

Supervising, management, and custody staff shall be employees of the department.

All able and eligible inmates who are assigned work and who are not working in other classes of industries shall work in this class.

Except for inmates who work in work training programs, inmates in this class shall be paid for their work in accordance with an inmate gratuity scale. The scale shall be adopted by the secretary of corrections.

(4) CLASS IV: COMMUNITY WORK INDUSTRIES. Industries in this class shall be operated by the department of corrections. They shall be designed and managed to provide services in the inmate's resident community at a reduced cost. The services shall be provided to public agencies, to persons who are poor or infirm, or to nonprofit organizations.

Inmates in this program shall reside in facilities owned by, contracted for, or licensed by the department of corrections. A unit of local government shall provide work supervision services without charge to the state and shall pay the inmate's wage.

The department of corrections shall reimburse participating units of local government for liability and workers compensation insurance costs.

Inmates who work in this class of industries shall do so at their own choice and shall receive a gratuity which shall not exceed the minimum wage for their work.

(5) CLASS V: COMMUNITY SERVICE PROGRAMS. Programs in this class shall be subject to supervision by the department of corrections. The purpose of this class of industries is to enable an offender, placed on community supervision, to work off all or part of a community service order as ordered by the sentencing court.

Employment shall be in a community service program operated by the state, local units of government, or a nonprofit agency.

To the extent that funds are specifically made available for such purposes, the department of corrections shall reimburse ~~((participating units of local government and))~~ nonprofit agencies for workers compensation insurance costs.

Passed the Senate February 16, 1986.

Passed the House March 7, 1986.

Approved by the Governor April 1, 1986.

Filed in Office of Secretary of State April 1, 1986.

CHAPTER 194

[Engrossed Substitute Senate Bill No. 4683]

DEATH PENALTY—INTRAVENOUS INJECTION OF A SUBSTANCE IN A LETHAL QUANTITY

AN ACT Relating to the death penalty; and amending RCW 10.95.180.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 18, chapter 138, Laws of 1981 and RCW 10.95.180 are each amended to read as follows:

(1) The punishment of death shall be supervised by the superintendent of the penitentiary and shall be inflicted either by hanging by the neck (~~((until death is pronounced by a licensed physician))~~) or, at the election of the defendant, by (~~((continuous, intravenous administration of a lethal dose of sodium thiopental until death is pronounced by a licensed physician))~~) intravenous injection of a substance or substances in a lethal quantity sufficient to cause death and until the defendant is dead. In any case, death shall be pronounced by a licensed physician.

(2) All executions, for both men and women, shall be carried out within the walls of the state penitentiary.

Passed the Senate March 8, 1986.

Passed the House March 5, 1986.

Approved by the Governor April 1, 1986.

Filed in Office of Secretary of State April 1, 1986.

CHAPTER 195

[Senate Bill No. 4708]

COMPETENCY OF WITNESSES—AGE

AN ACT Relating to competency of witnesses; and amending RCW 5.60.020 and 5.60.050.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 289, page 186, Laws of 1854 as last amended by section 388, Code of 1881 and RCW 5.60.020 are each amended to read as follows:

Every person of sound mind (~~((suitable age))~~) and discretion, except as hereinafter provided, may be a witness in any action, or proceeding.

Sec. 2. Section 293, page 186, Laws of 1854 as last amended by section 391, Code of 1881 and RCW 5.60.050 are each amended to read as follows:

The following persons shall not be competent to testify:

(1) Those who are of unsound mind, or intoxicated at the time of their production for examination, and

(2) (~~((Children under ten years of age;))~~) Those who appear incapable of receiving just impressions of the facts, respecting which they are examined, or of relating them truly.

Passed the Senate February 11, 1986.

Passed the House March 7, 1986.

Approved by the Governor April 1, 1986.

Filed in Office of Secretary of State April 1, 1986.