. Comm.)	287	-	-	287	-	287
SB 3104	Trans. Capital Approp. (Omnibus)	14,327	11,039	185	25,551	1,478,112	1,503,663

1981-83 Biennium Authorized Expenditures (continued)

BILL NO.	SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	TOTAL GENERAL FUND	ALL OTHER FUNDS	TOTAL ALL FUNDS
						$ in thousands	
SB 3105	Natural Heritage Prog. (DNR)	$ 60	$ 70	$ -	$ 130	$ -	$ 130
SB 3190	Juvenile Offend. Rev. (DSHS)	4	-	-	4	-	4
SB 3359	Ferry Emp. Civil Serv. (Personnel)	-	-	-	-	20	20
SB 3464	Nat. Based Pesticides (Agric.)	30	-	-	30	-	30
SB 3630	Ecology Dept. Land Reclm. (Ecology)	-	-	-	-	400	400
SB 3636	1981-83 Operating Budget (Omnibus)	6,936,150	1,720,888	35,050	8,692,088	2,614,153*	11,306,241
SB 3669	Urban Arterial Bonds (UAB)	-	-	-	-	35,000	35,000
SB 3699	State Highway Bonds (Transportation)	-	-	-	-	120,000	120,000
SB 3843	1981-83 Capital Budget (Omnibus)	504	3,044	-	3,548	560,713	564,261
SB 3871	N. Richland Toll Bridge (Transportation)	-	-	-	-	1,000	1,000
SB 4190	SEAP Evaluation (Environ. Pol. Comm.)	50	-	-	50	-	50
	TOTAL NEW APPROPRIATIONS	$6,968,245	$1,735,041	$ 35,235	$8,738,521	$4,940,022	$13,678,543
	TOTAL REAPPROPRIATIONS	26,582	19,942	250	46,774	517,974	564,748
	TOTAL	$6,994,826	$1,754,983	$ 35,485	$8,785,295	$5,457,996	$14,243,291

*Includes non-appropriated local funds -- $696,876,000

Washington State 1981-83 Operating Budget - Total Washington State

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
TOTAL EDUCATION	3,930,752	291,679	1,051,469	5,273,900	4,368,646
EDUCATION OTHER	35,160	33,889	7,089	76,148	65,811
HIGHER EDUCATION	688,388		679,379	1,361,705	1,206,733
PUBLIC SCHOOLS	2,814,836	257,519	326,081	3,398,436	2,703,416
COMM COLLEGES	398,488	271	38,911	437,610	392,686
NATURAL RESOURCES	125,389	32,790	465,474	623,653	370,875
LEGISLATIVE	40,742		318	41,052	39,050
JUDICIAL	35,720		359	36,079	26,038
GENERAL GOVERNMENT	749,597	10,810	856,311	1,616,688	1,484,148
HUMAN RESOURCES	1,734,072	1,376,884	473,784	3,584,740	2,981,464
SPECIAL APPROP	362,885	27,178	64,851	434,894	3,783
TRANSPORTATION	84,987	11,039	493,256	589,282	487,300
TOT WASHINGTON STATE	6,994,032	1,760,379	3,395,819	12,140,830	9,681,302

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
COMM COLLEGE TOTAL	398,488	271	38,911	437,810	392,686
BRD FOR CC EDUC	398,488	271	38,911	437,810	392,686
EDUCATION OTHER	35,180	33,889	7,099	76,148	65,811
COMPACT FOR EDUC	89			89	50
CNCL POSTSEC EDUC	22,796	3,684		26,480	17,332
COMM FOR VOC EDUC	1,930	27,157		29,087	29,842
HE PERSONNEL BRD	150		1,350	1,500	1,896
PUBLIC BROADCASTING	142	8		150	146
STATE LIBRARY	7,195	8,147	5,585	14,927	13,821
STATE ARTS COMM	1,367	893		2,260	2,150
ST HIST SOCIETY	602		36	638	641
E WA ST HIST SOCIETY	505		75	580	623
ST CAPITOL HIST ASSN	444		53	497	510
HIGHER EDUCATION	682,326		678,379	1,361,705	1,206,733
UNIV OF WASH	256,111		564,617	849,728	746,781
WASH STATE UNIV	186,400		95,190	281,590	258,086
EASTERN WASH UNIV	59,956		7,747	68,703	57,158
CENTRAL WASH UNIV	52,154		8,755	60,909	53,746
THE EVERGREEN ST COLL	20,575		2,285	22,860	23,894
WESTERN WASH UNIV	63,130		10,786	73,916	67,069
PUBLIC SCHOOLS	2,814,836	257,519	326,081	3,398,436	2,703,418
SUPT PUB INSTRUCT	2,814,836	257,519	326,081	3,398,436	2,703,418
EDUCATION TOTAL	3,930,752	291,679	1,051,469	5,273,900	4,368,648

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
SUPT PUBLIC INSTRUCTION	2,814,836	257,519	326,081	3,398,436	2,703,416
OFFICE OF SPI	13,697	5,981	460	20,138	20,620
EXECUTIVE SERVICES					2,381
FINANCIAL SERVICES					4,647
CURRICULUM & INSTR SERV					3,691
SPECIAL SERVICES					1,639
ADMIN & STAFF SERVICE					4,982
VOC & ADULT EDUC SERVICE					473
SP PROGRAMS & SERVICES					3,426
APPOR + COMP (350021+350024)	2,312,377		311,882	2,624,259	2,662,150
GEN APPORTIONMENT	2,312,377		311,882	2,624,259	2,662,150
TRANSPORTATION	185,828			185,828	153,227
VOC-TECH INSTITUTES	43,134			43,134	37,969
FOOD SERVICES	7,157	69,744		76,901	68,255
HANDICAPPED	121,294	27,200		148,494	168,281
TRAFFIC SAFETY EDUCATION			13,740	13,740	13,004
EDUC SERVICE DIST ISD	4,436			4,436	10,188
URBAN-RURAL-RACIAL-DISAD					8,184
ELEM & SECONDARY ED ACT		114,688		114,688	106,906
INDIAN EDUCATION		600		600	1,288
INST EDUCATION	15,438	5,560		20,998	18,810
ADULT BASIC EDUCATION		3,236		3,236	2,988
GIFTED EDUCATION					2,848
CULTURAL ENRICHMENT					1,500
PACIFIC SCIENCE CENTER					898
CAREER EDUCATION		506		506	287
ENCUMB FED GRANTS		30,034		30,034	-30,034
BILINGUAL EDUCATION					5,383
REMEDIAL EDUCATION					13,486
COMMON SCHL CONST PAYBACK					
EDUCATIONAL CLINICS	1,000			1,000	
CARRY FORWARD CATEGORICALS	706			706	
SPECIAL PROGRAMS	109,770			109,770	
PUBLIC SCHOOLS	2,814,836	257,519	326,081	3,398,436	2,703,416

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
STATE ENERGY OFICE	1,300	4,780		6,080	6,360
DEPT OF ECOLOGY	20,093	14,380	850,344	884,817	97,587
ENERGY FAC SITE EV CNC			3,790	3,790	3,001
PARKS & RECREATION	27,511	185	7,698	35,308	31,181
ARCH/HIST PRESERV.	344	5,136		5,480	2,919
OUTDR RECREATION COMM			29,360	29,360	13,636
ENVIRON HEARINGS OFFICE	858			858	636
COMM & EC DEVELP DEPT	3,550	391	1,810	5,751	7,530
OCEANOGRAPHIC COMM					380
COL RIV GORGE COMM	76			76	70
DEPT OF FISHERIES	38,582	5,777	1,900	46,259	43,983
DEPT OF GAME			50,606	50,606	41,406
NATURAL RESOURCE DEPT	23,824	1,424	90,343	115,591	93,287
DEPT OF AGRICULTURE	9,401	777	29,635	39,813	28,485
ENV POLICY COMM	50			50	
NATURAL RESOURCES TOTAL	126,389	32,790	465,474	623,863	370,875

Washington State 1981-83 Operating Budget - Total Judiciary & Legislative

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
TOTAL JUDICIARY	35,720	.....	359	36,079	28,636
SUPREME COURT	5,949	.....		5,949	5,609
LAW LIBRARY	1,727	.....		1,727	1,427
COURT OF APPEALS	8,270	.....		8,270	6,610
SUP COURT JUDGES		.....			
COURT ADMR	19,480	.....	359	19,839	12,147
JUDICIAL COUNCIL	294	.....		294	244
TOTAL LEGISLATIVE	40,742	.....	310	41,052	38,050
HOUSE OF REP	17,742	.....		17,742	17,710
SENATE	15,497	.....		15,497	14,743
LEGIS BUDGET COM	1,294	.....		1,294	958
LEAP COMMITTEE	1,313	.....		1,313	991
STATE ACTUARY	330	.....		330	885
STATUTE LAW COM	4,066	.....	310	4,066	4,201
TOTAL LEG & JUD	76,462	.....	669	77,131	66,687

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
BOND RETIRE & INT			317,776	317,776	848,430
STATE REVS FOR DIST	182,086		325,772	507,858	434,907
FEDERAL REVS FOR DIS		79	34,966	35,045	78,250
UNIFORM LEG COMM					20
PRESIDENTIAL ELECTORS					1
ST BRD OF ACCTNCY	596			596	517
ATHLETIC COMM	71			71	59
CEMETERY BOARD			56	56	56
HORSE RACING COMM			2,138	2,138	1,883
LIQUOR CONTROL BRD			76,823	76,823	64,922
PHARMACY BOARD	1,076			1,076	1,352
UTILITY & TRANS			16,774	16,774	14,864
VOL FIREMEN BOARD			157	157	122
DEPT EMERGENCY SERV	1,118	8,241		3,359	13,210
MILITARY DEPT	7,044	1,838		8,882	7,180
PUB EMPL REL COMM	1,306			1,306	1,807
OFF OF GOV	3,556			3,556	2,827
LT GOVERNOR	226			226	212
PUB DISCLOSURE COMM	998			998	860
SECRETARY OF STATE	4,064			4,064	3,949
INDIAN ADVISORY CNCL	117			117	152
ASIAN-AM ADV CNCL	117			117	161
STATE TREASURER			5,242	5,242	4,266
STATE AUDITOR	8,129	362	5,795	8,287	7,180
ATTORNEY GENERAL	4,300		19,513	23,813	21,137
OFF FINANCIAL MGMT	13,784	6,300		20,084	38,052
DEPT OF PERSONNEL			10,293	10,293	9,401
STATE CAPITOL COM					20
DATA PROCESS AUTH	443			443	1,072
DEFER COMP COMM	36			36	30
GAMBLING COMM			4,481	4,481	3,489
MEXICAN-AM AFFAIRS	117			117	125
DEPT RETIREMENT SYS	469,650		9,085	478,735	400,078
ST FINANCE COM					1,060
DEPT OF REVENUE	35,336		3,888	38,584	35,889
TAX APPEALS BRD	985			985	768
MUN RESEARCH CNCL	1,197			1,197	880
DEPT OF GEN ADMIN	11,182		24,138	35,320	31,017
INSURANCE COMMR	7,997			7,997	6,729
ST INVESTMENT BOARD			1,076	1,076	
OFF OF MINORITY AFFAIRS					
GENERAL GOVERNMENT	749,597	16,810	856,311	1,616,688	1,424,146

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
ADULT CORRECTIONS	211,986			211,986	141,468
JUVENILE REHABILITATION	58,444	739		59,183	53,662
MENTAL HEALTH	132,969	20,843	922	154,784	128,860
DEVELOPMENTAL DISABILITY	136,787	63,305		199,092	172,521
NURSING HOMES	175,851	175,851		351,902	275,087
INCOME MAINTENANCE	329,489	342,795		672,284	605,870
COMMUNITY SOCIAL SERVICE	137,474	69,318	105	206,897	185,929
MEDICAL ASSISTANCE	297,904	223,250	250	521,534	423,693
PUBLIC HEALTH	30,434	56,635	31,373	118,442	103,901
VOCATIONAL REHABILITATON	9,848	45,351		54,999	44,183
ADMIN/SUPPORTING SERVICE	68,798	44,200	600	113,598	94,879
COMMUNITY SERVICES ADMIN	102,812	139,494	48	242,354	219,221
300-MISCELLANEOUS	3,000	2,000		5,000	
DEPT OF SOCIAL & HLTH SV	1,694,795	1,183,921	33,298	2,911,974	2,542,696

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
PLAN & COMM AFFAIRS	5,520	28,152		33,672	80,683
HUMAN RIGHTS COMM	2,769	517		3,286	4,257
IND INS APPEALS BRD	35		4,678	4,713	3,454
DEPT L & I	6,523		82,237	88,760	76,423
PRISON TERMS & PAROLES	2,446			2,446	2,117
CRIM JUST TRNG CM			5,520	5,520	4,306
DEPT SOC & HLTH SER	1,694,755	1,183,981	33,298	2,911,974	2,548,006
VETERANS AFFAIRS	15,263		2,496	17,759	16,212
COMM FOR BLIND	2,746	5,654	306	2,306	7,329
JAIL COMMISSION	390		285,313	285,703	18,227
HOSPITAL COMM	549	132	915	1,596	1,646
DEPT EMPLOY SECURITY	2,270	158,968	118,934	290,112	290,188
SENTENCING COMM	685			685	
ADMIN HRGS OFF	120			180	
TOT HUMAN RESOURCES	1,734,972	1,376,884	473,784	3,584,740	2,981,464

Washington State 1981-83 Operating Budget - Total Special Appropriations

$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
SPEC APP TO GOV	2,500			2,500	624
RELATED CLAIMS	1,725		273	1,998	525
SUNDRY CLAIMS	1,223	61	80	1,364	391
SALARY ADJUSTMENTS	164,429	27,117	54,499	246,045	
K-12 SALARY ADJUST	192,988			192,988	
TOT SPECIAL APPROPS	362,865	27,178	54,851	434,894	3,793

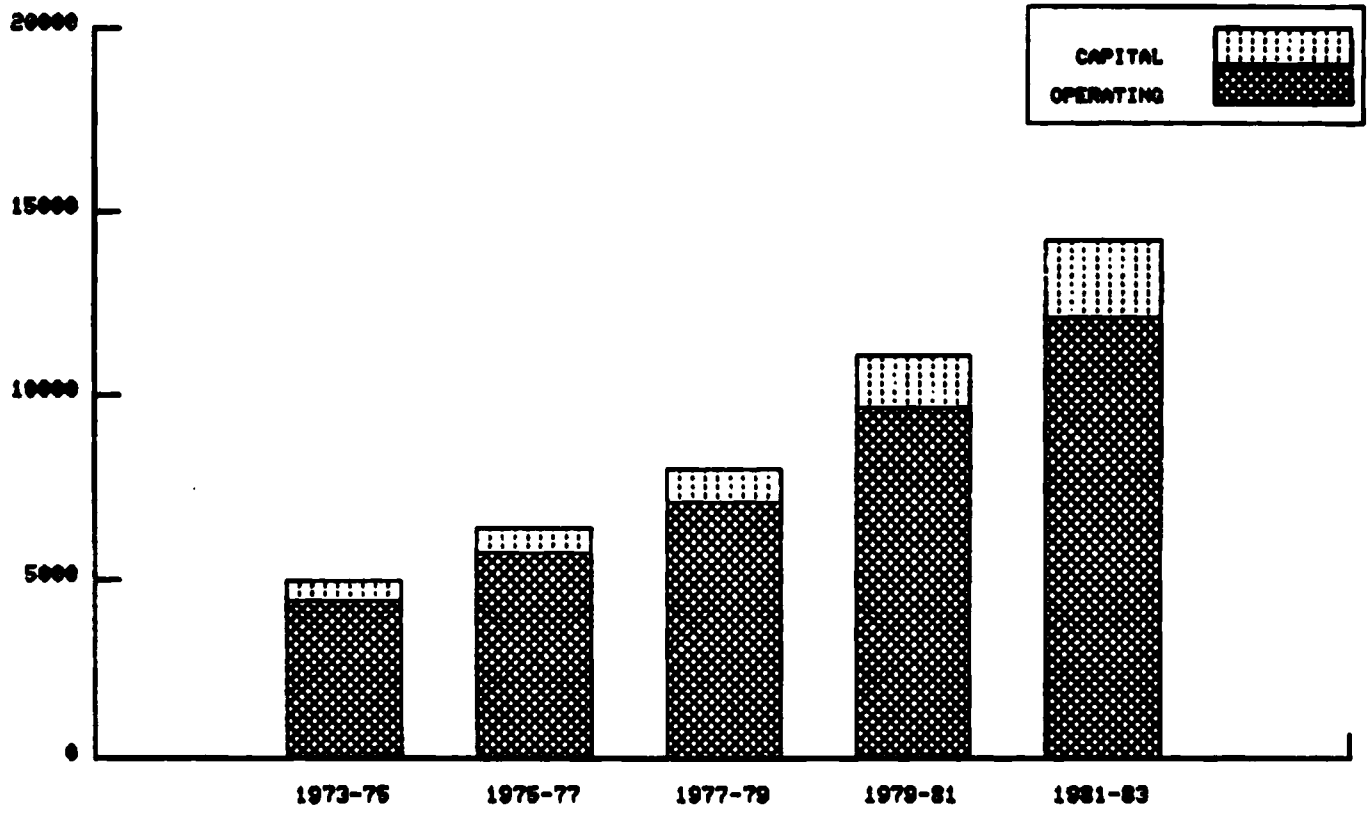
$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
AERONAUTICS COMM					
BRD PILOTAGE COMMRS			55	55	47
STATE PATROL	13,434		90,402	103,836	88,772
VEH EQUIP SAFETY COM					7
TRAFFIC SAFETY COMM			8,798	8,798	7,038
DEPT OF LICENSING	10,680		65,208	75,888	62,786
DEPT OF TRANSPORT	893	11,039	259,578	271,510	240,884
CNTY ROAD ADMIN BRD			254	254	213
URBAN ARTERIAL BRD			68,961	68,961	66,053
TOLL BRIDGE AUTH					
TOT TRANSPORTATION	24,987	11,039	493,856	539,282	467,200

Washington State Operating & Capital Budgets - Total All Funds

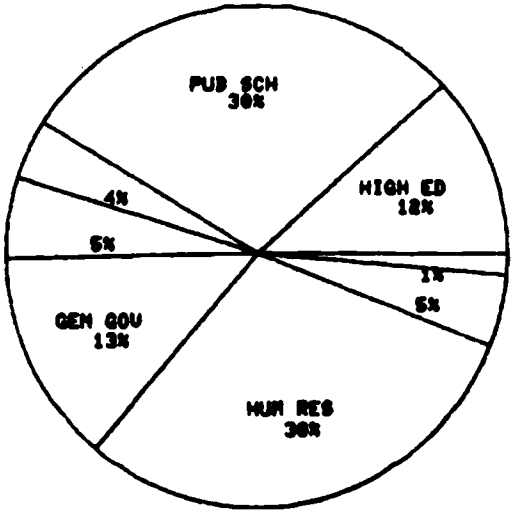
DOLLARS IN MILLIONS

	1973-75	1975-77	1977-79	1979-81	1981-83
OPERATING	4,439	5,758	7,133	9,681	12,140
CAPITAL	548	673	894	1,428	2,102
TOTAL	4,986	6,431	8,027	11,110	14,242

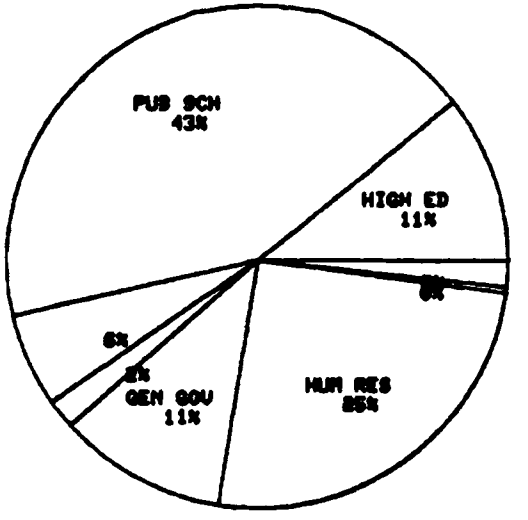


DOLLARS IN MILLIONS

	1981-83 BIENNIUM	
HIGHER EDUCATION	1,427	12%
PUBLIC SCHOOLS	3,583	30%
COMMUNITY COLLEGES	470	4%
NATURAL RESOURCES	641	5%
GENERAL GOVERNMENT	1,636	13%
HUMAN RESOURCES	3,669	30%
TRANSPORTATION	553	5%
ALL OTHER	162	1%
TOTAL ALL FUNDS	12,140	100%



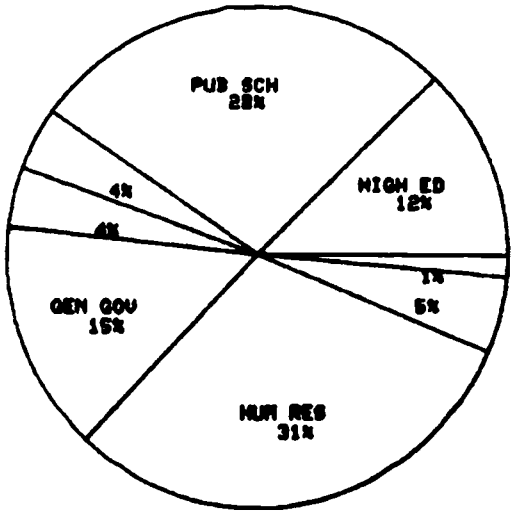
HIGHER EDUCATION	747	11%
PUBLIC SCHOOLS	2,999	43%
COMMUNITY COLLEGES	431	6%
NATURAL RESOURCES	135	2%
GENERAL GOVERNMENT	757	11%
HUMAN RESOURCES	1,779	25%
TRANSPORTATION	26	%
ALL OTHER	120	2%
GENERAL FUND-STATE	6,994	100%



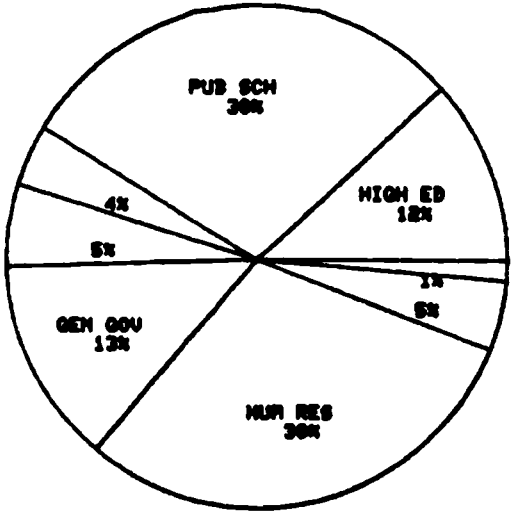
* COMPENSATION INCREASES ARE DISTRIBUTED TO FUNCTIONAL AREAS

DOLLARS IN MILLIONS

	ALL FUNDS	
HIGHER EDUCATION	1,207	12%
PUBLIC SCHOOLS	2,703	28%
COMMUNITY COLLEGES	393	4%
NATURAL RESOURCES	371	4%
GENERAL GOVERNMENT	1,424	15%
HUMAN RESOURCES	2,981	31%
TRANSPORTATION	467	5%
ALL OTHER	135	1%
1979-81 TOTAL	9,681	100%



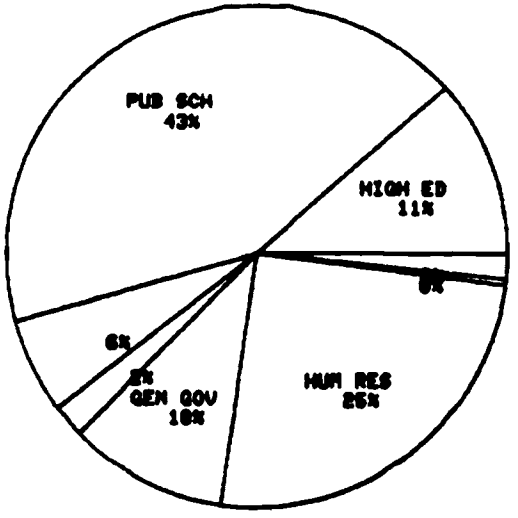
HIGHER EDUCATION	1,427	12%
PUBLIC SCHOOLS	3,583	30%
COMMUNITY COLLEGES	470	4%
NATURAL RESOURCES	641	5%
GENERAL GOVERNMENT	1,636	13%
HUMAN RESOURCES	3,669	30%
TRANSPORTATION	553	5%
ALL OTHER	162	1%
1981-83 TOTAL	12,140	100%



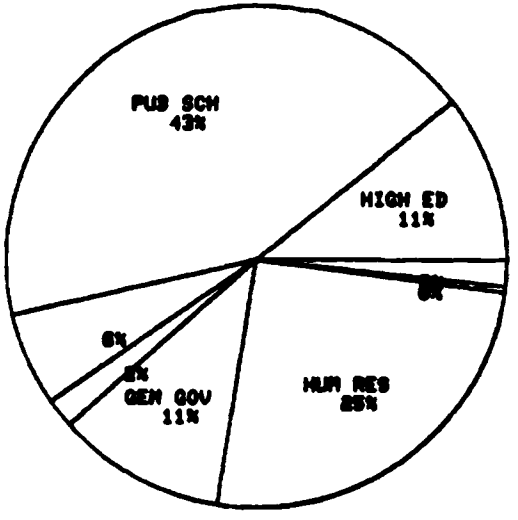
* COMPENSATION INCREASES ARE DISTRIBUTED TO FUNCTIONAL AREAS

DOLLARS IN MILLIONS

	GENERAL FUND-STATE	
HIGHER EDUCATION	659	11%
PUBLIC SCHOOLS	2,454	43%
COMMUNITY COLLEGES	348	6%
NATURAL RESOURCES	121	2%
GENERAL GOVERNMENT	587	10%
HUMAN RESOURCES	1,449	25%
TRANSPORTATION	21	%
ALL OTHER	93	2%
1979-81 TOTAL	5,732	100%



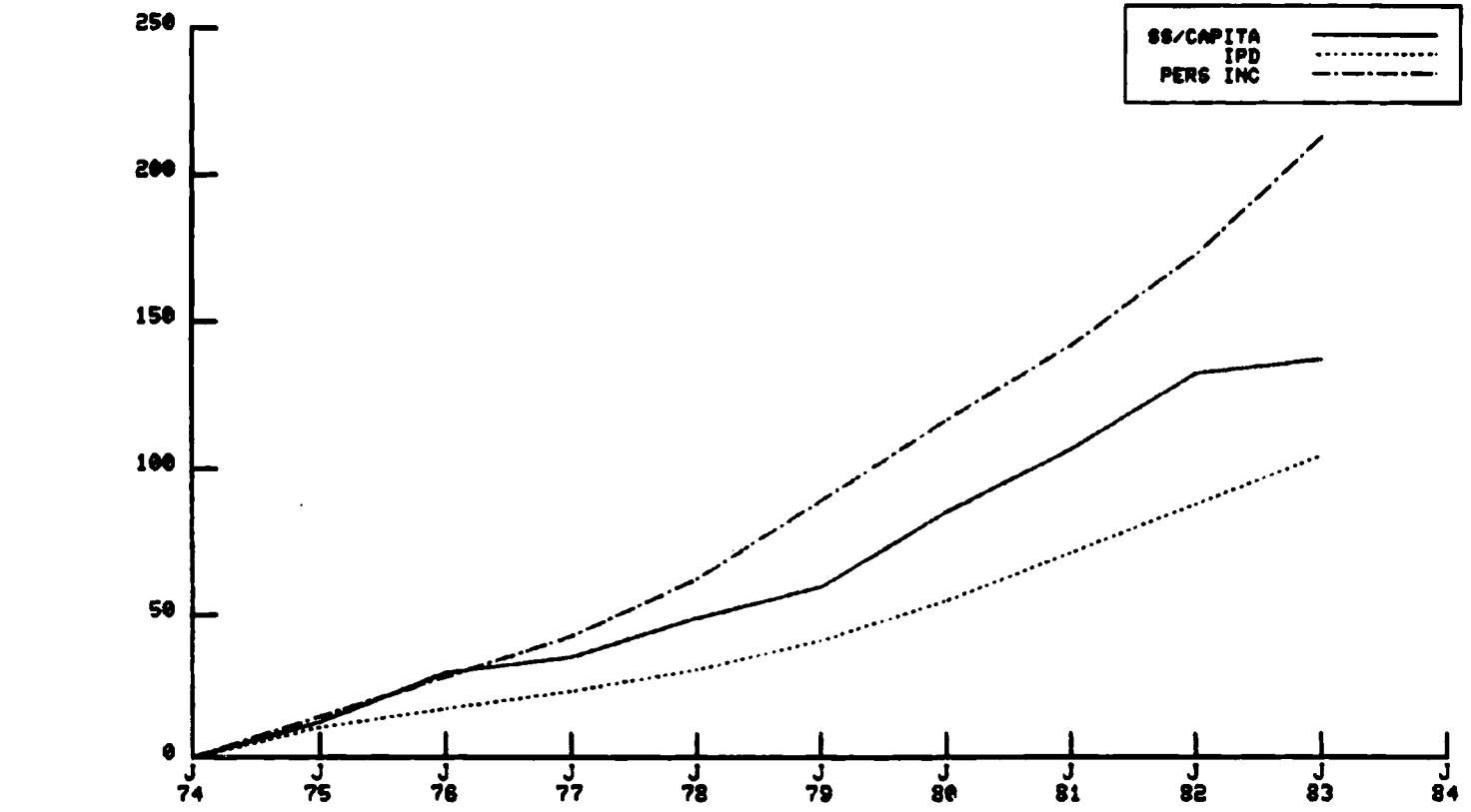
HIGHER EDUCATION	747	11%
PUBLIC SCHOOLS	2,999	43%
COMMUNITY COLLEGES	431	6%
NATURAL RESOURCES	135	2%
GENERAL GOVERNMENT	757	11%
HUMAN RESOURCES	1,779	25%
TRANSPORTATION	26	%
ALL OTHER	120	2%
1981-83 TOTAL	6,994	100%



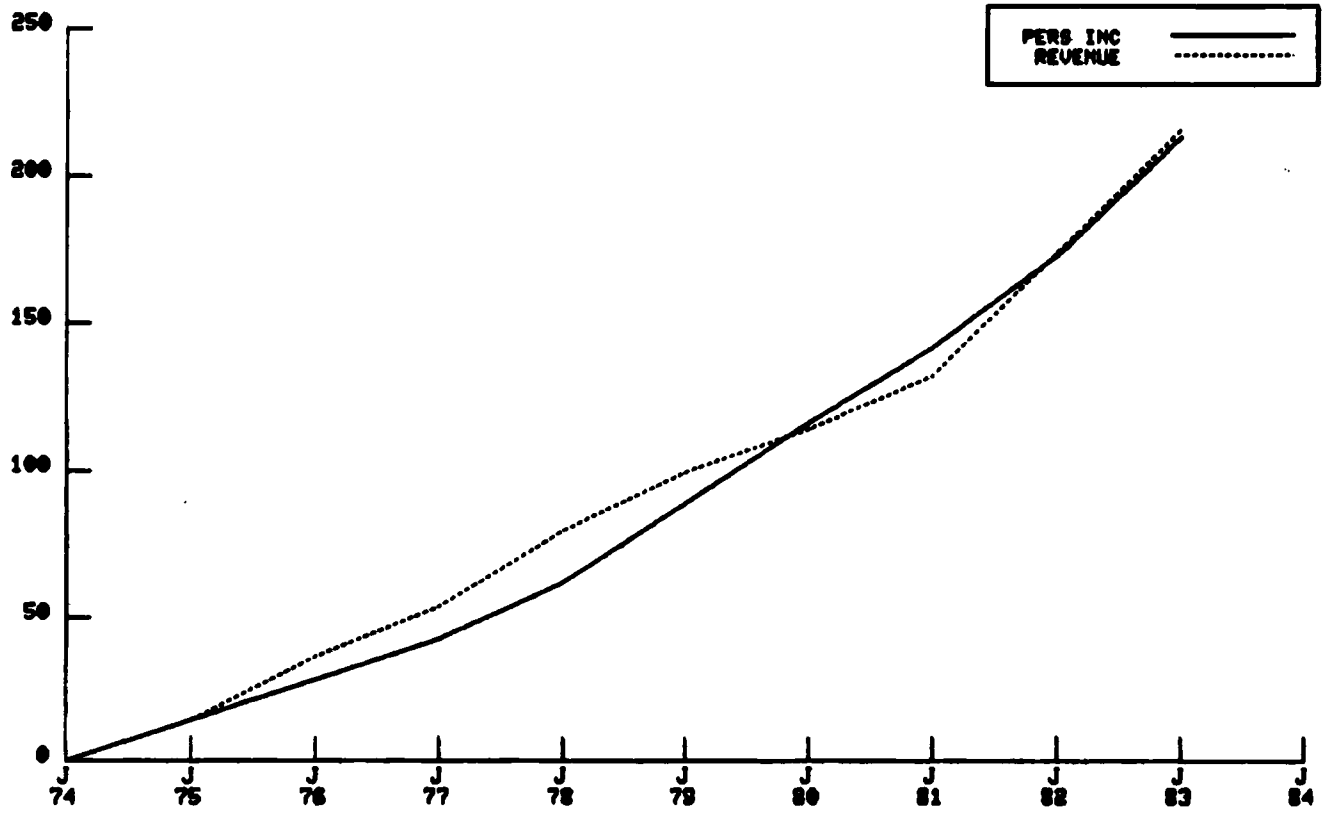
* COMPENSATION INCREASES ARE DISTRIBUTED TO FUNCTIONAL AREAS

General Growth Comparison - $$ Per Capita, Impilcit Price Deflator, Personal Income

	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
$$/CAPITA		12.28	20.84	35.39	49.07	59.83	85.67	106.08	132.50	137.23
IPD		10.58	17.27	23.51	30.83	41.14	55.15	71.52	88.25	104.61
PERS INC		14.40	28.46	42.64	62.46	89.31	116.68	141.26	173.01	213.20

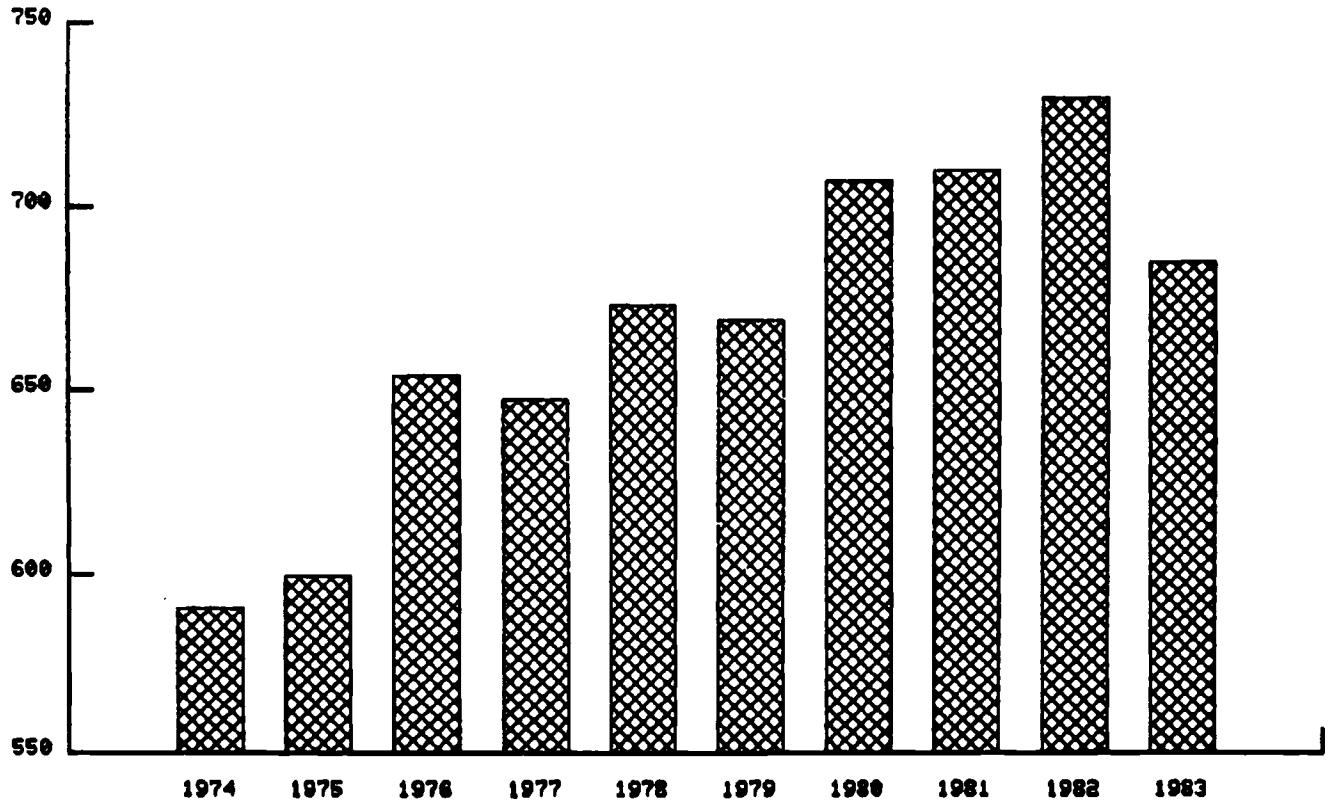


	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
PERS INC		14.40	28.48	42.64	62.46	89.31	116.62	141.26	173.01	213.20
REVENUE		14.28	35.91	54.16	80.06	99.93	114.50	132.30	174.10	215.82

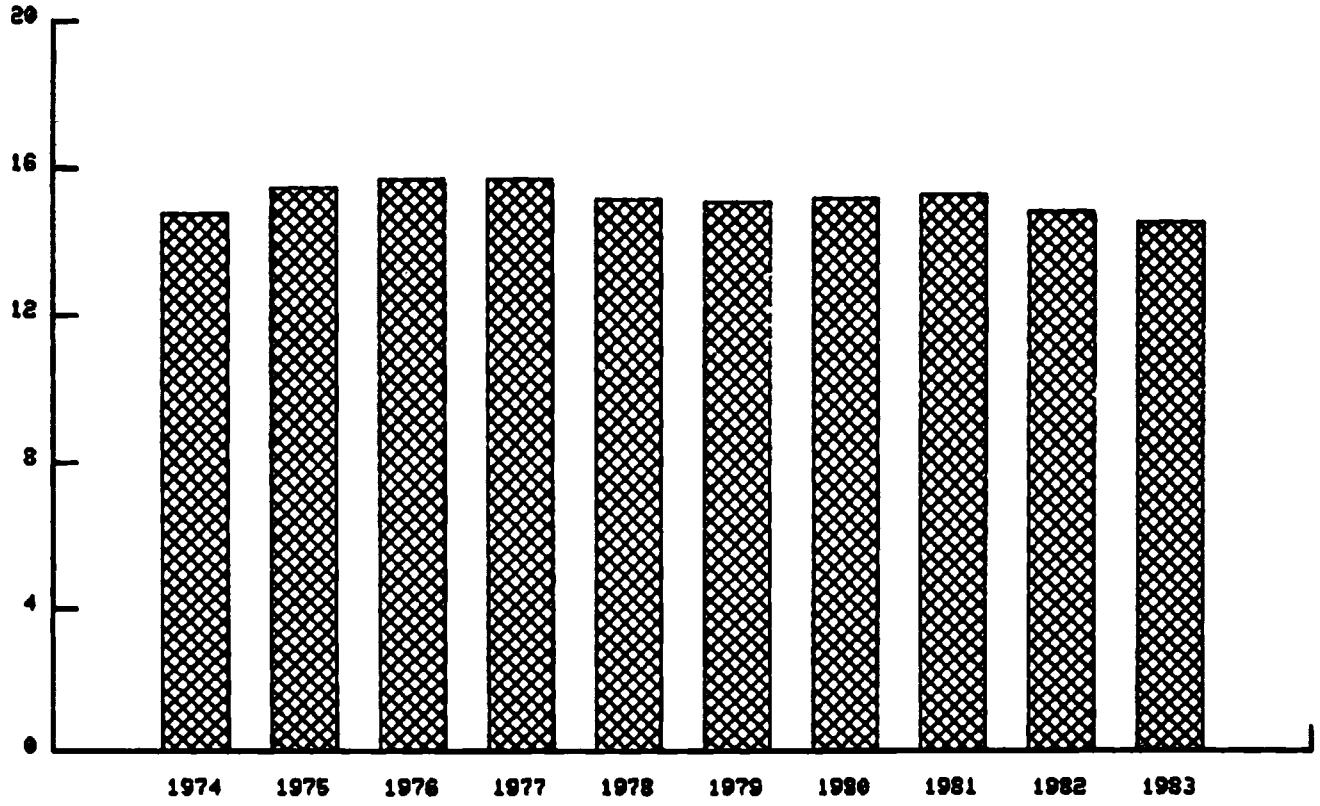


Per Capita Expenditures - Total All Funds - FY 1974 Constant Dollars (IPD)

	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
$$/CAPITA	591	600	654	647	673	669	707	710	729	685



	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
FTE/1000 POP	14.8	15.5	15.7	15.7	15.1	15.1	15.2	15.3	14.8	14.5
FTE	51788	55149	57038	58281	58028	59914	62591	64648	64154	64228
POPULATION	3509000	3568000	3635000	3715000	3838000	3979000	4130000	4233000	4330000	4421000



* Full-time equivalents

TOTAL BUDGET: $11.758 BILLION

OVERVIEW

The 1981-83 Biennial Operating Budget for the State of Washington was adopted at $11.7 billion. General Fund-State dollars will support approximately $6.95 billion of the appropriation. Another $1.8 billion in expenditures will be supported by federal fund sources for a total General Fund appropriation of $8.7 billion. The total proposed budget represents a $2.3 billion or 24 percent increase in expenditures over the current biennium.

This budget requires no new taxes but does include adjustments to establish equity in various current nongeneral taxes and fees. Primary among these adjustments is the establishment of tuition rates more consistent with colleges and universities in other states. Other significant changes center on the elimination of future economic assistance deferrals and provisions to encourage prompt payment of property taxes.

Individual funding decisions indicate the Legislature's desire to invest in the future of the state through the education appropriations, while ensuring that the basic needs of the socially and physically disadvantaged are addressed. This is a budget that is designed to return government programs back to the provision of basic services and to control total state level spending. In particular, every attempt has been made to eliminate or limit open-ended entitlement programs.

TOTAL BUDGET: $1.634 BILLION*
14 PERCENT OF STATE BUDGET

EXECUTIVE

The budget focuses on the following cost containment actions:

- Provides the Office of Financial Management with $360,000 for activities and awards directed toward increased productivity in state operations.
- Consolidates the Asian American Affairs Commission, the Mexican American Affairs Commission, and the Governor's Office of Indian Affairs into one organizational structure.
- Discontinues funding for the following agencies or programs:
  - -- Uniform legislation commission.
  - -- State Capital Committee.
  - -- State Finance Committee, and creates a State Investment Board as mandated by SHB 1610.
  - -- Economic and Planning Analysis program (research) within the Department of Commerce and Economic Development.

DATA PROCESSING AUTHORITY

- Funding is provided for operations and 10 FTE's in FY 81-82 only. Continuation of the agency is contingent upon the outcome of a study by an advisory committee on management information systems in Washington State Government.

*Compensation increase dollars have been included on an estimated basis.

SENATE AND HOUSE OF REPRESENTATIVES

- The budget levels of both the Senate and House of Representatives reflect a 10 percent cut from the levels requested by both agencies.

COMPENSATION

Salary adjustments for all employee groups over the biennium will reflect an average 14.2 percent increase in salaries, not including longevity increases. The October 1, 1981 increase funds the salary survey catch-up results for state employees. This salary increase package will cost approximately $204.5 million over the biennium. Another $183.0 million is provided in salary increases for common school education employees. Salary increases for the various employee groups will be as follows:

- 7.2 percent - Effective 10-1-81
- 7.0 percent - Effective 10-1-82

Note: The salary increases have been distributed to functional areas on an estimated basis.

STATE EMPLOYEES HEALTH INSURANCE

In addition to salary increases, the state's contribution to the payment of employee health insurance premiums is being increased 44.2 percent over the current rate during the biennium. The increases are as follows:

- Current rate, per employee, per month $ 95
- Effective 7-1-81 $121
- Effective 7-1-82 $137

Note: The health insurance premium contributions have been distributed to functional areas on an estimated basis.

RETIREMENT SYSTEMS

- State funding for the public employees, teachers, LEOFF, WSP, and Judicial Retirement Systems will increase to nearly $600 million during the 1981-83 biennium. This represents an $87 million increase (17 percent) over the current biennium.

- The approved level of funding will maintain the present ratio of assets in each retirement system to the potential cost of future benefits payable to current members.

TOTAL BUDGET: $3.373 BILLION*
29 PERCENT OF STATE BUDGET

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

ADULT CORRECTIONS

Funding for this division is directed at strengthening the state's response to the expanding need for institutional and community services. Provision is made for the restructuring of the services under a new agency. Key features of the budget are:

- Expands bed capacity with over 750 new or renovated beds in addition to the nearly 500 beds at McNeil Island.
- Adds funding and staffing to comply with federal court orders and to implement revised programs.
- Provides a $4.1 million contingency for population overruns.

JUVENILE REHABILITATION

Emphasis is placed on continuing the state's efforts to redesign the juvenile programs, while ensuring public safety through detention, diversion, diagnostic, and probation programs.

- Consolidates community programs for improved rehabilitative services.
- Provides segregated services for violently assaultive offenders.
- Continues the implementation of community based diagnostic services.

MENTAL HEALTH

The provision of mental health services is established as a top priority with improvement in all areas.

*Compensation increases have been included on an estimated basis.

- Places emphasis on chronically ill and severely disturbed.
- Expands bed capacity in the community through provision for Involuntary Treatment Act beds and community based treatment beds.
- Authorizes the operation of surplus beds at state institutions if local governments are willing to sponsor them.

DEVELOPMENTAL DISABILITIES

The budget calls for a redefinition of responsibilities within the present service levels provided by the state. Maintains the high level of care developed under federal IMR standards.

- Encourages greater financial responsibility of family members.
- Requires a study of the schools for the deaf and blind and their role in today's education service delivery system.

NURSING HOMES

The budget provides for a reimbursement rate for nursing homes which includes a modest increase for providers.

- Enhancement is provided to encourage higher retention of nursing home staff.
- Provides an interim plan for reimbursing nursing home operators.

COMMUNITY SOCIAL SERVICES

Emphasis is directed at restructuring the chore services activity to ensure that citizens will be served on the basis of need. Other important social service programs are also funded.

- Encourages the establishment of volunteer chore service programs.
- Provides controls to ensure that programs are not overexpended.

- Establishes a co-payment schedule for chore services based on the recipient's ability to pay.

INCOME MAINTENANCE

New approaches in this area are designed to reestablish state control over welfare programs. The new approaches should reduce caseloads while meeting basic emergency needs.

- Enhances employment and training programs.
- Restructures the grant program to incorporate food stamps and energy assistance in the standards.
- Provides for persons whose mental or emotional impairments render them unemployable.
- Creates the State Consolidated Emergency Assistance Program to provide for needy families with children, while reducing state dependence on federal support. The "CEAP" program provides specifically need directed cash or other assistance for up to two months.

MEDICAL ASSISTANCE

In conjunction with the income maintenance program, innovative programming is introduced to control state expenditures and limit federal restrictions while meeting basic needs.

- Establishes a state program for medically needy individuals which reduces the state's dependence on the federal government.
- Provides a limited casualty program for persons unable to meet catastrophic level medical expenses.
- Ensures continued support of Harborview and other hospitals that provide medical services to state-assisted patients.

ADMINISTRATIVE SERVICES

Necessary management and support services are provided, but at reduced staffing levels to reflect emphasis on funding direct services.

- Expands support enforcement for recovering public assistance expenditures from responsible parents.
- Provides funding for an integrated systems development project to aid in management control of agency activities.

COMMUNITY SERVICES ADMINISTRATION

Emphasis is placed on ensuring client eligibility for financial assistance, medical assistance, and food stamps.

- Enhances employment and training assistance for income maintenance recipients.
- Maximizes resources to ensure responsible parties for services.

DEPARTMENT OF LABOR AND INDUSTRIES

The budget calls for legislative studies of the responsibilities within present state funded services.

- Provides FY 82 funding for the employment standards and apprenticeship programs.
- Continues pension, medical, and compensation benefits to victims of crime prior to July 1, 1981 only.

DEPARTMENT OF EMPLOYMENT SECURITY

Emphasis is directed at developing employment programs to serve persons most dependent on state services.

- Establishes a placement incentive demonstration project to serve recipients of AFDC-R.

- Enhances work orientation for ex-offenders.
- Ensures continuation of the corrections clearinghouse.

PLACEMENT INCENTIVE PROGRAM (PIP) (EMPLOYMENT SECURITY DEPARTMENT)

The Placement Incentive Program is a new demonstration project designed to provide employment services to public assistance recipients of Aid to Families with Dependent Children-Regular who have been on assistance for three or more consecutive years and who have severe barriers to employment. The program utilizes private sector placement employment services. Program activities include job finding workshops, individual counseling, follow-up and tracking once the participant has found full-time employment.

EMPLOYMENT AND TRAINING PROGRAM

The Employment and Training Program assists applicants and recipients of public assistance in securing and retaining unsubsidized employment through a program of intensive job search, job development, and job placement. The program's first year of operation placed more than 6,900 recipients in employment with 49 caseworkers. The 1981-83 biennial budget provides funding for an additional 63 caseworkers.

TOTAL BUDGET: $.568 BILLION*
5 PERCENT OF STATE BUDGET

OCEANOGRAPHIC COMMISSION

- Discontinues state funding of the Commission and reassigns its duties to the Departments of Ecology and Natural Resources.

DEPARTMENT OF ECOLOGY

- Provides for $200 million of total appropriation authority for waste disposal facilities; phases out Referendum 26 and initiates funding of Referendum 39 projects.
- Maintains state support of the Conservation Commission.
- Initiates funding of Referendum 38 projects as Referendum 27 funding for water supply facilities phases out.
- Funds the administration and public services portion of the vehicle emission inspection and maintenance program.
- $130,000 is provided to accelerate the assessment of Commencement Bay pollution.

STATE PARKS AND RECREATION COMMISSION

- Transfers three parks to other governmental entities.
- Provides for more efficient seasonal utilization of parks.
- Provides $296,000 to study all potential uses for the St. Edwards facility and to open the swimming pool for public use.

*Compensation increases have been included on an estimated basis.

- Funds full operation of the Goldendale Observatory.
- Provides $178,000 to operate a manual campsite reservation system.
- Provides $55,000 for operation of tourist information center and viewpoints in the Mount St. Helens vicinity.

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

- Provides $28 million of state and federal funds for recreation grants to public agencies.

DEPARTMENT OF FISHERIES

- Provides sufficient funds to bring all new salmon enhancement facilities into operation.
- Provides $234,000 for bait fish and ling cod enhancement efforts.

DEPARTMENT OF GAME

- Restores 79 percent of reductions made in the Governor's budget.
- Restoration funded from increased hunting and fishing license fees (HB 116).

DEPARTMENT OF NATURAL RESOURCES

- Increases funding for projected increases in timber harvest activities.
- Increases funding for reforestation and forest fertilization activities.
- Increases landowner assessments for forest fire protection.
- Provides additional funding for irrigational development activities and the marine land management program.

- Provides $300,000 to augment current operations in the urban lands program. Requires the Department to report urban lands activities to the Legislature.

DEPARTMENT OF AGRICULTURE

- Increases inspection programs to ensure public health.
- Provides a $86,000 increase in the brucellosis control program.
- Funds workload increases in grain and horticulture inspection.
- Includes noxious weed cost share programs, providing $250,000 for rangeland noxious weeds and $160,000 for tansy ragwort.

TOTAL BUDGET: $.551 BILLION*
5 PERCENT OF STATE BUDGET

The 1981-83 Transportation Budget for the State of Washington was adopted at $1.7 billion. State funds make up $787 million of this total, with the remainder consisting of federal and local funds. This represents an increase of 26 percent over 1979-81 biennium expenditures.

Financing the Transportation Budget at a level sufficient to partially offset the effects of inflation was accomplished by modest increases in gasoline and vehicle registration user fees and authorizing several bond programs for state and local government highway construction.

This budget provides the state with a well-balanced transportation program for the next two years. It will assure the continued movement of people and goods throughout the state in a safe and efficient manner.

URBAN ARTERIAL BOARD

- Provides $35 million for city and county arterial roads and street projects, financed from a new Urban Arterial bond program.

WASHINGTON STATE PATROL

- Provides almost $6 million for a partial salary parity with the Seattle Police Department.
- Provides over $3 million for partial payment of overtime hours worked by Patrol officers.
- Eliminates the Traffic Safety Education program.

*Compensation increases have been included an an estimated basis.

DEPARTMENT OF TRANSPORTATION

Emphasis is placed on maximizing use of available revenue for highway construction and ferry operations. Cost containment requirements in management programs allows transfer of over $5 million to needed highway construction projects.

- $15 million in new revenues for ferry system operations is provided to reduce the need for costly fare increases.
- Basic Category A (resurfacing, reconstruction, rehabilitation, restoration, safety, operational improvements) highway construction is fully funded.
- State matching funds are provided for continuation of the Interstate highway completion program, Category B.
- $61 million is provided for continuing the Category C program of major non-Interstate highway construction projects throughout the state.

TOTAL BUDGET: $5.480 BILLION*
46 PERCENT OF STATE BUDGET

STATE COMMON SCHOOLS (K-12)

This budget as a proportion of all program expenditures requires the largest expenditure of General Fund-State dollars. As such, the Legislature has worked toward establishing controls on various cost components while maintaining its commitment to funding basic education. Enrollment levels of 718,220 students for 1981-82 and 716,620 for 1982-83 are assumed in the budget.

- Full 100 percent funding of the basic education program is provided, as is continuation of academic student-teacher ratios established in the Basic Education Act of 1977.
- Salary increases authorized by school districts for their employees during the past biennium and effective in 1980-81 are funded. Differential salary increases for the 300 districts are allowed for this biennium to carry out legislative intent to equalize salaries over a ten-year period.
- Provides salary and benefit increases to school employees comparable to those proposed for state employees.
- Initiates a special programs block grant that will provide funds to meet program needs above and beyond that required by the basic education law. This approach is intended to promote local control and decision-making, reduce program duplication and paperwork, and eliminate open-ended entitlements.
- Provides funds to address the impact of the recent influx of refugees into the state.
- Recognizes the full impact of expected inflationary increases in nonemployee related costs.
- Provides for an increase in enrollment in the second year of the biennium for vocational-technical institutes to meet the fund demands of additional facilities.
- Provides for a 1 percent and 4 percent increase in voc-secondary enrollment for 1981-82 and 1982-83 respectively over the 1980-81 level. Changes the student-teacher

*Compensation increases have been included on an estimated basis.

ratio to 18.3 to 1 to fund the enrollment increases.

- Continues the new special education funding formula on a modified basis. Initiates a major thrust in the reduction of paperwork and administrative red tape by consolidating funds and simplifying eligibility criteria for those funds.

- Concurs with executive recommendation by not funding for extra-curricular or substitute teacher pay.

- Provides funds to modernize the computer capabilities of the Office of the Superintendent of Public Instruction and local school districts.

- Provides for the recognition of costs associated with enrollment decline.

- Provides for partial local funding of Educational Service Districts.

HIGHER EDUCATION

The proposed budget for higher education implements several new approaches. Major among these is the equalization of formula support for instruction at all institutions. Further, in recognition of the significant tuition increases, each institution has been provided a merit pay pool for faculty and staff to encourage excellence in teaching.

- Maintains student enrollments budgeted for the 1979-83 biennium with minor adjustments - overall enrollment is increased by 494 FTE's.

UW	31,000	CWU	5,900
WSU	16,500	TESC	2,500
EWU	6,800	WWU	9,100
CC's	92,000		

- Instructional formula is enhanced from the 1979-81 expenditure levels by 1-3 percent; this approach provides research universities with instructional formula increases over 1979-81 budgeted levels.

- Provides $8,380,000 for instructional equipment for the community colleges ($19,337,000 if all operating and capital funds are included).
- Implements a legislative mandate to prohibit shifting of special funds for high cost programs (such as engineering) to other areas.
- Special enhancement funds are provided to the community college libraries.
- Funding policy focuses on maximizing resources for instructional access.
- Doctoral level classes are funded only at the regional universities; accordingly, funding is reduced to the masters level at regional universities.
- State sponsored research is reduced at UW and WSU 1-4 percent to provide resources for instruction consistent with the focus on the basics of higher education.
- Police and fire services growth reduced to current levels to reflect leveling of higher education enrollments.

EDUCATION OTHER - STATE LIBRARY

- An additional $87,000 was added to the Library for the Blind and Physically Handicapped. The proviso terminating the state's contract with Seattle Public Library for those services was eliminated. The current program will be maintained and the Radio Reading Service expanded to Spokane.

(SSB 3636, C340 L81. See Veto Message)

1. Special Appropriations - Higher Education Salaries

The Governor vetoed language in Section 14 (2)(a) referring to specific sections providing funds for merit pool increases for higher education faculty and exempt personnel which were incorrect in the bill.

2. Insurance Commissioner

Under current statutes, the Insurance Commissioner is required to administer a Continuing Education program for insurance agents and brokers. Section 29 expressly limited the biennial expenditure for Continuing Education to $1,000. The Governor vetoed this expenditure restriction to enable the Commissioner's office to fulfill its statutory obligation.

3. Department of Social and Health Services

The veto of Section 47 (4)(b) and (c) removed the penalty which would have been applied to the DSHS appropriation for failure to develop a necessary contingency expenditure plan to reflect the potential loss of federal funds. The provision to complete the contingency plan remained, however. The Governor supported the need for the departmental plan, but concluded that the assessment of a penalty was unnecessary.

4. DSHS - Adult Corrections

Section 48 (5) allowed transfer of funds from program support to Institutional Services for costs associated with Hoptowit v. Ray and population overruns, but specified that no other transfers shall be made between category appropriations. In his veto message, the Governor expressed the need for consistency and management flexibility. Section 47 (2) allowed DSHS to transfer funds between categories. The veto would make the allowance consistent with Adult Corrections, while providing management flexibility in the process of reorganization.

5. DSHS - Mental Health

The veto on Section 50 (2)(f) deleted the requirement that DSHS develop staff-to-patient ratios for each treatment unit in the state hospitals by September 1, 1981 and implement those ratios by October 1, 1981.

The Governor's veto message stated that the schedule as expressed in the bill was unrealistic and did not allow for executive and legislative input as to the appropriateness of such staffing ratios. The message further expressed the expectation that DSHS and OFM develop staff-to-patient ratios, which would fulfill the legislative intent of the vetoed subsection.

6. DSHS - Developmental Disabilities

Section 51 (1)(b) directed that funds appropriated to Community Services be allocated to County Services on a block grant basis.

The Governor believed that this subsection was confusing, unworkable, and did not express true legislative intent. Substitute Senate Bill 4299 clarified legislative intent by confining block grant funding to Developmental Disability Centers.

The Governor vetoed the block grant concept in both ESSB 3636 and SSB 4299. Such a funding mechanism would have limited the Department's ability to monitor and control specific purchased services for clientele.

7. DSHS - Income Maintenance Program

a. Section 53 (1) would have prevented the Department from imposing ratable reductions to grant payments in the event of a revenue shortfall or unexpected caseload growth as occurred in the last biennium. The veto of this proviso restored the ability of the Department to manage the Income Maintenance Program within appropriated funds.

b. The veto of a sentence providing maximum grant levels in Section 53 (2) removed the legislative intent to not provide full grants under the Consolidated Emergency Assistance Program (CEAP). The Legislature appropriated only sufficient state funds to provide grants for specific needs up to the levels prescribed in the proviso. Without this limitation, stringent administrative constraints must be implemented by the Department to ensure that appropriated funds are not depleted before the end of the biennium.

c. In Section 53 (4), the Legislature intended that the Department evaluate all federal proposals and implement those which are considered to be cost effective. In addition, the Legislature required that the proposals relating to the specific items mentioned in the vetoed sentence be revised. The Department, with this item veto, will not be required to revise those rules, but could do so if the revisions can be shown to be cost effective.

d. The Legislature required the Department in Section 53 (7) to review and revise its service manuals to ensure that the state's eligibility standards are as restrictive as legally possible. These revisions were to be implemented by September 15, 1981. In addition, the subsection required the Department to provide the Legislature with a summary of these changes and projected savings by November 2, 1981. With the veto of this subsection, the Department will not be required to tighten eligibility standards for Public Assistance as rapidly as the Legislature intended.

8. DSHS - Community Social Services Grants Program

Section 54 (2) appropriated funds to provide Chore Services under exceptional circumstances to severely handicapped persons who would not otherwise be eligible. Since this is a new program, no caseload data exists. Approval of cases and the disbursement of funds can be expected to occur on an irregular basis throughout the biennium. The veto of this sentence will allow DSHS the flexibility to disburse funds consistent with the caseload instead of on a strict schedule.

9. DSHS - Medical Assistance Program

a. Section 55 (4) required the Department to authorize payments for podiatrists and chiropractors if their services were more appropriate and more cost effective than could otherwise be provided. Neither chiropractic nor podiatric services were funded in the Medical Assistance program. Moreover, parallel legislation specifically prohibits payment for these services. This veto will serve to reduce the need for further litigation and administrative hearings on the conflicting provisions and on the determinations of "most cost-effective and appropriate treatment."

b. The veto of Section 55 (6) will allow the Department to continue to recognize the differences between opthalmologists and optometrists in the provision of services to state patients. This subsection would have provided for equal payment for identical services and could have reduced the number of opthalmologists willing to serve patients under the Medical Assistance Program.

10. Planning and Community Affairs

The veto of Section 62 (3) served to prevent a potential duplication of appropriation for assistance to towns in the Canadian border area. The $250,000 appropriation in this proviso duplicated the appropriation signed into law in SHB 257.

11. State Energy Office

The Governor vetoed a proviso in Section 72 making the 1981-83 appropriation to the State Energy Office contingent upon the passage of HB 402, which re-established that agency. This proviso was made inoperative when ESSB 4085 passed the Legislature instead of HB 402.

12. Department of Commerce and Economic Development

In Section 80, the Governor vetoed all of the conditions and limitations governing the expenditure of the 1981-83 appropriation to the Department of Commerce and Economic Development. This will allow the Department and the Governor to determine the desired level of expenditures for each of that agency's programs.

13. Salary and Compensation Increases (K-12)

Section 92 (8) provided that the appropriation for salary and benefit increases would lapse if

-- any part of the bill (HB 166) restricting school districts from granting salary increases in excess of the level provided in the appropriations act or

-- the application of the salary increases provided in the budget were found to be invalid by the courts.

The Governor vetoed this section based in part on the inappropriateness of punishing school districts in the event that inaccuracies may be discovered in technical documents supporting the operating budget (See LEAP Document #2).

14. Higher Education - High Cost Instructional Programs

Section 106 (1) initially mandated that funds associated with high cost instructional programs such as Engineering be expended for no other purpose. This limitation was then eased to accommodate concerns over research funding--for example, high cost instructional dollars could be used for research upon the approval of OFM. The intent is effective without the vetoed language.

15. Higher Education - Enrollment Contract Levels

Section 117 imposed a fiscal penalty for over-enrollment above the contractual level if the enrollment exceeds a set tolerance band. In general, the tolerance band encourages institutions to manage enrollments so as to provide a high quality of higher education within amounts appropriated. The Governor's veto effectively eliminated this incentive to provide quality higher education as opposed to quantity.

16. Commission for Vocational Education

Section 118 (2) restricted the collection of information from other agencies. The veto message pledged that the Governor would seek to reduce unnecessary paperwork, eliminating the need for a specific proviso.

17. Washington State Arts Commission

Section 121 mandated that $750,000 be expended for Cultural Enrichment, with no more than $37,500 for administration. The limitation on administration was vetoed, but the earmarking of Cultural Enrichment remains.

18. Matching Federal Funds

Section 133 stated that state funds appropriated to match federal funds must lapse if not required to qualify for federal funds. The Department of Social and Health Services was exempted. The Governor vetoed this section because the federal budget is uncertain at this time and the executive must have maximum flexibility to respond to changing conditions.

19. Federal Funding Loss

Section 136 provided that programs supported by federal funds are not to receive additional state funds if federal funds are not available. The Department of Social and Health Services was exempted. The Governor vetoed this section because the state must have the capability to maintain essential programs, regardless of whether federal funds materialize as anticipated for the programs.

20. Appropriation Lapsing

The first sentence of Section 137 (1) required that the unexpended portion of an appropriation allotted for the first year is to lapse at the end of the first fiscal year. The Governor vetoed this sentence because it could cause funds needed during the second year of the biennium to be unavailable to meet planned program needs.

1979-81 Supplemental Revenue and Expenditure Legislation

$ in thousands

BILL NO.		SUBJECT	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	TOTAL GENERAL FUNDS	ALL OTHER FUNDS	TOTAL ALL FUNDS
			REVENUE LEGISLATION					
ESHB	206	Supplemental Budget	$ 29,600		$	$ 29,600	$(29,600)	$ -0-
SHB	207	Insur. prem. taxes, payment	15,128			15,128		15,128
E2SHB	208	State funds	82,862			82,862	(82,862)	-0-
		GRAND TOTAL	$127,590			$127,590	$(112,462)	$ 15,128
			EXPENDITURE LEGISLATION					
HB	103	Urban arter. brd. app. (UAB)	$ -	$ -	$ -	$ -	$ 10,000	$ 10,000
HB	104	DNR reforest. appro. (DNR)	-	-	-	-	2,187	2,187
HB	206	Supplemental Budget (Omnibus)	$ 93,637	92,454	-	186,091	49,979	236,070
HB	604	Public Assistance (DSHS)	260	-	-	260	-	260
HB	624	Supplemental Budget (Omnibus)	9,325	420	-	9,745	(17)	9,728
HB	707	Water Sup. Fac. Bond. (DSHS)	-	-	-	-	10,000	10,000
HB	1610	1980 Bill passed over Gov. Veto (St. Inv. Brd)	-	-	-	-	5	5
SB	3531	WWU Capital Approp. (WWU)	-	-	-	-	788	788
		GRAND TOTAL	$103,222	$92,874	$ -	$196,096	$ 72,942	$269,038

LEAP documents 1, 2 and 3 were referenced in the omnibus operating appropriations act (SSB 3636) as documentation of legislative intent regarding certain formula components of the common school budget. They are used to accomplish the following:

LEAP DOCUMENT 1

LEAP document number 1 is used to adjust payments to school districts for the different levels of training and experience of its certificated staff. It accomplishes this by adjusting the payments to school districts by the average factor calculated after placing the school district's certificated staff on the LEAP training and experience schedule.

LEAP DOCUMENT 2

LEAP document number 2 indicates the percentages and actual 1980/81 salaries necessary to implement the 1981/83 budget for the common schools and simultaneously accomplish the policy of equalization of school district salaries. These percentages and salaries will be used to calculate each local district's entitlement to state funds. In addition, they document the legislature's intent regarding the maximum level of salary increases resulting from the enactment of House Bill 166 (salary limitations).

LEAP DOCUMENT 3

LEAP document number 3 provides the guidelines necessary to implement the changes in the Handicapped formula that resulted from the decision made in the budget. The decisions made by the legislature that made this document necessary were the implementation of the block grant program and revision of the formula to reflect actual staffing levels. Activities within the block grant program include remedial education, specific learning disabilities, communication and behavioral disorders, cultural enrichment, bilingual, preschool education and other special needs.

I hereby certify that this is LEAP Document #1 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M Tierney

DON TIERNEY, Leap Administrator

DATE: 4/21/81

332

K12
LEAP DOCUMENT 81

DATE: 04/20/81
TIME: 11:35

*** EDUCATION EXPERIENCE ***

YEARS OF SERVICE	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90	PHD	PHD+45
0	1.000	1.027	1.055	1.083	1.173	1.231	1.173	1.244	1.305	1.305	1.368
1	1.037	1.065	1.094	1.124	1.217	1.276	1.217	1.290	1.353	1.353	1.419
2	1.075	1.104	1.134	1.167	1.262	1.323	1.262	1.338	1.403	1.403	1.471
3	1.115	1.145	1.176	1.211	1.308	1.372	1.308	1.387	1.455	1.455	1.526
4	1.156	1.188	1.220	1.257	1.357	1.423	1.357	1.438	1.509	1.509	1.582
5	1.199	1.232	1.265	1.305	1.407	1.476	1.407	1.492	1.564	1.564	1.641
6	1.244	1.277	1.312	1.355	1.459	1.530	1.459	1.547	1.622	1.622	1.701
7	1.290	1.324	1.360	1.406	1.513	1.587	1.513	1.604	1.682	1.682	1.764
8	1.337	1.373	1.410	1.460	1.569	1.646	1.569	1.663	1.745	1.745	1.830
9		1.424	1.463	1.515	1.627	1.707	1.627	1.725	1.809	1.809	1.897
10			1.517	1.573	1.687	1.770	1.687	1.789	1.876	1.876	1.968
11				1.633	1.750	1.836	1.750	1.855	1.945	1.945	2.040
12					1.815	1.903	1.815	1.924	2.017	2.017	2.116
13					1.882	1.973	1.882	1.995	2.092	2.092	2.194
14						2.046	1.951	2.069	2.169	2.169	2.275

LEAP REPORTING
DATE 04/20/81 TIME 14:02

LEAP DOCUMENT #2

CNTY	DIST	NAME	CERTIFICATED 1980-81 BAS-SAL	CERTIFICATED 1981-82 % ENTL	CERTIFICATED 1982-83 % ENTL	CLASSIFIED 1980-81 AVG SAL	CLASSIFIED 1981-82 % ENTL	CLASSIFIED 1982-83 % ENTL
01	109	WASHTUCNA	12398	8.54	8.54	10994	2.08	7.37
01	122	BENGE	11479	0.00	0.00	12298	6.87	7.37
01	147	OTHELLO	13264	7.62	7.62	13333	3.91	7.37
01	158	LIND	13025	7.87	7.87	14923	5.02	7.37
01	160	RITZVILLE	12486	8.44	8.44	12466	0.00	6.96
02	250	CLARKSTON	13282	4.71	8.02	13355	3.58	7.37
02	310	ANATONE		0.00	0.00		0.00	0.00
02	400	ASOTIN	12929	2.18	8.82	12700	6.87	7.37
03	017	KENNEWICK	14238	0.18	7.64	13940	1.86	7.37
03	050	PATERSON	11332	9.76	9.76	11795	6.87	7.37
03	052	KIONA BENTON	13558	5.03	7.66	13251	5.10	7.37
03	053	FINLEY	14061	0.00	7.01	13293	6.87	7.37
03	116	PROSSER	13567	6.44	7.45	13845	5.10	7.37
03	400	RICHLAND	14338	8.79	7.13	16038	3.08	7.37
04	019	MANSON	13933	0.43	7.93	13990	5.72	7.37
04	069	STEHEKIN	12158	0.00	5.58	12475	0.00	0.00
04	127	ENTIAT	12209	8.74	8.74	11496	6.87	7.37
04	128	LEAVENWORTH	12436	8.49	8.49	12210	5.81	7.37
04	129	LAKE CHELAN	14046	4.83	7.15	18897	6.87	7.37
04	200	PESHASTIN-DRYDEN	13100	7.33	7.86	13594	2.67	7.37
04	222	CASHMERE	13195	7.69	7.69	12929	5.45	7.37
04	246	WENATCHEE	13831	7.06	7.06	14019	6.72	7.37
05	121	PORT ANGELES	13695	7.19	7.19	13173	6.87	7.37
05	313	CRESCENT	12890	8.88	8.88	13123	3.55	7.37
05	323	SEQUIM	13310	7.58	7.58	13422	6.87	7.37
05	401	CAPE FLATTERY	14100	1.99	7.51	12358	6.87	7.37
05	402	QUILLAYUTE VALLEY	13510	7.38	7.38	14137	6.87	7.37
06	037	VANCOUVER	13660	7.23	7.23	14314	6.87	7.37
06	098	HOCKINSON	13464	7.42	7.42	13190	6.60	7.37
06	101	LACENTER	13402	3.15	8.12	12893	6.87	7.37
06	103	GREEN MOUNTIAN	11614	9.42	9.42	12088	0.00	6.98
06	112	WASHOUGAL	13078	7.81	7.81	13961	6.87	7.37
06	114	EVERGREEN	14963	0.00	3.53	14914	0.00	6.55
06	117	CAMAS	13649	7.24	7.24	14612	6.87	7.37
06	119	BATTLE GROUND	13655	3.75	7.74	14066	5.77	7.37
06	122	RIDGEFIELD	13782	3.59	7.62	13697	0.00	7.02
07	002	DAYTON	12742	8.16	8.16	12604	6.87	7.37
07	035	STARBUCK	11693	9.33	9.33	12827	0.00	3.41
08	118	CARROLLS	13770	0.00	7.37	13690	0.00	4.95
08	122	LONGVIEW	13592	7.30	7.30	14504	3.68	7.37
08	130	TOUTLE LAKE	13284	7.60	7.60	14639	6.87	7.37
08	401	CASTLE ROCK	13768	4.31	7.53	13436	0.00	7.09
08	402	KALAMA	13438	7.45	7.45	12991	4.35	7.37
08	404	WOODLAND	13706	6.35	7.30	14325	4.48	7.37
08	453	KELSO	13583	7.30	7.30	14497	2.43	7.37
09	013	ORONDO	14405	0.77	7.37	11051	0.00	6.82
09	075	BRIDGEPORT	12690	5.14	8.67	18145	1.55	7.37
09	102	PALISADES	13328	6.49	7.71	15749	6.87	7.37
09	206	EASTMONT	13709	7.18	7.18	13981	6.87	7.37
09	207	MANSFIELD	12998	3.81	8.49	18581	0.00	5.34
09	209	WATERVILLE	12891	8.65	8.65	18644	6.87	7.37

I hereby certify that this is LEAP Document #2 referenced in the 1981-83 Appropriations Act (ESSB 3636).

DON TIERNEY, Leap Administrator

DATE: 4/21/81

LEAP REPORTING
DATE 04/20/81 TIME 14:02

LEAP DOCUMENT #2

CNTY	DIST	NAME	CERTIFICATED 1980-81 BAS-SAL	CERTIFICATED 1981-82 % ENTL	CERTIFICATED 1982-83 % ENTL	CLASSIFIED 1980-81 AVG SAL	CLASSIFIED 1981-82 % ENTL	CLASSIFIED 1982-83 % ENTL
10	003	KELLER	10274	11.12	11.12	11500	0.00	6.92
10	050	CURLEW	12793	8.11	8.11	12930	6.87	7.37
10	060	HAZELMERE	13202	0.00	0.00	9346	6.87	7.37
10	065	ORIENT	10368	4.69	11.92	11728	0.00	0.00
10	070	INCHELIUM	12743	8.16	8.16	12201	0.00	2.94
10	309	REPUBLIC	12354	8.58	8.58	13897	6.87	7.37
11	001	PASCO	13633	5.41	7.52	13707	0.00	0.64
11	051	NORTH FRANKLIN	13023	7.87	7.87	12056	5.21	7.37
11	054	STAR	12674	1.39	9.25	9846	6.87	7.37
11	056	KAHLOTUS	11895	7.45	9.34	11638	6.40	7.37
12	110	POMEROY	12713	8.20	8.20	11653	0.00	7.20
13	073	WAHLUKE	12797	8.11	8.11	14546	0.00	0.00
13	128	MARTLINE		0.00	0.00		0.00	0.00
13	144	QUINCY	13769	4.02	7.67	14938	4.01	7.37
13	146	WARDEN	12717	8.19	8.19	14292	3.70	7.37
13	150	COULEE CITY	12468	3.96	9.12	14369	6.87	7.37
13	156	SOAP LAKE	12895	6.49	8.22	11332	6.87	7.37
13	160	ROYAL	13889	3.90	7.46	13920	6.87	7.37
13	161	MOSES LAKE	13629	7.26	7.26	13886	4.52	7.37
13	165	EPHRATA	13917	3.50	7.48	14780	4.83	7.37
13	167	WILSON CREEK	12446	6.26	8.80	15003	0.00	1.92
13	301	GRAND COULEE DAM	14227	0.00	7.06	13829	0.00	4.65
14	005	ABERDEEN	14419	0.00	5.26	14179	4.78	7.37
14	028	HOQUIAM	13701	3.96	7.66	13679	5.73	7.37
14	064	NORTH BEACH	13584	7.36	7.36	12982	6.87	7.37
14	065	MC CLEARY	12996	8.87	8.87	11862	5.83	7.37
14	066	MONTESANO	13716	6.34	7.44	13543	6.87	7.37
14	068	ELMA	13849	3.85	7.51	14618	0.64	7.37
14	077	TAHOLAH	12708	8.21	8.21	13462	4.11	7.37
14	097	QUINAULT	13046	7.67	7.87	13330	0.00	3.49
14	099	COSMOPOLIS	13298	7.59	7.59	13588	6.87	7.37
14	104	SATSOP	12310	3.32	9.41	12340	6.87	7.37
14	117	WISHKAH VALLEY	12239	0.00	9.13	12790	0.00	3.22
14	172	OCOSTA	13584	6.94	7.35	14015	1.47	7.37
14	400	OAKVILLE	12933	6.60	8.16	15798	0.00	5.94
15	201	OAK HARBOR	14172	4.64	7.04	14084	5.20	7.37
15	204	COUPEVILLE	13843	7.64	7.64	14112	1.37	7.37
15	206	SOUTH WHIDBEY	13877	4.41	7.39	15813	0.00	5.91
16	020	CLEARWATER	13322	6.92	7.66	11583	6.87	7.37
16	046	BRINNON	10893	10.31	10.31	12833	4.24	7.37
16	048	QUILCENE	12904	6.89	8.30	13868	3.51	7.37
16	049	CHIMACUM	12920	6.98	8.12	13635	6.87	7.37
16	050	PORT TOWNSEND	13735	6.85	7.20	14316	6.87	7.37
17	001	SEATTLE	14504	3.32	6.88	18038	3.54	7.37
17	195	LESTER	12151	8.81	8.81	13797	1.18	7.37
17	210	FEDERAL WAY	13667	7.22	7.22	14449	3.80	7.37
17	216	ENUMCLAW	13587	7.30	7.30	13388	2.76	7.37
17	400	MERCER ISLAND	14023	3.79	7.33	15819	0.31	7.37
17	401	HIGHLINE	13409	7.48	7.48	14625	5.42	7.37
17	402	VASHON ISLAND	12936	7.96	7.96	12577	6.87	7.37
17	403	RENTON	15248	0.00	0.00	18570	0.00	1.86

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I hereby certify that this is LEAP Document #2 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M. Tierney

DON TIERNEY, Leap Administrator

DATE: 4/21/81

CNTY	DIST	NAME	CERTIFICATED 1980-81 BAS-SAL	CERTIFICATED 1981-82 % ENTL	CERTIFICATED 1982-83 % ENTL	CLASSIFIED 1980-81 AVG SAL	CLASSIFIED 1981-82 % ENTL	CLASSIFIED 1982-83 % ENTL
17	404	SKYKOMISH	12776	8.13	8.13	15845	0.00	0.00
17	405	BELLEVUE	14228	1.74	7.41	17062	1.43	7.37
17	406	SOUTH CENTRAL	13880	4.96	7.31	14977	3.30	7.37
17	407	LOWER SNOQUALMIE	14042	1.81	7.60	12627	6.87	7.37
17	408	AUBURN	14387	1.16	7.33	15238	2.87	7.37
17	409	TAHOMA	13349	7.54	7.54	14100	4.42	7.37
17	410	SNOQUALMIE VALLEY	13741	3.24	7.72	13924	1.37	7.37
17	411	ISSAQUAH	13905	6.26	7.09	13325	6.87	7.37
17	412	SHORELINE	14297	1.00	7.45	15898	6.87	7.37
17	414	LAKE WASHINGTON	14318	0.48	7.50	13822	6.87	7.37
17	415	KENT	14259	0.22	7.62	15129	0.83	7.37
17	417	NORTHSHORE	14468	2.07	7.10	14979	3.38	7.37
18	100	BREMERTON	13798	4.54	7.47	14956	6.87	7.37
18	303	BAINBRIDGE	14155	1.51	7.52	14492	4.04	7.37
18	400	NORTH KITSAP	13747	5.25	7.42	14588	6.87	7.37
18	401	CENTRAL KITSAP	14039	1.44	7.66	14145	2.98	7.37
18	402	SOUTH KITSAP	13483	7.40	7.40	13841	3.43	7.37
19	007	DAMMAN	12312	8.16	8.70		0.00	0.00
19	028	EASTON	13513	2.31	8.12	13797	3.27	7.37
19	400	THORP	13676	6.64	7.89	15439	0.00	4.28
19	401	ELLENSBURG	13627	6.73	7.34	13397	5.60	7.37
19	403	KITTITAS	13335	7.56	7.56	13263	6.14	7.37
19	404	CLE ELUM-ROSLYN	12649	4.38	8.83	14153	2.04	7.37
20	004	WISHRAM	13287	0.14	8.73	14037	6.87	7.37
20	203	BICKLETON	11406	8.22	9.88	13414	6.65	7.37
20	215	CENTERVILLE	10402	6.60	11.58	10064	6.87	7.37
20	400	TROUT LAKE	12724	5.24	8.61	10461	6.87	7.37
20	401	GLENWOOD	12920	7.98	7.98	12624	3.06	7.37
20	402	KLICKITAT	14033	0.00	6.96	11832	0.00	5.46
20	403	ROOSEVELT	10410	10.93	10.93	10606	6.87	7.37
20	404	GOLDENDALE	13067	7.82	7.82	13281	6.59	7.37
20	405	WHITE SALMON	12330	8.61	8.61	12120	6.87	7.37
20	406	LYLE	12642	3.96	8.90	13639	6.87	7.37
21	014	NAPAVINE	12377	3.41	9.31	12379	0.88	7.37
21	018	VADER	11424	9.65	9.65	13714	4.83	7.37
21	036	EVALINE	9186	12.68	12.68	9953	0.00	0.00
21	206	MOSSYROCK	13202	3.23	8.34	12783	1.75	7.37
21	214	MORTON	13117	7.77	7.77	13987	3.28	7.37
21	226	ADNA	12425	8.51	8.51	9816	6.87	7.37
21	232	WINLOCK	13470	7.42	7.42	13860	6.87	7.37
21	234	BOISTFORT	12941	4.97	8.39	12964	1.19	7.37
21	237	TOLEDO	13840	0.36	8.05	13620	2.63	7.37
21	300	ONALASKA	12614	8.30	8.30	13051	2.74	7.37
21	301	PE ELL	13822	4.16	8.18	14216	6.87	7.37
21	302	CHEHALIS	14276	0.00	7.18	13979	3.02	7.37
21	303	WHITE PASS	12999	7.89	7.89	13318	6.87	7.37
21	401	CENTRALIA	13663	6.93	7.38	13952	2.61	7.37
22	008	SPRAGUE	13008	7.89	7.89	13676	0.00	6.51
22	009	REARDAN	12973	7.98	7.98	12302	6.87	7.37
22	017	ALMIRA	11891	9.10	9.10	12449	1.48	7.37
22	073	CRESTON	12056	8.98	8.98	11864	6.87	7.37

I hereby certify that this is LEAP Document #2 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M Tierney

DON TIERNEY, Leap Administrator

DATE: 4/24/81

LEAP REPORTING
DATE 04/20/81 TIME 14:02

LEAP DOCUMENT #2

CNTY	DIST	NAME	CERTIFICATED 1980-81 BAS-SAL	CERTIFICATED 1981-82 % ENTL	CERTIFICATED 1982-83 % ENTL	CLASSIFIED 1980-81 AVG SAL	CLASSIFIED 1981-82 % ENTL	CLASSIFIED 1982-83 % ENTL
22	105	ODESSA	12871	8.03	8.03	11891	1.27	7.37
22	200	WILBUR	12663	6.89	8.44	10835	5.76	7.37
22	204	HARRINGTON	12682	8.23	8.23	12131	5.58	7.37
22	207	DAVENPORT	14037	3.12	7.41	13341	6.87	7.37
23	042	SOUTHSIDE	11402	9.68	9.68	12994	2.61	7.37
23	054	GRAPEVIEW	12619	6.33	8.70	12900	1.49	7.37
23	309	SHELTON	12846	6.08	8.34	11543	5.70	7.37
23	311	MARY M KNIGHT	13326	4.98	7.93	13282	6.87	7.37
23	402	PIONEER	12100	8.87	8.87	12885	6.87	7.37
23	403	NORTH MASON	13278	7.61	7.61	13244	6.26	7.37
23	404	HOOD CANAL	13283	5.43	7.92	13157	6.87	7.37
24	014	NESPELEM	13440	7.45	7.45	12066	0.00	5.57
24	019	OMAK	12783	7.20	8.26	12383	1.33	7.37
24	105	OKANOGAN	13105	7.20	7.87	12527	1.84	7.37
24	111	BREWSTER	13754	1.10	8.03	14160	2.34	7.37
24	118	RIVERSIDE		0.00	0.00		0.00	0.00
24	122	PATEROS	12263	8.68	8.68	11317	4.74	7.37
24	350	METHOW VALLEY	12329	8.61	8.61	11731	2.91	7.37
24	404	TONASKET	12810	7.38	8.19	11581	4.70	7.37
24	410	OROVILLE	13129	1.38	8.70	14351	0.00	2.06
25	101	OCEAN BEACH	13463	7.83	7.46	13260	6.87	7.37
25	116	RAYMOND	12962	7.93	7.93	13765	6.02	7.37
25	118	SOUTH BEND	13556	6.76	7.41	13998	6.70	7.37
25	155	NASELLE GRAYS RIV	13777	1.86	7.89	14069	5.65	7.37
25	160	WILLAPA VALLEY	13401	4.37	7.94	13353	5.84	7.37
25	200	NORTH RIVER	12877	5.65	8.36	12998	0.00	0.00
26	056	NEWPORT	12584	8.33	8.33	12393	4.61	7.37
26	059	CUSICK	11878	9.12	9.12	11887	6.87	7.37
26	070	SELKIRK	11734	9.29	9.29	11921	3.43	7.37
27	001	STEILACOOM HIST.	14074	0.00	2.91	13450	1.35	7.37
27	003	PUYALLUP	14762	1.67	6.86	14108	2.24	7.37
27	010	TACOMA	14500	0.00	7.16	17177	2.22	7.37
27	083	UNIVERSITY PLACE	14226	2.09	7.36	14583	1.88	7.37
27	320	SUMNER	14009	5.84	7.04	13651	5.51	7.37
27	343	DIERINGER	14387	0.50	7.43	14997	0.00	3.81
27	344	ORTING	12853	7.68	8.10	13424	5.93	7.37
27	400	CLOVER PARK	13693	5.29	7.58	13878	6.87	7.37
27	401	PENINSULA	14247	1.81	7.38	14886	0.00	6.69
27	402	FRANKLIN PIERCE	13961	1.99	7.67	13888	4.59	7.37
27	403	BETHEL	14786	0.00	6.94	13305	1.52	7.37
27	404	EATONVILLE	14540	1.19	7.16	14137	1.84	7.37
27	406	CARBONADO	13167	7.78	7.78	12246	6.87	7.37
27	416	WHITE RIVER	13506	6.00	7.58	12974	5.27	7.37
27	417	FIFE	14064	1.97	7.55	13400	2.64	7.37
28	010	SHAW	10355	10.79	11.04		0.00	0.00
28	137	ORCAS	11827	9.41	9.41	11752	6.87	7.37
28	144	LOPEZ	12280	7.82	8.90	11835	0.24	7.37
28	149	SAN JUAN	13414	5.37	7.78	13877	1.33	7.37
29	100	BURLINGTON EDISON	13695	6.64	7.27	14861	3.17	7.37
29	101	SEDRO WOOLLEY	13363	7.68	7.68	14450	3.13	7.37
29	102	CONCRETE	13308	7.68	7.68	14548	3.82	7.37

I hereby certify that this is LEAP Document #2 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M Tierney

DON TIERNEY, Leap Administrator

DATE: 4/21/81

CNTY	DIST	NAME	CERTIFICATED 1980-81 BAS-SAL	CERTIFICATED 1981-82 % ENTL	CERTIFICATED 1982-83 % ENTL	CLASSIFIED 1980-81 AVG SAL	CLASSIFIED 1981-82 % ENTL	CLASSIFIED 1982-83 % ENTL
29	103	ANACORTES	13768	3.87	7.60	14403	5.99	7.37
29	311	LA CONNER	13595	7.29	7.29	14852	4.34	7.37
29	317	CONWAY	14434	0.42	7.39	12353	4.90	7.37
29	320	MT VERNON	13420	7.33	7.49	13248	6.87	7.37
30	002	SKAMANIA	14453	0.00	2.57	16998	0.00	2.70
30	029	MOUNT PLEASANT	10550	10.75	10.75	14914	6.87	7.37
30	031	MILL A	12457	8.47	8.47	14459	1.13	7.37
30	303	STEVENSON-CARSON	14169	2.27	7.39	13923	3.92	7.37
31	002	EVERETT	16846	0.00	0.00	17062	0.00	0.00
31	004	LAKE STEVENS	14277	1.66	7.37	15086	0.65	7.37
31	006	MUKILTEO	15231	0.00	4.05	15674	0.00	5.61
31	015	EDMONDS	14674	0.00	2.64	14726	0.74	7.37
31	016	ARLINGTON	13971	4.07	7.34	13876	5.82	7.37
31	025	MARYSVILLE	15103	0.00	0.98	13720	0.00	5.41
31	063	INDEX	10967	9.71	10.28	10685	6.87	7.37
31	103	MONROE	13862	3.23	7.59	13543	6.76	7.37
31	201	SNOHOMISH	14740	0.00	5.15	15419	0.00	6.60
31	306	LAKEWOOD	14122	0.38	7.73	14592	0.00	6.48
31	311	SULTAN	13833	1.94	7.81	13938	6.87	7.37
31	330	DARRINGTON	13874	3.63	7.51	13458	0.00	5.27
31	332	GRANITE FALLS	13314	5.28	7.90	15445	0.00	0.74
31	401	STANWOOD	13388	7.50	7.50	14598	4.58	7.37
32	081	SPOKANE	14011	4.34	7.86	14362	5.05	7.37
32	123	ORCHARD PRAIRIE	10967	10.23	10.23	10789	6.87	7.37
32	312	GREAT NORTHERN	11125	10.01	10.01	11788	0.00	0.00
32	325	NINE MILE FALLS	13483	7.32	7.42	11332	0.00	4.51
32	326	MEDICAL LAKE	13882	4.74	7.34	14598	5.34	7.37
32	354	MEAD	14612	0.00	4.06	13406	1.84	7.37
32	356	CENTRAL VALLEY	14249	0.79	7.53	14712	0.00	0.00
32	358	FREEMAN	12825	7.75	8.12	11325	6.87	7.37
32	360	CHENEY	14006	3.17	7.44	14083	2.01	7.37
32	361	EAST VALLEY	14292	0.00	6.55	14028	0.00	5.06
32	362	LIBERTY	12970	4.98	8.35	12910	4.91	7.37
32	363	WEST VALLEY	14057	2.24	7.52	14396	0.00	6.27
32	414	DEER PARK	12375	8.56	8.56	12644	6.87	7.37
32	416	RIVERSIDE	13777	7.11	7.11	12937	4.23	7.37
33	030	ONION CREEK	10000	0.00	12.18	12476	0.00	0.00
33	036	CHEWELAH	12835	8.75	8.85	12122	3.03	7.37
33	049	WELLPINIT	12712	8.20	8.20	14098	6.87	7.37
33	070	VALLEY	12036	8.94	8.94	12847	2.75	7.37
33	115	COLVILLE	12746	8.16	8.16	12239	6.87	7.37
33	183	LOON LAKE	11018	10.15	10.15	9606	6.87	7.37
33	202	SUMMIT VALLEY	10012	0.00	6.37	8858	6.87	7.37
33	205	EVERGREEN	11681	0.00	0.00	9584	6.87	7.37
33	206	COLUMBIA	12535	8.39	8.39	12585	0.00	0.00
33	207	MARY WALKER	12116	8.85	8.85	10373	1.95	7.37
33	211	NORTHPORT	11332	9.76	9.76	11449	5.41	7.37
33	212	KETTLE FALLS	12560	7.02	8.55	11518	0.65	7.37
34	002	YELM	13024	7.26	7.26	13806	0.00	5.37
34	003	NORTH THURSTON	14479	0.00	6.76	13891	0.76	7.37
34	033	TUMWATER	14795	0.00	5.99	13918	5.74	7.37

I hereby certify that this is LEAP Document #2 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M. Tierney

DON TIERNEY, Leap Administrator

DATE: 4/21/81

LEAP REPORTING
DATE 04/20/81 TIME 14:02

LEAP DOCUMENT #2

CNTY	DIST	NAME	CERTIFICATED 1980-81 BAS-SAL	CERTIFICATED 1981-82 % ENTL	CERTIFICATED 1982-83 % ENTL	CLASSIFIED 1980-81 AVG SAL	CLASSIFIED 1981-82 % ENTL	CLASSIFIED 1982-83 % ENTL
34	111	OLYMPIA	14309	0.65	7.49	15223	4.02	7.37
34	307	RAINIER	13415	5.87	7.79	11662	6.87	7.37
34	324	GRIFFIN	12093	8.87	8.87	14488	0.00	1.86
34	401	ROCHESTER	12832	6.82	8.25	11026	6.87	7.37
34	402	TENINO	13744	6.83	7.28	11182	6.87	7.37
35	200	WAHKIAKUM	13990	0.00	6.80	12433	6.75	7.37
36	101	DIXIE	10716	10.53	10.53	11391	6.87	7.37
36	140	WALLA WALLA	13679	7.21	7.21	14697	0.80	7.37
36	250	COLLEGE PLACE	12599	4.85	8.82	11375	6.51	7.37
36	300	TOUCHET	13394	7.49	7.49	11698	6.87	7.37
36	400	COLUMBIA	13550	7.34	7.34	12719	0.00	5.72
36	401	WAITSBURG	13437	5.53	7.73	13661	6.87	7.37
36	402	PRESCOTT	12916	7.98	7.98	14478	2.47	7.37
37	500	HIGH CASCADES		0.00	0.00		0.00	0.00
37	501	BELLINGHAM	14143	1.03	7.61	13858	2.56	7.37
37	502	FERNDALE	14230	2.05	7.36	13786	2.61	7.37
37	503	BLAINE	14027	0.89	7.76	14475	4.19	7.37
37	504	LYNDEN	13606	5.82	7.49	13254	6.87	7.37
37	505	MERIDIAN	13447	0.36	7.59	13633	1.28	7.37
37	506	NOOKSACK VALLEY	13486	6.02	7.60	14453	3.45	7.37
37	507	MOUNT BAKER	13702	5.58	7.42	13481	5.41	7.37
38	126	LACROSSE JOINT	13086	7.81	7.81	12974	6.87	7.37
38	264	LAMONT	13101	7.79	7.79	13175	0.29	7.37
38	265	TEKOA	11829	9.17	9.17	10423	2.26	7.37
38	267	PULLMAN	13623	5.28	7.55	14337	0.00	7.12
38	300	COLFAX	12712	8.20	8.20	13257	0.00	7.29
38	301	PALOUSE	11326	9.77	9.77	12453	6.87	7.37
38	302	GARFIELD	12872	8.67	8.67	13766	6.87	7.37
38	304	STEPTOE	12877	1.61	8.97	14511	6.87	7.37
38	306	COLTON	12680	8.16	8.24	13067	6.87	7.37
38	308	ENDICOTT	13817	0.00	5.75	13796	0.33	7.37
38	320	ROSALIA	12748	7.13	8.31	14012	0.00	3.87
38	322	ST JOHN	12144	7.95	8.94	12807	6.87	7.37
38	324	OAKESDALE	12341	8.60	8.60	13615	5.02	7.37
39	002	UNION GAP	13604	6.43	7.41	12880	3.52	7.37
39	003	NACHES VALLEY	13044	7.85	7.85	13413	6.87	7.37
39	007	YAKIMA	13519	6.45	7.50	15478	2.58	7.37
39	090	MOXEE	13232	7.66	7.66	13126	4.96	7.37
39	119	SELAH	13595	5.67	7.53	12134	6.87	7.37
39	120	MABTON	12083	8.89	8.89	12373	4.61	7.37
39	200	GRANDVIEW	13570	6.25	7.47	13423	2.08	7.37
39	201	SUNNYSIDE	14077	8.22	7.50	12977	6.87	7.37
39	202	TOPPENISH	13694	7.29	7.29	14227	6.69	7.37
39	203	HIGHLAND	13391	4.88	7.87	12747	6.34	7.37
39	204	GRANGER	13161	6.76	7.87	13557	3.70	7.37
39	205	ZILLAH	13118	7.44	7.83	13074	6.87	7.37
39	207	WAPATO	14017	3.83	7.33	14230	0.00	3.11
39	208	WEST VALLEY	13852	7.04	7.04	12441	6.15	7.37
39	209	MOUNT ADAMS	13341	7.55	7.55	18634	0.82	7.37
		TOTAL ALL DISTRICTS		3.48	6.83		3.37	6.84

I hereby certify that this is LEAP Document # 2 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M. Tierney

DON TIERNEY, Leap Administrator

DATE: 4/21/81

LEAP OFFICE

FORMULA UNIT WORKSHEET
LEAP DOCUMENT #3

DATE: 04/20/81
TIME: 11:19

	TOTAL	A		B		C		D	
1. PRESCHOOL HANDICAPPED		0.500		0.500					
2. ORTHOPEDICALLY IMPAIRED		0.440		0.290		0.250		0.020	
3. HEALTH IMPAIRED (N.I.)		0.200		0.280		0.480		0.040	
4. MENTALLY RETARDED/MILD		0.140		0.270		0.590			
5. MENTALLY RETARDED/MODERATE		0.510		0.250		0.240			
6. MENTALLY RETARDED/SEVERE		0.790		0.210					
7. MULTIHANDICAPPED		0.920		0.050		0.030			
8. DEAF		0.650		0.240		0.100		0.010	
9. HEARING IMPAIRED		0.500		0.310		0.170		0.020	
10. VISUALLY HANDICAPPED		0.350		0.190		0.270		0.190	
11. DEAF BLIND		1.000							
TOTAL									

A TOTAL / 005.400 =

B TOTAL / 010.400 =

C TOTAL / 026.900 =

D TOTAL / 028.000 =

INST/THERAPY UNITS _____

A+B+C+D PUPIL TOTAL / 114.000 =

INST/THERAPY+CDS+ASSEM / 030.000 =

TOTAL CERT UNITS _____

INST/THERAPY % 000.236 =

ADMIN % 001.000 =

TOTAL CLASSIFIED _____

I hereby certify that this is LEAP Document #3 referenced in the 1981-83 Appropriations Act (ESSB 3636).

Don M. Tierney

DON TIERNEY, Leap Administrator

DATE: 4/24/81

Washington State Capital Budget - Summary by Agency

$ in thousands

AGENCY NUMBER	NAME OF AGENCY	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
048	COURT OF APPEALS		1,040.9	1,041.0	.2
150	GENERAL ADMINISTRATION	5,406.0	26,660.8	23,952.0	2,708.8-
195	LIQUOR CONTROL BOARD				
225	WA STATE PATROL	125.0	1,226.5	1,226.5	
227	CRIMINAL JUSTICE TRNG CM				
235	DEPT LABOR & INDUSTRY				
245	MILITARY DEPARTMENT	100.0	1,162.4	1,277.0	114.6
3000	DSHS - HEADQUARTERS	26,938.0	3,891.6	4,555.9	664.3
3001	DSHS - ADULT CORRECTION	11,695.0	55,113.0	56,052.8	939.8
3002	DSHS - JUVENILE REHABILAT	1,940.0	4,559.1	2,913.1	1,646.0-
3003	DSHS - MENTAL HEALTH	25,928.0	5,230.0	4,605.0	625.0-
3004	DSHS - DEVEL DISABILITY	15,448.0	34,628.5	34,598.5	30.0-
305	VETERANS AFFAIRS	869.0	2,341.1	2,341.1	
345	STATE BOARD OF EDUCATION	133,800.0	128,798.0	184,700.0	55,902.0
352	ST BRD COMM COLLEGE EDUC.	13,908.0	15,201.6	16,945.7	1,744.1
354	COMM FOR VOC ED	4,159.0			
360	UNIVERSITY OF WASHINGTON	14,538.0	81,869.0	144,290.0	62,421.0
365	WASHINGTON ST UNIVERSITY	12,070.8	13,364.5	23,646.0	10,281.5
370	EASTERN WASH UNIVERSITY	4 882.0	2,498.6	7,730.0	5,231.4
375	CENTRAL WASH UNIVERSITY	4,047.3	3,608.8	4,559.0	950.2
376	EVERGREEN STATE COLLEGE	95.0	1,062.9	1,913.0	850.1
380	WESTERN WASH UNIVERSITY	4,358.0	4,120.3	3,864.0	256.3-
395	E W ST HISTORICAL SOCIETY				
405	TRANSPORTATION DEPT		844,001.9	1,204,495.9	360,494.0
461	DEPT OF ECOLOGY	1,493.7	3,460.8	3,157.6	303.2-
465	PARKS & RECREATION	6,674.9	6,332.0	7,504.0	1,172.0
470	COMMERCE & ECON DEVELOP	9,000.0			
480	DEPT OF FISHERIES	22,529.6	10,232.9	10,971.3	738.4
485	DEPT OF GAME	3,158.0	7,567.7	7,567.7	
490	DEPT OF NATURAL RESOURCES	9,221.0	12,981.4	15,531.4	2,550.0
540	EMPLOYMENT SECURITY		545.0	545.0	
	** GRAND TOTAL	332,384.3	1,271,499.3	1,769,983.5	498,484.3

Washington State Capital Budget - Project Summary - Court of Appeals

$ in thousands

FRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8101	DIVISION III FACILITY - SPOKANE		1,040.9	1,041.0	.2
	*TOTAL PROJECTS		1,040.9	1,041.0	.2

Washington State Capital Budget - Project Summary - General Administration

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7519	CAPITOL LAKE MIDDLE BASIN	2.0	214.9	215.0	.1
7901	RELOCATE STATE PRINTER				
7902	OLD CAPITOL BUILDING RENOVATION	3,200.0	4,821.0	4,821.0	
7904S	INSURANCE BUILDING	196.0	3,390.0	3,390.0	
7906	DEMOLISH OLD COURTHOUSE & WIDEN AVE				
7909	POWERHOUSE EQUIPMENT REPLACEMENT		987.3	987.0	.3-
7910A	CAMPUS ROOF REPAIRS		289.7	290.0	.3
7910B	STATE LIBRARY CODE COMPLIANCE				
7911	HVAC REPLACEMENT/MODIFICATION		441.0	441.0	
7912	CAMPUS ELECTRICAL REPAIRS	745.0	2,471.9	2,472.0	.1
7913	ELEVATOR/ESCALATOR REPAIR/REPLACEME	450.0	344.5	344.0	.5-
7915	CAPITOL CAMPUS GARAGE REPAIRS		489.6	490.0	.4
7916	EXTERIOR WALL CLEANING		140.0	140.0	
7919	HANDICAPPED ACCESS				
7920	CONSTRUCT GENERAL OFFICE BLDG.		3,345.9		3,345.9-
7920S	CAPITOL CAMPUS PARKING				
7922	PERCIVAL COVE RECREATION SITE				
7923	LEGISLATIVE CHAMBERS ART WORK				
7924	OB#2 CONTRACTOR CLAIM DEFENSE	213.0			
8101	STATE BUILDING ENERGY AUDIT		6,508.8	6,500.0	8.8-
8102	CAPITOL CAMPUS ENERGY CONSERVATION		468.2	468.0	.2-
8103	NORTHERN STATE HOSPITAL REPAIRS		1,205.5	1,206.0	.5

Washington State Capital Budget - Project Summary - General Administration

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8104	TEMPLE OF JUSTICE RENOVATION		770.0		770.0-
8105	ARCHIVES BUILDINGS RENOVATION		45.5	46.0	.5
8106	OMNIBUS REPAIR, REMODEL, RELOCATION	300.0	371.0	371.0	
8108	SPACE REMODEL & REARRANGEMENT				
8109	OB#2 WINDOW REPLACEMENT		106.0	106.0	
8110	CAPITOL AREA MASTER PLAN		250.0	250.0	
8112	CONSTRUCT MAINTENANCE BUILDING				
8113	STRUCTURAL SURVEY CAMPUS BUILDINGS				
8114	INFORMATION SIGNAGE				
8115	BOUNDARY SURVEY				
899A	OB#2 CONTRACTOR CLAIM SETTLEMENT			840.0	840.0
899B	LAND PURCHASE OTCC			500.0	500.0
899C	CAMPUS MISC MECH/ELEC	300.0			
899D	RENOVATE OLD COURTHOUSE			75.0	75.0
	*TOTAL PROJECTS	5,406.0	26,660.8	23,952.0	2,708.8-

Washington State Capital Budget - Project Summary - Washington State Patrol

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7902	PORT OF ENTRY WEIGH STATION-PLYMOUT	125.0	402.6	402.6	
8101	EMERGENCY REPAIRS RADIO RELAY SITES		44.8	44.8	
8102	RENOVATION AND REMODELING		120.0	120.0	
8103	EMERGENCY VEHICLE DRIVING - SHELTON		600.0	600.0	
8104	COMMUNICATIONS TOWER - BELLEVUE				
8105	MULTI-PURPOSE BUILDING - SHELTON				
8106	DISTRICT VI HEADQUARTERS - WENATCHE				
8107	VEHICLE REPAIR FACILITY - BELLEVUE		59.1	59.1	
8108	COMMUNICATIONS - POMEROY AREA				
8109	COMMUNICATIONS - OKANOGAN AREA				
8110	VEHCILE IMPOUND STORAGE - VARIOUS				
8111	COMMUNICATIONS - COSMOPOLIS HILL				
8112	COMMERCIAL VEHICLE INSPECT VANCOUVE				
8113	COMMUNICATIONS - OLYMPIC PENINSULA				
8114	CONSTRUCT WEIGH STATION - WHITMAN C				
8115	VEHICLE INSPECTION FACILITY - EVERE				
8116	COMMERCIAL VEHICLE INSPECT SPOKANE				
8117	COMMUNICATIONS - REPUBLIC, COLVILLE				
8118	STORAGE FACILITY - BELLEVUE				
8119	SECURITY ENCLOSURE & LIGHTING BELLE				
	*TOTAL PROJECTS	125.0	1,226.5	1,226.5	

Washington State Capital Budget - Project Summary - Military Department

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7702	VANCOUVER ARMORY	100.0	117.6	117.0	.6-
7703	PRECONSTRUCTION ACTIVITIES				
7904	WALLA WALLA ARMORY				
7905	REPLACE FURNACE FIRE UNITS		106.4	106.0	.4-
7906	SCHEMATIC PLANNING				
8101	MINOR REHABILITATION		500.0	450.0	50.0-
8102	PURCHASE PORT ANGELES ARMORY		300.0	300.0	
8103	FEDERAL WAY ARMORY		138.4	139.0	.6
8199A	TACOMA ARMORY REPAIRS			165.0	165.0
	*TOTAL PROJECTS	100.0	1,162.4	1,277.0	114.6

Washington State Capital Budget - Project Summary - DSHS - Headquarters

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
73-X	REFERENDUM 29	250.0			
79-X	REFERENDUM 37	24,800.0			
7909H	HANDICAPPED ACCESS	400.0			
8107	OMNIBUS PROJECTS	1,200.0	636.0	2,000.0	1,364.0
8110	PUBLIC HEALTH LABORATORY		1,115.9	1,115.9	
8111	ENERGY CONSERVATION		1,440.0	1,440.0	
8114	INFORMATION SYSTEMS				
8120	PREPLANNING	288.0			
8123	70 BED - BUREAU OF CHILDREN SERVICE				
8129	CENTRAL FOOD PROCESSING - MEDICAL L		699.7		699.7-
8140	100 BED NURSING HOME				
	*TOTAL PROJECTS	26,938.0	3,891.6	4,555.9	664.3

Washington State Capital Budget - Project Summary - DSHS - Adult Correction

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7703A	100 BED HONOR CAMP	100.0			
7907	300 BED MIN TO MED - WALLA WALLA	1,275.0			
8102	PHASE II - WALLA WALLA	2,900.0	19,450.2	19,450.2	
8137	IRRIGATION WELLS - WALLA WALLA				
8199C	FIRE & SAFETY - WALLA WALLA	220.0			
7906	120 BED HOUSING - SHELTON	500.0			
81	REPAIR FIRE DAMAGE - SHELTON		1,386.0	1,386.0	
8118	RENOVATE CLINIC - SHELTON				
8121	INSTITUTIONAL INDUSTRIES EQUIP.		287.0	500.0	213.0
8127	ACCREDITATION MASTER PLAN - SHELTON				
8132	SUNDRY IMPROVEMENTS - SHELTON				
8136	MULTI-PURPOSE BUILDING - SHELTON				
7910	MAXIMUM SECURITY - MONROE	1,000.0			
7922	VISTORS,DINNING/REC - MONROE	1,000.0			
8101	500 BED MAXIMUM - MONROE	4,000.0	28,433.3	28,433.3	
8109	PHASE I - MONROE		723.4	723.4	
8199D	FIRE & SAFETY - MONROE	700.0			
8131	RENOVATE CLINIC - PURDY				
81	REPAIR & ALTERATIONS - MCNEIL ISLAN		674.9	2,674.9	2,000.0
8107	OMNIBUS PROJECTS - ADULT CORRECTION		364.0		364.0-
8107A	ADDITIONAL OMNIBUS APPROPRIATION		1,600.0	1,600.0	
8199B	DESIGN FOR NEW 500 BED PRISON		2,194.2	1,285.0	909.2-
	*TOTAL PROJECTS	11,695.0	55,113.0	56,052.8	939.8

Washington State Capital Budget - Project Summary - DSHS - Juvenile Rehabilation

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7912	GROUP HOME IN EASTERN WA.	50.0			
7919	ACADEMIC/VOCATIONAL BLDG - NASELLE	650.0			
8125	KITCHEN & CLINIC - NASELLE		628.9	628.9	
7923	MULTI-SERVICE BLDG - MAPLE LANE	740.0			
7926	STEAM PLANT - MAPLE LANE	500.0			
8134	UTILITIES UPGRADE - MAPLE LANE				
8106	GROUP HOME - PIONEER		275.0	275.0	
8112	ROOF REPAIR - ECHO GLEN		1,409.2	209.2	1,200.0-
8115	FACILITIES UPGRADE - GREEN HILL		2,246.0	1,800.0	446.0-
8130	COTTAGE SECURITY - GREEN HILL				
8135	UTILITIES UPGRADE - GREEN HILL				
8119	CLASSROOM BLDG - MISSION CREEK				
	*TOTAL PROJECTS	1,940.0	4,559.1	2,913.1	1,646.0-

Washington State Capital Budget - Project Summary - DSHS - Mental Health

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8105	EQUIPMENT - WESTERN & EASTERN		3,305.0	3,305.0	
8108	CHILD STUDY EXPANSION		625.0		625.0-
8117	NEW HOSPITALS - WESTERN & EASTERN				
7911	130 BED NON-OFFENDER - EASTERN	9,835.0			
810A	RENOVATE FOR ACCREDITATION - EASTER	50.0			
8138	ROAD PAVING - EASTERN				
7905	225 BED NON-OFFENDER - WESTERN	15,793.0			
7913	RENOVATE FOR ACCREDITATION - WESTER	150.0			
8113	HEALTH & SAFETY - WESTERN				
8133	FACILITY IMPROVEMENTS - WESTERN	100.0	1,300.0	1,300.0	
8139	HISTORICAL COTTAGES - WESTERN				
	*TOTAL PROJECTS	25,928.0	5,230.0	4,605.0	625.0-

Washington State Capital Budget - Project Summary - DSHS - Developmental Disability

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7921	PHASE III - FIRCREST	2,100.0			
8124	MULTI-PURPOSE - FIRCREST				
8126	EVALUATION & DIAGNOSTIC - FIRCREST				
7928	PHASE II - SCHOOL FOR THE BLIND	150.0			
7936	HEATING & VENTILATING - INTERLAKE	300.0			
8122	EDUCATION/THERAPY - INTERLAKE				
7950	HANDICAPPED CENTER - S. KING CNTY	400.0			
8103	PHASE III - RAINIER	3,900.0	18,597.2	18,597.2	
8104	PHASE III - LAKELAND VILLAGE	6,930.3	9,336.7	9,336.7	
8116	PHASE II - YAKIMA VALLEY	1,000.0	6,664.6	6,664.6	
8128	PHASE II - FRANCIS HADDON MORGAN	667.7	30.0		30.0-
	*TOTAL PROJECTS	15,448.0	34,628.5	34,598.5	30.0-

Washington State Capital Budget - Project Summary - Veterans Affairs

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7904	LAUNDRY FACILITY - VETERANS HOME	869.0			
8101	REPAIR AND IMPROVE FACILITIES -		1,044.9	1,044.9	
8102	DOMESTIC WATER SUPPLY - SOLDIERS		390.3	390.3	
8103	HEATING RENOVATIONS - SOLDIERS		551.3	551.3	
8104	FOOD SERVICE AND COMMISSARY				
8105	ADMINISTRATION BUILDING REMODEL -				
8106	CLINIC - VETERANS HOME		354.6	354.6	
8107	PREPLANNING - NEW VETERANS				
	*TOTAL PROJECTS	869.0	2,341.1	2,341.1	

Washington State Capital Budget - Project Summary - State Board of Education

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7701E	PUBLIC SCHOOL BUILDING CONSTRUCTION				
7901A	PUBLIC SCHOOL BUILDING CONSTRUCTION	133,800.0			
7901B	HANDICAPPED ACCESS				
7901C	PUBLIC SCHOOL BUILDING CONSTRUCTION				
8101	PUBLIC SCHOOL BUILDING CONSTRUCTION		128,798.0	184,700.0	55,902.0
	*TOTAL PROJECTS	133,800.0	128,798.0	184,700.0	55,902.0

Washington State Capital Budget - Project Summary - State Board of Comm. College Ed.

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7701	CONTINUING COMMUNITY COLLEGE	13,908.0			
7910	HVAC IMPROVEMENTS				
7919	DUWAMISH VOCATIONAL COMPLEX				
7920	CENTRALIA COLLEGE VOCATIONAL				
7921	HANDICAP MODIFICATIONS				
7925	NORTH SEATTLE PE				
7926	LOWER COLUMBIA VOC/OFFICE				
8101	EMERGENCY CAPITAL REPAIR		2,200.1	2,200.0	.1-
8101A	SEATTLE CENTRAL PARKING			352.0	352.0
8101B	BIG BEND BUS/VOC			1,000.0	1,000.0
8102	REPAIR AND MINOR IMPROVEMENT		2,973.5	2,974.0	.5
8103	EDMONDS IMPROVEMENTS		144.0	144.0	
8104	CODE PROJECTS		608.6	609.0	.4
8105	REPAIR AND MINOR IMPROVEMENT		3,200.7	3,200.7	
8106	MINOR PROJECTS		110.7	111.0	.3
8107	EMERGENCY CAPITAL REPAIR		500.0	500.0	
8108	EMERGENCY ROOF REPAIR				
8109	SYSTEM RMI FUNDS		2,500.0	2,500.0	
8110	HANDICAPPED ACCESS (2 PROJECTS)				
8111	MINOR IMPROVEMENTS (22 PROJECTS)		1,636.1	1,636.0	.1-
8112	MINOR IMPROVEMENTS-NEW (6 PROJECTS)		712.4	712.0	.4-
8113A	MINOR SITE IMPROVEMENTS (5 PROJECTS				

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8113B	MINOR SITE IMPROVEMENTS (2 PROJECTS		108.5	109.0	.5
8114	VOCATIONAL BLDG SPOKANE CC				
8115	AG TECH/CROPLAND WALLA WALLA CC				
8116	PURCHASE REMODEL DORM OLYMPIC COLLE				
8117	ALLIED HEALTH/SCIENCE BLDG. WENATCH				
8118	PE FACILITY SEATTLE CENTRAL CC				
8119	CLASSROOM/LAB ADDITION FT STEILACOO				
8120	ADMIN ADDITION/REMODEL EVERETT CC				
8121	PE AUDITORIUM FACILITY COLUMBIA BAS				
8122	WAREHOUSE/MAINT FACILITY BELLEVUE C				
8123	SAFETY/CODE COMPLIANCE SPOKANE FALL				
8124	AUDITORIUM/OFFICE COMPLEX YAKIMA VC				
8125	STUDENT CENTER TACOMA CC				
8126	PURCHASE INSTRUCTIONAL FACIL. WALLA				
8127	PERFORMING ARTS FACIL. EDMONDS CC				
8128	PE ADDITION SKAGIT VALLEY				
8129	MUSIC/OFFICE BUILDING GREEN RIVER C				
8130	BUSINESS OCCUPATIONS BLDG CLARK COL				
8131	VOCATIONAL FACILITIES SOUTH SEATTLE				
8132	FOOD SERVICE FACILITIES HIGHLINE CC				
8133	PE ADDITION TACOMA CC				
8134	LRC ADDITION/REMODEL SKAGIT VALLEY				

Washington State Capital Budget - Project Summary - State Board of Comm. College Ed.

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8135	SCIENCE ADDITION SPOKANE FALLS CC				
8136	STUDENT CENTER OLYMPIC COLLEGE				
8137	MAINT/STORAGE BLDG. TACOMA CC				
8138	PURCHASE DORMITORY YAKIMA VALLEY		507.0	507.0	
819A	REMODEL/RELOCATE FACILITIES-LCC			391.0	391.0
	*TOTAL PROJECTS	13,908.0	15,201.6	16,945.7	1,744.1

Washington State Capital Budget - Project Summary - Comm. for Vocational Education

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7902	FIRE SERVICE TRAINING CENTER	4,159.0			
	*TOTAL PROJECTS	4,159.0			

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7702	BAGLEY HALL RENOVATION PHASE III	400.0			
7900H	HANDICAPPED ACCESS				
7901	MINOR REPAIRS AND IMPROVEMENTS	750.0		2,165.0	2,165.0
7902	UTILITIES AND SERVICES	1,000.0			
7903	EAGLESON HALL REMODEL	150.0			
7904	RAITT HALL RENOVATION AND REMODEL	2,850.0	1,448.0	1,448.0	
7906	HEALTH SCIENCES D-WING RENOVATION	1,368.0			
7907	HEALTH SCIENCES INTRAMURAL DENTISTR	429.0			
7908	STAFF PERSONNEL OFFICE RENOVATION	507.0			
7910	HEALTH SCIENCES E & F WING RENOVA-	250.0	3,514.0	3,514.0	
7912	HEALTH SCIENCES E WING MECHANICAL	300.0			
7913	JOHNSON ANNEX B RESTORATION	154.0			
7915	PACK FOREST LABORATORY AND HOUSING	130.0			
7916	FRIDAY HARBOR HOUSING REPLACEMENT	200.0			
7917	BIG BEEF CREEK LABORATORY IMPROVE-	50.0			
7920	BIOLOGICAL SCIENCES FACILITY	3,648.0	2,366.0	2,366.0	
7921	PHYSICAL PLANT OFFICE BUILDING	410.0			
7922	PURCHASING/ACCOUNTING BUILDING	942.0			
7930	IMA LOCKER ROOM ADDITION		1,990.0	1,990.0	
7931	UNION BAY VILLAGE REPLACEMENT	1,000.0			
8101	MINOR REPAIRS AND IMPROVEMENTS		4,726.0	4,726.0	
8102	ROBERTS HALL			657.0	657.0

Washington State Capital Budget - Project Summary - University of Washington

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8103	PARRINGTON HALL RENOVATION			64.0	64.0
8104	FISHERIES CENTER REMODEL			43.0	43.0
8105	JOHNSON HALL RENOVATION			55.0	55.0
8106	HSB G WING RENOVATION			43.0	43.0
8113	EQUIPMENT REPLACEMENT		6,843.0	6,843.0	
8114A	POWER PLANT IMPROVEMENTS		470.0	470.0	
8114B	PLANT SERVICES BUILDING UTILITY		290.0	290.0	
8114C	ELECTRICAL DISTRIBUTION SYSTEM				
8114D	SUPERVISORY CONTROL SYSTEM EXTENSIO		250.0	250.0	
8114E	MEMORIAL WAY SEWER				
8115	GROUNDS/TRANSPORTATION				
8116A	ENERGY CONSERVATION BOILER REPLACE-		6,000.0	6,000.0	
8116B	ENERGY CONSERVATION HEAT RECOVERY		500.0	500.0	
8116C	ENERGY CONSERVATION ENERGY AUDITS				
8116D	ENERGY CONSERVATION PIPE INSULATION		600.0	600.0	
8116E	ENERGY CONSERVATION CHILLED WATER		250.0	250.0	
8116F	ENERGY CONSERVATION - GENERAL		360.0	360.0	
8117	MARINE SCIENCES IA		5,457.0	5,457.0	
8118	LIBRARY STACKS FACILITY				
8119	VERTICAL ACCELERATOR				
8120	PUBLIC HEALTH/PHARMACY				
8121	UNION BAY ARBORETUM		2,708.0	2,708.0	

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8122	PHYSICS ADDITION				
8123	PACK FOREST DORMITORY				
8124	PURCHASING/ACCOUNTING BASEMENT				
8125	JOINT CENTER LIBRARY				
8133A	UNIVERSITY HOSPITAL EQUIPMENT AND		6,880.0	6,880.0	
8133B	HOSPITAL CONSOLIDATED LAUNDRY		3,194.0	5,323.0	2,129.0
8133C	HOSPITAL GENERAL SERVICES FACILITY		3,204.0	3,204.0	
8133D	UNIVERSITY HOSPITAL EXPANSION		1,621.0	58,886.0	57,265.0
8134	NN COURT EXPANSION		9,855.0	9,855.0	
8135	WEST CAMPUS APARTMENTS		9,558.0	9,558.0	
8136	COMMODORE/DUCHESS APARTMENT		2,900.0	2,900.0	
8137	SOUTHWEST CAMPUS PARKING GARAGE		6,885.0	6,885.0	
	*TOTAL PROJECTS	14,538.0	81,869.0	144,290.0	62,421.0

Washington State Capital Budget - Project Summary - Washington State University

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7901	MINOR CAPITAL IMPROVEMENTS	3,185.0	4,927.0	7,136.0	2,209.0
7902	MORRILL HALL REMODELING	985.0			
7908	HANDICAPPED ACCESS IMPROVEMENTS	2,740.0			
7909	WEGNER HALL REMODELING & ADDITION	3,182.8			
7910	MULTIPURPOSE ANIMAL HOLDING FACILIT	1,978.0			
7911	GENERAL SERVICES, PHASE III (RECEIV				
8101	MINOR CAPITAL IMPROVEMENTS				
8102	FULMER HALL RENOVATION, PHASE II		2,340.0	2,340.0	
8103	ARCHITECTURE/INTERIOR DESIGN/LAND-				
8104	COLLEGE HALL RENOVATION			3,891.0	3,891.0
8105	SCIENCE HALL RENOVATION, PHASE I			4,181.0	4,181.0
8106	WHITE HALL REMODELING & ADDITION				
8107	FOOD PROCESSING PILOT PLANT/NUTRITI				
8108	HOLLAND LIBRARY RENOVATION				
8109	MECHANICAL ENGINEERING BUILDINGS				
8110	VETERINARY CLINIC EXPANSION				
8111	FARM SERVICES SHOP & STORAGE FACILI				
8112	POWER & ENGINES LABORATORY				
8113	MCCOY HALL REMODELING, PHASE II				
8114	HEALD HALL GREENHOUSES				
8115	KIMBROUGH MUSIC BUILDING ADDITION				
8116	MARRIED STUDENT HOUSING REPLACEMENT		3,815.0	3,815.0	
8117	EQUIPMENT REPLACEMENT		2,282.5	2,283.0	.5
	*TOTAL PROJECTS	12,070.8	13,364.5	23,646.0	10,281.5

Washington State Capital Budget - Project Summary - Eastern Washington University

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7504	MAINTENANCE/WAREHOUSE ADDITION				
7701	HPERA PHASE IV FIELDHOUSE	295.0			
7702	HEALTH, SAFETY AND HANDICAPPED	17.0			
7901	MARTIN HALL REMODELING	2,600.0	625.0	625.0	
7903	MINOR CAPITAL IMPROVEMENTS	700.0			
7904	HANDICAPPED ACCESS IMPROVEMENTS	210.0			
7906	AQUATICS BUILDING	60.0			
8101	SCIENCE LABORATORY ADDITION				
8102	STUDENT SERVICES REMODEL			5,231.0	5,231.0
8103	KENNEDY LIBRARY ADDITION				
8104	ELECTRIC PRIMARY 4KV-12KV				
8105	MINOR CAPITAL IMPROVEMENTS	1,000.0	1,473.6	1,474.0	.4
8106	ENERGY CONSERVATION PROJECTS				
8107	REMODEL RECEIVING WAREHOUSE				
8108	REMODEL ISLE HALL SPACE				
8109	EQUIPMENT REPLACEMENT		400.0	400.0	
	*TOTAL PROJECTS	4,882.0	2,498.6	7,730.0	5,231.4

Washington State Capital Budget - Project Summary - Central Washington University

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
750A	FIRE TRUCK	40.0			
7523	LAND PURCHASE	3.6			
7537	PARKING LOT DEVELOPMENT	2.7			
7702	UTILITIES EXTENSIONS	119.0			
7703	REMODEL BOUILLON	20.0			
7704	SAFETY CORRECTIONS - RANDALL	5.0			
7706	WISHA SAFETY CORRECTIONS	53.0			
7707	MODIFICATIONS FOR THE HANDICAPPED	50.0			
7902	MINOR CAPITAL IMPROVEMENTS	1,823.0	640.4	890.0	249.6
7903	UTILITIES IMPROVEMENTS	900.0			
7907	HANDICAP MODIFICATIONS	444.0			
7908	BOTANY GREENHOUSE	40.0			
7910	MC CONNELL HALL AND WILDCAT SHOP	512.0			
7918	RE-ROOF GETZ AND SHORT APARTMENTS,	30.0			
810A	COMPUTER SYSTEMS			700.0	700.0
8101	NICHOLSON PAVILION - ADDITION				
8102	BARGE HALL - RENOVATION	5.0			
8103	MINOR CAPITAL IMPROVEMENTS				
8104	ASBESTOS REMOVAL		238.7	239.0	.3
8105	UTILITIES IMPROVEMENTS		269.5	270.0	.5
8106	ENERGY SAVINGS - BOILER HOUSE		535.2	535.0	.2-
8107	ENERGY SAVINGS - SUPERVISORY CONTRO		1,100.0	1,100.0	

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8108	COMPUTER CENTER - ADDITION				
8109	DEAN HALL - BIOLOGY ANNEX				
8110	STEAM LINE - D TO CHESTNUT STREETS				
8111	HOGUE TECH. - STORAGE AND FINISH				
8112	PSYCHOLOGY BUILDING-LAB A/C SYSTEM				
8113	LIND HALL - GEOLOGY REMODEL				
8114	ELECTRICAL FEEDER SUB 1A - BOILER				
8115	11TH AVENUE MALL-WALNUT TO CHESTNUT				
8116	DEAN HALL - CONVERT GREENHOUSE TO				
8117	ENERGY AUDITS				
8122	EQUIPMENT REPLACEMENT		425.0	425.0	
8123	HOUSING & FOOD SERVICES		400.0	400.0	
	*TOTAL PROJECTS	4,047.3	3,608.8	4,559.0	950.2

Washington State Capital Budget - Project Summary - Evergreen State College

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7902	HANDICAPPED ACCESS				
7903	REROOF LIBRARY BUILDING	95.0	432.0	432.0	
7904	OUTDOOR RECREATION FIELDS			580.0	580.0
8102	REROOF SEMINAR BUILDING		60.9	61.0	.1
8103	CODE COMPLIANCE				
8104	ENERGY PROJECTS		120.0	120.0	
8105	MINOR CAPITAL IMPROVEMENTS				
8106	GYMNASIUM			270.0	270.0
8107	EQUIPMENT REPLACEMENT		450.0	450.0	
	*TOTAL PROJECTS	95.0	1,062.9	1,913.0	850.1

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8101	CONSTRUCTION MANAGEMENT		15,937.0	14,908.0	1,029.0-
8102	HIGHWAY CONSTRUCTION CAT#A		197,000.0	292,780.0	95,780.0
8103	HIGHWAY CONSTRUCTION CAT#B		370,000.0	440,760.0	70,760.0
8104	HIGHWAY CONSTRUCTION CAT#C		11,000.0	60,940.0	49,940.0
8105	MARINE		81,164.9	81,550.9	386.0
8106	COUNTY-CITY PROGRAM		168,900.0	168,900.0	
8107	RECREATIONAL VEHICLE			657.0	657.0
8108	HOOD CANAL BRIDGE			143,000.0	143,000.0
8109	N. RICHLAND TOLL BRIDGE			1,000.0	1,000.0
	*TOTAL PROJECTS		844,001.9	1,204,495.9	360,494.0

Washington State Capital Budget - Project Summary - Western Washington University

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7703	CONSOLIDATED RECEIVING AND WAREHOUS	20.0			
7901	SOUTH CAMPUS FIELDS/GROUNDS	200.0			
7903	CITY OF BELLINGHAM/WWU FIRE STATION				
7905	HANDICAP ACCESS	100.0			
7908	SOUTH ACADEMIC BUILDING	3,788.0	1,100.0	843.0	257.0-
8101	CARVER GYMNASIUM ADDITION & REMODEL				
8102	COLLEGE HALL REMODEL				
8103	TECHNOLOGY BUILDING				
8104	HAGGARD HALL REMODEL				
8105	LAND ACQUISITION		250.0	250.0	
8106	MINOR CAPITAL IMPROVEMENTS, BUILDIN	250.0	1,268.5	1,269.0	.5
8107	CAPITAL IMPROVEMENTS,		500.0	500.0	
8108	CAPITAL IMPROVEMENTS,		60.0	60.0	
8109	SHANNON POINT MARINE CENTER				
8110	SOLID WASTE INCINERATION		386.0	386.0	
8111	EQUIPMENT REPLACEMENT		555.8	556.0	.2
	*TOTAL PROJECTS	4,358.0	4,120.3	3,864.0	256.3-

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7702A	ALTA LAKE SEWAGE SYSTEM	112.8			
7702B	ILLAHEE SHOWER AND DRAINFIELD	8.6			
7702C	LAKE CHELAN SEPTIC TANK	25.4			
7702D	FORT COLUMBIA - STORM SEWER	17.0			
7702E	BLAKE ISLAND SEWAGE SYSTEM	215.7			
79A	WASTE DISPOSAL FAC STATE-WIDE	713.0			
79B	WATER SUPPLY FAC STATE-WIDE	197.2			
8101	PADILLA BAY ESTUARINE SANCTUARY		1,662.9	1,662.9	
8102	EXTREMELY HAZARDOUS WASTE DISPOSAL		303.2		303.2-
8103	TEST OBSERVATION WELLS	204.0	480.0	480.0	
8104A	MARINE PARKS SEWAGE DISPOSAL (CM)		127.1	127.1	
8104B	GREEN RIVER GORGE SEWER SYSTEM		85.2	85.2	
8104C	MARINE PARKS SEWAGE DISPOSAL (PP)		104.8	104.8	
8105	SAINT EDWARD - WATER SYSTEM HOOKUP		183.6	183.6	
8106	JONES ISLAND WATER SYSTEM EXPANSION		48.3	48.3	
8107	BLAKE ISLAND - EXTEND WATER SYSTEM		87.7	87.7	
8108	ANDERSON LAKE - WATER & ELECTRICITY		65.8	65.8	
8109	LARRABEE - WATER SYSTEM RENOVATION		43.6	43.6	
8110	WESTHAVEN - WATER SYSTEM CONNECTION		77.7	77.7	
8111	FIELDS' SPRING - WATER SYSTEM		107.3	107.3	
8112	SUN LAKES - WATER SYSTEM IMPROVEMEN		83.6	83.6	
	*TOTAL PROJECTS	1,493.7	3,460.8	3,157.6	303.2-

Washington State Capital Budget - Project Summary - Parks and Recreation

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7701	MODERNIZATION/IMPROVEMENTS	281.4			
7702A	FORT WARD DEVELOPMENT	88.0			
7702B	WHATCOM C. TRAILS	30.0			
7909	CONCONULLY ACQ.	16.0			
7912	COPALIS OB ACCESS	218.0			
7913	GREEN RIVER GORGE	1,000.0			
7919	FORT CANBY DEV.	88.0			
7920	SPENCER SPIT DEV.	638.0			
7922	SQUAK MOUNTAIN ACQ.	78.0			
7927	CAMP WOOTEN RENO.	109.0			
7933	CLALLAM SPIT DEV.	179.0			
799A	RECREATIONAL SITIES STATE-WIDE	3,574.5			
8101	ALL AREAS--EMERGENCY FUND		350.0	350.0	
8102	HALEY PROPERTY--STAGED ACQUISITION		300.0	300.0	
8103	GRAYLAND BEACH--STAGED ACQUISITION.		300.0	300.0	
8104	GREEN RIVER GORGE--STAGED ACQUISITI		500.0	500.0	
8105	YAKIMA GREENWAY--ACQUISITION.		150.0	150.0	
8106	AUBURN GAME FARM--ACQUISITION.		1,500.0	1,500.0	
8107	MARINE PARKS--SEWAGE DISPOSAL				
8108	GREEN RIVER GORGE/FLAMING GEYSER				
8109	FORT CANBY--ROOF REPAIR		52.6	52.6	
8110	FORT WORDEN--BREAKWATER REPAIR.		193.8	193.8	

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8111A	SAINT EDWARD--BUILDING REMODEL.			297.0	297.0
8111B	SAINT EDWARD--INITIAL DAY USE DEVEL				
8111C	SAINT EDWARD--WATER SYSTEM HOOK-UP.				
8112	POTHOLES--BOAT LAUNCH RENOVATION.		30.6	30.6	
8113	SPENCER SPIT (MARINE COMPLEX)--				
8114	CENTRAL FERRY--SHOP REPLACEMENT.				
8115	LYONS FERRY--SHOP REPLACEMENT.				
8116	MOUNT SPOKANE--CHAIN-UP AREA				
8117	SUN LAKES (CAMP DELANEY ELC)				
8118	DECEPTION PASS--BOAT MOORAGE EXPAN		44.8	44.8	
8119	JONES ISLAND--WATER SYSTEM EXPAN				
8120	BLAKE ISLAND--EXTEND WATER SYSTEM.				
8121	RIVERSIDE--CAMPGROUND AND DAY USE		300.0	300.0	
8122	MOUNT SPOKANE--TRAIL SYSTEM DEVELOP		200.0	200.0	
8123	FORT WORDEN--KITCHEN		179.8	179.8	
8124A	REGION III HEADQUARTERS--PURCHASE		145.0	145.0	
8124B	REGION III HEADQUARTERS--PHASE II				
8125	SPENCER SPIT--RESIDENCE CONSTRUCTIO				
8126	SEAQUEST--SHOP CONSTRUCTION.				
8127	LAKE EASTON--SNOW SHOP.				
8128	ANDERSON LAKE--POTABLE WATER				
8129	COLUMBIA/SNAKE RIVERS--BOATER				

Washington State Capital Budget - Project Summary - Parks and Recreation

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8130	SQUAK MOUNTAIN--DAY USE DEVELOPMENT				
8131	LOWER COLUMBIA (HUMP ISLAND)		21.2	21.2	
8132	LAKE NEWPORT--INITIAL DAY USE '				
8133	HELEN MCCABE--INITIAL DEVELOPMENT.				
8134	SEAQUEST--ACQUIRE DNR LAND.		80.0	80.0	
8135	BIRCH BAY--TIDELAND ACQUISITION.				
8136	HORSEHEAD BAY--ACQUISITION.				
8137	PARADISE POINT--ACQUISITION		51.6	51.6	
8138	LAKE CHELAN--ENTRANCE DEVELOPMENT.		225.6	225.6	
8139	GENE COULON PARK--BOAT LAUNCH RENO-				
8140	TWENTY-FIVE MILE CREEK--RENOVATE		268.0	268.0	
8141	LARRABEE--WATER SYSTEM RENOVATION.				
8142	BOGACHIEL--UNDERGROUND BULK GAS				
8143	WESTHAVEN--WATER SYSTEM CONNECTION.				
8144	SNOQUALMIE RAILROAD--ACQUISITION.				
8145	LAKE SYLVIA--DAM INSPECTION AND REP				
8146	DECEPTION PASS (CORNET BAY ELC)				
8147	FIELDS' SPRING--WATER SYSTEM				
8148	SUN LAKES--WATER SYSTEM IMPROVEMENT				
8149	LAKE CHELAN--1977-79 FACILITIES		192.8	192.8	
8150	GINKGO (WANAPUM)--SWIMMING BEACH				
8151	SALTWATER--DAY USE RENOVATION.		115.6	115.6	

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8152	LARRABEE--CAMPGROUND RENOVATION.		137.2	137.2	
8153	CONCONULLY--SWIM AREA IMPROVEMENTS.				
8154	MILLERSYLVANIA--RENOVATE ELC				
8155	WENBERG--DAY USE RENOVATION.		134.2	134.2	
8156	MARINE PARKS--BOAT MOORAGE RENOVATE		432.4	432.4	
8157	BEACON ROCK--DAY USE/CAMPING AREA				
8158	SACAJAWEA--SHOP REPLACEMENT.				
8159	REGION III--SHOP COMPLETIONS.				
8160	SUN LAKES--NEW SMALL DAY USE				
8161	ALTA LAKE--CAMP AREA COMFORT				
8162	MOUNT SPOKANE--CHAIN-UP DEVELOPMENT				
8163	LAKE EASTON--45-UNIT CAMPGROUND.				
8164	FORT EBEY--SHOP CONSTRUCTION.				
8165	LEADBETTER POINT--SHOP CONSTRUCTION				
8166	SEAQUEST--HIKING TRAILS.				
8167	PUGET SOUND--BOATER ACCESS				
8168	UNDERWATER PARKS--ACQUISITION				
8169	OLMSTEAD PLACE--ACQUISITION				
8170	STATEWIDE TRAILS--ACQUISITION				
8171A	MILLERSYLVANIA--CCC BUILDING RESTOR		249.4	249.4	
8171B	MILLERSYLVANIA--CCC RESIDENCE				
8172	MARINE PARKS--SEWAGE DISPOSAL.				

Washington State Capital Budget - Project Summary - Parks and Recreation

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8173	DECEPTION PASS--RENOVATE PIER				
8174	BIRCH BAY--RENOVATE 25 CAMPSITES.		125.4	125.4	
8175	FORT CASEY--SHORELINE PROTECTION.		52.0	52.0	
8176	FORT WORDEN--BUILDING INSULATION.				
8177	MORAN--ELC PARKING LOT.				
8178	SEQUIM BAY--RESIDENCE REPLACEMENT.				
8179	REGION III PARKS--RESIDENCE				
8180	BELFAIR--RESIDENCE REPLACEMENT.				
8181	SALTWATER--SHOP REPLACEMENT.				
8182	MOUNT SPOKANE--SHOP EQUIPMENT				
8183	MARYHILL-50-UNIT CAMPGROUND.				
8184	MOUNT SPOKANE--NO. 2 PARKING LOT				
8185	ACQUIRE COMM SCH TRUST LAND			400.0	400.0
819A	GREEN RIVER BANK ACQUISITION	375.0		375.0	375.0
819B	MT ST HELENS VISITOR CENTER			100.0	100.0
	*TOTAL PROJECTS	6,674.9	6,332.0	7,504.0	1,172.0

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7901	PNW FESTIVAL FACILITY CONSTRUCTION	5,000.0			
7902	CULTURAL FACILITIES CONSTRUCTION	3,000.0			
7999A	REGIONAL INDIAN CULTURAL FACILITY	1,000.0			
8199A	JAPANESE-AMER INTERNMENT MONUMENT				
	*TOTAL PROJECTS	9,000.0			

Washington State Capital Budget - Project Summary - Department of Fisheries

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7701A	HEALTH, SAFETY AND CODE REQUIREMENT	655.0	248.7	248.7	
7701B	POLLUTION ABATEMENT, POND CLEANING	732.0	1,269.7	1,269.7	
7701C	HANDICAP ACCESS	243.0	256.6	256.6	
7702	REPLACEMENT & ALTERATIONS	1,466.0			
7702A	SKAGIT HATCHERY,JORDAN CREEK STABIL	216.0	224.3	224.3	
7703	EFFICIENCY IMPROVEMENTS	542.0			
7704	SALMON ENHANCEMENT PROGRAM	15,940.0		2,000.0	2,000.0
7705	ORA - REAPPROPRIATIONS	440.0			
7903	AUXILLIARY GENERATIORS	18.0	629.6	629.6	
7908	ARTIFICIAL REEFS	410.0			
7909	WESTPORT WALKWAYS	124.0			
7911	HOOD CANAL BRIDGE FISHING ACCESS	380.0			
7912	SNOW CREEK ACCESS	645.0			
7917	TACOMA PUBLIC FISHING PIER	678.6	198.6	198.6	
8101	AUXILLIARY FUEL TANKS		175.0	175.0	
8102	HUMPTULIPS HATCHERY, INTAKE		331.7	331.7	
8103	GREEN RIVER HATCHERY, SAND SEPARATO		91.2	91.2	
8104	BUCK CREEK HOLDING AND SPAWNING		340.8	340.8	
8105	LEWIS RIVER ADULT HOLDING		439.5	439.5	
8106	GEORGE ADAMS HATCHERY, INCUBATION		392.8	392.8	
8107	SUNSET FALLS FISHWAY INTAKE		133.4	133.4	
8108	GREEN RIVER HATCHERY EROSION CONTRO		39.5	39.5	

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8109	VOLATILE PRODUCTS STORAGE SHED		56.2	56.2	
8110	WASHOUGAL HATCHERY, ELECTRIC SERVIC		77.3	77.3	
8111	HATCHERY INCUBATORS, LEWIS RIVER		231.6	231.6	
8112	INCUBATION FILTERS AT HATCHERIES				
8113	SPAWNING GRAVEL CLEANING MACHINE				
8114	PUGET SOUND BEACH ACCESS, VARIOUS		200.0	200.0	
8115	SKAGIT HATCHERY, INTAKE REVISION		161.9	161.9	
8116	PURCHASE MONTESANO LABORATORY				
8117	PILOT SHELLFISH HATCHERY				
8118	WASHOUGAL HATCHERY STORAGE BUILDING		59.8	59.8	
8119	ROOF REPLACEMENTS		51.6	51.6	
8120	SIMPSON HATCHERY REVISED INCUBATION		122.1	122.1	
8122	PUYALLUP HATCHERY BUILDING RENOVATI		130.6	130.6	
8123	HOOD CANAL HATCHERY, ASPHALT WORK		14.6	14.6	
8124	ELWHA GAS ISLAND		9.2	9.2	
8125	HUMPTULIPS HATCHERY BOOSTER PUMP		9.9	9.9	
8126	SKYKOMISH HATCHERY, HOLDING POND		194.7	194.7	
8127	IMPROVEMENT TO FRESHWATER SYSTEM		20.7	20.7	
8128	HURD CREEK, REPLACE GRAVITY PIPELIN		179.2	179.2	
8129	ISSAQUAH HATCHERY POND DRAINS		207.3	207.3	
8130	DEEP SALTWATER PIPE SYSTEM		68.6	68.6	
8131	EXPLORATION, SURVEYS AND DESIGN				

Washington State Capital Budget - Project Summary - Department of Fisheries

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8132	SPAWNING GRAVEL RESTORATION				
8133	LAND ACQUISITION				
8134	NEW CONSTRUCTION, STORAGE BUILDINGS		154.1	154.1	
8135	WASHOUGAL HATCHERY, INCUBATION		136.4	136.4	
8136	GARRISON HATCHERY, DOMESTIC WATER		29.4	29.4	
8137	SKYKOMISH HATCHERY INCUBATION		406.2	406.2	
8138	SKYKOMISH HATCHERY STATION MAJOR				
8139	ADULT TRAPPING WEIRS AND EGG BOXES		140.9	140.9	
8140	SOLEDUCK HATCHERY, SEPARATORS	40.0	58.1	58.1	
8141	GRAYS RIVER HATCHERY, INCUBATION		160.1	160.1	
8142	KALAMA FALLS PERMANENT SILLS		364.9	364.9	
8143	ELOKOMIN HATCHERY POND		71.5	71.5	
8144	WILLIPA LAB SEAWATER SYSTEM		8.8	8.8	
8145	BRINNON LAB PAVING		47.0	47.0	
8146	SOLEDUCK HATCHERY, REPAIR		47.1	47.1	
8147	KLICKITAT HATCHERY, REARING PONDS		36.4	36.4	
8148	KLICKITAT HATCHERY, REPAIR PONDS		266.1	266.1	
8149	GREEN RIVER HATCHERY, RESIDENCE #3				
8150	DEPARTMENT OF FISHERIES, WAREHOUSE				
8164	BREMERTON PUBLIC FISHING PIER		1,461.6		1,461.6-
8166	TITLOW BEACH BOAT LAUNCH				
8167	SEACREST BREAKWATER FISHING AMENITI				

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8168	BEACH ENHANCEMENT, SEAHURST		28.0	28.0	
8169	BEACH ENHANCEMENT, FAY BAINBRIDGE		14.0	14.0	
8170	BEACH ENHANCEMENT, DNR-79		8.6	8.6	
8171	BEACH ENHANCEMENT, FRY COVE COUNTY		35.6	35.6	
8172	BEACH ENHANCEMENT, BYWATER BAY		28.0	28.0	
8173	PILLAR POINT BOAT LAUNCH		163.4	163.4	
8174	PENN COVE BEACH ACCESS				
8175	SARATOGA PASS BEACH ACCESS				
819A	SALMON REARING NET PEN			200.0	200.0
	*TOTAL PROJECTS	22,529.6	10,232.9	10,971.3	738.4

Washington State Capital Budget - Project Summary - Department of Game

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7712	ENGINEERING SHOP RELOCATION		819.7	819.7	
7926	SOUTH TACOMA HATCHERY - RACEWAY		133.0	133.0	
81R	REAPPROPRIATIONS - 1979-81 PROJECTS	3,158.0			
8101	MAJOR REPAIR AND REPLACEMENT		150.0	150.0	
8102	ACCESS AREA TOILET REPLACEMENT		195.0	195.0	
8104	SKAGIT W.R.A., DIKE REPAIR		352.0	352.0	
8105	MCNARY W.R.A., DIKE AND WATER		267.0	267.0	
8106	SOUTH TACOMA HATCHERY - REPLACE		227.0	227.0	
8108	NACHES HATCHERY - RACEWAY				
8109	ARLINGTON HATCHERY WELL				
8110	ENGINEERING CAPITAL BUDGET				
8111	WHATCOM HATCHERY - AUXILIARY WATER				
8112	RINGOLD REARING POND - RESIDENCE		119.0	119.0	
8113	ABERDEEN HATCHERY - RESIDENCE				
8114	CHAMBER CREEK HATCHERY - WATER				
8115	WHIDBEY ISLAND GAME FARM - WATER				
8116	LAND SURVEY AND FENCING STATEWIDE				
8117	LAKE OUTLET FISH BARRIERS				
8118	RE-ROOF BUILDINGS		126.0	126.0	
8119	GAME FARM IMPROVEMENTS - PENS				
8120	METHOW W.R.A. IRRIGATION AND FIRE				
8121	OLYMPIA HEADQUARTERS - REMODEL				

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8122	SEATTLE OFFICE - RELOCATE		1,081.0	1,081.0	
8123	EPHRATA REGIONAL OFFICE - REMODEL				
8124	VANCOUVER REGION OFFICE - REMODEL				
8125	SOUTH TACOMA GAME FARM - STORAGE				
8126	RESIDENT REMODELING				
8127	BARNABY SLOUGH REARING POND-DIKE				
8128	WAIKIKI NEW HATCHERY DEVELOPMENT				
8129	TROUT HATCHERY - NEW SITE				
8130	COLUMBIA RIVER - PUBLIC FISHING		120.0	120.0	
8132	SNAKE RIVER FISH AND WILDLIFE		2,480.0	2,480.0	
8133	BALD EAGLE CONSERVATION EASEMENTS				
8134	TENNANT LAKE W.R.A. - ACQUISITION		153.0	153.0	
8135	OAK CREEK W.R.A. - ELK VIEWING				
8136	TENNANT LAKE W.R.A. - DEVELOPMENT		187.0	187.0	
8137	FISHING DOCK - MERCER ISLAND		59.0	59.0	
8138	SNAKE RIVER - HELLER BASIN ACCESS		127.0	127.0	
8139	LAKE WASHINGTON - KENMORE ACCESS		34.0	34.0	
8140	SNOHOMISH RIVER - ACCESS		125.0	125.0	
8141	CLEAR LAKE - FISHING AND LAUNCH		22.0	22.0	
8142	WENAS LAKE - PUBLIC FISHING		97.0	97.0	
8143	DEEP LAKE - ACCESS REDEVELOPMENT		75.0	75.0	
8144	JAMISON LAKE - ACCESS REDEVELOPMENT		266.0	266.0	

Washington State Capital Budget - Project Summary - Department of Game

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8145	I-82 LAND ACQUISITION		138.0	138.0	
8146	MITCHELL ACCESS - KLICKITAT RIVER		65.0	65.0	
8147	COTTAGE LAKE - ACQUISITION		65.0	65.0	
8148	ALTOONA PIGEON AREA - ACQUISITION				
8149	LEWIS COUNTY GAME FARM - CENTER				
8150	MYRON LAKE - ACCESS				
8151	TARBOO LAKE - ACCESS				
8152	PEFLEY PIGION AREA - ACQUISITION				
8153	SNOQUALMIE VALLEY W.R.A.				
8154	GREEN RIVER - ACCESS		85.0	85.0	
8155	STILLAQUAMISH RIVER - ACCESS				
	*TOTAL PROJECTS	3,158.0	7,567.7	7,567.7	

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
7908	EQUIPMENT FACILITIES CLEARWATER	268.0			
7912	CAVANAUGH BLOCK ACCESS	450.0			
7917	BLACK ROCK IRRIGATION PROJECT	206.0			
7919	ELBE HILLS BETTERMENT	435.0			
7926	SMITH IRRIGATION PROJECT				
7931	MT. SI ACQUISITION	400.0			
799A	SITE PREPARATION-LEASE&DEVELOPMENT	2,541.0			
8101	WATER SYSTEM REPLACEMENT		50.0	50.0	
8102	NATURAL RESOURCES LAND BANK		2,000.0	2,000.0	
8103	MANAGEMENT ROADS	1,273.0	1,492.0	1,492.0	
8104	IRRIGATION DEVELOPMENT	2,742.0	4,899.4	4,899.4	
8105	RAMM IRRIGATION				
8106	LAND DEVELOPMENT PROJECTS		950.0		950.0-
8107	RIGHTS OF WAY ACQUISITION		845.0	845.0	
8108	SEAWEED AQUACULTURE				
8109	MARINE RESEARCH CENTER IMPROVEMENTS		19.0	19.0	
8111	BULK FUEL TANKS				
8112	HONOR CAMP ROAD & BRIDGE MATERIALS		150.0	150.0	
8113	FOREST NURSERY IMPROVEMENTS		310.0	310.0	
8115	WEBSTER NURSERY IRRIGATION		300.0	300.0	
8116	FOREST FIRE PROTECTION PROJECTS		49.0	49.0	
8117	ACCESS TO HIGHWAY 18 INTERCHANGE		250.0	250.0	

Washington State Capital Budget - Project Summary - Department of Natural Resources

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8118	ROCK CREEK ROAD REHABILIAITION		250.0	250.0	
8120	RECREATION PROJECTS	906.0	1,116.0	1,116.0	
8122	MT. SI TRUST LANDS				
8123	MCDONALD MAINLINE		205.0	205.0	
8124	CEDARVILLE MAINLINE				
8125	CANYON LAKE ROAD				
8126	CEDAR CREEK PAVING				
8127	C-4000 PAVING				
8129	LITTLE SPUR PAVING				
8130	AIRCRAFT HANGAR AND FACILITIES				
8132	MISCELLANEOUS BUILDING REMODELING		96.0	96.0	
8133	MISCELLANEOUS CONSTRUCTION				
8134	MISCELLANEOUS PAVING AND FENCING				
8199	MILWAUKEE RR RIGHT-OF-WAY			3,500.0	3,500.0
	*TOTAL PROJECTS	9,221.0	12,981.4	15,531.4	2,550.0

$ in thousands

PRJ ID	PROJECT NAME & LOCATION	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
8101	WALLA WALLA ADMIN BLDG (REED FUNDS)		545.0	545.0	
	*TOTAL PROJECTS		545.0	545.0	

Washington State Capital Budget - Fund Summary

$ in thousands

FUND NUMBER	FUND SOURCE NAME	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
001	GENERAL FUND STATE	50.0	92.0	504.0	412.0
001	GENERAL FUND FEDERAL	1,559.0	3,043.6	3,043.6	
01A	CRIMINAL JUSTICE TRN				
01B	OFF ROAD VEHICLE	507.0	429.0	429.0	
01D	FIRE TRAINING CONSTR	4,159.0			
01G	PACIFIC NW FESTIVAL	5,000.0			
01J	CULTURAL FACL CONSTR	3,000.0			
01K	HANDICAP FACL CONSTR	24,800.0			
01L	HE CONSTR (1979)	21,883.0	21,125.0	85,928.0	64,803.0
01M	SNOWMOBILE		67.0	67.0	
014	FOREST DEVEL ACCT	750.0	3,151.7	3,001.7	150.0-
032	STATE EMERG WATER PR	204.0	480.0	480.0	
036	CAP BLDG CONST ACCT	1,459.0	18,686.1	15,485.0	3,201.1-
041	RES MNT COST ACCT	6,897.0	7,648.7	6,848.7	800.0-
042	CEP & RI ACCT	1,137.0	2,491.1	4,491.1	2,000.0
043	CAP PURC/DEVEL ACCT				
049	WSU CONSTR ACCT	208.0			
05A	LIRA-WASTE FAC 1980		620.3	317.1	303.2-
05B	PUBLIC WATER SUPPLY		697.6	697.6	
051	LIRA-WASTE DISPOSAL	1,289.7			
053	SALMON ENH CONS ACCT	14,381.0		2,000.0	2,000.0
056	ST HE CONSTR ACCT	5,279.0	4,514.8	8,007.0	3,492.2
057	ST BLDG CONSTR ACCT	3,997.0	10,086.0	10,633.0	547.1
059	CC CAP IMPROVE ACCT	799.0	674.0	674.0	
060	CC CAP PROJECT ACCT	1,105.0			
061	EWU CAP PROJECT ACCT	1,017.0	2,165.0	2,165.0	
062	WSU BLDG ACCT	2,574.0	5,982.5	8,192.0	2,209.5
063	CWU CAP PROJECT ACCT	2,995.0	3,208.8	4,159.0	950.2
064	UW BLDG ACCT	2,530.0	9,563.0	12,590.0	3,027.0
065	WWU CAP PROJECT ACCT	1,038.0	3,560.3	3,304.0	256.3-
066	TESC CAP PROJ ACCT	95.0	450.0	400.0	50.0-
068	CC CAP CONST ACCT	10,754.0	10,200.0	8,000.0	2,200.0-
070	OUTDOOR RECR ACCT	6,031.9	6,867.9	10,809.1	3,941.2
070	OUTDOOR RECR ACC FED	4,985.2	4,242.9	3,512.1	730.8-
072	LIRA - WATER SUPPLY				
073	LIRA - PUBL RECR FAC	305.4			
074	LIRA - SHS FACILITY	250.0			
075	DSHS CONSTR ACCT	56,899.0	103,422.2	100,725.3	2,696.9-
077	INDIAN CULTURAL CNTR	1,000.0			
078	FISH CAP PROJ ACCT	3,912.0	6,256.4	6,456.4	200.0
099	P S CAP CONST ACCT		67,034.0	67,420.0	386.0
099	P S CAP CONS ACC FED		10,080.0	10,080.0	
104	GAME FUND STATE	837.0	2,836.7	2,836.7	

$ in thousands

FUND NUMBER	FUND SOURCE NAME	LEGISLATURE RE-APPROP 1981-83	GOV SPELLMAN NEW-APPROP 1981-8	LEGISLATURE NEW-APPROP 1981-83	DIFFERENCE LEG-GOV 1981-83
104	GAME FUND FEDERAL	1,055.0	3,233.0	3,233.0	
104	GAME FUND LOCAL		27.0	27.0	
108	MOTOR VEH FUND STATE	125.0	125,399.5	299,324.5	173,925.0
108	MOTOR VEH FUND FEDL		638,664.0	824,844.0	186,180.0
108	MOTOR VEH PRV/LOCAL			3.0	3.0
110	GAME SPEC WILDLIFE	95.0			
113	COM SCHL CONSTR FUND	133,800.0	128,798.0	184,700.0	55,902.0
115	PUGET SND RESERVE		4,050.9	4,050.9	
119	U.C. ADMINISTRATION		545.0	545.0	
147	LOCAL/PLANT NON-APP		425.7	1,425.7	1,000.0
193	FOREST NURSY NON-APP		500.0	500.0	
198	FOREST ACCES NON-APP		323.0	323.0	
252	LOCAL/PLANT NON-APPR	3,622.1	59,856.6	67,751.0	7,894.4
501	LIQUOR BRD REVOLVING				
608	ACCIDENT FUND				
609	MEDICAL AID FUND				
	**GRAND TOTAL	332,384.3	1,271,499.3	1,769,983.5	498,484.3

(SSB 3843, C 143 L81. See Veto Message)

1. General Administration

Section 3 (16) mandated that the Department of General Administration complete its renovation of the Old Capitol Building within the funds appropriated for the 1981-83 biennium. The Governor's veto of the proviso reflected his concern that the Department be given sufficient latitude to finish the project, notwithstanding unanticipated problems such as increased costs.

2. General Administration

Section 3 (23) contained an appropriation of $3.6 million for the expansion of legislative facilities, and required that expenditures of funds for this purpose by the Department of General Administration must meet with the prior approval of a designated "joint committee on legislative facilities." In vetoing both the appropriation and proviso, the Governor indicated that such facilities expansion can be studied comprehensively as part of the 1981-83 capital appropriation of $250,000 for a Capitol Area Master Plan (Section 3 (15)).

3. Donations of Real Estate

Section 37 would have prevented state agencies from accepting donations of private property involving contractual agreements without prior approval of the Legislature. The Governor vetoed this section following the rationale that such donations could be treated as unanticipated receipts.

4. Capitol Facilities

Section 38 provided, in part, that the Department of General Administration would be required to consult with a joint legislative committee on capitol facilities before expending any funds for projects involving buildings occupied by the Legislature. This section was vetoed because the Governor concluded that this requirement would unduly restrict the ability of the Department to carry out its responsibilities in an expeditious manner.

APPENDICES

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State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

PROCLAMATION BY THE GOVERNOR

In accordance with Article II, Section 12 (Amendment 68), the 1981 Regular Session adjourned April 26, 1981, the 105th day of the session. Because several items critical to the state were not resolved, it is necessary to convene an extraordinary session. These items are:

1. Budget and supplemental budget measures, necessary revenue and bonding bills to fund those measures, and required enabling legislation, i.e., ESSB 3206, ESSB 3698, SSB 4299;

2. Bills relating to the Washington Public Power Supply System, i.e., ESB 3797, SHB 339;

3. A bill relating to nursing homes, i.e., SSB 3765;

4. A bill relating to local option financing, i.e., ESHB 749.

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 for no more than two days the Legislature of the state of Washington in extraordinary session in the capitol at Olympia on the 28th day of April, 1981, at the hour of 9:00 a.m., for the purposes stated herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of April, Nineteen Hundred and Eighty-one.

Governor of Washington

BY THE GOVERNOR

Secretary of State

GUBERNATORIAL APPOINTMENTS CONFIRMED

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State Historic Preservation Officer

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1981 Regular and First Special Session

of the Forty-Seventh Legislature

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1981

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SUBSTITUTE SENATE BILL 4090

	TOTAL FEES		
		1981-83 Biennium	
	Current	Year 1	Year 2
STATE UNIVERSITIES			
Residents			
Undergraduate	$ 687	$ 1,059	$ 1,176
Graduate	771	1,239	1,386
MD, DDS, DVM	1,029	1,929	2,217
Nonresidents			
Undergraduate	2,394	3,048	3,255
Graduate	2,736	3,600	3,879
MD, DDS, DVM	3,759	5,730	6,375
REGIONAL UNIVERSITIES			
Residents			
Undergraduate	618	867	942
Graduate	684	996	1,092
Nonresidents			
Undergraduate	1,983	2,910	3,210
Graduate	2,256	3,435	3,816
COMMUNITY COLLEGES			
Residents	306	471	519
Nonresidents	1,188	1,830	2,037

Figures include general tuition, operating fees, services and activities fees.