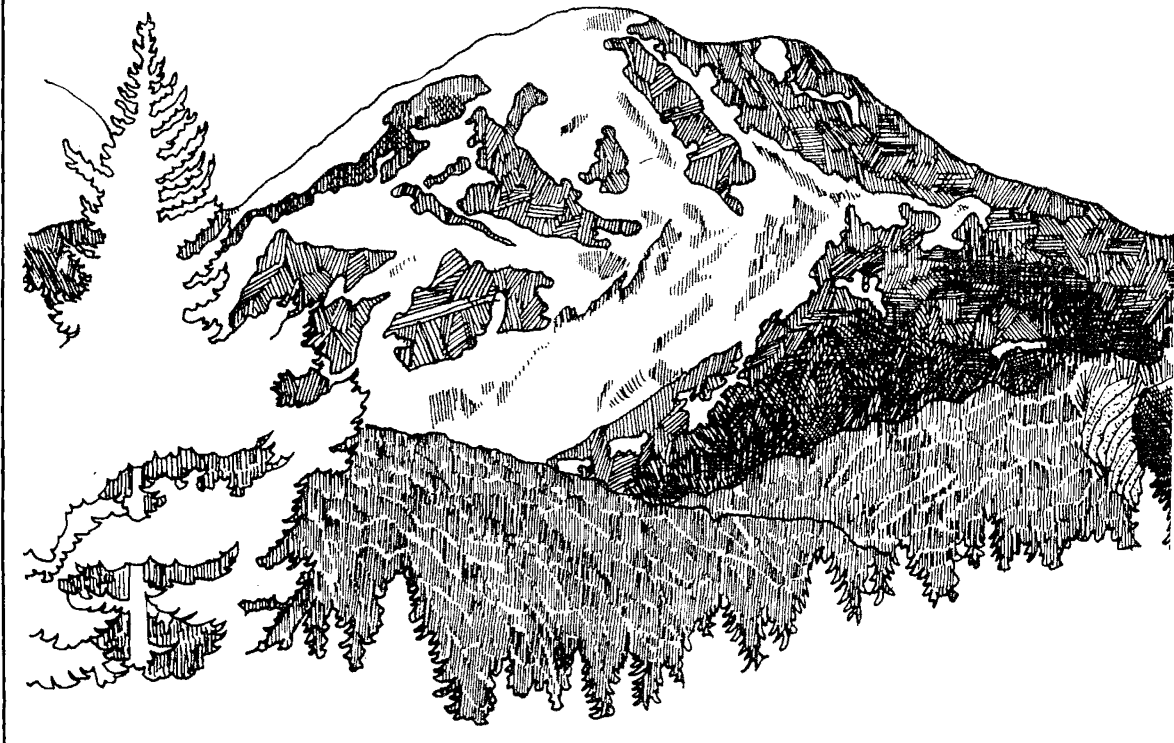


Final
Legislative Report

1979

Forty-Sixth
Regular Session
and
First Extraordinary Session



Washington State Legislature



Final
Legislative
Report
1979

46th Regular Session
and
First Extraordinary Session

This final edition of the 1979 Legislative Report is available upon request* from the House Office of Program Research and the Senate Research Center.

For more detailed information regarding House Bills, contact:

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WASHINGTON STATE LEGISLATURE

Senate

House of Representatives

July 6, 1979

Lt. Governor John A. Cherberg and
Members of the Legislature

This final edition of the Legislative Report is a compilation and summary of action taken during the Regular and First Extraordinary 46th Legislative Sessions. It provides a brief description of the effects of all legislation which passed the Legislature, the final status of that legislation, and a record of gubernatorial action.

The report is organized into five major sections preceded by a subject and numerical index:

Bills which passed both the House of Representatives and the Senate;

Gubernatorial vetoes;

Budget data, including a summary of state appropriations and revenue measures for the 1979-81 biennium, together with historical comparison tables;

A summary of the Sunset review process; and

An appendix containing information on session law citations, gubernatorial appointments, and standing and interim committee assignments.

A more detailed technical and legal digest of bills of specific interest is available from the House Office of Program Research and the Senate Research Center.

Sincerely,


John Bagnariol
Democratic Speaker


Duane Berentson
Republican Speaker


Gordon Walgren
Senate Majority Leader

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Contents

	PAGE
STATISTICAL SUMMARY.....	iii
INDEX.....	v
Subject Index.....	vii
Numerical Index.....	xxi
LEGISLATION.....	xxx
House Analyses.....	.1
Senate Analyses.....	101
GUBERNATORIAL VETOES.....	189
SUNSET PROCESS.....	229
BUDGETARY HIGHLIGHTS.....	235
See Budget -- Table of Contents.....	237
APPENDIX.....	363
Session Law Tables.....	365
Gubernatorial Confirmations.....	384
Legislative Leadership.....	389
Standing Committee Appointments.....	390
Statutory and Select Committee Appointments.....	397

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The 60-day Regular Session of the 46th Legislature was convened on January 8, 1979 and adjourned sine die on March 8, 1979. The 74-day First Extraordinary Session of the 46th Legislature was convened on March 22, 1979 and adjourned sine die June 2, 1979.

During the session, 2,648 bills, joint memorials, and joint resolutions were introduced in the House and Senate. 435 of these passed both houses, 424 bills were signed into law, 5 bills were vetoed, and 6 joint memorials and resolutions were filed with the Secretary of State.

This Legislature was unique. For the first time in history, Washington voters elected 49 Democrats and 49 Republicans to the House of Representatives. The Representatives elected presiding officers from each party. All committees were chaired by both a Republican and a Democrat. Major committees were co-chaired. The remaining committees had an executive chairman and a co-chairman. These positions were divided between the political parties.

Across the rotunda, 30 Democrats and 19 Republicans were elected to the Senate. The Lieutenant Governor presided over the Senate. Committee chairmen and membership were appointed by the President and approved by the Senate on the recommendation of the Committee on Committees.

46TH LEGISLATURE
REGULAR AND 1ST EXTRAORDINARY SESSIONS

GENERAL SUMMARY OF LEGISLATION*

	Introduced	Passed Leg.	Vetoed	Partial Veto	Filed Sec. of State or Signed into Law
Regular Sess. (Jan. 8-Mar. 8)					
House	1,451	87	1	3	86
<u>Senate</u>	<u>1,197</u>	<u>72</u>	<u>1</u>	<u>2</u>	<u>71</u>
Legislature	2,648	159	2	5	157
1st Ex. Sess. (Mar. 21-June. 2)					
House	--	147	3	9	144
<u>Senate</u>	<u>--</u>	<u>129</u>	<u>0</u>	<u>6</u>	<u>129</u>
Legislature	--	276	3	15	273
Total (Reg. & 1st Ex. Sess.)					
House	1,451	234	4	12	230
<u>Senate</u>	<u>1,197</u>	<u>201</u>	<u>1</u>	<u>8</u>	<u>200</u>
Legislature	2,648	435	5	20	430

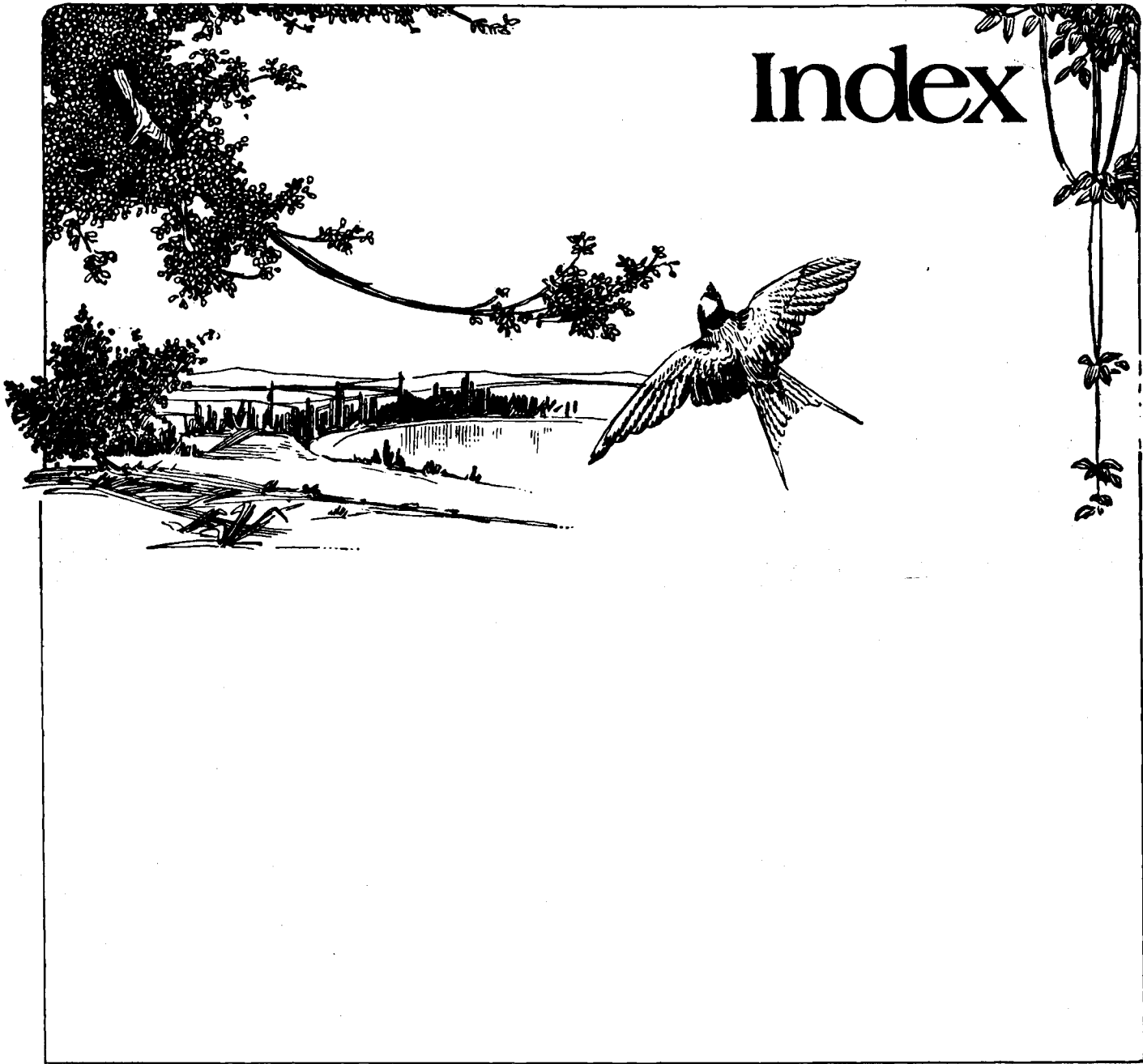
*Bills, Joint Memorials, and Joint Resolutions

GUBERNATORIAL APPOINTMENTS

Referred	170
Confirmed	158

The Governor submitted 183 appointments for consideration. Thirteen were not considered by the Legislature because the individuals either resigned their positions or their terms expired.

Index



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SUBJECT INDEX

Headings

Agriculture

Business and Consumer Affairs

Constitution, Elections, and Governmental Ethics

Education

Energy and Utilities

Environment, Natural Resources, and Parks

Financial Institutions and Insurance

Fiscal

Higher Education

Human Resources and Health Care

Labor

Law and Justice

Local Government

State Government

Transportation

AGRICULTURE

<u>BILL NUMBER</u>	<u>TITLE</u>	<u>PAGE</u>
HB 48	Small irrigation dist. exempt.	6
SHB 97	Farm products hauling	14
HB 229	Livestock public markets	29
HB 230	Certificated feed lots	30
SHB 247	Agric. products/laws revised	30
HB 351	Agri. commodity wheat assess.	44
SHB 402	Irrigation funds	47
SHB 446	Water permits conditioned	51
HB 617	Tax relief - farmlands	60
HB 778	Agricultural coops voting, dissolve	73
HJM 3	Sugar beet price support	99
SSB 2142	Physical damage to animals	117
SB 2180	Agricultural activities	124
SB 2206	Commercial feed inspections	128
SSB 2254 PV	Agricultural laws update	133
SSB 2255	Pesticide control law update	134
SSB 2265	Pesticides application revision	135
SSB 2393	Noxious weeds spread prevention	150
SB 2486	Apple commission assessments	160
SSB 2504 PV	Water during drought condition	161
SSB 2791	Cattle, brand inspection	171
2SSB 3033	Irrigation districts	181

BUSINESS AND CONSUMER AFFAIRS

HB 33	Sec. of state corporate fees	5
HB 58	Motion picture blind bidding	8
SHB 133	Special districts bids	20
SHB 163	Veterinary board, lay member	23
SHB 186	Christmas trees out of state	24
SHB 219	Basic science examination	28
HB 229	Livestock public markets	29
SHB 247	Agric., products/laws revised	30
SHB 280	Unlicensed contractor ads	34
SHB 291	Tax laws misc. revisions	34
HB 341	Double amendment corr. RCW 18	42
HB 342	Double amendment corr. RCW 21	42
HB 345	Double amendment corr. RCW 46	43
HB 376	Pacific NW festival facility	46
HB 460	Specialized forest products	52
SHB 481	Property sale documents	53
HB 576	Apprenticeships regs. revise	59
SHB 619	Prescribing drugs revisions	61

SHB 774	Stolen goods pawnbroker, fee	73
HB 849 PV	Licensing dept. statutory ref.	80
SHB 962	Buy-back fishing vessel	86
SHB 1018	Group ins. associations	88
SHB 1057	Service contracts exemptions	90
SHB 1308 PV	Mobile home parks L/T	97
SB 2005	Liquor licenses, class H	101
SB 2119	Business Corporation Act	113
SSB 2161 PV	Small public works projects	121
SSB 2194	Higher ed. capital construct.	127
SB 2295	Obsolete funds, accounts	138
SSB 2306	Franchise invest. protection	140
SB 2314	Securities act modified	142
SSB 2337	Medical care claims fraud	144
SB 2354	Bids, highway projects	145
SB 2362	Landlords increased notice	146
SB 2385	Funeral director information	150
SSB 2422	Professional discipline	155
SB 2474	State building code updated	159
SSB 2482	Partnership regulations	160
SB 2511	Recycling litter control	163
SB 2602	Beer distributors, spirits	164
SB 2905	Electricians-licensing	174
SSB 3126	Manicurists	185

CONSTITUTION, ELECTIONS, AND GOVERNMENTAL ETHICS

HB 57	Local govt. assumption office	8
SHB 248	Real estate - exec. sessions	30
SHB 1126	Legislature convening date	94
HB 1133	Continuing political funds	94
SB 2562	Registration transfers	163
SB 2565	Polling places handicapped	164
SSB 2685	Finan. reporting officials	166
SSJR 110	Annual legislative sessions	186
SJR 112	Legislators civil service	187

EDUCATION

SHB 79	Surplus reading materials	11
HB 191 PV	School district bonds	25
SHB 227	School district levies	29
SHB 367	Schools accreditation	45
SHB 437	Educational clinic act chngs.	49

HB 645	School plants community use	63
SHB 663	Remediation assistance	64
HB 666	Authorized transfer students	65
SB 2130	ESD's services	115
SB 2131	Food commodities fund	115
SSB 2132	Funds, school buildings	115
SB 2143	1st class dist. AA counties	117
SSB 2149	Bilingual instruction	119
SB 2155	Schools, nonprofit meals	119
SSB 2709 PV	Basic ed., pupil transportat.	167
SB 2765	Schools apportion amounts	170
SSB 3101	School facilities bonds	184
SSB 3117	DSHS resident education	185

ENERGY AND UTILITIES

HB 288	Nonpolluting fuel use	34
SHB 328	Energy fac. site locations	40
HB 441	Regulatory fees nonpayment	50
SHB 446	Water permits conditioned	51
SHB 912	Solar easements	83
HB 989	UTC lease approval, facility	87
SHB 1013	Cogeneration processes	87
SHB 1075 PV	WPSS audit	91
HJM 16	Gasohol production	99
SB 2077	Utility service reduced rate	109
SB 2186	Utility pole attachments	126
SB 2191	Geothermal resources rights	126
SSB 2197	Uranium/thorium milling	127
SSB 2442	Gov. energy emergency powers	156
SB 2474	State building code updated	159
SSB 2976	Energy conservation funds	178
SSB 2979	Energy site permits	179
SSB 2993	Public utility districts	180
2SSB 3033	Irrigation districts	181
SJM 107	BPA pilot development plants	186
SSJR 120	Pub. utilities loan money	187

ENVIRONMENT, NATURAL RESOURCES, AND PARKS

SHB 1	Razor clams, personal use lic.	1
HB 26	Highways, environmental repealer	3
HB 44	Hunt/fish. lic. issuing fee	6

SHB 175	Salmon licenses extend limit	23
HB 178	DNR services available	24
SHB 186	Christmas trees out of state	24
HB 187	DNR surplus land	24
SHB 188	Snags selective removal	25
SHB 298	Controlling vehicle emission	35
HB 330	Game licenses by fraud	40
SHB 333	Salmon charter boat restrictions	41
HB 344	Double amendment corr. RCW 43	43
HB 433 PV	Ecology dept. powers updated	49
SHB 446	Water permits conditioned	51
HB 460	Specialized forest products	52
SHB 486	Shorelands 2nd class sale	54
HB 585	Forest products institute	59
HB 689	Littering convicted pick up	66
HB 781	Geoducks, clams, licenses	73
HB 874	Forest fire advisory board	82
SHB 912	Solar easements	83
HB 913	Aquaculture lands	83
SHB 962	Buy-back fishing vessels	86
HB 1115	Administrative support func.	91
HB 1241	Nonprofit org. prop. parks	95
SHB 1281 PV	Snowmobiles regulated	96
SB 2045	Salmon guides exclusion	105
SB 2053	Park, recreation districts	106
SB 2124	Food fish, shellfish sellers	114
SB 2159	DNR sales exchanges	121
SB 2179 V	Law enforcement, parks	123
SSB 2184	Recycling facilities bonds	125
SSB 2197	Uranium/thorium milling	127
SB 2218	DNR local govt. planning	128
SSB 2244	Fisheries facil. bond issue	131
SSB 2284	Harbor areas leasing	137
SB 2321	Game department materials fees	143
SSB 2357	Outdoor recreation fac. bonds	146
SB 2366	Lake Forest Park harbor line	147
SSB 2439	Fisheries violations	156
SB 2569	Reciprocal surcharge camping	164
SB 2736	State recreation guide	168
SSB 2794	Water & water rights revis.	172
SSB 2967	Forest dev. mgmt. cost funds	178

FINANCIAL INSTITUTIONS AND INSURANCE

SHB 82	Cemetery prearrangement contract	11
HB 86	Regulating debt adjusters	12
SHB 109	Insurance policies/cancel	16
SHB 195	Savings & loan associations	26

HB 365	Credit unions satellite facility	45
HB 455	Employee welfare trust funds	51
SHB 459	Insurance fees, taxes refunds	52
SHB 481	Property sale documents	53
HB 482	Savings banks, certif. deposits	53
SHB 546	Examiners for insurers	57
HB 588	Limited licenses insurance	59
HB 602	CPA's audit insurance exam	60
HB 735 PV	Insurance contracts, nonforfeiture	69
HB 788	Banks, trusts, fidiciaries	74
HB 795	Charitable gift annuities	75
HB 802	Debentures co. definition	76
SHB 803	Guidelines unissued shares	77
HB 806	Cease & desist mut-sav banks	77
HB 808	Trust business deposits	78
HB 845	Insurance licenses	79
HB 875	Banks, trust co. real estate	82
HB 952	Adverse claim honoring	85
SHB 1018	Group insurance associations	88
SHB 1121 PV	Insurance revisions	92
SSB 2233	Small loan companies	130
SB 2305	Escrow agents, bond & insurance	140
SSB 2306	Franchise investment protection	140
SB 2311	Credit unions certificate powers	142
SB 2314	Securities act modified	142
SSB 2317	Workers' comp. benefits	143
SB 2479	Bank investments	159
SB 2508	Insurance premium taxes	162
SB 2727	Insurance companies arson info.	168

FISCAL

SHB 156	Fiscal notes legislation	22
HB 191	School district bonds	25
SHB 302	B & O tax exemption nonprofit	36
HB 308	Unclaimed property modified	38
HB 320	106% levy limit extended	39
HB 346	Double amendment corr. RCW 82	43
HB 347	Double amendment corr. RCW 84	43
SHB 500	PERS, TRS, WSP retirement	54
HB 516 PV	Omnibus budget	56
SHB 574	Bonds water supply facility	58
SHB 706	OFM sundry claims evaluate	68
SHB 740	Bond issue handicapped fac.	69
SHB 749	Spokane River toll bridge	70
SHB 768	Higher ed. annuities, plans	72
HB 846	Revenue dept. statutory ref.	79
HB 848 PV	OFM, statutory references	80

SHB 871	Transportation biennial appropriation	81
SHB 872	Transportation appropriation	81
SHB 907	People's lodge bond iss. mod.	82
SHB 1032	I-90 bonds, authorized	89
SHB 1064	Sick leave account funding	90
HB 1114	Session laws appropriation	91
HB 1175	Claims against state	94
2SHB 1239	Emerg. medical serv. levy	95
SB 2062	Perform/visual arts centers	107
SB 2065	Urban arterial bonds	107
SB 2111	Timber taxation	112
SB 2131	Food commodities fund	115
SSB 2148	Supplemental budget	118
SB 2176	State debts	122
SSB 2181	Inheritance tax revision	124
SSB 2182	Gift tax revisions	125
SB 2224	Firemen-volunteer/pensions	129
SSB 2243	Higher ed. bond issue auth.	131
SSB 2244	Fisheries facil. bond issue	131
SSB 2249	Voc. educ. bond issue authority	131
SSB 2250	Comm. coll. bond issue	132
SSB 2251	Social/health services bonds	132
SSB 2252	Transportation supp. budget	132
SSB 2273	Trust funds superior court	135
SSB 2275	Horse racing - revisions	136
SB 2296	Veterans revisions	138
SSB 2357	Outdoor recreation fac. bonds	146
SSB 2361	State gov't. projects bonds	146
SSB 2374	Property tax retired owners	147
SB 2378	Pension benefits-spouses	149
SSB 2388	Food fish producer fees	150
SSB 2505	Jail facilities bond issue	162
SB 2508	Insurance premium taxes	162
SSB 2639	Bond issue public services	165
SB 2765	Schools apportion. amounts	170
SSB 2929	Mobile home taxation	175
2SSB 2944	1977 appropriation allocation	176
SSB 2964	Higher ed. fac. bond issue	178
SSB 2976	Energy conservation funds	178
SSB 3008	Elected officials salaries	180
SSB 3066	State auditor revisions	183
SSB 3101	School facilities bond	184

HIGHER EDUCATION

HB 69	WSU, forest tree nursery	9
HB 126	Term papers sale	19
SHB 194 V	Budgets/programs/schools	25

SHB 201	Students, resident status	27
HB 226	Tuition/fees reciprocity	28
SHB 295	National Guard scholarships	35
SHB 319	Higher education employees, tuition	39
HB 335 V	New community college district	41
HB 348	Double amendment corr. RCW 28	43
HB 358	Comm. coll. cert. fees abolish	45
SHB 398	Community college board	46
HB 419	UW faculty center liquor	48
HB 585	Forest products institute	59
HB 691	WSU, extension employees	67
SHB 768	Higher ed. annuities, plans	72
HB 983	Community college leaves, costs	86
SSB 2042	Students/consulor parents	105
SSB 2140	Scholarships/perform arts	116
SSB 2194	Higher ed. capital construction	127
SSB 2243	Higher ed. bond issue auth.	131
SSB 2249	Voc. ed. bond issue authority	131
SSB 2250	Comm. colleges bond issue	132
SB 2297	Higher Ed. Assist. Authority Act	138
SSB 2434	Ed. Services Registration Act	155
SSB 2451 PV	Tuition, fee waivers higher ed.	157
2SSB 2610	TESC degree granting authority	164
SSB 2744	Student finan. aid program	169
SB 2923	Vietnam vets tuition higher ed.	175
SSB 2964	Higher ed. fac. bond issue	178
SB 3115	Insurance prior dble. amend.	184

HUMAN RESOURCES AND HEALTH CARE

SHB 16	Senior citizen programs	2
SHB 80	Institutional industries	11
SHB 88	Screening for scoliosis	13
HB 113	Vocational rehab. programs	17
HB 114	Handicapped driver's card	17
SHB 125	Dependent children support	18
SHB 249	National Health Act of 1974	31
SHB 254	Public assist. grievance appeals	32
SHB 259	Controlled substance research	32
SHB 262	Vital statistics reporting	32
SHB 264	Life sustaining med. procedure	33
SHB 352	Parent-child relationships	44
2SHB 418	Sexual assault victims	47
HB 450	Nurses continuing education	51
SHB 480	Discrimination, handicaps	53
HB 491	Senior Citizens Service Act	54
SHB 502	Immunization of children	55
SHB 504	Senior citizen park passes	56

SHB 554	Shelters, domestic violence	57
SHB 619	Prescribing drugs revisions	61
HB 668	Employment security records	66
HB 691	WSU extension employees	67
SHB 740	Bond issue handicapped fac.	69
SHB 815	Prescription drugs substitut.	78
HB 847	DSHS, statutory references	79
HB 862	Hospital trustees AA counties	80
HB 888	Rehabilitation center	82
HB 933	Public hospital districts	84
HB 1207	Day care demonstration proj.	95
2SHB 1239	Emergency medical service levy	95
SHB 1347	Mental health services, fees	99
SB 2060	Health officers	107
SB 2101	Veterans, size of estates	111
SB 2102	State soldiers' home	111
SB 2121	Embalmers eye removal	114
SB 2136	Multistate dental license	116
SB 2138	Counterfeit controlled substances	116
SSB 2141	Practice of pharmacy	116
SB 2221	Medical malpractice records	129
SB 2224	Firemen-volunteer/pensions	129
SSB 2251	Social/health services bonds	132
SSB 2308 PV	Emergency medical services	141
SSB 2336	Nursing home resident care	143
SSB 2337	Medical care claims fraud	144
SB 2338	Nursing home revisions	144
SB 2339	Nursing homes assistants	145
SB 2355	Osteopaths regulations	145
SB 2406	Displaced Homemaker Act	153
SB 2492	Teletypewriters, hearing aid	160
SSB 2532	Hospital districts mortgages	163
SB 2565	Polling places handicapped	164
SB 2630	Buena camp migrant housing	165
SB 2753	Public assistance revisions	169

LABOR

HB 92	Industrial ins eligibility	13
HB 455	Employee welfare trust funds	51
SHB 500	PERS, TRS, WSP retirement	54
HB 576	Apprenticeships regs. revised	59
HB 612	Permanent partial disability	60
HB 650	Inaccurate employer reports	63
HB 754	Workers' comp. payments adjustment	71
HB 923 PV	Public emp. relations comm.	84
SHB 1045	CETA, retire. coverage ex.	89

SSB 2317	Workers' comp. benefits	143
SB 2402	Indust. insur. benefit adjust.	152
SB 2430	PERC hearings, transcription	155
SB 2506	Mandating retirement	162
SB 2630	Buena camp migrant housing	165
SB 2852	Uniform pers. collect. barg.	174

LAW AND JUSTICE

HB 4	Adopted children records	1
HB 18	Uniform child custody	2
HB 22	Power of arrest/traffic law	3
HB 25	Dog bite liability	3
HB 50	Landowners limited liability	7
HB 66	Correcting a mistake	9
SHB 80	Institutional industries	11
SHB 99	Prospective juror selection	15
HB 101	Negligent driving/racing	15
SHB 125	Dependent children support	18
HB 149	County Law Libraries	22
HB 155	Financial responsibility/bankruptcy	22
HB 164	MV licenses/corrections	23
2SHB 204	Criminal justice division	27
HB 279	Small civil claims	33
HB 307	Criminal code revisions	37
HB 330	Game licenses by fraud	40
HB 338	Marriage solemnization	42
HB 341	Double amendment correcting RCW 18	42
HB 342	Double amendment correcting RCW 21	42
HB 343	Double amendment correcting RCW 27	42
HB 344	Double amendment correcting RCW 43	43
HB 345	Double amendment correcting RCW 46	43
HB 346	Double amendment correcting RCW 82	43
HB 347	Double amendment correcting RCW 84	43
HB 348	Double amendment correcting RCW 28	43
HB 424	Court filing fee negotiation	48
SHB 425	Civil actions arbitration	48
SHB 438	Domestic violence law enforc.	50
HB 460	Specialized forest products	52
SHB 481	Property sale documents	53
SHB 554	Shelters domestic violence	57
SHB 571	Criminal Records Privacy Act	58
SHB 624	Cert. controlled substances	62
HB 630	Public works reserve fund	62
SHB 665	Alcohol, trafic offenders	65
HB 689	Littering convicted pick up	66
SHB 697	Replevin law revised	67
SHB 704 V	DWI, regulations revised	67
SHB 774	Stolen goods pawnbroker, fee	73

HB 802	Debentures co. definition	76
HB 846	Revenue department statutory references	79
HB 847	DSHS, statutory references	79
HB 848 PV	OFM, statutory references	80
HB 849 PV	Licensing department, statutory reference	80
SHB 1176	Federal lands jurisdiction	94
SHB 1258	Juvenile truancy	96
SB 2021	Corrections institutions contraband	102
SSB 2028	Telephone lines, police	103
SB 2068	Habitual traffic offenders	108
SSB 2095 PV	Superior Ct. judges	110
SB 2106	Personal property exemption	112
SB 2119	Business Corporation Act	113
SSB 2144	Reward statutes modified	117
SB 2147	Food donations liability	118
SB 2173	Court commissioners	122
SB 2175	Criminal justice commission	122
SB 2178	Standby guardians	123
SB 2221	Medical malpractice records	129
SSB 2273	Trust funds superior court	135
SSB 2306	Franchise invest. protection	140
SSB 2337	Medical care claims fraud	144
SSB 2411	Local gov't. judgments pymt.	153
SSB 2415	Civil commitment revisions	153
SB 2417	Victims of crimes restitution	154
SSB 2439	Fisheries violations	156
SB 2466	Civil actions proceedings	158
SB 2467	Revoked out-of-state license	158
SB 2468	Elude pursuing police cars	159
SSB 2505	Jail facilities bond issue	162
SB 2763	Judgments effective, revival	169
SSB 2768 PV	Procedures families conflict	170

LOCAL GOVERNMENT

SHB 16	Senior citizen programs	2
HB 41	Local fire protect. contracts	6
HB 48	Small irrigation dist. exempt	6
SHB 56	Local govt. self-insurance	7
HB 57	Inheritance tax payment	8
SHB 76	Home rule local govt. clarify	9
SHB 77	Special purpose districts	10
SHB 78	Special purpose districts	10
SHB 79	Surplus reading materials	11
SHB 133	Special district bids	20
SHB 139	Special districts comp. plan	20
HB 140	Port District levy flexibility	21
SHB 144	State inst./local govt./reimb.	21

SHB 402	Irrigation funds	47
HB 413	School district real property	47
SHB 574	Bonds water supply facility	58
HB 636	Aircraft noise impact	63
HB 645	School plants community use	63
HB 677	Sheriff clothing allowance	66
HB 759	Libraries, recruit., expenses	72
SHB 796	Hydroplane races admission	76
HB 860	Boundary review guidelines	80
HB 862	Hospital trustees AA counties	80
HB 954	Code cities annexation	85
SHB 972	Cities, fire protection district	86
HB 1325	Optional municipal code	98
SSB 2010	Housing authority mobile homes	101
SB 2062	Perform/visual arts centers	107
SSB 2117	Sewage improvement district	112
SSB 2118	Agency/interlocal cooperation	113
SSB 2158	Conservation rights	120
SSB 2161 PV	Small public works projects	121
SSB 2226	Port district - property	129
SSB 2274	County treasurers investing	135
SSB 2376	Local improvements guaranty fund	149
SB 2403	Municipal corp. services rendered	152
SSB 2411	Local govt. judgments payment	153
SSB 2505	Jail facilities bond issue	162
SB 2506	Mandating retirement	162
SSB 3022	Found, unclaimed property	181
SSB 3129	Performing arts center	186

STATE GOVERNMENT

SHB 29 V	Joint leg. comm. agency rules	4
HB 30	Criminal cost bills	5
HB 33	Sec. of state corporate fees	5
HB 65	Columbus Day recognized	9
SHB 80	Institutional industries	11
SHB 112	Sunset review schedule	16
HB 127	Sunset Act of 1977	19
SHB 144	State inst./local govt./reimb.	21
SHB 156	Fiscal notes legislation	22
SHB 254	Pub. asst. grievance appeals	32
SHB 295	National Guard scholarships	35
HB 308	Unclaimed property modified	38
HB 343	Double amendment corr. RCW 27	42
HB 344	Double amendment corr. RCW 43	43
SHB 500	PERS, TRS, WSP retirement	54
2SHB 527	Search and rescue compensation	56
HB 691	WSU extension employees	67

SHB 706	OFM sundry claims, evaluate	68
SHB 729	Panel medicine plans	69
SHB 791 PV	Retirement, public service	75
HB 923 PV	Public emp. relations commission	84
SHB 962	Buy-back fishing vessels	86
SHB 1064	Sick leave account funding	90
HB 1115	Administrative support func.	91
HB 1175	Claims against state	94
SB 2015	State, official dance	101
SSB 2030	Sick leave, public employees	103
SB 2033	State purchasing	104
SSB 2192	Unused sick leave	126
SB 2224	Firemen-volunteer/pensions	129
SB 2242	Governor, certain boards	130
SB 2256	Investments, custody/funds	134
SB 2295	Obsolete funds, accounts	138
SSB 2301	Personal services contracts	138
SSB 2310	State Treasurer wage pay finan. inst.	141
SSB 2361	State gov't. projects bonds	146
SSB 2375	Sheriffs, civil service	148
SB 2398	Lost, stolen state warrants	151
SB 2399	County prisoners care reimbursements	151
SB 2462	Investments state funds	158
SB 2506	Mandating retirement	162
SSB 2639	Bond issue public services	165
SSB 2798	Employ. agcy. advis. brd. sunset	173
SB 2925	Expo 74 site city of Spokane	175
SSB 3008	Elected officials salaries	180
SSB 3066	State Auditor revisions	183

TRANSPORTATION

HB 6	Locomotive operator, license	2
HB 26	Highways, environmental repealer	3
SHB 96	Ride sharing operations	14
SHB 97	Farm products hauling	14
HB 100	State Route 27/Pullman	15
HB 114	Handicapped driver's card	17
HB 141	Proportional Registration	21
HB 164	MV licenses/corrections	23
HB 196	Interest proportional regis.	27
SHB 298	Controlling vehicle emission	35
SHB 311	Motor vehicle offenses	38
HB 345	Double amendment corr. RCW 46	43
HB 380	Highway numbers, description	46
HB 460	Specialized forest products	52
SHB 535	Motor freight carriers	57
HB 622	MV excise tax distr. date	61

SHB 665	Alcohol, traffic offenders	65
SHB 749	Spokane River toll bridge	70
HB 750	Trails along roadways, funds	71
SHB 751	Highway priority programming	71
SHB 755	Abandoned vehicles, highways	72
SHB 871	Transportation biennial approp.	81
SHB 872	Transportation appropriation	81
HB 989	UTC lease approval, facility	87
SHB 1031	Transportation studies	88
SHB 1032	I-90 bonds, authorized	89
SHB 1033	Hood Canal Bridge	89
SHB 1034	Cities, highway improve.	89
SHB 1057	Service contracts exemptions	90
SSB 2016	Parking, physically disabled	101
SB 2026	Public transportation studies	102
SSB 2032	Commercial driver training	104
SB 2040	Special parking decals	104
SSB 2058	Public lands leasing	106
SB 2065	Urban arterial bonds	107
SB 2066	Travel trailers, campers tax	108
SB 2067	Driver licensing charges	108
SB 2069	Vehicle license fees/refund	109
SSB 2071	Motor vehicle dealer fees	109
SB 2078	Accident records - fees	110
SB 2094	MV operator instruction permit	110
SSB 2097	Mopeds as motor vehicles	111
SSB 2252	Transportation supp. budget	132
SB 2277	Bus stop signs	136
SB 2290	DOT highways powers	137
SSB 2291	State Highway fund expenditure	137
SSB 2304	Special fuel tax, regulation	139
SB 2354	Bids, highway projects	145
SB 2502	Medal of Honor license plate	161
SSB 2929	Mobile home taxation	175
SSB 2952	Pilotage revisions	176
SSB 2957	DOT property disposal	177
SSB 2958	Hood Canal Bridge	177
SSB 3034	DOT, tri-cities bridge	182
SB 3077	Photo ID drivers license	184
SSB 3100	Vessels	184

NUMERICAL INDEX

House Bills

			<u>Page</u>
SHB	1	Razor clams personal use lic.	1
HB	4	Adopted children records	1
HB	6	Locomotive operator, license	2
SHB	16	Senior citizen programs	2
HB	18	Uniform child custody	2
SHB	22	Power of arrest/traffic law	3
HB	25	Dog bite liability	3
HB	26	Highways, environ. repealer	3
SHB	29 V	Joint leg. comm. agency rules	4
HB	30	Criminal cost bills	5
HB	33	Sec. of state corporate fees	5
HB	41	Local fire protect contracts	6
HB	44	Hunt/fish lic. issuing fee	6
HB	48	Small irrigation dist. exempt	6
HB	50	Landowners limited liability	7
SHB	56	Local govt. self-insurance	7
SHB	57	Local govt. assumption office	8
HB	58	Motion picture blind bidding	8
HB	65	Columbus Day recognized	9
HB	66	Correcting a mistake	9
HB	69	WSU, forest tree nursery	9
SHB	76	Home rule local govt. clarify	9
SHB	77	Special purpose districts	10
SHB	78	Special purpose districts	10
SHB	79	Surplus reading materials	11
SHB	80	Institutional industries	11
SHB	82	Cemetery prearrange contract	11
HB	86	Regulating debt adjusters	12
SHB	88	Screening for scoliosis	13
SHB	92	Industrial ins. eligibility	13
SHB	96	Ride sharing operations	14
SHB	97	Farm products hauling	14
SHB	99	Prospective juror selection	15
HB	100	State Route 27/Pullman	15
HB	101	Negligent driving/racing	15
SHB	109	Insurance policies/cancel	16
SHB	112	Sunset review schedule	16
HB	113	Vocational rehab. programs	17
HB	114	Handicapped driver's card	17
SHB	125	Dependent children support	18
HB	126	Term papers sale	19
HB	127	Sunset Act of 1977	19
SHB	133	Special districts bids	20
SHB	139	Special districts comp. plan	20
HB	140	Port Dist. levy flexibility	21

HB 141	Proportional Registration	21
SHB 144	State inst./local govt./reimb.	21
HB 149	County Law Libraries	22
HB 155	Financial resp./bankruptcy	22
SHB 156	Fiscal notes legislation	22
SHB 163	Veterinary board, lay member	23
HB 164	MV Licenses/Corrections	23
SHB 175	Salmon licenses extend limit	23
HB 178	DNR services available	24
SHB 186	Christmas trees out of state	24
HB 187	DNR surplus land	24
SHB 188	Snags selective removal	25
HB 191 PV	School district bonds	25
SHB 194 V	Budgets/programs/schools	25
SHB 195	Savings & loan associations	26
HB 196	Interest proportional regis.	27
SHB 201	Students, resident status	27
2SHB 204	Criminal justice division	27
SHB 219	Basic science examination	28
HB 226	Tuition/fees reciprocity	28
SHB 227	School district levies	29
HB 229	Livestock public markets	29
HB 230	Certificated feed lots	30
SHB 247	Agric. products/laws revised	30
SHB 248	Real estate-exec. sessions	30
SHB 249	National Health Act 1974	31
SHB 254	Pub. asst. grievance appeals	32
SHB 259	Controlled subst. research	32
SHB 262	Vital statistics reporting	32
SHB 264	Life sustaining med. proced.	33
HB 279	Small civil claims	33
SHB 280	Unlicensed contractor ads	34
HB 288	Nonpolluting fuel use	34
SHB 291	Tax laws misc. revisions	34
SHB 295	National guard scholarships	35
SHB 298	Controlling vehicle emission	35
SHB 302	B & O tax exempt. nonprofit	36
HB 307	Criminal code revisions	37
HB 308	Unclaimed property modified	38
SHB 311	Motor vehicle offenses	38
SHB 319	High. ed. employees, tuition	39
HB 320	106% levy limit extended	39
SHB 328	Energy fac. site locations	40
HB 330	Game licenses by fraud	40
SHB 333	Salmon charter boat restrict.	41
HB 335 V	New comm. coll. district	41
HB 338	Marriage solemnization	42
HB 341	Double amendment corr. RCW 18	42
HB 342	Double amendment corr. RCW 21	42
HB 343	Double amendment corr. RCW 27	42
HB 344	Double amendment corr. RCW 43	43

HB 345	Double amendment corr. RCW 46	43
HB 346	Double amendment corr. RCW 82	43
HB 347	Double amendment corr. RCW 84	43
HB 348	Double amendment corr. RCW 28	43
HB 351	Agri. commodity wheat assess.	44
SHB 352	Parent-child relationships	44
HB 358	Comm. coll. cert. fees abolish	45
HB 365	Credit unions satellite fac.	45
SHB 367	Schools accreditation	45
HB 376	Pacific NW festival facility	46
HB 380	Highway numbers, description	46
SHB 398	Community college board	46
SHB 402	Irrigation funds	47
HB 413	School dist. real property	47
HB 415	Local assessment hearings	47
2SHB 418	Sexual assault victims	47
HB 419	UW faculty center liquor	48
HB 424	Court filing fee negotiation	48
SHB 425	Civil actions arbitration	48
HB 433 PV	Ecology dept. powers updated	49
SHB 437	Education clinic act chngs.	49
SHB 438	Domestic violence law enforc.	50
HB 441	Regulatory fees nonpayment	50
SHB 446	Water permits conditioned	51
HB 450	Nurses continuing education	51
HB 455	Employee welfare trust funds	51
SHB 459	Ins. fees, taxes refunds	52
HB 460	Specialized forest products	52
SHB 480	Discrimination, handicaps	53
SHB 481	Property sale documents	53
HB 482	Savings bks., certif. deposit	53
SHB 486	Shorelands 2nd class sale	54
HB 491	Senior Citizens Service Act	54
SHB 500	PERS, TRS, WSP retirement	54
SHB 502	Immunization of children	55
SHB 504	Senior citizen park passes	56
HB 516 PV	Omnibus budget	56
2SHB 527	Search and rescue compensat.	56
SHB 535	Motor freight carriers	57
SHB 546	Examiners for insurers	57
SHB 554	Shelters domestic violence	57
HB 571	Criminal Records Privacy Act	58
SHB 574	Bonds water supply facility	58
HB 576	Apprenticeships regs. revise	59
HB 585	Forest products institute	59
HB 588	Limited licenses insurance	59
HB 602	CPA's audit insurance exam	60
HB 612	Permanent partial disability	60
SHB 617	Tax relief farmlands	60
SHB 619	Prescribing drugs revisions	61

HB	622	MV excise tax distr. date	61
SHB	624	Cert. controlled substances	62
HB	630	Public works reserve fund	62
HB	636	Aircraft noise impact	63
HB	645	School plants community use	63
HB	650	Inaccurate employer reports	63
SHB	663	Remediation assistance	64
SHB	665	Alcohol, traffic offenders	65
HB	666	Authorized transfer students	65
HB	668	Employment security records	66
HB	677	Sheriff clothing allowance	66
HB	689	Littering convicted pick up	66
HB	691	WSU extension employees	67
SHB	697	Replevin law revised	67
SHB	704 V	DWI, regulation revised	67
SHB	706	OFM sundry claims evaluate	68
SHB	729	Panel medicine plans	68
HB	735 PV	Ins. contracts, nonforfeiture	69
SHB	740	Bond issue handicapped fac.	69
SHB	749	Spokane River toll bridge	70
HB	750	Trails along roadways, funds	71
SHB	751	Highway priority programming	71
HB	754	Workers' comp. payments adj.	71
SHB	755	Abandoned vehicles, highways	72
HB	759	Libraries, recruit. expenses	72
SHB	768	Higher ed. annuities, plans	72
SHB	774	Stolen goods pawnbroker, fee	73
HB	778	Ag. coops voting, dissolve	73
HB	781	Geoducks, clams, licenses	73
HB	788	Banks, trusts, fidiciaries	74
SHB	791 PV	Retirement, public service	75
HB	795	Charitable gift annuities	75
SHB	796	Hydroplane races admission	76
HB	802	Debentures co. definition	76
SHB	803	Guidelines unissued shares	77
HB	806	Cease & desist mut.-sav. banks	77
HB	808	Trust business deposits	78
SHB	815	Prescrip. drugs substitut.	78
HB	845	Insurance licenses	79
HB	846	Revenue dept. statutory ref.	79
HB	847	DSHS, statutory references	79
HB	848 PV	OFM, statutory references	80
HB	849 PV	Licensing dept. statutory ref.	80
HB	860	Boundary review guidelines	80
HB	862	Hosp. trustees AA counties	80
SHB	871	Transportat. biennial approp.	81
SHB	872	Transportation appropriation	81
HB	874	Forest fire advisory board	82
HB	875	Banks, trust co. real estate	82
HB	888	Rehabilitation center	82
SHB	907	People's lodge bond iss. mod.	82

SHB 912	Solar easements	83
HB 913	Aquaculture lands	83
HB 923 PV	Public emp. relations comm.	84
HB 933	Public hospital districts	84
HB 952	Adverse claim honoring	85
HB 954	Code cities annexation	85
SHB 962	Buy-back fishing vessels	86
SHB 972	Cities, fire protection dist.	86
HB 983	Comm. coll. leaves, costs	86
HB 989	UTC lease approval, facility	87
SHB 1013	Cogeneration processes	87
SHB 1018	Group ins. associations	88
SHB 1031	Transportation studies	88
SHB 1032	I-90 Bonds, authorized	89
SHB 1033	Hood Canal Bridge	89
SHB 1034	Cities, highway improve.	89
SHB 1045	CETA, retire. coverage ex.	89
SHB 1057	Service contracts exemptions	90
SHB 1064	Sick leave account funding	90
SHB 1075 PV	WPSS audit	91
HB 1114	Session laws appropriation	91
HB 1115	Administrative support func.	91
SHB 1121 PV	Insurance revisions	92
SHB 1126	Legislature convening date	94
HB 1133	Continuing political funds	94
HB 1175	Claims against state	94
SHB 1176	Federal lands jurisdiction	94
HB 1207	Day care demonstration proj.	95
2SHB 1239	Emerg. medical serv. levy	95
HB 1241	Non-profit org. prop. parks	95
SHB 1258	Juvenile truancy	96
SHB 1281 PV	Snowmobiles regulated	96
SHB 1308 PV	Mobile home parks L/T	97
HB 1325	Optional municipal code	98
SHB 1347	Mental health services, fees	99
HJM 3	Sugar beet price support	99
HJM 16	Gasohol production	99

NUMERICAL INDEX

Senate Bills

		<u>Page</u>
SB 2005	Liquor licenses, class H	101
SSB 2010	Housing auth. mobile homes	101
SB 2015	State, official dance	101
SSB 2016	Parking, physically disabled	101
SB 2021	Corrections inst. contraband	102
SB 2026	Public transportat. studies	102
SSB 2028	Telephone lines, police	103
SSB 2030	Sick leave, public employees	103
SSB 2032	Commercial driver training	104
SB 2033	State purchasing	104
SB 2040	Special parking decals	104
SSB 2042	Students/consulor parents	105
SB 2045	Salmon guides exclusion	105
SB 2053	Park, recreation districts	106
SSB 2058	Public lands leasing	106
SB 2060	Health officers	107
SB 2062	Perform/visual arts centers	107
SB 2065	Urban arterial bonds	107
SB 2066	Travel trailers, campers tax	108
SB 2067	Driver licensing changes	108
SB 2068	Habitual traffic offenders	108
SB 2069	Vehicle license fees/refund	109
SSB 2071	Motor vehicle dealer fees	109
SB 2077	Utility service reduced rate	109
SB 2078	Accident records-fee	110
SB 2094	MV operator instruct. permit	110
SSB 2095 PV	Superior Ct. judges	110
SSB 2097	Mopeds as motor vehicles	111
SB 2101	Veterans, size of estates	111
SB 2102	State soldiers' home	111
SB 2106	Personal property exemption	112
SB 2111	Timber taxation	112
SSB 2117	Sewage improvement dist.	112
SSB 2118	Agcy/interlocal cooperation	113
SB 2119	Business Corporation Act	113
SB 2121	Embalmers eye removal	114
SB 2124	Food fish, shellfish sellers	114
SB 2130	ESD's services	115
SB 2131	Food commodities fund	115
SSB 2132	Funds, school buildings	115
SB 2136	Multistate dental license	116
SB 2138	Counterfeit contr. subst.	116
SSB 2140	Scholarships/perform. arts	116
SSB 2141	Practice of pharmacy	116
SSB 2142	Physical damage to animals	117

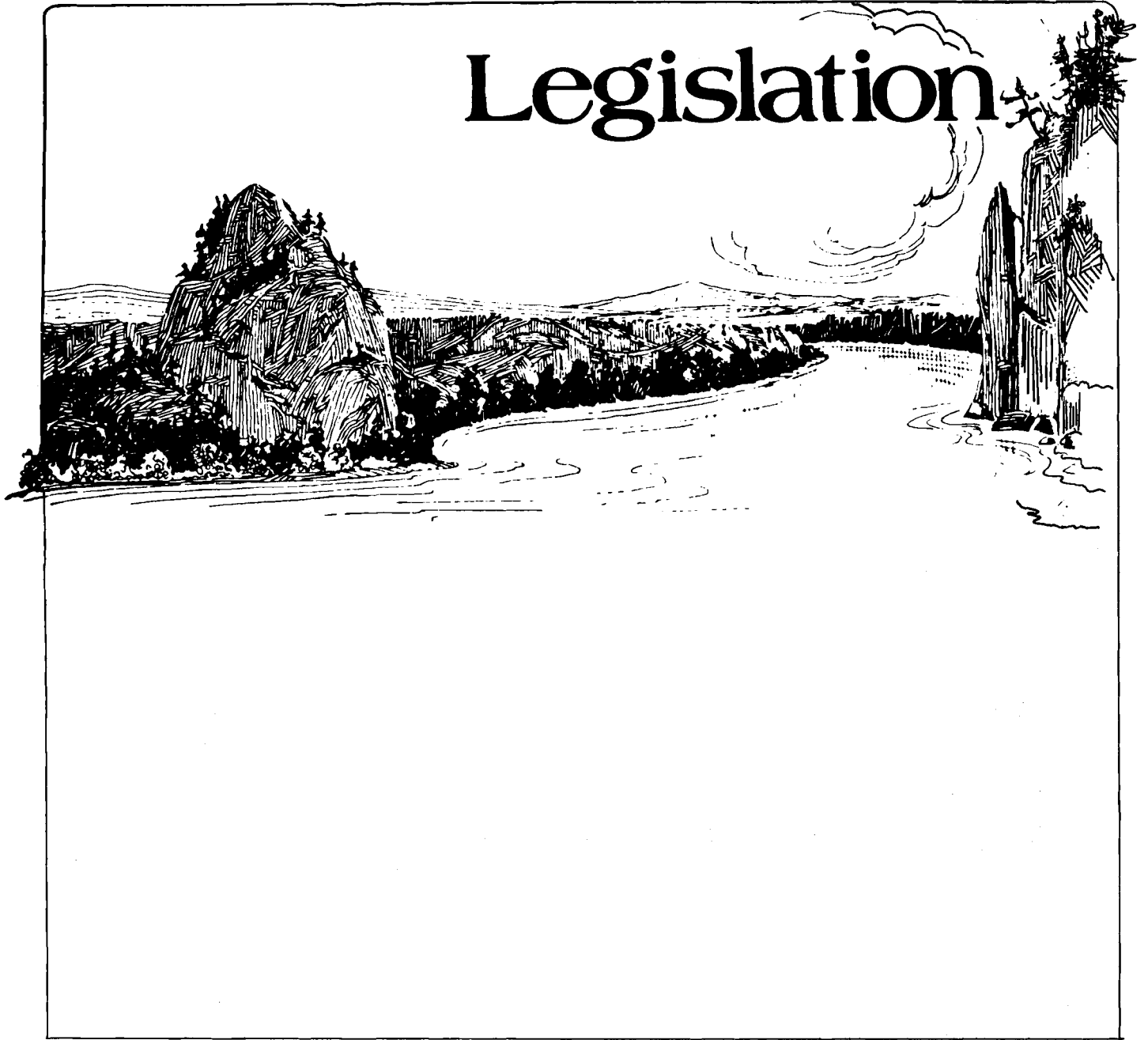
SB 2143	1st class dist. AA counties	117
SSB 2144	Reward statutes modified	117
SB 2147	Food donations liability	118
SSB 2148	Supplemental budget	118
SSB 2149	Bilingual instruction	119
SB 2155	Schools nonprofit meals	119
SSB 2158	Conservation rights	120
SB 2159	DNR sales exchanges	121
SSB 2161 PV	Small public works projects	121
SB 2173	Court commissioners	122
SB 2175	Criminal justice commission	122
SB 2176	State debts	122
SB 2178	Standby guardians	123
SB 2179 V	Law enforcement, parks	123
SB 2180	Agricultural activities	124
SSB 2181	Inheritance tax revision	124
SSB 2182	Gift tax revisions	125
SSB 2184	Recycling facilities bonds	125
SB 2186	Utility pole attachments	126
SB 2191	Geothermal resources rights	126
SSB 2192	Unused sick leave	126
SSB 2194	Higher ed. capital construct.	127
SSB 2197	Uranium/thorium milling	127
SB 2206	Commercial feed inspections	128
SB 2218	DNR-local govt.-planning	128
SB 2221	Medical malprac. records	129
SB 2224	Firemen-volunteer/pensions	129
SSB 2226	Port district-property	129
SB 2233	Small loan companies	130
SB 2242	Governor, certain boards	130
SSB 2243	Higher ed. bond issue autho.	131
SSB 2244	Fisheries facil. bond issue	131
SSB 2249	Voc. educ. bond issue auth.	131
SSB 2250	Comm. colleges bond issue	132
SSB 2251	Social/health services bonds	132
SSB 2252	Transportation supp. budget	132
SSB 2254 PV	Agriculture laws update	133
SSB 2255	Pesticide control law update	134
SB 2256	Investments, custody/funds	134
SSB 2265	Pesticides application revis.	135
SSB 2273	Trust funds superior court	135
SSB 2274	County treasurers investing	135
SSB 2275	Horse racing-revisions	136
SB 2277	Bus stop signs	136
SSB 2284	Harbor areas leasing	137
SB 2290	DOT highways powers	137
SSB 2291	State Highway fund expend.	137
SB 2295	Obsolete funds, accounts	138
SB 2296	Veterans revisions	138
SB 2297	Higher Ed. Assist. Auth. Act	138
SSB 2301	Personal services contracts	138
SSB 2304	Special fuel tax, regulation	139

SB 2305	Escrow agents, bond & insur.	140
SSB 2306	Franchise invest. protection	140
SSB 2308 PV	Emergency medical services	141
SSB 2310	St. Treas. wage pay finan. inst.	141
SB 2311	Credit Unions cert. powers	142
SB 2314	Securities act modified	142
SSB 2317	Workers' comp. benefits	143
SB 2321	Game dept. materials fees	143
SSB 2336	Nursing home resident care	143
SSB 2337	Medical care claims fraud	144
SB 2338	Nursing home revisions	144
SB 2339	Nursing homes assistants	145
SB 2354	Bids, highway projects	145
SB 2355	Osteopaths regulations	145
SSB 2357	Outdoor recreation fac. bonds	146
SSB 2361	State gov't. projects bonds	146
SB 2362	Landlords increased notice	146
SB 2366	Lake Forest Park harbor line	147
SSB 2374	Prop. tax retired owners	147
SSB 2375	Sheriffs-civil service	148
SSB 2376	Local improve. guaranty fund	149
SB 2378	Pension benefits-spouses	149
SB 2385	Funeral director information	150
SSB 2388	Food fish producer fees	150
SSB 2393	Noxious weeds spread prevent	150
SB 2398	Lost, stolen state warrants	151
SB 2399	County prisoners care reimb.	151
SB 2402	Indust. insur. benefit adjust.	152
SB 2403	Mun. corp. services rendered	152
SB 2406	Displaced Homemaker Act	153
SSB 2411	Local gov't. judgments pymt.	153
SSB 2415	Civil commitment revisions	153
SB 2417	Victims of crimes restitut.	154
SSB 2422	Professional discipline	155
SB 2430	PERC hearings, transcription	155
SSB 2434	Ed. Services Registration Act	155
SSB 2439	Fisheries violations	156
SSB 2442	Gov. energy emergency powers	156
SSB 2451 PV	Tuition, fee waivers high. ed.	157
SB 2462	Investments state funds	158
SB 2466	Civil actions, proceedings	158
SB 2467	Revoked out-of-state license	158
SB 2468	Elude pursuing police cars	159
SB 2474	State building code updated	159
SB 2479	Bank investments	159
SSB 2482	Partnership regulations	160
SB 2486	Apple comm. assessments	160
SB 2492	Teletypewriters, hearing aid	160
SB 2502	Medal of Honor license plate	161
SSB 2504 PV	Water during drought condit.	161
SSB 2505	Jail facilities bond issue	162
SB 2506	Mandating retirement	162

SB 2508	Insurance premium taxes	162
SB 2511	Recycling litter control	163
SSB 2532	Hospital districts mortgages	163
SB 2562	Registration transfers	163
SB 2565	Polling places handicapped	164
SB 2569	Reciprocal surcharge camping	164
SB 2602	Beer distributors, spirits	164
2SSB 2610	TESC degree granting auth.	164
SB 2630	Buena camp migrant housing	165
SSB 2639	Bond issue public services	165
SSB 2685	Finan. reporting officials	166
SSB 2709 PV	Basic ed., pupil transportat.	167
SB 2727	Ins. companies arson info.	168
SB 2736	State recreation guide	168
SSB 2744	Student finan. aid program	169
SB 2753	Public assistance revisions	169
SB 2763	Judgments, effective, revival	169
SB 2765	Schools apportion. amounts	170
SSB 2768 PV	Procedures families conflict	170
SSB 2791	Cattle, brand inspection	171
SSB 2794	Water & water rights revis.	172
SSB 2798	Employ agcy. advis. brd. sunset	173
SB 2852	Uniform pers. collect. barg.	174
SB 2905	Electricians-licensing	174
SB 2923	Vietnam vets tuition hi. ed.	175
SB 2925	Expo 74 site city of Spokane	175
SSB 2929	Mobile home taxation	175
2SSB 2944	1977 approp. allocation	176
SSB 2952	Pilotage revisions	176
SSB 2957	DOT, property disposal	177
SSB 2958	Hood Canal Bridge	177
SSB 2964	Higher ed. fac. bond issue	178
SSB 2967	Forest dev., mgmt. cost funds	178
SSB 2976	Energy conservation funds	178
SSB 2979	Energy site permits	179
SSB 2993	Public utility districts	180
SSB 3008	Elected officials salaries	180
SSB 3022	Found, unclaimed property	181
2SSB 3033	Irrigation districts	181
SSB 3034	DOT, tri-cities bridge	182
SSB 3066	State Auditor revisions	183
SB 3077	Photo ID drivers license	184
SSB 3100	Vessels	184
SSB 3101	School facilities bond	184
SB 3115	Insurance prior dble. amend.	184
SB 3117	DSHS resident education	185
SSB 3126	Manicurists	185
SSB 3129	Performing arts center	186
SJM 107	BPA pilot development plants	186
SSJR 110	Annual legislative sessions	186
SJR 112	Legislators civil service	187
SSJR 120	Pub. utilities loan money	187

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Legislation



SHB 1

SPONSORS: Committee on Natural Resources
 (Originally Sponsored by
 Representatives Erickson, Fuller,
 Galloway, Sherman, Keller, Brown,
 Schmitt, Rosbach, Erak, Kreidler,
 Grimm, Winsley, Mitchell, Taller,
 Struthers, Sprague, Walk, Monohon,
 Heck, North, Wilson and Zimmerman)

COMMITTEE: Natural Resources

Requiring a license for personal use of razor clams.

ISSUE:

Over the past several years, the recreational razor clam fishery in Washington has been restricted by the Department of Fisheries because of serious problems with clam wastage and violations of daily bag limits by some clam diggers. Many residents of the ocean beach communities, participants in the recreational razor clam fishery, and other state citizens are concerned that an important recreational and economic asset to the state will be considerably diminished in value unless some action is taken to correct these abuses.

SUMMARY:

The intent of the Legislature is to provide a source of funds to defray the expenses of added enforcement, enhancement, research, and educational programs related to razor clams.

All persons, regardless of age, must obtain a razor clamming license prior to digging razor clams. However, residents and nonresidents over 64 or under 16 may obtain a license at no cost.

The Director of Fisheries is authorized to issue razor-clamming licenses and required to adopt rules for the issuance of the licenses.

The fee for an annual razor-clamming license is established as \$2.50 for residents and \$10.00 for nonresidents. A person who has lived in Washington for the past thirty days is considered to be a resident.

License fees received from the sale of razor-clamming licenses shall be paid into the general fund. The intent of the Legislature is that all funds received from the sale of licenses be expended on programs that are beneficial to razor clam harvesting.

Razor-clamming licenses are nontransferable and must be exhibited to law enforcement officers upon demand. The razor-clamming license must be worn on an outer garment or in some other visible manner.

Persons violating the provisions of this act are guilty of a misdemeanor.

The Department of Fisheries is required to provide the Legislature with an annual report on the status

of the licensing program and the status of the razor clam resource.

An appropriation of \$730,000 is made from the general fund to the Department of Fisheries for the 1979-81 biennium to implement (1) a program of increased enforcement, (2) a program of resource enhancement and other research projects, (3) educational programs, and (4) administration of the licensing program.

The bill contains an emergency clause and takes effect July 1, 1979.

House:	91	5	Effective: July 1, 1979
Senate: (a)	39	8	C 243 L 79 1st ex. sess.
H. Concur.			
(Partial)			
S. Refused			
to Recede			
H. Refused			
to Concur			
S. Receded			
(Partial):	36	0	
H. Concur:	83	0	

HB 4

SPONSORS: Representatives Owen, North, Kreidler, Craswell, Grimm, Gruger, Williams and Walk

COMMITTEE: Judiciary

Providing for records on adopted children.

ISSUE:

There are no existing provisions for the issuance of birth certificates for adopted children born in a foreign state or country. Many children adopted in Washington have been born in other states or countries, thus it has been difficult to obtain new birth certificates for these children after their adoption.

SUMMARY:

The registrar of vital statistics must issue a birth certificate for a child born outside the United States when a certified copy of the Washington adoption decree and the original birth certificate, or equivalent document, are filed with the registrar. Any original birth certificate or equivalent document must be recorded with the state registrar of vital statistics. Records of the U.S. Immigration and Naturalization Service and State Department are the equivalent of a birth certificate.

When a Washington court enters an adoption decree for a child born in a state or U.S. territory other than Washington, the certificate of adoption must be forwarded to the child's state or territory of birth.

HB 4

Persons adopted prior to the effective date of this act may use the same procedure to obtain a birth certificate.

House: 97 1 Effective: Sept. 1, 1979
Senate: 44 0 C 101 L 79 1st ex. sess.

HB 6

SPONSORS: Representatives McCormick and Martinis

COMMITTEE: Transportation

Exempting locomotive operators from the need for a driver's license.

ISSUE:

Problems have arisen when a train is involved in a crossing accident. If the railroad engineer supplies his driver's license as a means of identification, that license number may go on the accident report. This information is then computerized which may result in the engineer receiving notification of license suspension under the financial responsibility law.

SUMMARY:

A railroad engineer need not possess a Washington State driver's license nor display a driver's license as means of identification if involved in a crossing accident.

House: 96 0 Effective: June 7, 1979
Senate: 48 0 C 75 L 79

SHB 16

SPONSORS: Committee on Local Government (Originally Sponsored by Representatives Whiteside, Winsley, Van Dyken, Isaacson, Fuller and Barnes)

COMMITTEE: Local Government

Authorizing local governments to administer senior citizen programs.

ISSUE:

Federal legislation passed in 1975 makes funds available to states for programs to provide services for senior citizens. Local governments in this state are not currently authorized to set up programs to use these funds.

SUMMARY:

Counties, cities, and towns may set up senior citizen programs. Local governments may themselves carry out programs or may set up separate public corporations or authorities to do so. Local

governments are authorized to expend federal, state, or private funds, as well as their own funds, for this purpose.

House: 98 0 Effective: June 7, 1979
Senate: 47 0 C 109 L 79

HB 18

SPONSORS: Representatives Becker, Smith (R.), Tilly, Winsley and Brekke (By House Committee on Judiciary of the 45th Legislature Request)

COMMITTEE: Judiciary

Enacting the Uniform Child Custody Jurisdiction Act.

ISSUE:

In recent years jurisdictional problems in child custody controversies have arisen as a result of the increase in "child snatching" by noncustodial parents and other guardians.

Prior to the enactment in several states of the Uniform Child Custody Jurisdiction Act there was no clear and comprehensive statutory law in this area and case law was inconsistent and liberal, allowing custody claimants to sue in almost any state for modification and custody.

SUMMARY:

The Uniform Child Custody Jurisdiction Act drafted by the National Conference of Commissioners on Uniform Laws provides guidelines to the courts as to when to exercise jurisdiction in child custody disputes. The preferred state is the child's "home" state. Jurisdiction in one state may be extended for an additional six months where the juvenile has been wrongfully taken by one spouse to another state.

The clerk of each superior court must maintain a registry that includes certified copies of custody decrees of other states received for filing and other communications which may affect the jurisdiction or disposition of a court in a custody proceeding. If the court concludes another hearing was pending, it must stay the proceedings and communicate with the other court to ascertain the most appropriate forum.

If the petitioner for the initial decree has wrongfully taken the child, the court may decline to exercise jurisdiction and notify the parent and the prosecuting attorney of the appropriate jurisdiction and order the petitioner to appear with the child in a custody proceeding.

The second basis for jurisdiction is the state having "significant contacts". This leaves considerable

discretion to the courts. The courts are to be guided by the juvenile's best interests.

Jurisdiction may also be established in the circumstance of abandonment, emergency due to neglect or abuse, or the absence of any other state with jurisdiction.

In addition, all states who are parties to the Uniform Child Custody Jurisdiction Act may request the appropriate court of another state to hold a hearing to adduce evidence or to have social studies made with respect to the custody of a child with the costs of the services assessed against the parties.

House: 97 0 Effective: June 7, 1979
 Senate: (a) 48 0 C 98 L 79
 H. Refused
 to Concur
 S. Recede: 47 0

SHB 22

SPONSORS: Committee on Judiciary
 (Originally Sponsored by
 Representatives Charnley, Burns,
 Douthwaite and Nelson (G.))

COMMITTEE: Judiciary

Permitting arrest for certain traffic offenses.

ISSUE:

Under common law, a police officer may arrest a person for the commission of a misdemeanor without first obtaining a warrant only if the misdemeanor is committed in the presence of the arresting officer. In 1975, the Legislature authorized police officers investigating at the scene of a motor vehicle accident to arrest a driver for a traffic violation upon probable cause even though the officer was not present at the time of the alleged violation. Because the legislation authorizes arrests only at the scene of a motor vehicle accident there is some concern about the power to arrest a driver committing the offense of hit and run. A court of appeals decision has strictly construed this language and at least one trial court has excluded evidence obtained following the arrest of a driver away from the scene of the incident.

SUMMARY:

A police officer, upon probable cause, may arrest a person for a misdemeanor or gross misdemeanor whether or not committed in his presence if the offense is hit and run, reckless driving, negligent driving, or driving while under the influence of intoxicating liquor or drugs. A law enforcement officer investigating at the scene of a motor vehicle accident may also arrest the driver of a motor vehicle for a period of time necessary to serve the

driver with a citation, upon probable cause that a traffic law violation has occurred. A full arrest is authorized if the person refuses to sign the written promise to appear in court on the citation.

In addition, the common law warrantless arrest power of a police officer which authorizes an arrest for a felony upon probable cause and a warrantless arrest for a gross misdemeanor or misdemeanor committed in the officer's presence is reinstated.

House: 96 0 Effective: Sept. 1, 1979
 Senate: 46 0 C 28 L 79 1st ex. sess.

HB 25

SPONSORS: Representatives Knowles, Smith (R.)
 and Sherman
 (By House Committee on Judiciary of
 the 45th Legislature Request)

COMMITTEE: Judiciary

Defining what persons are lawfully on another's property in cases of liability for dog bites.

ISSUE:

The current statute imposing strict liability has been interpreted so that only persons who can sue for a dog bite are those persons on the property under some kind of legal duty such as mail carrier, meter readers, or tax assessors.

SUMMARY:

A person lawfully upon the private property of another can sue for a dog bite.

The definition of being lawfully upon private property includes everyone who is on the property with the express or implied consent of the owner. Consent to be on the property may not be presumed if the property is fenced or posted in such a way as to provide reasonable notice.

House: 53 43 Effective: June 7, 1979
 Senate: (a) 26 21 C 148 L 79
 H. Concur: 55 41

HB 26

SPONSORS: Representatives Valle, Gruger,
 Douthwaite and Pruitt
 (By House Committee on Ecology of
 the 45th Legislature Request)

COMMITTEE: Ecology

Relating to highways.

ISSUE:

In 1971 the Legislature enacted the so-called "Highway Environmental Policy Act" (HEPA)

which requires the Department of Transportation to prepare "reports" regarding the anticipated environmental impact of certain highway projects. Later in the 1971 session, the Legislature enacted the State Environmental Policy Act (SEPA) which requires all state and local entities, including the Department of Transportation, to prepare environmental impact statements for all major actions significantly affecting the quality of the environment.

Presently, the Department of Transportation must prepare both the (HEPA) environmental report and the SEPA environmental impact statement (EIS) on any highway project significantly affecting the quality of the environment. If the highway project involves federal funds there may be an additional EIS under the National Environmental Policy Act (NEPA). All three laws address the same environmental concerns.

Also, the rigid requirement for preparing the HEPA report on the full environmental impact prior to the first public hearing relating to the location or design of the highway has created the situation where it is difficult to comprehensively evaluate the full environmental impacts and, consequently, the report may be less than thorough. Practically, the Department has been using the incomplete SEPA "draft" impact statement to satisfy the HEPA report requirements. There is a question regarding the legal sufficiency of substituting the draft statement for the required completed HEPA report. Finally, there are no guidelines, as under SEPA, to guide the Department in its implementation of HEPA.

SUMMARY:

HEPA is repealed. Following are the major provisions of HEPA (RCW 47.04.-110-120-130):

1. It is a state policy to encourage harmony between man and his environment on both the human and natural environment in the location, design and construction of state highways.
2. The Department of Transportation will prepare a report on the environmental impacts prior to the first public hearing on the location or design of any state highway project which the Department determines will significantly affect the quality of the environment. A highway project is where a state highway is to be constructed in a new location or where a state highway reconstruction project will require additional right-of-way.
3. The environmental impact report shall be transmitted to the Department of Ecology not less than thirty days prior to the public hearing for environmental reviews on beneficial or adverse environmental impacts. This written review must be transmitted back to the Department of Transportation and distributed to

the public at least five days prior to the first hearing.

House:	97	0	Effective: June 7, 1979
Senate:	48	0	C 7 L 79

SHB 29

FULL VETO

SPONSORS: Committee on State Government
 (Originally Sponsored by
 Representatives Ehlers, Taller,
 Struthers, Nelson (G.), Walk, Sanders,
 Barr, Jovanovich, Barnes, Williams,
 Oliver, Knowles, Scott, Whiteside,
 Pruitt, Granlund, Sherman, Brekke and
 Brown)
 (By House Committee on State
 Government of 45th Legislature
 Request)

COMMITTEE: State Government

Creating a joint legislative committee to review agency rules.

ISSUE:

The Legislature often delegates authority to promulgate rules implementing a statute to an executive agency or institution of higher education. Under current law there are no procedures specifically allowing the Legislature to review those rules to determine whether they conform with legislative intent. A number of states have adopted such procedures with the goal of strengthening conformity of rules.

SUMMARY:

A rules review committee is created in each house of the Legislature. Each bipartisan committee is composed of four members approved by their respective caucuses. Senate members and the Senate chairperson are appointed by the President; House members and the House chairperson are appointed by the Speaker.

Whenever the committees meet jointly, the Senate chairperson presides in odd-numbered years, alternating with the House chairperson in even-numbered years. The rules review committees may selectively review proposed and existing rules of executive agencies and higher education institutions.

Review procedure. Specific procedures are established for review committee action on proposed and existing rules, including emergency rules.

Proposed rules. When an agency or institution of higher education files a proposed rule and notice of adoption with the Code Reviser for publication in the Washington State Register, it must also file the

notice and rule with the Legislature and the rules review committees, together with the reasons for the rule's adoption. If a majority of the members of each review committee determines in a joint meeting that a proposed rule is not within legislative intent, the review committees will notify the agency at least seven days prior to any hearing on the rule. At the hearing, the agency must include questions of legislative intent in its consideration of the proposed rule.

If the agency substantially amends a draft rule after publication of notice, new notice must be filed and a new hearing held; the same applies if the rule is substantially amended at a hearing.

Existing and emergency rules. If a majority of the members of each review committee in a joint meeting finds that an existing rule is not within legislative intent or that the rule has not been properly adopted, the agency must 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 such notice in the Washington State Register. Questions of legislative intent must be considered at the hearing.

Sanctions. Within seven days after a hearing on a rule to which the review committees objected, the agency must notify the committee of its action. If each review committee jointly finds that the rule has not been modified or repealed to conform with legislative intent, they may file notice of their objection with the Code Reviser for publication in the Washington State Register and in the next supplement of the Washington Administrative Code. In any subsequent legal proceeding challenging the validity of a rule to which the committees filed notice of objection, the publication of the notice in no way establishes any presumption of the legality or constitutionality of the rule.

Creation of the rules review committees does not preclude any standing committee from conducting studies and hearings on administrative rules, providing staff assistance to the review committees or referring questionable rules to the review committees. The review committees may recommend to the next legislative session revision or repeal of legislation under which a questionable rule was adopted. In addition, the committees are required to submit a report of their activities, together with recommendations concerning the rule-making process to the Legislature in 1981. The rules review committees are terminated on July 1, 1981, unless extended by law for a fixed period.

House: (a) 98 0
Senate: (a) 48 0
H. Concur: 97 0

VETO SUMMARY:

The Governor states SHB 29 violates the constitutional "separation of powers" in two areas.

It interferes in the duty of the executive branch to implement the law, and in the duty of the judicial branch to interpret the law.

She contends that if there is a problem with agency rule-making, the Legislature can alleviate it by more clearly setting forth legislative intent in statute. The Legislature also has a variety of informal mechanisms which can operate effectively to mitigate against agency departures from legislative intent. (SEE VETO MESSAGE)

H. Veto
Override: 89 9
S. No Over-
ride Action

HB 30

SPONSORS: Representatives Ehlers, Nelson (G.),
Taller and Sanders

COMMITTEE: State Government

Establishing a method by which certain criminal cost bills will be paid by the state.

ISSUE:

The State Auditor has been statutorily responsible for verifying certain superior court costs in felony convictions and allowing tax credits to the counties for the state's share in such cases. In practice, this function has been performed for some time by the Administrator for the Courts. Conforming law with practice appears reasonable.

SUMMARY:

The Administrator for the Courts may allow payment by the state of statutory witness fees in cases where a conviction of a felony is obtained and the defendant is required to pay a fine or given a prison sentence, even if the sentence is deferred or suspended. Payment is allowed even if a conviction is subsequently reversed or a new trial granted.

In such cases, the Administrator, rather than the State Auditor, will receive copies of the cost bills from superior court clerks.

House: (a) 97 0 Effective: June 7, 1979
Senate: 46 0 C 129 L 79

HB 33

SPONSORS: Representatives Taller, Nelson (G.),
Struthers, Ehlers and Sanders

COMMITTEE: State Government

Establishing certain fees relating to corporations which may be charged by the Secretary of State.

HB 33

ISSUE:

The Secretary of State is presently required to charge several classes of fees in providing documents and information concerning corporations operating in Washington State. The Secretary of State has requested that this fee schedule be standardized to bring it in line with the public records law which will result in reducing a number of fees.

SUMMARY:

Fees charged by the Secretary of State in providing corporate documents and information concerning corporations operating in this state are standardized. The fees are applicable to domestic and foreign business corporations, non-profit corporations and mutual and other miscellaneous corporations.

The charges authorized are: (1) \$5 for a certified copy of any charter documents; (2) \$2, plus ten cents per page, for a certified copy of any other document; (3) \$2 for any certificate; (4) ten cents per page for copies of any other document; and (5) \$5 at the time of any service of process, which may be recovered by the party who causes the service and prevails in the action.

House: 98 0 Effective: Sept. 1, 1979
Senate: 47 0 C 133 L 79 1st ex. sess.

HB 41

SPONSOR: Representative Keller

COMMITTEE: Local Government

Providing for local fire protection contracts.

ISSUE:

Several years ago legislation was enacted requiring state agencies to contract with fire protection districts for services received. However, state agencies and institutions are not now required to contract for fire protection services when they have buildings and equipment in cities and towns receiving fire protection from those local governments. The City of Olympia has argued that the location of state facilities within its limits has resulted in high costs to the city. Olympia urges that the state bear this expense.

SUMMARY:

Every state agency and institution which has buildings or equipment located within a city or town and which receives fire protection services from the city or town must contract with the local government for such services. If the state agency or institution provides its own fire protection services, no contract is necessary.

Beginning in the 1981-83 biennium, the Department of General Administration's budget request to the Governor must include an amount sufficient to fund fire protection contracts negotiated as a result of this legislation.

House: (a) 84 11 Effective: Sept. 1, 1979
Senate: (a) 48 0 C 102 L 79 1st ex. sess.
H. Concur: 89 9

HB 44

SPONSORS: Representatives Fancher and Flanagan

COMMITTEE: Natural Resources

Increasing the fee that may be retained by persons issuing hunting and fishing licenses.

ISSUE:

Current law authorizes dealers selling Game Department licenses, tags or permits to charge a fee for this service. The present agent's fees were established in 1955 and authorizes an agent's fee of twenty-five cents for licenses and ten cents for tags and permits. The agent's fees could be increased to offset the dealer's increased costs.

SUMMARY:

Persons deputized by the Director of Game to issue licenses, tags or permits are allowed to charge an agent's fee of fifty cents for each license issued and twenty-five cents for each permit or tag issued.

House: 95 3 Effective: Sept. 1, 1979
Senate: 35 4 C 3 L 79 1st ex. sess.

HB 48

SPONSORS: Representatives Amen, Kreidler, Flanagan and Smith (C.)
(By House Committee on Agriculture of the 45th Legislature Request)

COMMITTEE: Agriculture

Extending certain exemptions for contracts by local governmental entities to include small irrigation districts.

ISSUE:

Under current law, no irrigation district director or officer may have any interest in any contract presented to or awarded by the board. Anyone convicted of violating this law is guilty of a misdemeanor, must forfeit his or her office and may be punished by up to \$500 in fines or imprisoned for up to six months, or both. This statute is in conflict with and more severe than the general statute concerning municipal officers' interests in contracts.

The State Auditor's Office has suggested changes be made in the irrigation district law.

SUMMARY:

The irrigation district statute on beneficial interests in contracts is repealed. Irrigation districts now come under the provisions of the general statute concerning municipal officers' interests in contracts. Small irrigation districts with 50,000 or fewer acres are exempt from the general prohibition against municipal officers having an interest in contracts. This brings small irrigation districts in line with smaller counties, cities and school districts. Irrigation districts with 50,000 or more acres are covered in the same manner as larger counties and first and second class cities and school districts.

House: 98 0 Effective: Sept. 1, 1979
Senate: 40 0 C 4 L 79 1st ex. sess.

HB 50

SPONSORS: Representatives Newhouse, Smith (R.), Barr, McGinnis, Sanders, Schmitt, Bond, Clayton, Isaacson, Eberle, Dawson, Zimmerman, Galloway, Smith (C.), Nisbet, Owen, McDonald, and Wilson
(By House Committee on Judiciary of the 45th Legislature Request)

COMMITTEE: Judiciary

Providing for limited liability of landowners for recreational use of their land by the public.

ISSUE:

Private landowners should have clear protection from liability when they allow their land to be used for recreational purposes. Immunity may need to be extremely clear if landowners are to be encouraged to allow the public to use their land for recreational purposes.

SUMMARY:

Landowners' common law immunity from liability for unintentional injury to persons who are allowed to use the landowner's property for outdoor recreational purposes is further clarified by express reference to urban as well as rural land, and by indicating that such usage cannot support a claim for adverse possession. The definition of "outdoor recreation" is expanded to expressly include the activities of horseback riding, bicycling and clam digging.

House: 97 0 Effective: June 7, 1979
Senate: (a) 46 1 C 53 L 79
H. Concur: 96 0

SHB 56

SPONSORS: Committee on Local Government
(Originally Sponsored by Representatives Charnley, Whiteside, Zimmerman, Rohrbach, North, Owen, Sanders, Fuller, Flanagan, Knowles, Smith (C.), Nisbet and Amen)
(By Request of the House Committee on Local Government of the 45th Legislature)

COMMITTEE: Local Government

Authorizing local governments to enter programs for self-insurance, risk management, and joint insurance.

ISSUE:

In recent years, local governments have been required to pay vastly increased insurance premiums. These governments are not currently authorized to employ risk management personnel or to enter pooling arrangements with other local entities to provide liability coverage.

SUMMARY:

Counties, cities, towns, and special purpose districts are permitted to individually or jointly: (1) Hire risk managers; (2) Purchase insurance coverage; and/or (3) Self-insure: Provided that joint self-insuring is only for the purpose of providing liability insurance. Whenever two or more local governments join together for such purposes, their organization must be pursuant to the Interlocal Cooperation Act.

Any pool or organization of local governments made under this act is subject to audit by the State Auditor.

Prior to the establishment of a joint self-insurance pool, approval of a proposed plan of organization and operation must be granted by the State Risk Manager. Criteria and procedural requirements for such approval are specified.

Any organization formed under this bill may invest its assets directly or through the County Treasurer. Classes of investments or securities in which an organization may invest include those investments and securities in which public agencies are otherwise permitted to invest. Requirements that the organizations must satisfy are specified and the organizations are granted certain powers in order to function.

An exemption from the Open Meetings Act is granted to consider litigation and settlement claims. An exemption from the Public Disclosure Act is granted to keep certain records and documents concerning claims and anticipated settlements from public view. (However, the State Auditor always has access to these records and documents.)

SHB 56

Such an organization of local governments is exempt from insurance premium taxes, business and occupation taxes, and regulation under the Insurance Guarantee Association Act. In addition, such organizations must provide for the contingent liability of the participants in the event the assets of the joint self-insurance pool are not sufficient to cover its liabilities. Such organizations are permitted to contract with an insurance agent or broker to purchase insurance on a fee basis.

House: 97 0 Effective: Sept. 1, 1979
Senate: (a) 27 18 C 256 L 79 1st ex. sess.
H. Concur: 88 3

SHB 57

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Charnley and
Rohrbach)
(By House Committee on Local
Government of 45th Legislature
Request)

COMMITTEE: Local Government

Providing a common date for assumption of office by local government elected officials.

ISSUE:

Numerous statutory provisions govern election procedures for local officials. At the present time, conflicts exist in these laws and there is no common date upon which local officials assume their offices.

SUMMARY:

County and city elected officials and elected officials of certain special purpose districts take office on January 1 of the year following their election and qualification. These officials are qualified when election results are certified, certification is issued, any bond requirements are met, and the oath of office is administered and certified. These officials are permitted to take oaths of office up to ten days before assuming office or at the last meeting of the governing body prior to office assumption.

Existing laws are altered to conform to current election practices. Standard terms of office and filling of vacancies for certain special purpose district governing officials are established.

House: (a) 98 0 Effective: Sept. 1, 1979
Senate: (a) 41 0 C 126 L 79 1st ex. sess.
H. Concur: 88 0

HB 58

SPONSORS: Representatives May, Gallagher, Sanders, Owen, Lux, Schmitten, Teutsch, Martinis, Deccio, Hurley, Maxie, Newhouse, Knowles, Struthers, Adams, Hughes, Pruitt, Charnley, Clayton, Erak and Houchen

COMMITTEE: Commerce

Prohibiting blind bidding for feature motion pictures.

ISSUE:

Blind bidding is the practice by motion picture distributors of requiring exhibitors to bid for the right to book movies far in advance of proposed showing dates and without an opportunity to preview the movie. Typically, a bid proposal provides only the name of the movie, the producer's or director's name, the starring actors, a brief synopsis of the plot, minimum guarantee, advance payment, and split of ticket price between distributor and exhibitor. In many cases, the exhibitor is asked to bid on a movie prior to or during production.

This practice may prevent local exhibitors from exercising their knowledge and judgment in selecting those pictures most appropriate for the audiences in terms of artistic quality, thematic interests, and decency considerations.

Distributors may obtain guaranteed playing dates in advance of film production which makes financing easier to obtain and without required trade screenings, a film can be released to capitalize upon trends, fads and to meet seasonal demands for entertainment.

SUMMARY:

Blind bidding is prohibited, and trade screening of pictures, with prior notice to exhibitors, is required before the bidding process takes place. Enforcement is by resort to court to enjoin further violations and/or recovery of damages and attorney fees.

Certain procedures to be followed in the bidding process are outlined. Each invitation to bid must specify certain information; bids must be submitted in writing and must be opened in the presence of the bidding exhibitors; exhibitors have the right to examine the bids; the distributor must notify each bidding exhibitor of its decision; and once bids are solicited, the motion picture may be licensed only by bidding including solicitations for rebids.

House: 85 11 Effective: Sept. 1, 1979
Senate: 45 2 C 29 L 79 1st ex. sess.

HB 65

SPONSORS: Representatives Salatino, Deccio and King

COMMITTEE: State Government

Recognizing Columbus Day.

ISSUE:

For some time, Columbus Day was among the statutory "legal holidays" which are paid days off for public employees with state offices and the courts closed. Columbus Day was deleted from the calendar of legal holidays in 1976 when several other changes were made by the Legislature. It has been proposed Columbus Day receive some statutory recognition to honor the contribution of the Italian Americans to the State of Washington.

SUMMARY:

The Legislature declares that October 12 is to be recognized as Columbus Day, but will not be considered a legal holiday for any purpose.

House:	98	0	Effective: June 7, 1979
Senate:	40	6	C 77 L 79

HB 66

SPONSOR: Representative Smith (R.)

COMMITTEE: Judiciary

Correcting a mistake.

ISSUE:

RCW 6.36.035 which was enacted in 1977 relates to the filing of foreign judgments by a judgment creditor. The word "debtor" was inadvertently used instead of the word "creditor" in the last line of this statutory section. The error needs to be corrected in order to clarify the law and properly state the Legislature's intent.

SUMMARY:

The word "debtor" is deleted and the word "creditor" is inserted on the last line of RCW 6.36.035.

House:	96	0	Effective June 7, 1979
Senate:	47	0	C 97 L 79

HB 69

SPONSORS: Representatives Warnke and Polk
(By Legislative Budget Committee Request)

COMMITTEE: Higher Education

Repealing sections authorizing forest tree nursery at Washington State University.

ISSUE:

The forest tree nursery at Washington State University was discontinued in 1961. The statutes governing its maintenance were not repealed at that time.

SUMMARY:

Authorization for a forest tree nursery at Washington State University is repealed.

House:	96	0	Effective: June 7, 1979
Senate:	48	0	C 52 L 79

SHB 76

SPONSORS: Committee on Local Government
(Originally Sponsored by Representatives Charnley, Zimmerman, Garrett, Keller and Brekke)
(By House Committee on Local Government of the 45th Legislature Request)

COMMITTEE: Local Government

Appointing a joint committee to study home rule powers.

ISSUE:

Judicial opinion in Washington limits the powers of county and city governments to those specifically provided in statutes or necessarily implied from those statutes.

SUMMARY:

The Legislature finds that the home rule powers of cities and counties are subject to confusion. Thus, it directs that a joint committee be appointed to study the issue. The committee, which is composed of three members of the majority and three members of the minority parties of both the Senate and the House of Representatives, must hold hearings and report its findings to the Legislature on or before February 1, 1981.

SHB 76

House: 79 18 Effective: Sept. 1, 1979
Senate: (a) 31 14 C 194 L 79 1st ex. sess.
H. Refused
to Concur
S. Refused
to Recede
H. Concur: 69 28

SHB 77

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Charnley, Keller and
Garrett)
(By House Committee on Local
Government of 45th Legislature
Request)

COMMITTEE: Local Government

Providing for the dissolution of inactive special
purpose districts.

ISSUE:

Presently, numerous inactive special purpose
districts remain in existence. Current methods to
dissolve them seem to be ineffective. There are no
requirements that systematic information be kept
on special districts.

SUMMARY:

The dissolution of inactive special purpose districts
is permitted on action of county legislative
authorities. Inactive districts are those which either:

1. Have not carried out any functions within the
preceding consecutive five years; or
2. Have not elected or appointed new members to
their governing bodies within the past seven
years.

A public utility district must meet both these
criteria.

County auditors must annually review their records
and notify county legislative authorities if there are
any inactive special purpose districts within their
boundaries. The county legislative authority must
hold hearings on inactive districts. Notice of such
public hearings must be made by publication,
posting, and mailings within the county and any
other county into which the special districts extend.
The county legislative authority must consider each
case and make written findings. It must adopt an
ordinance dissolving a special purpose district, if
inactivity criteria are met and the public interest is
served.

Any interested party may challenge the legislative
authority's decision within thirty days of the
dissolving ordinance. These parties may apply to a
court of competent jurisdiction, and dissolutions
may be halted under proper circumstances.

The county legislative authority must dispose of
special district property and settle its obligations.
Monies from the dissolved district are applied to
obligations of the district and expenses of the
county. Any remainder goes to the county or is
apportioned between counties if the district is in
more than one. Existing rights and liabilities are
not affected. This method of dissolving special
purpose districts is in addition to existing methods.

Each year all special purpose districts must file a
statement with the county auditor. The initial
statement contains the name, description, and
location of a district; a listing of statutes under
which it operates; the names, addresses, telephone
numbers and terms of office of district governing
authority members; and a description of the
functions of the district and the purpose for which
it was created. Subsequent filings need only update
this information. County auditors must file annual
summaries of this information with the State
Auditor.

Boundary review boards are prohibited from
reviewing the dissolution of special purpose districts
and from exercising jurisdiction over division of
assets and liabilities of such districts.

House: 98 0 Effective: Sept. 1, 1979
Senate: 41 0 C 5 L 79 1st ex. sess.

SHB 78

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Zimmerman, Garrett,
Charnley and Keller)
(By House Committee on Local
Government of 45th Legislature
Request)

COMMITTEE: Local Government

Relating to special purpose districts.

ISSUE:

Existing statutes contain many references to
governmental entities which are no longer in
existence.

SUMMARY:

References in numerous statutory provisions to
special purpose districts which no longer exist are
deleted. These references include the following
obsolete districts: Commercial waterway districts,
toll facility aid districts, independent highway
districts, sanitary districts, bridge districts, tunnel
districts, water distribution districts, and mining
districts.

In addition, references to air pollution control
districts are changed to air pollution control
authorities.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 45 0 C 30 L 79 1st ex. sess.

SHB 79

SPONSOR: Committee on Local Government
 (Originally Sponsored by Representatives
 Charnley, Burns and Brekke)

COMMITTEE: Local Government
 Establishing procedures for disposing of surplus
 reading materials by libraries and school districts.

ISSUE:
 The 1977 Legislature passed legislation providing a
 method whereby public school districts, educational
 service districts and other state or local
 governmental agencies concerned with education
 can make surplus materials available to private
 schools. Confirmed reports of the occasional
 burning of large numbers of books by public entities
 has led to proposed legislation which provides an
 alternative method of disposing of surplus or
 obsolete reading materials by school districts,
 educational service districts and public libraries.

SUMMARY:
 In addition to existing methods, school districts,
 educational districts, and public libraries are
 authorized to dispose of surplus reading materials
 in the following manner:
 1) Surplus reading materials having an estimated
 value of more than \$1,000 are to be sold at public
 auction.
 2) If no reasonable bids are submitted at the auction
 or the estimated value is \$1,000 or less, the sale
 may be directly negotiated.
 3) If no purchaser is found or the materials are
 deemed to have no value as reading material, then
 such materials may be recycled or destroyed.

A current statutory provision is removed which
 authorized local school district boards of directors
 to declare selected instructional materials obsolete
 and to dispose of them by sale to the highest bidder
 following public notice.

House: 98 0 Effective: Sept. 1, 1979
 Senate: (a) 48 0 C 134 L 79 1st ex. sess.
 H. Concur: 96 0

SHB 80

SPONSORS: Committee on Institutions
 (Originally Sponsored By
 Representatives Struthers, Becker,
 Nelson (D.), Taller and Rohrbach)
 (By Department of Social and Health
 Services Request)

COMMITTEE: Institutions
 Modifying provisions relating to institutional
 industries.

ISSUE:
 Presently, the lack of industrial opportunities
 results in a high level of idleness and boredom
 among the residents of prisons which contributes to
 disturbances and unrest.

SUMMARY:
 The Secretary of the Department of Social and
 Health Services is authorized to lease or permit the
 use of the institutions to a private business
 organization for the establishment of a commercial
 enterprise to utilize resident labor. In order to
 ensure compatibility with other statutory provisions,
 the residents participating in the program are to be
 deemed work releasees and/or parolees. Such
 participants must be paid no less than 60% of the
 prevailing wages for the work performed and are
 eligible for medical aid pursuant to the Industrial
 Insurance Act. The program terminates after
 January 1, 1984.

Products manufactured pursuant to this plan may
 be sold to private nonprofit corporations, as well as
 the state or other public entities.

The Institutional Industries Commission must
 annually report to the Governor and the Legislature
 complete details of enterprises inaugurated
 pursuant to this bill.

House: 95 0 Effective: Sept. 1, 1979
 Senate: (a) 45 0 C 160 L 79 1st ex. sess.
 H. Concur.
 (Partial)
 S. Refused
 to Recede
 H. Concur: 93 0

SHB 82

SPONSORS: Committee on Financial Institutions
 (Originally Sponsored by
 Representatives Eng, Lux and Wilson)

COMMITTEE: Financial Institutions
 Regulating cemetery prearrangement contracts.

ISSUE:

During the past several months, a large number of complaints have been filed with the Consumer Protection Division of the Attorney General's Office and the State Cemetery Board concerning the failure of some cemetery authorities to furnish goods and services under contracts with purchasers as well as the financial collapse of certain cemetery operations.

Interim studies by the House Financial Institutions Committee and Senate State Government Committee revealed the need for strengthening the powers of the Cemetery Board, more closely defining prohibited cemetery sales practices, clarifying the operating authority for cemeteries, and tightening statutory provisions concerning the integrity of endowment funds and prearrangement trust funds.

SUMMARY:

The major provisions are as follows:

Structure and powers of the Cemetery Board. The Board is given explicit standing to sue cemetery operators for violations of the regulatory statutes. A county prosecuting attorney or the Attorney General, with or without referral of evidence by the Board, may take legal action in these cases. The Board's powers to examine endowment care and prearrangement trust funds are revised to allow the Board to request a certified annual financial report, the cost of which is borne by the cemetery authority. The Board is given sole authority to determine the form and content of reports which must be submitted annually by the cemeteries.

Members of the Board are given immunity from civil or criminal suits based upon official acts performed in good faith.

The Board is authorized to issue a new prearrangement sales license, without which a cemetery authority may not enter into prearrangement sales contracts. The requirements for obtaining such a license from the Board include providing a statement of the cemetery authority's financial condition and any other information which may be requested by the Board. The license must be renewed annually unless extended by the Board, and may be revoked or suspended by the Board for violation of any provisions of the prearrangement sales law.

The Board is permitted to hold a hearing and issue a cease and desist order if the charges of violations are upheld. Prearrangement sales contract forms must be filed with the Board, which may stop the cemetery from using such forms if they are misleading or deceptive.

Prearrangement trust fund revisions. The amounts and procedures for making deposits to prearrangement trust accounts are revised. The

cemetery authority is given two options: (a) it must deposit a percentage of all contract payments collected, equal to the greater of fifty percent of the contract price or the percentage of the total contract price represented by the wholesale cost of merchandise and the direct cost of services; or (b) it must file a surety bond with the Cemetery Board in the amount by which the contingent liability for refunds exceeds the amount on deposit in the trust fund. In the latter case, the cemetery must deposit each payment made on the last fifty percent (or greater) of each contract. Purchasers of prearrangement contracts are entitled to terminate such contracts and receive refunds of fifty percent of the money paid less the cost of any merchandise delivered or services performed.

Miscellaneous provisions. (a) A new operator of a cemetery authority must be bound by existing prearrangement contracts. (b) A cemetery authority is relieved from civil or criminal liability for disposing of human remains at the state's request. (c) The descent of ownership of a cemetery plot upon the death of the owner is clarified. (d) The authority for creation of a nonendowment care cemetery or setting aside a nonendowment care section in an existing cemetery is terminated. (e) The exemption from Board regulation for certain cemeteries to nonprofit religious cemeteries exempt from property tax and cemeteries operated by a county, city, town, cemetery district or coroner is limited.

House:	92	0	Effective: June 7, 1979
Senate:	48	0	C 21 L 79

HB 86

SPONSORS: Representatives Eng, Lux, Barr and Winsley

COMMITTEE: Financial Institutions

Regulating debt adjusters.

ISSUE:

The Debt Adjusting Act (Chapter 18.28 RCW) was enacted in 1967 and established a scheme for the examination, investigation, and licensing of commercial debt adjusters. The debt adjusting statute was included in the Washington Sunset Act of 1977 and was formally terminated on June 30, 1978. Under the one-year "wind down" process, regulation will cease completely on June 30, 1979, unless the Legislature enacts a new or amended statute regulating commercial debt adjusters.

The Legislative Budget Committee, after an extensive review of Chapter 18.28 RCW, recommends that the Legislature provide for continued regulation of commercial debt adjusters.

SUMMARY:

Regulation of commercial debt adjusters is removed from termination under the Sunset Process.

The language relating to fees debt adjusters may charge is clarified to guarantee that at no time may the total fee to date be more than fifteen percent of payments made, and no more than fifteen percent of any one payment may be retained by the debt adjuster. At least eighty-five percent of each payment must be distributed to creditors. If a debtor defaults or cancels the contract with the debt adjuster, the adjuster may retain an additional six percent but this amount, which was set at a maximum of seventy-five dollars, is limited to not more than twenty-five dollars. Any remaining funds must be distributed to the creditors no more than thirty days after default or cancellation.

A three-day "cooling off" period is established during which a debtor may cancel his contract with a debt adjuster. Further, the investor must notify the debtor within five days if a creditor refuses to accept payment under the provisions of the contract.

The Director of the Department of Licensing is given broad authority to examine the business of each commercial debt adjuster, including free access to the offices, places of business, books, accounts, records, files, safes and vaults of all licensed commercial debt adjusters.

If the Director of the Department of Licensing finds at any time that the ten thousand dollar bond required under the chapter is insecure, depleted, exhausted or otherwise doubtful, an additional bond approved by the Director in the sum of not more than ten thousand dollars shall be filed by the debt adjuster within ten days after written demand by the Director.

A violation of the provisions of the chapter relating to debt adjusters constitutes a violation of the Consumer Protection Act (Chapter 19.86 RCW).

The bill contains an emergency clause and takes effect June 30, 1979.

House: 92 5 Effective: June 30, 1979
Senate: 47 0 C 156 L 79

SHB 88

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representatives Charnley, Pruitt, Scott and Brekke)

COMMITTEE: Social and Health Services
Screening for scoliosis.

ISSUE:

Idiopathic scoliosis is a lateral curvature of the spine commonly appearing in adolescents. It can develop into a permanent crippling disability if left untreated. Early diagnosis can result in successful treatment and prevent expensive major surgery in the future. No routine scoliosis screening examinations are available for children in Washington State. Such a program would facilitate early detection and treatment of the disease.

SUMMARY:

An annual public school idiopathic scoliosis screening program is established for children in grades 5 through 8 which is the highest risk group. The Superintendent of Public Instruction is to provide the yearly examination in accordance with procedures adopted by rule by the State Board of Health in cooperation with the Superintendent.

The examination is to be given by properly trained personnel. Such personnel are to prepare a record of each child found to have or suspected of having idiopathic scoliosis and must notify such child's parent or guardian and explain the disease, significance of treatment and the services available. Any pupil is exempt from the examination if his or her parent requests the exemption in writing. The Superintendent may establish sanctions against any school official who fails to comply with these provisions. Sanctions may include the withholding of state aid to the district until it complies.

Twenty-seven thousand dollars is appropriated to the office of the Superintendent from the general fund for the biennium ending June 30, 1981.

House: 95 0 Effective: June 7, 1979
Senate: (a) 47 0 C 47 L 79
H. Concur: 96 0

SHB 92

SPONSORS: Committee on Labor
(Originally Sponsored by Representatives Bond, Whiteside, Smith (C.), Sprague, Taylor, Winsley, Rosbach, McGinnis, Sanders, Schmitten, Craswell, Fuller, Newhouse, Polk, Zimmerman, Fancher, Rohrbach, Barr, Clayton, McCormick, Flanagan, Hurley, Nisbet, Struthers, Amen, Tilly and Patterson)

COMMITTEE: Labor
Allowing corporate employees to withdraw from industrial insurance eligibility.

ISSUE:
Currently, industrial insurance coverage for all corporate officers is mandatory. In 1977 the Washington State Supreme Court held that all

SHB 92

corporate officers were required to have had coverage under the state's industrial insurance program since 1971. Action by the 1977 Legislature in House Bill 604 did not affect this interpretation and the Department of Labor and Industries has treated corporate officers as mandatorily covered since 1977. It has been argued that this result was unintended by the Legislature and that corporate officer coverage should be voluntary.

SUMMARY:

Corporate officers are added to the list of persons exempt from mandatory industrial insurance coverage. The person exempted must be: (1) an elected or empowered officer; (2) a director; and (3) a shareholder of the corporation. Those individuals now covered continue to be covered until they choose to withdraw from coverage by following statutory procedures. A corporation may elect to cover officers who are actual employees of the corporation.

House: 98 0 Effective: June 7, 1979
Senate: 48 0 C 128 L 79

SHB 96

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives Sherman and Charnley)

COMMITTEE: Transportation

Facilitating ride sharing operations.

ISSUE:

In 1976 the Legislature passed legislation exempting car pool and van pool operations from regulation as auto transportation companies. This legislation sanctioned car pool and van pool operations so long as they did not compete with existing auto transportation companies. Regulatory difficulties have arisen with regard to the "for hire" characteristics of car and van pool operations.

SUMMARY:

Ride sharing for commuters and for the elderly and handicapped is defined. The vehicles which are included and who is to be regarded as a ride-sharing operator are described. Criteria are provided for determining who shall be regarded as elderly or handicapped. The standard of care for ride-sharing operators is the ordinary man standard as opposed to the highest degree of care standard necessary for existing common carriers.

Car pool or van pool operations may not carry more than fifteen persons, including passengers and driver. The Utilities and Transportation Commission shall regulate private nonprofit

agencies which provide transportation to the elderly and handicapped. The Commission is authorized to issue certificates to such providers, establish safety and insurance requirements, adopt rules which will provide for adequate vehicle standards, inspect vehicles and regulate proposed fares. The Commission must require owners or operators to procure liability and property damage insurance or a bond prior to issuing a certificate, and the certificate shall be revoked for failure to keep the insurance in force. A certificate may also be revoked by the Commission for any willful violation or a refusal to obey a rule or regulation.

Authority is given to state and local governments to make their own motor vehicles available for commuter ride sharing but the arrangement must be economical and advantageous to the governmental body. The commuters must pay compensation sufficient to cover the entire capital depreciation and operational expense of the ride sharing.

Funds derived from car and van pool operations are exempt from the business and occupation tax and the public utility tax.

House: 94 1 Effective: June 7, 1979
Senate: (a) 47 0 C 111 L 79
H. Concur: 96 0

SHB 97

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives Newhouse, Van Dyken,
Fuller, Flanagan, Smith (C.) and
Clayton)

COMMITTEE: Transportation

Exempting vehicles hauling farm products from regulation under certain circumstances.

ISSUE:

The hauling of farm products is seasonal. Oftentimes the demand for common carrier service exceeds the number of vehicles available during the peak season.

SUMMARY:

Those motor vehicles normally owned and operated by farmers are exempted from the requirements of regulated hauling. Farmers may haul products for other farmers including livestock and plant or animal wastes so long as the farms are within twenty miles of each other.

House: 98 0 Effective: Sept. 1, 1979
Senate: 42 0 C 6 L 79 1st ex. sess.

SHB 99

SPONSORS: Committee on Judiciary
(Originally Sponsored by Representative Tilly)
(By House Committee on Judiciary of 45th Legislature Request)

COMMITTEE: Judiciary

Modifying the procedure for the selection of prospective jurors.

ISSUE:

Current statutes dealing with juror selection give many persons exemptions because of status, occupation, or age. Furthermore, individuals who receive unemployment compensation lose their benefits when they serve on juries. Jurors are compensated at a rate of \$10 per day, except municipal court jurors who receive \$5 per day.

SUMMARY:

Reference to the non-existent office of "registrar of voters" for incorporated cities and towns is changed to "county auditor" who now prepares the annual juror list. Automatic exemptions for women who request, officers of the United States and the State of Washington, attorneys, school teachers, practicing physicians, licensed embalmers, police and firepersons, and individuals over 60 years of age is removed. The basis for an exemption is a showing of undue hardship, extreme inconvenience, public necessity, or any reason deemed sufficient by the court for a period of time the court deems necessary.

In addition, an individual who is receiving unemployment benefits will not be denied benefits because he or she is serving as a juror, although compensation will be considered remuneration for purposes of a deduction from benefits.

Juror's compensation is raised to between \$10 and \$25 per day as determined by the county or city legislative authority. The state is required to fully reimburse the county for all jury fees and witness fees relating to criminal cases occurring within adult or juvenile correctional institutions.

House: 97 1 Effective: Sept. 1, 1979
Senate: (a) 42 5 C 135 L 79 1st ex. sess.
H. Concur: 93 0

HB 100

SPONSORS: Representatives Patterson, Isaacson, Taylor and Amen

COMMITTEE: Transportation

Extending State Route No. 27 through Pullman.

ISSUE:

The principal state route going through downtown Pullman was formerly SR 195. A new bypass was built west of the city and SR 270 from Moscow, Idaho, was extended west to meet the bypass.

SUMMARY:

About three miles of highway from downtown Pullman to the Evergreen Interchange is added to the state system that was formerly State Route 195.

House: 97 1 Effective: Sept. 1, 1979
Senate: 38 3 C 195 L 79 1st ex. sess.

HB 101

SPONSOR: Representative Sanders
(By House Committee on Judiciary of 45th Legislature Request)

COMMITTEE: Judiciary

Decriminalizing minor traffic offenses and clarifying laws on negligent driving and racing.

ISSUE:

Under current law all traffic offenses, including parking violations, are classified as criminal offenses. In 1976, the possibility of receiving a jail sentence upon conviction of certain minor traffic offenses was removed. Several other states have taken this one step further and decriminalized minor traffic offenses, reclassifying them as civil offenses. Decriminalization, in addition to removing the criminal stigma, would allow for a streamlining of fine collection procedures.

A person may be convicted of operating a motor vehicle in a negligent manner only while driving upon a public highway. This means that persons who drive negligently in shopping centers, parking lots, and fields may not be guilty of any motor vehicle offense.

Finally, the present racing statute has been declared unconstitutionally vague by two trial courts.

SUMMARY:

A person may be convicted of operating a motor vehicle in a negligent manner when the person is driving on public or private land unless the driver obtains the consent of the owner of the property to operate the vehicle in such a manner.

In reckless driving cases, the comparing or contesting of relative speeds must be done willfully before the statute is violated. A comparison or contesting of relative speeds such as an otherwise legal sports car rally is not prohibited.

A number of minor traffic offenses are decriminalized and redesignated as traffic infractions. A person receiving a citation for a traffic infraction may either: (1) pay the fine, (2) ask for a court hearing, or (3) admit the infraction was committed and ask for a hearing to explain mitigating circumstances. In contested traffic infraction cases, the burden of proof is by a preponderance of the evidence and no jury trial is permitted. The maximum fine is two hundred fifty dollars except in certain cases involving weight violations. Appeal is by trial de novo in the superior court. Various motor vehicle statutes are amended to reflect the creation of the category traffic infractions and to conform with the procedure for hearing traffic infractions.

The bill takes effect on July 1, 1980.

House: (a) 98 0 Effective: July 1, 1980
Senate: (a) 34 11 C 136 L 79 1st ex. sess.
H. Concur: 81 1

SHB 109

SPONSORS: Committee on Insurance
(Originally Sponsored by
Representatives Douthwaite, Sanders,
Erak and Oliver)
(By House Committee on Insurance of
45th Legislature Request)

COMMITTEE: Insurance

Regulating insurance policy cancellations.

ISSUE:

Handicapped persons who have been denied insurance or have had an existing policy cancelled have difficulty in ascertaining the reasons for the denial or cancellation. Information regarding the denial or cancellation of insurance would make the handicapped better aware of the insurance coverage available to them.

SUMMARY:

If an insurer cancels, denies, or refuses to renew an individual life, individual disability, homeowner, dwelling fire, or private passenger automobile insurance policy, or if a health care service contractor takes similar action regarding a health care service contract, the insurer or health care service contractor is required, upon written request, to notify the applicant or policyholder of the reasons for the action. If any benefits, terms, rates, or conditions of a policy of the type listed above or

a health care service contract are restricted, excluded, modified, increased or reduced because of a sensory, mental, or physical handicap, the insurer or health care service contractor is required, upon written request, to inform the insured of those facts.

The insurer, Insurance Commissioner's Office and health care service contractor are given immunity from libel or slander based on statements made in compliance with this bill. The communications which are required of insurers and health care service contracts are to be phrased in language understandable to a person of average intelligence.

House: 98 0 Effective: June 7, 1979
Senate: (a) 48 0 C 133 L 79
H. Concur: 97 0

SHB 112

SPONSORS: Committee on State Government
(Originally Sponsored by
Representatives Ehlers, Amen, Walk,
Tilly, King, Taller, Sanders, Fuller,
Mitchell and Addison)

COMMITTEE: State Government

Establishing a schedule for sunset review.

ISSUE:

The Washington Sunset Act of 1977 established a review and termination process for state agencies and programs. It also created a Select Joint Committee whose responsibilities included development of legislation providing a schedule of state agencies for termination. The process occurs over a period of six years beginning June 30, 1979. The Select Joint Committee completed its draft schedule for the Legislature in February, 1978.

The sunset process can be a means of providing a continuing review and evaluation system to aid in legislative oversight by providing accountability within the system of checks and balances. The sunset review schedule can provide for systematic and uniform agency and program evaluation. The schedule is designed: (1) to terminate those programs which are no longer useful or which are not responding to the needs of the public; (2) to modify programs which require improvement; or (3) to transfer programs which can be more efficiently administered by another agency. The termination aspect of the sunset process may stimulate the Legislature to act on audit results.

SUMMARY:

In order of their appearance in the Revised Code of Washington, the following state agencies and programs are subject to the sunset process and are scheduled to terminate on June 30, 1981: (1) comic book screening; (2) Forest Practices Appeals Board;

(3) the Basic Science law; (4) antifreeze vending regulation; (5) Criminal Justice Training Commission; (6) State Planning Advisory Council; (7) cascara bark peeling regulation; (8) furniture and bedding industry regulation; (9) regulation of the sale or use of shoddy; (10) State Athletic Commission; (11) State Board of Geographic Names; (12) State Board of Funeral Directors and Embalmers; (13) Youth Services Corps Act of 1977; (14) Risk Management Office within the Department of General Administration; (15) State Energy Office; (16) foreign student scholarship program; (17) Board of Registered Sanitarians; (18) Interagency Committee for Outdoor Recreation; (19) Cemetery Board; (20) Adult Services Advisory Committee to the Department of Social and Health Services; (21) Consumer Advisory Committee to the Department of Social and Health Services; and (22) State Voting Machine Committee.

The following state agencies and programs are subject to the sunset process and are scheduled to terminate on June 30, 1983: (1) Planning and Community Affairs Agency; (2) State Capitol Historical Association; (3) Eastern Washington Historical Society; (4) Washington State Historical Society; (5) Washington Archaeological Research Center; (6) Office of Archaeology and Historic Preservation; (7) Economic Assistance Authority; (8) Washington State School Directors' Association; (9) State Jail Commission; (10) Municipal Research Council; (11) powers and duties of the State Board of Health; (12) Washington State Commission on Asian-American Affairs; (13) Traffic Safety Commission; (14) state regulation of cosmetology; (15) State Advisory Committee to the Department of Social and Health Services; (16) state regulation of barbering and men's hair styling; (17) Washington State Commission for the Blind; (18) State Veterans' Affairs Advisory Committee; (19) Department of General Administration's Automotive Policy Board; and (20) Department of Labor and Industries' contractor registration program.

The applicable code sections referring to the agencies and programs scheduled for review and termination are repealed on appropriate dates.

The Legislative Budget Committee is to conduct a program and fiscal review of the Department of Ecology's Air Quality Program and the Department of General Administration's Banking and Small Loan Program. Final reports on these two reviews are to be completed and sent to the proper legislative standing committees by September 30, 1980.

The bill contains an emergency clause.

House: 96 1 Effective: March 23, 1979
 Senate: 47 0 C 99 L 79

HB 113

SPONSORS: Representatives Heck, Ehlers, Taller and Zimmerman

COMMITTEE: State Government

Modifying procurement procedures for state vocational rehabilitation programs.

ISSUE:

Purchases and contracts for meeting the needs of vocational rehabilitation clients are subject to the state purchasing law which requires competitive bidding and a formal sealed bid procedure. These bidding requirements can result in significant delays in purchasing items, such as specially-equipped vans, for vocational rehabilitation clients. The purchasing law could be amended to allow the Department of General Administration to by-pass formal bidding procedures and to directly negotiate the purchase of critical items and services for these clients.

SUMMARY:

Certain purchases and contracts for vocational rehabilitation clients are exempted from competitive bidding and formal sealed bid procedures. The exemption applies only where the State Purchasing and Material Control Director in the Department of General Administration finds that direct negotiation with suppliers is necessary to expeditiously meet the special needs of the client.

The bill contains an emergency clause.

House: (a) 96 2 Effective: April 17, 1979
 Senate: 41 0 C 14 L 79 1st ex. sess.

HB 114

SPONSORS: Representatives Taller, Pruitt, Schmitt and Zimmerman

COMMITTEE: Transportation

Making persons handicapped by lung disease eligible to receive a handicapped driver's card.

ISSUE:

Persons whose mobility is impaired by lung disease are not now entitled to a handicapped driver's card and decal for special parking privileges.

SUMMARY:

Handicapped privileges are extended to persons suffering from lung disease. Persons having this disability who submit satisfactory proof of qualification under applicable medical standards of their disability are entitled to a handicapped driver's card and decal for special parking privileges.

House: 98 0 Effective: Sept. 1, 1979
Senate: 41 0 C 7 L 79 1st ex. sess.

SHB 125

SPONSORS: Committee on Judiciary
(Originally Sponsored by
Representatives Newhouse, Adams,
Whiteside, Van Dyken, Fuller and
Clayton)
(By Department of Social and Health
Services Request)

COMMITTEE: Judiciary

Modifying provisions and procedures relating to
enforcement of support of dependent children.

ISSUE:

Federal assistance for child support enforcement is
conditioned on state compliance with federal
standards. While there is no imminent threat of
withdrawal of federal funds, certain areas of
noncompliance have been identified. In addition, a
number of changes are proposed to improve
collection efficiency and program equity.

SUMMARY:

The federal standards are adopted for
determination of support obligations by a hearings
examiner in non court-ordered cases. The
Department of Social and Health Services may
grant a late request for a hearing to challenge a
notice of finding of financial responsibility. Such
late requests will be reviewed in accordance with
procedures by which superior courts vacate
judgments. The granting of hearing requests stays
any future collection action. Monies withheld as a
result of collection action must be delivered to the
Department, which must hold such money in trust
pending a final order by the Secretary and during
the pendency of any appeal to superior court.

Washington's law which currently requires the
obligated absent parent to pay support in the
amount of the superior court order or
administrative determination or the amount of the
total public assistance grant, whichever is the least,
is repealed. Federal legislation (Title IV-D)
requires that each recipient assign to the state, as a
condition of receiving assistance, the total unpaid
obligation owed by the absent parent, including
amounts owed for times prior to the application for
assistance. This assignment applies not only to
AFDC (Aid for Dependent Children) cases, but to
foster care cases as well.

An obsolete statute (RCW 74.20A.050), relating to
support notices by the Secretary in the absence of a
superior court order, is deleted.

Balances in accounts in excess of the debt claimed
by the Department can be released to the debtor.

Any support monies collected must be paid to
support enforcement and collection units of the
Department. If, after service on a responsible
parent of a notice requiring payment of support
monies to the Department, any payment is not paid
to the Department, the Department may not credit
or set off that payment against any obligation to
provide support which has been assigned to the
Department, whether the obligation has been
determined by court order or is unliquidated.

The Department is also given broad authority to
write off debts, either partially or totally in
hardship cases. An extension of or waiver of the
statute of limitations may be granted to allow for
lower rates of repayment. The Department may
employ private attorneys to pursue paternity
actions.

The Department is required in discharging its
responsibilities to enforce support obligations of
responsible parents to respect the right of privacy of
recipients of public assistance and of other persons.
Any inquiry about sexual activities is limited to that
necessary to resolve a dispute regarding the
parentage of a child. If a custodial mother informs
the Department that a particular man is the father
of her child, the Department is required to make no
further inquiry into her personal life unless the man
so identified has denied that he is the father of the
child.

A responsible parent is presumed unable to pay
child support from income received from AFDC,
supplemental security income, or continuing general
assistance.

If the Department or the court of appeals rules that
the Department has collected an amount greater
than a responsible parent's past support debt, the
Department is required to promptly refund any
such excess to the parent.

Section 27, Chapter 183, Laws of 1973 1st ex. sess.
is repealed. Section 27 contained a sunset provision
which applied to Chapter 183. That provision was
vetoed by the Governor. The validity of that veto is
currently being litigated in the Supreme Court for
the State of Washington. Therefore, the repealer of
section 27 is to avoid adverse results if the veto is
declared to be beyond the authority of the
Governor.

House: 98 0 Effective: Sept. 1, 1979
Senate: (a) 45 0 C 171 L 79 1st ex. sess.
H. Concur: 92 0

HB 126

SPONSORS: Representatives Charnley, Vrooman, Erickson, Douthwaite, Chandler, Burns, Owen and Galloway

COMMITTEE: Higher Education

Making unlawful the commercial selling of term papers, theses or other work assignments utilized for postsecondary education purposes.

ISSUE:

Currently there is no law which prohibits the commercial sale of term papers, theses, or other academic assignments. The commercial sale of these papers may encourage dishonesty on the part of students and detracts from the public's confidence in the educational standards of this state's institutions of higher education.

SUMMARY:

The commercial preparation of, assistance in or sale of any assignment by any person who knows or reasonably should know that it is intended for submission to a postsecondary institution to satisfy a course or degree requirement is prohibited. "Assignment" is broadly defined to include any written, recorded, pictorial, artistic or other academic task.

An initial violation of the act is subject to a civil penalty of not more than \$1,000. Subsequent violations of the act are subject to a penalty of up to \$10,000. Additionally, a court may issue an injunction to enforce the act.

House: 96 0 Effective: June 7, 1979
Senate: 44 0 C 43 L 79

HB 127

SPONSORS: Representatives Walk, Taller, Burns, Sanders, Ehlers, Vrooman and Addison (By House Committee on State Government of 45th Legislature Request)

COMMITTEE: State Government

Modifying the Sunset Act of 1977.

ISSUE:

The Washington Sunset Act of 1977 requires the Legislative Budget Committee to forward to the Office of Financial Management program and fiscal reviews of state agencies and programs on the sunset review schedule by September 30 of the year

prior to scheduled termination. The Office of Financial Management may then conduct its own program and fiscal reviews. These must be returned to the Legislative Budget Committee for inclusion in a final report to the appropriate legislative standing committees by December 31 of that year. Both the Legislative Budget Committee and the Office of Financial Management are required to transmit to one another copies of their reports, along with related studies and documents.

The 1977 act establishes a six year review schedule beginning in 1979. In contemplating a special legislative session in 1978, five programs or agencies were scheduled to terminate on June 30, 1979. The 1977 act also requires that a reasonable number of state agencies or programs be terminated on June 30, 1979, June 30, 1981, and June 30, 1983. The act itself terminates on June 30, 1983, and therefore does not provide a wind-down year for agencies and programs scheduled for termination on that date.

Setting earlier deadlines for the reviews could give the Legislature more time to review sunset audits before the legislative session begins. Eliminating the required transmission of studies, documents and reports might reduce the paper work for the Office of Financial Management and the Legislative Budget Committee.

SUMMARY:

Legislative Budget Committee program and fiscal reviews for the purpose of sunset terminations are to be completed and transmitted to the Office of Financial Management by June 30 instead of September 30 prior to the year of termination. The Office of Financial Management sunset termination reports may then be completed and sent to the Legislative Budget Committee by September 30 of the same year rather than December 31. Working papers, studies and other documents are to be exchanged upon request between the Office of Financial Management and the Legislative Budget Committee.

The June 30, 1979, date for agencies and programs already scheduled for termination is amended to June 30, 1981, and the period of review is reduced to four years.

The requirement that a reasonable number of state agencies be terminated on June 30, 1979, is removed.

The expiration date of the Sunset Act of 1977 is extended to June 30, 1984, from June 30, 1983.

House: 97 0 Effective: June 7, 1979
Senate: 46 0 C 22 L 79

SHB 133

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Warnke and Owen)

COMMITTEE: Local Government

Modifying special purpose district contract and bid procedures.

ISSUE:

Currently, water and sewer districts must contract for all materials purchase and work orders costing in excess of \$2,500. Competitive bidding procedures must be used for all contract projects costing over \$5,000.

These districts may maintain small works rosters and award contracts for less than \$5,000 to contractors appearing on the list. At least five contractors who have requested inclusion may be on the list. Commissioners must distribute projects as equally as possible among contractors on the small works roster.

In emergency situations, boards of sewer and water district commissioners, upon resolution, may waive purchase and contracting restrictions.

SUMMARY:

The limit, above which water and sewer districts must contract for materials and work, is raised to \$5,000. However, small works rosters may be used to award contracts equal to or in excess of \$12,500.

Small works rosters must include names of all responsible contractors requesting to be on the list.

Sewer and water districts are permitted to designate an official who, in emergency situations, may waive statutory purchase and contracting requirements.

Commissioners must adopt procedures for obtaining telephone or written quotations from contractors on their small works rosters. A good faith effort must be made to request bids from all contractors appearing on a district's roster. Procedures must insure the establishment of a competitive price and awards to the lowest responsible bidder. After an award is made, bid quotes received must be recorded and made available to the public.

House:	98	0	Effective: Sept. 1, 1979
Senate: (a)	42	3	C 137 L 79 1st ex. sess.
H. Concur:	96	0	

SHB 139

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Warnke, Zimmerman
and Brown)

COMMITTEE: Local Government

Providing deadlines for local governments to approve special purpose districts' comprehensive plans.

ISSUE:

Sewer districts and water districts may be organized to construct, operate, and maintain sewer systems and water systems serving areas within and around designated district boundaries. These districts must adopt general comprehensive plans to provide for systematic and economical service to their areas. Existing law requires that these plans be approved by the designated engineer of a county containing 51 percent or more of the sewer or water district territory and the director of health in each county in which the district is located. These plans must also be approved by the legislative authorities of counties and cities wholly or partially included in these districts. However, existing law does not specify deadlines within which these approvals must be made.

SUMMARY:

County legislative authorities must approve, reject, or conditionally approve water district and sewer district general comprehensive plans within ninety days of their submission or within thirty days of a hearing on the matter (if the hearing is held within ninety days of submission). County legislative authorities must base their decisions upon the county comprehensive plan and other specified criteria. If the county authority takes no action, the plan is deemed approved.

Sewer or water commissioners and county authorities may mutually agree to extend deadlines.

If a sewer or water district includes all or part of a city or town, the city or town legislative authority must approve, reject or conditionally approve the district plan within the same time limits applicable to counties.

County designated engineers and directors of health must approve, conditionally approve, or reject general comprehensive plans within sixty days of receiving them.

House:	97	0	Effective: June 7, 1979
Senate:	46	0	C 23 L 79

HB 140

SPONSORS: Representatives Monohon, Keller, Schmitt and Fuller

COMMITTEE: Local Government

Increasing port district levy flexibility.

ISSUE:

Port districts may adopt harbor improvement and industrial development schemes. Once schemes are adopted, port districts may levy up to forty-five cents per one thousand dollars of assessed valuation for six successive years to carry out these improvements.

SUMMARY:

Port districts are permitted to levy for harbor improvement and industrial development schemes in any six years, instead of in six successive years.

House: 93 0 Effective: June 7, 1979
Senate: 46 1 C 76 L 79

HB 141

SPONSORS: Representatives Bender, Burns and Charnley
(By Department of Licensing Request)

COMMITTEE: Transportation

Clarifying the laws on proportional registration and vehicle tonnage licensing.

ISSUE:

Present law allows commercial vehicles operating in more than one state to pay a proportional registration fee to this state. Under existing law it is often difficult to determine this state's proportional share of miles traveled by a commercial vehicle.

Under existing law, only certain logging and dump trucks may purchase monthly tonnage. Other vehicles must buy a quarterly tonnage license which provides less flexibility for seasonal operations.

SUMMARY:

All commercial vehicles registered in this state and operating in more than one state must fully or proportionally register in at least one other state. This is necessary to determine this state's proper proportional share. Any Washington based carrier which has not registered in another state after declaring an intention to do so must have all mileage traveled added to this state's traveled mileage in determining proper proration.

Any vehicle or combination of vehicles having a gross weight of 12,000 pounds or more may pay tonnage fees on a monthly basis. The monthly fee is one-twelfth of the annual fee plus two dollars.

Provisions of existing law relating to monthly or quarterly payments for special classes of vehicles are repealed. The provision in existing law penalizing a log truck operator who hauls cargo other than logs while holding a monthly tonnage license is repealed.

Confusing language regarding renewal of tonnage licenses is eliminated thus making operation of a vehicle after expiration of a monthly tonnage license a misdemeanor.

The fiscal note indicates that \$46,965 in revenue to the Motor Vehicle Fund will be generated in the 1979-81 biennium.

House: 98 0 Effective: June 7, 1979
Senate: (a) 46 0 C 134 L 79
H. Concur: 97 0

SHB 144

SPONSORS: Committee on Institutions
(Originally Sponsored by
Representatives Owen, Nisbet,
Struthers, Brown and Fuller)

COMMITTEE: Institutions

Requiring reimbursement to local government jurisdictions near state correctional institutions or institutions for the mentally ill for costs of apprehending and processing escapees.

ISSUE:

Currently local government jurisdictions near state correctional institutions or state institutions for the mentally ill must cover costs of apprehending and processing escapees from those institutions.

SUMMARY:

Institution is defined to mean all adult correction institutions, all juvenile rehabilitation institutions, including group homes, and all mental health institutions which house sexual offenders, mentally ill offenders and the criminally insane. An Institutional Impact Fund, administered by the Secretary of Department of Social and Health Services is created for the purpose of reimbursing cities, towns and counties for criminal justice costs incurred as a result of crimes committed by a resident of an institution. Reimbursement is limited to available funds and certain specified criminal justice costs. The Secretary is required to set rules regarding the reimbursement process. Dual reimbursement for jail costs is precluded.

It is estimated that expenditures from the Institutional Impact Account in the general fund will be \$100,250 for the 1979-81 biennium.

House: (a) 98 0 Effective: Sept. 1, 1979
Senate: 42 3 C 108 L 79 1st ex. sess.

HB 149

SPONSORS: Representatives Knowles and Vrooman

COMMITTEE: Judiciary

Relating to county law libraries.

ISSUE:

County law libraries around the state receive \$3 out of every \$45 civil and probate filing fees collected in superior court (which can be increased to \$5 upon the request of the law library board of trustees and the approval of the county legislative body). Libraries also receive \$1.50 for each civil filing over \$100 in justice court. Double digit inflation has cut into the county law library budgets to the extent that many of the libraries are operating at a loss.

SUMMARY:

The allocation from the \$45 civil and probate filing fee is raised to \$7 and the legislative body of the county may increase the allocation to \$9 upon the request of the board of trustees. The justice court allocation from civil cases that involve over \$300 is raised to \$3.

Law library funds no longer may be collected from fees from the filing of abstracts and transcripts of judgments.

The bill contains an emergency clause.

House: (a)	94	1	Effective: March 26, 1979
Senate: (a)	44	4	C 126 L 79
H. Concur.			
(Partial)			
S. Refused			
to Recede			
H. Concur:	95	1	

HB 155

SPONSORS: Representatives Newhouse, Winsley and Knowles
(By Department of Licensing Request)

COMMITTEE: Judiciary

Repealing a provision of the financial responsibility law preventing discharge in bankruptcy.

ISSUE:

The United States Supreme Court held in Perez v. Campbell, 402 U.S. 637 (1971) that a law which declares that the financial responsibility requirements of a motor vehicle code cannot be discharged in bankruptcy is unconstitutional.

In addition, current law requires that the Department send notice of the security required to be deposited within fifty days after the receipt of

the accident report. Within ten days after receipt of the notice, the individual involved must deposit the security or an order of suspension will be made. The Department contends that they cannot process the amount of reports they are required to process within the time frame specified.

SUMMARY:

Current law (RCW 46.29.380) which declares that the financial responsibility requirements of the motor vehicle code are not discharged in bankruptcy is repealed.

The requirement that within fifty days the Department of Licensing give written notice of the amount of security required to be deposited to an individual involved in an accident is deleted. Not less than twenty days and not more than sixty days after the sending of the notice, the order of suspension must be made unless the security is deposited as required by the notice.

House:	94	0	Effective: June 7, 1979
Senate: (a)	48	0	C 78 L 79
H. Concur:	96	0	

SHB 156

SPONSORS: Committee on Local Government
(Originally Sponsored by Representatives Mitchell, Warnke, Zimmerman, Jovanovich, Nisbet, Nelson (G.), Tupper, Williams, Eberle, Bond, Wilson, Houchen and Dawson)

COMMITTEE: Local Government

Relating to fiscal notes and appropriation clauses on legislation mandating expenditures by state or local units of government.

ISSUE:

Recently, the Legislature adopted the fiscal note system to provide information about projected financial impacts of proposed legislation on state agencies and local governments. The Office of Financial Management (OFM) prepares fiscal notes for impacts on state government. OFM has delegated authority to the Planning and Community Affairs Agency to prepare fiscal notes for impacts on local governments. Local governments and state agencies have argued that when the Legislature places new responsibilities on them it must also insure that they are financially able to carry out requirements.

Fiscal notes are prepared on many legislative proposals, but the existing statute does not require these notes to be attached to and made available with bills and resolutions throughout the legislative process.

SUMMARY:

When fiscal notes are prepared, copies must be placed in bill books and attached to bills and resolutions throughout the legislative process.

When legislation passes which affects local governments, the Legislature must determine the state's fiscal responsibility and make every effort to appropriate funds or provide these governments with revenue-generating authority.

House:	98	0	Effective: Sept. 1, 1979
Senate: (a)	45	0	C 112 L 79 1st ex. sess.
H. Concur:	97	0	

SHB 163

SPONSORS: Committee on State Government
(Originally Sponsored by
Representatives North, Erickson, Ehlers
and Valle)

COMMITTEE: State Government
Adding lay member to the Veterinary Board of
Governors.

ISSUE:

Under current law the Washington State Veterinary Board of Governors consists of five licensed veterinarians appointed by the Governor from a list submitted by the Washington State Veterinary Medical Association. There are no lay members on the Board. In 1978, the State Supreme Court ruled that delegation of legislative power to a private association with respect to appointment of members to a similar state board was invalid because it was not accompanied by sufficient standards or guidelines.

SUMMARY:

The Board's veterinary members, appointed by the Governor, are no longer required to be selected from a list submitted by the Washington State Veterinary Medical Association. A sixth member is added to the Washington State Veterinary Board of Governors. The new member is to be a lay member, appointed by the Governor to a five-year term.

The Board will terminate on June 30, 1983, and will be subject to the state sunset laws.

House:	94	4	Effective: Sept. 1, 1979
Senate:	47	0	C 31 L 79 1st ex. sess.

HB 164

SPONSORS: Representatives Wilson, Martinis and
Burns
(By Department of Licensing Request)

COMMITTEE: Transportation

Making technical corrections in motor vehicle
licensing and registration laws.

ISSUE:

According to the Department of Licensing, the existing procedure for identifying and licensing motor vehicles is cumbersome and the procedures for establishing security interests in vehicles need to be simplified. Present law contains no provision for annual licensing of over-width vehicles.

SUMMARY:

Owners of vehicles, including motorcycles, in which a new or different motor is installed must acquire new certificates of registration only if the vehicle is registered by its motor number. The procedures to be followed when a security interest is established on a vehicle are simplified.

The requirement that a registration certificate be carried in a properly marked, publicly owned vehicle for which an annual license fee is not paid is eliminated.

The permissible overall length of a single motor vehicle is increased from 35 feet to 40 feet. Annual permit fees for the operation of an over-width vehicle up to eight feet six inches, are established at \$150.

House:	98	0	Effective: Sept. 1, 1979
Senate: (a)	39	4	C 113 L 79 1st ex. sess.
H. Concur:	87	2	

SHB 175

SPONSORS: Committee on Natural Resources
(Originally Sponsored by
Representatives Martinis, Wilson,
Schmitt, Vrooman, Mitchell,
Galloway, Jovanovich and Erak)
(By Department of Fisheries Request)

COMMITTEE: Natural Resources

Extending the limitation on commercial salmon
licenses.

ISSUE:

In 1974, legislation was enacted which directed the Department of Fisheries to limit the number of commercial fishing vessels eligible to fish for salmon. The original legislation included an expiration date for the license limitation program of December 31, 1977. However, that expiration date

SHB 175

was amended to December 31, 1980, during the 1977 session. The 1979 regular session may be the last opportunity for the Legislature to review this program prior to the program's scheduled expiration date.

SUMMARY:

The expiration date of the statutes which limit the number of commercial salmon fishing vessels is deleted. A fishing vessel may obtain a license for salmon fishing if during the previous year it has caught and landed food fish in Washington or another state and either was licensed or had a valid license transferred to it. The Director of the Department of Fisheries may waive the landing requirement if a valid license is transferred to a vessel which has not had an opportunity to catch and land salmon during the previous year.

House: 86 10 Effective: June 7, 1979
Senate: 47 0 C 135 L 79

HB 178

SPONSORS: Representatives Schmitten, Vrooman, Jovanovich and Mitchell

COMMITTEE: Natural Resources

Making available Department of Natural Resources equipment, personnel and services to certain landowners.

ISSUE:

Presently, small woodland owners represent approximately twenty-five percent of the total commercial forest ownership, but this land is producing only eleven percent of the harvest. Much of this land is producing below capacity due to inadequate private funds, expertise and equipment. The Department of Natural Resources requests specific statutory authority to provide woodland owners with equipment, materials and personnel for more intensive forest management.

SUMMARY:

The Cooperative Forest Management Services Act is established. DNR is authorized to contract with small landowners to provide them with equipment, materials and personnel for more intensive management and protection of their lands where such services are not otherwise available at a reasonable cost.

Department services may be used only on private woodlands which are in close proximity to state lands receiving similar services. The Department's Cooperative Forest Management Services Program must not jeopardize the management of state lands.

House: (a) 97 0 Effective: June 7, 1979
Senate: 30 16 C 100 L 79

SHB 186

SPONSORS: Committee on Natural Resources
(Originally Sponsored by
Representatives Schmitten, Keller,
Vrooman, Addison, Fuller and Teutsch)

COMMITTEE: Natural Resources

Eliminating report filing for shippers of Christmas trees sold out of state.

ISSUE:

Current law, some of which has been in effect since 1937, requires an annual report from shippers of Christmas trees showing the number of Christmas trees shipped or transported and sold outside the state during the preceding calendar year. The Department of Natural Resources believes this requirement is no longer necessary.

SUMMARY:

Three statutes requiring annual reports by shippers of Christmas trees outside the state are repealed.

House: 98 0 Effective: Sept. 1, 1979
Senate: 45 0 C 32 L 79 1st ex. sess.

HB 187

SPONSORS: Representatives Vrooman, Fuller, Schmitten and Teutsch

COMMITTEE: Natural Resources

Authorizing the Department of Natural Resources to exchange surplus administrative land for certain purposes.

ISSUE:

The Department of Natural Resources requests the legislative authority to exchange surplus DNR administrative lands, which are not state trust lands, for private or public lands in order to preserve natural areas and acquire recreational sites.

SUMMARY:

DNR is authorized to exchange surplus real property acquired by the Department as administrative sites for any public or private real property of equal value to: (1) preserve archaeological sites on trust lands; (2) to acquire land to be held in natural preserves; (3) to maintain habitats for endangered species; or (4) to acquire or enhance sites for recreational purposes.

House: 96 0 Effective: June 7, 1979
 Senate: 48 0 C 24 L 79

SHB 188

SPONSORS: Committee on Natural Resources
 (Originally Sponsored by
 Representatives Martinis, Schmitt, Vrooman, Mitchell and Wilson)

COMMITTEE: Natural Resources
 Requiring selective removal of snags.

ISSUE:
 Current state law requires that all snags (standing dead timber) be felled concurrently with the logging of merchantable timber because they are a fire hazard. Snags provide a valuable habitat for certain wildlife and the required felling of all snags destroys this habitat and endangers the wildlife population.

SUMMARY:
 Certain sections of current law are repealed and others are amended to eliminate the mandatory felling of all snags concurrently with the logging of a tract of timber. The Department of Natural Resources is authorized to adopt fire control regulations which require the selective felling of snags for effective fire control action, taking into consideration the need to protect wildlife habitat.
 Provisions of the law are repealed which require fire protection for certain timberlands on the Olympic Peninsula with large quantities of fallen timber.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 42 0 C 8 L 79 1st ex. sess.

HB 191

PARTIAL VETO

SPONSORS: Representatives Heck, Chandler, Whiteside, Galloway and Tupper

COMMITTEE: Education
 Allowing costs incurred relating to sale and issuance of school district bonds to be deducted from bond proceeds and amending the common school construction formula.

ISSUE:
 It is standard practice for state agencies to pay for costs incurred as a result of the sale and issuance of bonds from bond proceeds. Under current law, school districts may deduct only the cost of advertising school construction bonds from proceeds of the sale of such bonds.

Due to an unforeseen increase in the passage of local school construction bonds, the state in the future may not be able to maintain its present financial commitment in matching school construction bonds.

SUMMARY:

School district boards of directors may deduct costs incurred as a result of the sale and issuance of bonds from bond proceeds.

The formula by which the amount of state matching funds for common school construction projects is determined is revised. The revised formula lowers from three to two the factor from which a district's adjusted valuation per full-time equivalent (FTE) pupil is divided by total state adjusted valuation per FTE in order to obtain the percentage of state assistance. (Vetoed Section)

The percentage of state assistance is to be based on the formula in effect at the time a district's bond issue for any such specific project is approved by the voters. (Vetoed Section)

House: 98 0 Effective: Sept. 1, 1979
 Senate: (a) 43 0 C 257 L 79 1st ex. sess.
 H. Refused
 to Concur
 S. Insisted on
 its Position
 H. Insisted
 S. Insisted
 H. Insisted
 S. Insisted
 H. Concur: 88 1

VETO SUMMARY:

The Governor vetoed the section which would have reduced the state's matching ratio for school district capital construction. She maintained that buildings are an integral part of the educational program and that reducing the state matching ratio for capital at the same time the state has increased its commitment to fund 100 percent of the basic education operating costs would be inconsistent. In addition, decreasing the state's matching ratio for capital construction would increase property tax levies at a time when several measures designed to decrease property taxes have been enacted. (See VETO MESSAGE)

SHB 194

FULL VETO

SPONSORS: Committee on Higher Education
 (Originally Sponsored by
 Representatives Burns, Grimm, Oliver, Erickson and Heck)

COMMITTEE: Higher Education

Mandating responsibility in program development and budgetary considerations in use of services and activities fees.

ISSUE:

Current law defines the term "services and activities fees", but does not detail the process by which such fees are to be budgeted. Student participation in the process is not expressly directed.

SUMMARY:

Students have the responsibility for initiating recommendations in the expenditure of services and activities fees (S & A). Institutions are required to adopt guidelines consistent with the following:

1. Students have the responsibility to initiate action through a S & A fee committee;
2. Subsequent review by the administration shall include a response outlining disagreements with the committee;
3. The S & A fee committee presents its budget to the board which in turn insures that the committee has provided an opportunity for all viewpoints and that appeals procedures from the S & A fee committee decisions are established;
4. The chief fiscal officer is responsible for S & A funds;
5. The Budget and Accounting Act is applicable; and
6. All information pertaining to S & A fee budgets is to be made available to the S & A fee committee.

House:	98	0
Senate: (a)	43	0
H. Refused		
to Concur		
S. Recede:	36	6

VETO SUMMARY:

The Governor expressed support for the involvement of students in the budgeting of service and activity fee revenue. However, she believes the process described in SHB 194 is duplicative and unnecessary in light of institutional policies presently incorporating student opinion into budget development. In her opinion, student involvement is expanded beyond an appropriate level by SHB 194. (See VETO MESSAGE)

SHB 195

SPONSORS: Committee on Financial Institutions (Originally Sponsored by Representatives Winsley, Eng, Blair, Hurley, Rosbach, and Knowles)

COMMITTEE: Financial Institutions

Revising laws relating to savings and loan associations.

ISSUE:

Savings and loan associations may operate under either a state or a federal charter, and the relative powers and restrictions of state and federal associations may be different. For example, federal savings and loan associations may write 40-year real estate mortgages, while state-chartered savings and loan associations are limited to 30-year mortgages.

In addition, state law governing state-chartered savings and loan associations does not grant them lending authority in all aspects equal to the powers granted to other types of financial institutions. Mutual savings banks, for example, may invest up to 10% of their funds in consumer loans with a loan limit of \$10,000. Currently, state-chartered savings and loan associations may lend only 5% of their assets for consumer loans with an individual loan limit of \$5,000.

SUMMARY:

A number of changes are made in state law relating to state-chartered savings and loan associations. The following changes relate to lending authority:

1. The percentage of funds allowed for mobile home dwelling loans is increased from 10% to 20%;
2. The percentage of funds for home improvement loans is increased from 5% to 10%, and the \$5,000 per loan limit is removed;
3. The percentage of funds available for consumer loans is increased from 5% to 10%, and the individual loan limit is increased from \$5,000 to \$10,000;
4. The method for determining the maximum limit of loans to any one person is changed to conform to that authorized for federal associations; and
5. Authorization is granted to associations to make loans to their directors, officers or employees for mobile dwellings, home repairs and education and to employees for consumer loans.

Associations are given authority to invest in certain types of real estate mortgages if such investments are "prudent."

Authority is given to make reverse annuity mortgage loans. Both amortized and nonamortized loans are authorized, and a provision is included which allows prepayment without penalty. The

Supervisor of Savings and Loans is directed to adopt rules outlining the type of written disclosure associations must make to consumers concerning the nature and terms of reverse annuity mortgages.

The Supervisor is given authority to examine the affairs of service corporations and is required to notify other associations when an association changes its name or when it applies to acquire control of another association.

Various other technical changes are made in the savings and loan law.

House: 94 0 Effective: June 7, 1979
Senate: 47 0 C 113 L 79

HB 196

SPONSORS: Representatives Clayton, Walk and McCormick
(By Department of Licensing Request)

COMMITTEE: Transportation

Increasing the interest rate for delinquent reciprocal or proportional registration fees and allowing coupling of semi-trailers.

ISSUE:

Present law requires that owners of motor vehicles operating in more than one state pay a proportional registration fee to this state. If it is found, after state audit, that the owner has paid this state less than the amount due, delinquencies bear an interest rate of six percent per annum. Some owners have been underpaying proportional registration fees because of the low interest rates.

Present law provides for the operation of a combination of truck tractor, semi-trailer and full trailer. No provision is made for the operation of a combination of truck tractor and two semi-trailers. Recent innovations in the design of semi-trailers permits two joined semi-trailers to be loaded or unloaded both front and back doing away with the necessity of spotting and uncoupling the second trailer to load or unload the first trailer.

SUMMARY:

The interest charged on deficiencies is raised from six percent per year to one percent per month.

Two semi-trailers may be coupled with a truck tractor. The overall length of the combination is not increased.

House: 97 1 Effective: Sept. 1, 1979
Senate: (a) 45 2 C 149 L 79 1st ex. sess.
H. Concur: 93 1

SHB 201

SPONSORS: Committee on Higher Education
(Originally Sponsored by
Representatives Nelson (D.), Erickson,
Burns and Barnes)

COMMITTEE: Higher Education

Allowing applications for change in classification as resident student for college fee purposes to be made up to thirtieth day of quarter or semester.

ISSUE:

Under current law, any student of a college or university wishing to change their residency status must apply for this change prior to the start of the quarter or semester.

SUMMARY:

Applications for change from nonresident to resident status (or the reverse) may be accepted up to the thirtieth day of the semester or quarter for which the application is made. The thirtieth day coincides with the last day withdrawing students may be refunded half of their tuition and fee payments. No changes are made in the qualifications or conditions which must be met in order to change residency status.

House: 91 6 Effective: Sept. 1, 1979
Senate: 42 0 C 15 L 79 1st ex. sess.

2SHB 204

SPONSORS: Committee on State Government
(Originally Sponsored by
Representatives Becker, Struthers,
Nelson (D.), Mitchell, Houchen,
Rohrbach and Addison)
(By Executive Request)

COMMITTEE: Institutions and State Government

Establishing a criminal justice division and council in the Governor's office.

ISSUE:

The Law and Justice Program Division of the Office of Financial Management was designated by executive order of Governor Ray in 1978 as the state planning agency for receipt and administration of federal Law Enforcement Assistance Administration (LEAA) funds and programs. The federal law was amended in 1976 to require that the state planning agency be created or designated by state law, rather than executive order, no later than December 31, 1978.

Because the Legislature did not meet in 1978, the state was granted an extension until April 1, 1979, to enact such legislation. Without statutory creation

of the agency and a Criminal Justice Council, the state will no longer be eligible to receive LEAA funds, which amount to more than \$24 million per biennium, after that date.

SUMMARY:

A state criminal justice planning agency is created within the executive office of the Governor. The agency includes a Governor's Council on Criminal Justice which will act as the supervisory board for the Division of Criminal Justice. The Council is composed of no more than thirty members appointed by the Governor, at least half of whom represent county legislative authorities, mayors, councilmen, judges, prosecuting attorneys, sheriffs and police chiefs, plus the President of the Washington Association of Sheriffs and Police Chiefs. Members of the Council are to be reimbursed for travel expenses.

Among the purposes of the Council are: (1) assisting the Legislature and the Governor in developing a statewide crime control and prevention program and coordinating crime control and prevention activities; (2) advising and assisting local communities; (3) acting as a supervisory board for the Division of Criminal Justice as it administers federal crime control programs; (4) reviewing and approving a comprehensive criminal justice plan; and (5) approving the expenditure of federal LEAA funds.

The Division of Criminal Justice is administered by an executive director appointed by the Governor and consists of the current law and justice planning staff within the Office of Financial Management. The Division: (1) develops the statewide comprehensive criminal justice plan for approval by the Governor, the Council, and the Legislature; (2) receives and disburses federal LEAA funds; (3) develops procedures for local plans; (4) provides technical assistance; (5) conducts evaluation studies of programs; (6) reviews and comments on local and regional programs; (7) studies and evaluates criminal justice programs; and (8) submits various specified reports to the presiding officers of the House of Representatives and Senate.

The Council and the Division of Criminal Justice terminate June 30, 1983, and will be subject to the review process of the state sunset laws.

The bill contains an emergency clause.

House:	96	1	Effective: March 21, 1979
Senate: (a)	46	0	C 79 L 79
H. Concur:	96	0	

SHB 219

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representative Haley)

COMMITTEE: Social and Health Services

Eliminating basic science examination requirement for physicians, surgeons, osteopaths, chiropractors, podiatrists, and naturopaths.

ISSUE:

Present Washington law requires physicians and surgeons, osteopathic physicians and surgeons, chiropractors, podiatrists and naturopaths to take and pass a basic science examination before being granted a license to practice in this state. Most of these medical practitioners must take a basic science examination as part of their National Board exams. This basic science examination duplication is not necessary and Washington is the only state which still requires it.

SUMMARY:

The entire basic science examination requirements are repealed.

House:	98	0	Effective: Sept. 1, 1979
Senate: (a)	42	0	C 114 L 79 1st ex. sess.
H. Concur:	89	0	

HB 226

SPONSORS: Representatives Heck, Thompson, Grimm, Barnes, Galloway, Bauer, Zimmerman, Burns and Williams

COMMITTEE: Higher Education

Authorizing certain reciprocity tuition and fee waivers with the state of Oregon.

ISSUE:

Presently, Washington state residents attending public institutions of higher education in Oregon pay for tuition at a higher rate than Oregon residents. This places a financial burden on Washington residents especially for those students from southwest Washington for which Portland State University is the nearest comprehensive public institution of higher education.

SUMMARY:

The waiver of nonresident tuition and fees is authorized for residents of Oregon attending the following Washington higher education institutions: Lower Columbia Community College, Clark Community College, Yakima Valley Community College, Columbia Basin Community College and

Walla Walla Community College, and The Evergreen State College program in Vancouver. This waiver is in effect so long as Oregon grants a similar waiver to Washington residents from Cowlitz, Clark, Wahkiahkum, Skamania and Klickitat Counties who are enrolled in upper division classes at Portland State University.

A transfer of funds between the states is authorized when the net difference in tuition and fees lost exceeds \$25,000 per year as determined by biennial review.

The Council for Postsecondary Education may enter into arrangements with the appropriate Oregon authorities in order to implement the reciprocity program. The Council is further directed to review cost benefits and to make a recommendation to the 1983 Legislature. The 1983 Legislature shall determine if the program is to be extended or terminated.

House: (a) 97 0 Effective: June 7, 1979
 Senate: 46 0 C 80 L 79

SHB 227

SPONSORS: Committee on Education
 (Originally Sponsored by
 Representatives Heck, Chandler,
 Sommers, Bauer, Ehlers, Bender, Scott
 and Charnley)

COMMITTEE: Education

Changing limitations on amount of excess funds levied for school district maintenance and operations.

ISSUE:

The 1977 Legislature passed a levy lid which limited school districts in their ability to raise local revenues to ten percent of the basic education allocation at one hundred percent of formula. This does not give the districts the ability to enrich state funded categorical programs. In addition, districts were grandfathered to guarantee the ability to raise 104% of the previous year's expenditure per pupil for basic education. For personnel paid from levy funds, levy revenue cannot be used to increase their salary. Districts which send students to another district lose the enrollment of that student, and therefore, the levy capacity. Districts which are grandfathered to receive additional levy capacity need further levy capacity to recognize enrollment declines and inflation.

SUMMARY:

The base for calculation of the 10% levy lid is expanded from the basic education allocation to include, for 1981 collections, state categorical programs such as pupil transportation, handicapped

education costs, gifted programs, and compensatory education. The use of levy funds to increase salary or fringe benefits is prohibited except for personnel paid from levy funds up to the level authorized in the biennial budget. Districts which are below the state average salary level may use levy funds to increase salaries up to the previous year's state average. Districts sending students to another district for an educational program will count those students for the purposes of levy calculations. The grandfather clause is expanded to 106% beginning in 1980 collections. The grandfather provision will terminate beginning with the 1983 collection year. Grandfathered districts with a declining enrollment of four percent or three hundred students, whichever is less, may increase their levy by fifty percent of the decline times the basic education allocation.

The bill contains an emergency clause and takes effect September 1, 1979.

House: (a) 83 12 Effective: Sept. 1, 1979
 Senate: (a) 39 8 C 172 L 79 1st ex. sess.
 H. Concur: 96 1

HB 229

SPONSORS: Representatives Kreidler, Fancher, Erak, Amen and Clayton
 (By Department of Agriculture Request)

COMMITTEE: Agriculture

Revising laws relating to public livestock markets.

ISSUE:

The Department of Agriculture contends that an increase in revenue from license fees for public livestock markets is necessary to adequately fund audits of livestock sales. These fees were last increased in 1959.

SUMMARY:

A graduated license fee is established based upon the average volume of sales per day of operation in order to reflect the complexity and cost of the audit.

Livestock markets which have an average gross sales per official sales day of less than \$10,000 are required to pay a \$100 annual license fee, markets having between \$10,000 and \$50,000 daily volume must pay a \$200 annual license fee, and markets having a volume of more than \$50,000 are required to pay a \$300 annual license fee.

The increase in license fees will generate an additional \$6,400 in revenue for the 1979-81 biennium.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 46 0 C 91 L 79 1st ex. sess.

HB 230

SPONSORS: Representatives Fancher, Kreidler, Erak, Amen, Clayton and Smith (C.)
(By Department of Agriculture Request)

COMMITTEE: Agriculture

Revising laws relating to the identification of cattle through licensing of certified feed lots.

ISSUE:

Currently, certified feed lot owners pay an annual license fee of \$100 and an audit fee of \$150 for the first 2,000 cattle entering the feed lot plus actual costs for auditing additional cattle. The Department of Agriculture requests additional funding for audits of certified feed lots and for inspection of cattle brands.

SUMMARY:

The license fee for certified feed lot owners is increased from \$100 to \$500 annually and the audit fee is changed to ten cents per head of cattle.

The revenues may be used for carrying out the provisions of the Certified Feed Lot Act or the Livestock Identification Act.

Multiple audits are allowed to be conducted. Brand inspection of all cattle entering feed lots is required unless the cattle are accompanied by brand inspection certificates.

Additional revenue generated by the increase in fees is \$43,200 per year. Of this amount, \$21,984 will be used to hire a feed lot auditor. The remaining amount is available for brand inspection services.

The bill contains an emergency clause.

House: (a) 93 0 Effective: March 21, 1979
Senate: 48 0 C 81 L 79

SHB 247

SPONSORS: Committee on Agriculture
(Originally Sponsored by Representatives Kreidler, Fancher, Erak and Clayton)
(By Department of Agriculture Request)

COMMITTEE: Agriculture

Revising laws relating to the sale of agricultural products.

ISSUE:

Currently, the Department of Agriculture is charged with enforcing the Commission Merchants Act. To adequately fund personnel and carry out its

responsibilities, the Department maintains that additional revenue is needed.

The 1974 Legislature directed the Department to develop a standard contract format for use in the sale or consignment of agricultural products by persons licensed as commission merchants. The Department found it impossible to develop a standard contract and the appropriate rules and regulations for the widely diverse agricultural industry of Washington without allowing addenda to the contract. These diverse addenda nullified the attempt at standardization and, in some cases, the effective enforcement of the act.

SUMMARY:

For purposes of the Commission Merchants Act, the term agricultural product is expanded to include worms and bees. Persons who bond themselves under the alternate bonding provisions of the Commission Merchants Act are defined as limited dealers. Livestock markets which operate as livestock dealers or order buyers are subject to all bonding and other provisions of the act except the license fee requirements.

Dealer licenses are increased from \$80 to \$145. Limited dealers' license fees are set at \$100. Broker licenses are increased from \$80 to \$100. Cash buyer licenses are increased from \$30 to \$40, and agent licenses are increased from \$10 to \$15.

The requirement that commission merchants use a standard format contract is removed as is the requirement that the Department develop rules for standard format contracts.

The requirement that all charges for services performed by commission merchants be translated into a per unit charge in the same unit of measure that the product was sold is eliminated.

Approximately \$122,000 will be generated during the 1979-81 biennium from increased license fees.

House: 98 0 Effective: Sept. 1, 1979
Senate: (a) 47 0 C 115 L 79 1st ex. sess.
H. Concur: 93 0

SHB 248

SPONSORS: Committee on Constitution, Elections and Governmental Ethics
(Originally Sponsored by Representatives Whiteside, Charnley and Garrett)

COMMITTEE: Constitution, Elections and Governmental Ethics

Allowing executive sessions for the disposition of real estate.

ISSUE:

Public agencies and local governing bodies are required to conduct their business in open, public meetings. There are some exceptions to this requirement. For example, executive sessions may be held to consider proposed real estate purchases, if publicity surrounding such plans could result in price increases.

Recent judicial interpretation of the law may have allowed a broader range of discussion in executive sessions than the Legislature intended to permit.

SUMMARY:

Public agencies and local governing bodies may hold closed executive sessions to discuss sales and leases of real estate, if publicity could result in a decreased price. Such executive sessions must be limited to discussion of the minimum selling or leasing price.

House:	92	2	Effective: June 7, 1979
Senate: (a)	46	0	C 42 L 79
H. Concur:	94	1	

SHB 249

SPONSORS: Committee on Social and Health Services
 (Originally Sponsored by Representatives Kreidler, Lux, Adams and Burns)
 (By Department of Social and Health Services Request)

COMMITTEE: Social and Health Services
 Implementing the National Health Planning and Resources Development Act of 1974.

ISSUE:
 Washington State is not in conformity with the National Health Planning and Resources Development Act of 1974. To comply, Washington State must provide for health planning mechanisms, certificate of need requirements, cost containment methods and must designate state and regional health planning agencies. Failure to implement this act by January 1980, could result in a loss of federal health funds amounting up to at least \$52 million per biennium. Federal funds for programs in areas such as alcoholism, mental health, and public health could be jeopardized without state compliance.

SUMMARY:
 The Department of Social and Health Services is designated as the State Health Planning and Development Agency to carry out the state's responsibility pursuant to the National Health Planning and Resources Development Act. The Department's responsibilities include conducting

health planning activities, implementing state and health systems agencies' plans, and administering a certificate of need program.

A State Health Coordinating Council is created and its duties include implementation, review and coordination of health systems plans, preparation of a state health plan, review of agency budgets and applications for planning and development grants. The Council is composed of members appointed by the Governor for staggered three-year terms and includes a representative of the Veterans Administration. Chairpersons of the Senate and House Social and Health Services Committees, the Secretary of the Department of Social and Health Services, and the chairperson of the Hospital Commission serve as ex-officio members.

Health systems agencies are established within health service areas. These agencies are authorized to assemble health statistics, establish health systems plans, develop an annual implementation plan, make recommendations for new institutional health services and the appropriateness of such existing services, recommend projects for construction of medical facilities, seek assistance of the private and public health sector in implementing plans, and periodically review all institutional health services.

The Department is authorized to implement a certificate of need program consistent with the Act. Offering or developing new institutional health service is prohibited without a certificate. A new institutional health service subject to Department review includes the establishment of new health care facilities or health maintenance organizations, capital expenditures greater than \$150,000, an increase in bed capacity or in-patient rooms, and new health services. The Secretary of the Department is authorized to issue, deny, suspend or revoke the certificates in accordance with rules and regulations which include the relationship of health services to the health plan, long-range development plans, population needs, availability of less costly alternatives, financial feasibility, the relationship to existing health care services, availability of resources, relationship to auxiliary services, special needs or circumstances of health maintenance organizations, osteopathic hospitals, and persons outside the service areas. Certificates are valid for a two-year period with one six-month extension allowable for substantial progress on a project. The Secretary of the Department may not issue any license unless a prior certificate of need has been issued. The Department is required to monitor costs of projects and may impose a fine of up to \$100 a day for unauthorized development of projects.

Portions of the bill dealing with the Department's ability to promulgate rules and regulations with regard to certificates of need take effect January 1, 1980, and that portion of the bill requiring the development of long-range health facility plans

SHB 249

takes effect January 1, 1984. The remainder takes effect September 1, 1979.

House: 74 24 Effective: See summary
Senate: (a) 27 16 for dates.
H. Concur: 75 20 C 161 L 79 1st ex. sess.

SHB 254

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representative Adams)
(By Department of Social and Health Services Request)

COMMITTEE: Social and Health Services
Modifying appeal procedures for public assistance grievances.

ISSUE:
Present laws relating to the fair hearing process for public assistance appeals require appeals to be filed within thirty days and decisions to be made by the Department within sixty days. According to the Department of Social and Health Services, there is a need for more time for informal communication and updating and improvement of the hearing process.

SUMMARY:
Fair hearing procedures for the Department of Social and Health Services clients are modified. Tape recordings are allowed in lieu of transcripts unless the case is appealed to superior court. The time in which an appeal may be filed is extended from thirty to ninety days and the time in which the Department may make its decision is extended from sixty to seventy-five days. The Department may not collect overpayments resulting from benefits paid 60 or more days after an appeal is filed.

House: (a) 95 0 Effective: Sept. 1, 1979
Senate: 47 0 C 92 L 79 1st ex. sess.

SHB 259

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representatives Haley, Whiteside, Adams, Pruitt, Burns, Brekke, Lux, Blair, Chandler, Mitchell, Teutsch and Struthers)

COMMITTEE: Social and Health Services
Enacting the Controlled Substances Therapeutic Research Act.

ISSUE:
Research indicates that marijuana is useful in treating the extreme nausea and other side effects of cancer chemotherapy, and in slowing or halting the progress of glaucoma. However, it is a schedule I drug which prevents its use by most physicians treating those diseases.

SUMMARY:
A controlled research program is established to investigate the use of marijuana in the treatment of cancer chemotherapy, radiation, and glaucoma patients. The Board of Pharmacy must adhere to federal regulations in administering the program. A physician panel, including an oncologist, a radiologist, and a psychiatrist, must approve patients and physicians participating in the program. Privacy of participants and protection from liability for the Board and participating physicians are provided. The Board may utilize confiscated marijuana which has been analyzed for safety in carrying out the research program.

The bill contains an emergency clause.

House: 88 8 Effective: March 28, 1979
Senate: (a) 43 2 C 136 L 79
H. Concur: 92 5

SHB 262

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representative Adams)
(By Department of Social and Health Services Request)

COMMITTEE: Social and Health Services
Modifying the reporting of vital statistics.

ISSUE:
Present law requires the Department of Social and Health Services to use the vital statistics form prepared by a federal agency adopted on January 1, 1968. A more up-to-date vital statistics form has been promulgated by the federal government. However, DSHS cannot use this new form unless the statutory reference to January 1, 1968 is deleted.

Presently, there is no requirement that a certificate of death or fetal death be signed within a certain time period. Often there are long delays.

SUMMARY:
The requirement that DSHS use the vital statistics form which became effective on January 1, 1968, is deleted.
A certificate of death or fetal death is required to be signed within two days of receipt by the funeral

director or person in charge of interment, unless good cause can be shown for not signing the certificate within the two-day period.

House:	97	1	Effective: Sept. 1, 1979
Senate: (a)	42	0	C 162 L 79 1st ex. sess.
H. Concur:	87	3	
H. Recon.			
Refused to Concur			
S. Receded (Partial)			
H. Adhered			
S. Recede:	41	0	

SHB 264

SPONSORS: Committee on Social and Health Services (Originally Sponsored by Representatives Adams, Haley, May, Kreidler, Tupper, Lux, Teutsch, Whiteside, Schmitt, Mitchell, Gruger, Pruitt, Barr, Brekke, Sherman, Granlund, Salatino, Knowles, Galloway and Sanders)

COMMITTEE: Social and Health Services

Defining the patient's right to withhold or withdraw life-sustaining medical procedures in terminal illnesses.

ISSUE:

Currently adults have no right to control decisions relating to their own medical care regarding unnecessary prolongation of life when they are terminally ill and for which nothing more medically or beneficial can be done for the patient. Pain, suffering and excessive costs to the patient and his or her family result from the present situation. There is considerable uncertainty as to the legality and possible civil and/or criminal penalties for the withdrawal or withholding of life-sustaining procedures.

SUMMARY:

An adult (age 18) may make a written instrument directing the withdrawal or withholding of life-sustaining procedures in terminal conditions. Prior to effecting the directive, two physicians must diagnose a terminal illness and establish the likelihood of the patient's imminent death. The directive must be executed with the formalities of a will by requiring the signature of two witnesses, who are not related by blood or marriage to the maker, not beneficiaries of the maker's estate, not an attending physician, employee of the physician or health facility in which the declarer is a patient, nor have a claim against the declarer's estate.

The illness must be verified in writing and made part of the patient's medical records. The declarer may revoke the directive by the enumerated methods. Immunity from civil and criminal liability is to be granted to physicians and health facilities and personnel who effectuate the directive in good faith. Prior to effecting the directive, the attending physician must meet certain requirements. This does not constitute a suicide, nor affect any life insurance, nor act as a condition precedent to health insurance or services.

It is a gross misdemeanor to damage or destroy a directive without the declarer's consent. Forgery of a directive or the willful concealing of a revocation which causes death to be hastened, is first degree murder. Withholding of life-sustaining procedures does not allow a person who caused an injury to the declarer to escape criminal or civil liability. Mercy killings are not approved.

House:	67	28	Effective: June 7, 1979
Senate:	43	4	C 112 L 79

HB 279

SPONSORS: Representatives Newhouse and Knowles

COMMITTEE: Judiciary

Excluding small civil claims from the court of appeals.

ISSUE:

Courts of appeals have appellate jurisdiction over all civil cases without any lower limit as to the amount of money or the value of property involved. In cases where there is not a unanimous appellate court decision, and a superior court decision is reversed, the appellant may appeal to the Supreme Court as a matter of right. A procedure could be implemented which would help relieve the overburdened appeals process, yet not deny litigants the right to appeal.

SUMMARY:

Courts of appeals no longer have appellate jurisdiction over civil actions at law which involve the recovery of money or personal property valued at two hundred dollars or less. Litigants may no longer appeal as a matter of right those cases where a less-than-unanimous court of appeals decision has reversed a superior court decision. Discretionary review by the Supreme Court is still available. The result is that every litigant has one appellate review as a matter of right, and further review is at the discretion of the Supreme Court.

The maximum civil monetary jurisdiction of justices of the peace and justice court is increased. The jurisdiction of attorney justices of the peace and justice court is increased from one thousand to

HB 279

three thousand dollars effective May 1, 1979, and jurisdiction of justice courts is increased to \$5,000 effective July 1, 1981.

The jurisdiction of small claims departments of justice courts is increased from three hundred to five hundred dollars. All increases apply to actions filed after December 8, 1977.

The bill contains an emergency clause and takes effect May 1, 1979.

House: (a) 96 0 Effective: May 1, 1979
Senate: (a) 48 0 C 102 L 79
H. Concur: 89 7

SHB 280

SPONSOR: Committee on Commerce
(Originally Sponsored by Representatives Gallagher, Brown, Tilly and May)

COMMITTEE: Commerce

Prohibiting advertisement of unlicensed contractors.

ISSUE:

Present law requires that all advertising by contractors include the contractor's name and address as registered, but does not require the contractor to show his current registration number. There is some concern that this may lead to deceptive practices since a contractor could advertise that he is registered even though his registration has expired and he has not paid his license fees or taxes.

SUMMARY:

All advertising, contracts, correspondence, cards, posters, papers, and documents which indicate a registered contractor's name or address must also indicate the current registration number of the contractor. A violation of this requirement is punishable by a civil penalty of not more than \$1,000 as determined by the Director of the Department of Labor and Industries.

The bill takes effect January 1, 1980.

House: 92 6 Effective: Jan. 1, 1980
Senate: (a) 41 6 C 116 L 79 1st ex. sess.
H. Concur: 91 7

HB 288

SPONSORS: Representatives McCormick, Wilson, Gallagher, Bond, Addison and Douthwaite

COMMITTEE: Energy and Utilities

Encouraging the use of nonpolluting fuels.

ISSUE:

In the interest of the environment and to encourage their use, the Legislature exempted "nonpolluting" motor vehicle fuels such as natural gas or propane from the state motor vehicle and special fuel taxes. Recognizing that motor vehicles using these fuels should contribute to the costs of constructing and maintaining the highways upon which they are operated, the Legislature imposed a tax in lieu of the special fuel tax, based upon the vehicle's weight.

The "in lieu of" tax could be continued rather than allow it to lapse under the existing statutory expiration date of July 1, 1979.

SUMMARY:

The state "in lieu of" tax charged for the operation of natural gas or propane powered motor vehicles is extended.

An expiration date is set for the tax: July 1, 1983.

The bill contains an emergency clause and takes effect July 1, 1979.

House: 95 1 Effective: July 1, 1979
Senate: (a) 47 0 C 48 L 79
H. Concur: 96 0

SHB 291

SPONSORS: Committee on Revenue
(Originally Sponsored by Representative Sommers)
(By Department of Revenue Request)

COMMITTEE: Revenue

Making miscellaneous changes to the tax laws.

ISSUE:

It is necessary to change certain portions of the state tax laws in order to make administration more efficient.

SUMMARY:

The present \$1 registration fee for persons engaged in business for which an excise tax is imposed is replaced by a \$25 deposit, which will be used to offset the taxpayer's first \$25 of tax liability. The purpose is to eliminate the economic incentive for taxpayers who attempt to evade tax laws by using the resale registration certificate to make tax exempt purchases which ultimately are made for the taxpayer's personal or nonretail use.

The Department of Revenue is authorized to personally serve summons and complaints on delinquent taxpayers, rather than providing service by mail as required under present law. The result will be to insure full legal effect of the service.

The Department is authorized to designate delinquent tax accounts as uncollectible twelve years after the return should have been filed, rather than twelve years after a tax warrant has been filed. The result is to speed up collection procedures and to reduce the active collection file.

A determination that excess tax has been paid by a taxpayer is to be made within the statutory assessment period. The effect is to make the audit cycle correspond with the tax refund cycle. A taxpayer is not entitled to a refund or credit for excess taxes paid more than four years prior to the year in which the refund application is filed.

If a county treasurer fails to provide tax statements to a taxpayer prior to April 1, 1979, he may provide them whenever practicable. The tax will be due thirty days after mailing of the statement. This section of the bill expires December 31, 1979 and is designed to alleviate problems presently being experienced by two counties.

The administration provisions for excise taxes (RCW 82.32) are extended to cover the forest tax rate (RCW 82.04.291) as recodified (RCW 84.33).

The bill contains an emergency clause pertaining to mailing of tax statements and timber tax. These sections take effect April 27, 1979. The remainder of the bill takes effect September 1, 1979.

House: (a) 95 1 Effective: See summary
 Senate: (a) 44 0 for dates.
 H. Concur: 97 0 C 95 L 79 1st ex. sess.

SHB 295

SPONSORS: Committee on State Government
 (Originally Sponsored by
 Representatives Polk, Owen and
 Dawson)

COMMITTEE: State Government
 Authorizing National Guard assistance
 scholarships.

ISSUE:
 Currently, the Washington National Guard is at seventy-six percent of its authorized strength with ten units in danger of losing significant federal support. Legislation may stimulate recruitment and retention in the membership of the Washington National Guard.

SUMMARY:
 An educational assistance grant program is established for eligible enlisted members of the Washington National Guard who are enrolled in any institution of higher education in Washington as defined in current law (RCW 28B.10.802(1)). Eligibility is initiated by satisfactory completion of

basic training in the Washington National Guard and fulfillment of other criteria to be established by the Adjutant General. Eligibility is terminated at the completion of twelve academic quarters or at the end of twelve years of military service. The amount available is limited to \$1,000 per academic year. Payment is made only on the receipt of paid vouchers for specified fees. The program will be funded directly in the budget of the Washington State Military Department. Development and administration of the program is the responsibility of the Adjutant General.

In the event of a period of mandatory national military conscription, the program is to terminate.

A maximum of \$206,000 are appropriated from the general fund to the Military Department for the 1979-81 biennium.

House: (a) 83 15 Effective: Sept. 1, 1979
 Senate: (a) 42 0 C 90 L 79 1st ex. sess.
 H. Concur: 73 17

SHB 298

SPONSORS: Committee on Ecology
 (Originally Sponsored by
 Representatives Valle, Chandler, Pruitt
 and Douthwaite)

COMMITTEE: Ecology
 Controlling vehicle emissions.

ISSUE:
 The 1977 amendments to the Federal Clean Air Act require that certain air quality standards be achieved by December 31, 1982. These standards were established by the Federal Environmental Protection Agency to protect the public health. The 1977 amendments recognize that certain urban areas cannot reasonably achieve the standards for particular pollutants within the allowed time period. Therefore, application for a five-year extension of the deadline is provided for, contingent upon implementation of a motor vehicle emissions inspection and maintenance program. The Spokane, Vancouver, and Puget Sound regions have been identified as noncompliance areas for the carbon monoxide and/or ozone standards; and one or more of these areas may not achieve compliance by the 1982 deadline. The state must submit an implementation plan during 1979 to meet these standards.

If the implementation plan is not approved, the areas in which violations of the standards occur are subject to significant sanctions under federal law, including the loss of certain highway funds. An auto emissions inspection and maintenance program is seen as necessary to reduce air pollution related health problems and provide a more livable

environment to residents of substantially polluted areas.

SUMMARY:

The Department of Ecology is required to conduct a voluntary vehicle emission inspection program. The implementation of public education and notification programs is required. These programs are to provide information regarding vehicle emissions, noncompliance and emission contributing areas, and restrictions imposed on those areas. The Department of Ecology is to develop, with the Superintendent of Public Instruction and the State Board for Community College Education, a program for granting certificates of instruction to persons who successfully complete training courses regarding engine maintenance and emission control systems.

If the Director of the Department of Ecology determines that the air quality standards for vehicle-emission contaminants are likely to be exceeded in an area after December 31, 1982, the Director is required to designate the area as a noncompliance area for motor vehicle emissions. The geographic area, including the noncompliance area within whose boundaries are registered vehicles that contribute significantly to the violation of the standards within the noncompliance area, is to be designated as an emission contributing area.

The Department is required to administer a vehicle emission inspection system for all motor vehicles registered within each emission contributing area. The inspection stations must be established and operated by one or more private contractors who secure contracts by competitive bid. Such contractors may not be in the business of repairing vehicles for compensation. Owners or operators of fleets of motor vehicles and used motor vehicle dealers may be authorized by the Director of the Department of Ecology to inspect their vehicles.

The Department of Ecology must review consumer complaints regarding the inspection system and repair service utilized to meet the emission standards.

After January 1, 1982, motor vehicle licenses for vehicles registered in emission contributing areas may not be issued or renewed unless the applications are accompanied by:

1. A certificate of compliance issued for vehicles passing the emission test by meeting the emission standards; or
2. A certificate of acceptance issued to a vehicle owner whose vehicle failed the inspection test, who then spent more than \$50 on repairs and/or parts to pass the inspection, but whose vehicle nonetheless failed to pass the inspection test upon retesting.

The following motor vehicles are exempted from this requirement: new vehicles (first licensing);

vehicles fifteen years old or older; those powered by electricity or by diesel engines; motorcycles and motor driven cycles; certain farm vehicles; and classes of vehicles designated by the Director of the Department of Ecology. An area may no longer be designated as a noncompliance area if the air quality standards are no longer being violated in the area and termination of the area inspection system does not result in violations of the standards.

Any rules proposed by the Department of Ecology to implement this act, including those designating noncompliance and emission contributing areas and their boundaries, must be submitted to the House and Senate Ecology Committees for review and approval before adoption.

The provisions of the bill expire on January 1, 1990, unless extended by law for an additional period of time.

The state operating budget authorizes the expenditure of not more than \$500,000 by the Department of Ecology to implement this program during the 1979-81 biennium.

House: (a)	62	36	Effective: Sept. 1, 1979
Senate: (a)	25	22	C 163 L 79 1st ex. sess.
H. Concur:	55	36	

SHB 302

SPONSORS: Committee on Revenue
(Originally Sponsored by Representatives Whiteside, Thompson, Adams, Barr, Burns, Brekke, Fancher, Maxie, Taylor, Williams, North and Ehlers)
(By Department of Social and Health Services Request)

COMMITTEE: Revenue
Modifying the B&O tax.

ISSUE: Exemptions and reductions in the business and occupation tax statute are necessary in order to make the statute more equitable, reflect inflation, and encourage the development of certain products in Washington State.

SUMMARY: A business and occupation (B&O) tax rate of one-eighth of one percent is imposed upon manufacturers of soybean oil and sunflower oil. A B&O tax rate of thirty-three hundredths of one percent is imposed upon steamship agents, customs house brokers, freight forwarders, cargo charter brokers and air cargo agents engaged in international trade activities. B&O tax rate of thirty-three hundredths of one percent is imposed upon persons engaged in the

business of stevedoring and associated activities. The portion of income of public ports and other public service businesses derived from these activities is exempt from the 1.8% public utility tax rate and subject to the .33% rate.

Counties, towns, and other municipal corporations may not impose any excise taxes on parimutuel wagering.

Hospitals selling prescription drugs as an integral part of services rendered are exempted from B&O tax on amounts received from the sale of such drugs.

An exemption from B&O tax on interest on loans to producers of aquatic products is extended to cooperative lending institutions.

Funeral homes are exempted from B&O tax for indirect costs incurred, such as providing flowers, soloists, ministers and transportation services, paid in advance by the funeral home for the convenience and accommodation of its customers. Customers must be billed at the exact cost to the funeral home and such costs must be separately itemized in the billing statement.

Amounts received from the United States or any governmental unit for support of health and social welfare services are exempted from business and occupation tax assessed upon private, nonprofit health and social welfare organizations, but only if the organizations comply with several specified conditions.

A deduction is allowed from the B&O tax for amounts received by condominium owners' associations, cooperative housing associations, and other associations of owners of residential property for the repair, maintenance, and management of residential structures and common areas.

Credit for property taxes paid on business inventories is allowed to delinquent taxpayers under extenuating circumstances if approved by the Department of Revenue.

The income level at which a business activity becomes subject to the appropriate business and occupation tax is raised from \$300 to \$1,000.

Amounts derived by a nonprofit organization as a result of conducting or participating in a bazaar or rummage sale are exempted from B&O tax if certain specified conditions are followed.

The tax-exempt status of the Pike Place Market in Seattle is clarified.

The B&O tax does not apply to the printing facilities of schools, counties, cities, or towns when the printed materials are used solely for school, county, city, or town purposes.

The B&O tax on wholesalers does not apply to persons who manufacture alcohol to be used in the production of gasohol.

The B&O tax status of amounts received by clubs and other organizations which are designated as dues to their members is clarified.

The bill contains an emergency clause and takes effect July 1, 1979.

House:	98	0	Effective: July 1, 1979
Senate: (a)	46	1	C 196 L 79 1st ex. sess.
H. Concur:	85	7	

HB 307

SPONSORS: Representatives Newhouse and Knowles

COMMITTEE: Judiciary

Revising the criminal code.

ISSUE:

In 1975 a comprehensive revision of the criminal code was enacted, codified as the Washington Criminal Code (Title 9A RCW). The 1975 revision, which was the product of an extended criminal code revision process in this state, was principally based upon a proposal developed by the Criminal Code Revision Committee of the State Bar Association. The Committee has continued in existence in order to develop whatever follow-up housekeeping amendments appear to be necessary. The Committee's first proposal was introduced in 1976 and enacted as Chapter 38, Laws of 1975-76, 2nd ex. sess.

SUMMARY:

This is the second housekeeping bill developed by the Criminal Code Revision Committee as a follow-up to the 1975 criminal code revision. It makes the following changes in the criminal law:

1. The rape and statutory rape statutes, which are now in Title 9, and the communicating with a minor for immoral purposes and indecent liberties statutes, are recodified into a new chapter in Title 9A. The purpose of this recodification is to gather all of the sex crimes statutes into a single chapter within Title 9A.
2. Some language in the excusable homicide statute is revised to eliminate some uncertainty caused by the revision in the manslaughter statutes in 1975. The problem is that the mental state requirement in the lowest degree of felony homicide (manslaughter second) is "criminal negligence" which is defined as "gross negligence." The excusable homicide statute, however, requires that the actor acted "with ordinary caution" which leaves open the question of whether someone acting with simple negligence can take advantage of the excusable homicide statute. To eliminate this uncertainty, the phrase "without criminal negligence" is

substituted for "with ordinary caution" so that the terminology in these two areas is consistent.

- 3. The assault in the second degree and assault in the third degree statutes are modified to avoid the following anomalous result: Under the current manslaughter second statute a person committing an assault with a weapon which results in a death and acting with criminal negligence is guilty of a class C felony. However, if, using the same example, no death results, the perpetrator is guilty of assault second which is a class B felony. To remedy this situation, the bill reduces the penalty for this type of assault to a class C felony.
- 4. A number of minor counts of malicious mischief and unlawful issuance of bank check statutes may be aggregated to raise the degree of the crime involved. In the malicious mischief area the bill permits the aggregation of third degree offenses which are part of a common scheme or plan to increase the crime to a second degree offense. The requirement that the separate incidents be part of a common scheme or plan also applies in the unlawful issuance of bank check statute where aggregation of offenses which are individually less than the two-hundred and fifty dollars (the dividing line between a class C felony and gross misdemeanor) to bring it into the felony category.
- 5. Language is added to the criminal trespass in the second degree statute to eliminate any overlap in coverage with the first degree statute.
- 6. A definition of "sexual conduct" is added to the prostitution statute. This new definition is proposed to avoid any possible constitutional problems with the current statute. There have been a number of superior court judges in this state who have found that the current statute is unconstitutionally vague because of the absence of a precise definition of "sexual conduct."
- 7. A person may detain a trespasser for a reasonable time and in a reasonable manner to investigate the reason for the person's presence.
- 8. The unlawful issuance of bank check statute is broadened to cover situations where the person issues a stop-payment order on the check in an attempt to avoid violation of the present statute.
- 9. A United States customs or immigration and naturalization officer is authorized to make warrantless arrests upon reasonable cause for assaults, firearms offenses, or any felony.

House:	98	0	Effective: Sept. 1, 1979
Senate: (a)	46	0	C 244 L 79 1st ex. sess.
H. Concur.			
(Partial)			
S. Refused			
to Recede			
H. Refused			
to Concur			
S. Recede:	42	0	
H. Final			
Passage:	97	0	

HB 308

SPONSORS: Representative Sommers
(By Department of Revenue Request)

COMMITTEE: Revenue

Modifying the law on unclaimed property.

ISSUE:

Current law requires holders of unclaimed property to report and deliver that property to the Department of Revenue when the property has been unclaimed for seven years. The Department, however, cannot enforce this delivery because the statute of limitations (three to six years, depending on the type of property) prevents lawsuits to recover the property. It is estimated that there are 15,000 potential unclaimed property holders in the state.

SUMMARY:

The statute of limitations does not apply to suits by the Department to enforce delivery of unclaimed property. Unclaimed property, which has not been paid or delivered to the owner on or after the effective date of this act, must be turned over to the Department of Revenue.

There will be an increase in revenue of \$5.5 million for the 1979-81 biennium. Two auditing positions are needed to enforce these provisions. The cost is estimated at \$91,300 for the 1979-81 biennium.

House:	95	0	Effective: Sept. 1, 1979
Senate:	45	0	C 117 L 79 1st ex. sess.

SHB 311

SPONSORS: Committee on Judiciary
(Originally Sponsored by
Representatives Newhouse, Knowles,
Winsley and Clayton)
(By Judicial Council Request)

COMMITTEE: Judiciary

Modifying the Criminal Justice Training
Commission special assessment statute.

ISSUE:

Since 1977 all bail forfeitures relating to violations of state law or local ordinance have included a special penalty assessment earmarked for the Criminal Justice Training Commission. Earlier this session the Legislature passed HB 101 which decriminalized minor traffic offenses, transforming them into civil traffic infractions. If the Criminal Justice Training Commission's special assessment statute is not changed to reflect the decriminalization of minor traffic offenses, future collection of the special assessment may be jeopardized.

SUMMARY:

The Criminal Justice Training Commission assessment statute is amended to permit the assessment to be paid from the monetary penalties for traffic infractions.

The bill contains an effective date of July 1, 1980.

House: 91 1 Effective: July 1, 1980
 Senate: (a) 28 14 C 164 L 79 1st ex. sess.
 H. Concur: 95 0

SHB 319

SPONSORS: Committee on Higher Education
 (Originally Sponsored by
 Representatives Burns, Patterson,
 Grimm, Barnes, Douthwaite, Keller,
 Kreidler, Greengo, Lux, Erickson and
 Gruger)

COMMITTEE: Higher Education

Authorizing waiver of fees for university or college employees taking courses thereat, but limited to space available basis.

ISSUE:

Present law authorizes the Boards of Regents of the University of Washington and Washington State University to exempt non-faculty employees of the postsecondary institutions from the payment of tuition and fees. Non-faculty and faculty employees at the other institutions of higher education are required to pay full tuition and fees.

SUMMARY:

A uniform policy of tuition and fee waivers is established for full-time employees, including faculty and non-faculty employees, of all of the institutions of higher education. The governing bodies of these institutions may waive tuition and fees for their full-time employees subject to the following conditions:

1. Enrollment is on a "space available" basis and no new course sections may be created due to employee enrollment;

2. Enrollment information must be separately recorded and excluded from budget-related statistics; and
3. Employees must pay a registration fee of at least \$5.

Cooperative Extension Service and agricultural research employees of Washington State University, who are stationed off-campus, are also eligible for this tuition and fee waiver at any other institutions of higher education.

House: 89 7 Effective: June 7, 1979
 Senate: (a) 37 8 C 82 L 79
 H. Concur.
 (Partial)
 S. Recede: 45 0
 H. Concur: 92 0

HB 320

SPONSORS: Representatives Craswell, Dunlap, Deccio, Sanders, Mitchell, Addison, Erickson, Rohrbach, Barr, Hastings, Hurley, Flanagan, Taylor and Bond

COMMITTEE: Revenue

Extending the 106 percent levy limit to the state.

ISSUE:

Existing law requires a state levy of \$3.60 per \$1,000 on state equalized property values. However, present law excludes the state levy for schools from the 106% regular property tax limitation. It is currently imposed on all other taxing districts. The 106% property tax limitation means that regular property taxes payable in any year in a taxing district cannot increase by more than 6% of the regular property taxes payable in the district in the highest of the three most recent years, plus an amount which takes into account new construction and improvements.

Statutory language, establishing a formula for calculating a levy when a taxing district has not made a levy for a number of years, expired December 31, 1978.

SUMMARY:

Beginning in 1980 the state property tax levy for schools is placed under the 106% limitation.

Existing statutory language is reenacted which establishes a formula for calculating a levy where a taxing district has not made a levy for a number of years.

The first levy of a newly formed taxing district created other than by consolidation or annexation may not exceed the statutory rate.

The Department of Revenue is authorized to adopt rules relating to calculating the tax rate, conducting

HB 320

educational programs, and any other matters it deems necessary to insure compliance. The State Auditor is to review tax levies.

The fiscal note indicates a loss of \$32.3 million in revenue to the general fund for the 1979-81 biennium.

The bill contains an emergency clause.

House: 93 5 Effective: June 4, 1979
Senate: (a) 47 0 C 218 L 79 1st ex. sess.
H. Concur: 91 4

SHB 328

SPONSORS: Committee on Energy and Utilities
(Originally Sponsored by
Representatives Haley, McCormick,
Martinis and Charnley)

COMMITTEE: Energy and Utilities

Revising the law relating to energy facility site locations.

ISSUE:

In order to promote widespread water pollution control, the federal government allowed states to issue and administer National Pollutant Discharge Elimination System (NPDES) permits within their respective jurisdictions. Until its replacement by the Washington State Energy Facilities Site Evaluation Council (EFSEC), the Thermal Power Plant Site Evaluation Council administered permit issuance pursuant to guidelines established by the federal Environmental Protection Agency (EPA).

Due to the assignment of additional energy facilities to EFSEC and the expansion of federal law, it is contended that EFSEC's permitting and enforcement authority should be extended. It is further contended that unless such extension is allowed, the federal government will withdraw EFSEC's permitting authority, thereby forcing permit applicants to apply directly to the EPA. This would create significant delays in the construction and operation of energy facilities.

SUMMARY:

The Attorney General and county prosecuting attorneys are authorized to seek enforcement of NPDES permit requirements through appropriate legal action. Courts are authorized to grant injunctive relief and assess civil penalties where permit violations occur. Penalties may be imposed by EFSEC for violation of permit or certificate provisions, provided that appropriate written notice from the Council is given to alleged violators. An appellate procedure is established for challenging any penalty, and also allows for remission or mitigation of the amount imposed.

Knowingly making false statements in permit documents and the wilfull or criminally negligent violation of permit provisions are deemed criminal acts and are punishable by the payment of both fines and litigation costs.

The bill contains an emergency clause.

House: 63 31 Effective: March 16, 1979
Senate: 48 0 C 41 L 79

HB 330

SPONSORS: Representatives Schmitt, Vrooman,
Sanders and Addison

COMMITTEE: Natural Resources

Making unlawful the obtaining of game licenses by fraud.

ISSUE:

At the present time it is very difficult for the Department of Game to check through license applications in order to identify: (1) a person who is applying for a new license after that person has had a previous license revoked, or (2) a person who, contrary to law, is applying for multiple licenses, permits, and tags. Since it is difficult to identify these people and the law currently does not provide penalties for these actions, there is very little to discourage people from these activities.

In addition, persons who obtain licenses, permits and tags from the Game Department by using false information are presently prosecuted under the fraud provisions of the Washington Criminal Code. In some circumstances the penalties prescribed under the criminal code may not be appropriate to the game violations, and therefore, additional statutory language may be needed which addresses the specific problems encountered by the Game Department.

SUMMARY:

It is unlawful to obtain a license, permit or tag issued by the Game Department if:

- (1) false information has been used to obtain the document;
- (2) an existing license, permit or tag has been revoked; or
- (3) the lawfully authorized number of documents is exceeded.

A violation of this act is defined as a gross misdemeanor and penalties for violations are prescribed as \$250 - \$1,000 and/or not less than 30 days nor more than 1 year imprisonment.

Licenses, permits, or tags for privileges other than those revoked may be issued.

House: 98 0 Effective: Sept. 1, 1979
 Senate: (a) 42 0 C 127 L 79 1st ex. sess.
 H. Concur: 91 0

SHB 333

SPONSORS: Committee on Natural Resources
 (Originally Sponsored by
 Representatives Martinis, Schmitten,
 Vrooman, Wilson and Jovanovich)

COMMITTEE: Natural Resources

Establishing a two-year program restricting salmon charter boat fishing.

ISSUE:

In order to improve the management and economic health of the salmon fishery, legislation was enacted in 1977 which temporarily halted the issuance of new salmon charter boat licenses. The current salmon charter boat license moratorium will expire on December 31, 1980. Although the Legislature acted to check the growth of the industry by limiting licenses, the charter boat fleet can still grow in angler carrying capacity by increasing the size of the boats in the fleet.

SUMMARY:

The temporary moratorium on salmon charter boat licenses is extended for an additional year, to December 31, 1981. In addition, an angler permit is created which must accompany each salmon charter boat license. The angler permit specifies the maximum number of anglers that may fish from the vessel at any one time. A schedule is provided which enables the Department of Fisheries to establish the initial number of anglers to be assigned to the permit based on the length of the vessel. After the initial number of anglers is authorized by the Department, a permit holder may transfer all or a portion of the permit to another charter boat even though this may allow some charter boats to exceed the angler capacity initially specified for that boat. However, the total number of anglers for the entire charter boat fleet may not change from the initial Departmental determination.

There is no charge for the yearly angler permit. Failure to comply with these provisions constitutes a gross misdemeanor.

The bill contains an effective date of January 1, 1980.

House: 82 13 Effective: Jan. 1, 1980
 Senate: 38 10 C 101 L 79

HB 335

FULL VETO

SPONSORS: Representatives Nelson (G.), Martinis, Patterson, Becker and Sprague

COMMITTEE: Higher Education

Authorizing new community college district and providing for transfer of property, records, and personnel thereto.

ISSUE:

Community College District No. 5 is a multi-campus district composed of Everett Community College, and Edmonds Community College governed by a single board of trustees, and centrally administered by a district office. Members of the Edmonds community have expressed a desire to create two distinct districts which reflect the needs and desires of each community.

SUMMARY:

The geographic boundaries of the Everett Community College (District 5) exclude Snohomish, Sultan, Index, Edmonds and Monroe common school districts which are made part of the Edmonds Community College (District 23) service area.

Present trustees of Community College District No. 5 who reside within the boundaries of newly created District No. 23 are to assume positions on the new board for the remainder of their terms. Employees, funds, property and records are to be transferred in a manner consistent with the creation of the new community college district.

The bill sets an effective date of July 1, 1979.

House: (a) 93 5
 Senate: (a) 29 16
 H. Refused
 to Concur
 S. Refused
 to Recede
 H. Concur: 90 8

VETO SUMMARY:

Because considerable uncertainty exists over the wisdom of effecting an immediate split in Community College District 5, the Governor has vetoed HB 335. She recognizes that a review of the circumstances is desirable and strongly encourages studies of the general community college system and the proper role of the Edmonds/Everett District Office. (See VETO MESSAGE)

HB 338

SPONSORS: Representatives Oliver, Isaacson and Sprague

COMMITTEE: Judiciary

Extending the time period for marriage solemnization.

ISSUE:

Under current law a marriage license is valid for only thirty days. A marriage license becomes void if the marriage is not solemnized within thirty days of issuance.

Current law also prohibits marriages where one of the persons is a common drunkard, habitual criminal, imbecile, feeble-minded person, idiot or insane person, a person afflicted with hereditary insanity, or a person afflicted with pulmonary tuberculosis in its advance stages. These provisions appear antiquated and could needlessly jeopardize marriages entered into by mentally retarded and developmentally disabled citizens.

SUMMARY:

The effective period of a marriage license is extended from thirty to sixty days and county auditors are required to notify applicants in writing of this fact at the time of the issuance of the license. The prohibition is removed against marriages where one of the persons is a common drunkard, habitual criminal, or in one of the other categories listed above.

House: (a) 93 2 Effective: Sept. 1, 1979
 Senate: (a) 48 0 C 128 L 79 1st ex. sess.
 H. Concur: 90 0

HB 341

SPONSORS: Representatives Newhouse, Smith (R.) and Whiteside
 (By Code Reviser Request)

COMMITTEE: Judiciary

Correcting double amendments to RCW 18.85.120, 18.85.140, 18.85.150, and 18.85.230.

ISSUE:

Certain sections of the real estate licensing laws were amended more than once by separate bills in the 1977 legislative session.

SUMMARY:

Specified sections of the real estate licensing laws are reenacted.

The bill contains an emergency clause.

House: 96 0 Effective: March 13, 1979
 Senate: 47 0 C 25 L 79

HB 342

SPONSORS: Representatives Newhouse, Smith (R.) and Whiteside
 (By Code Reviser Request)

COMMITTEE: Judiciary

Correcting double amendments to RCW 21.20.310.

ISSUE:

A section of the securities registration law was amended more than once by separate bills in the 1977 legislative session.

SUMMARY:

A section of the securities registration law is reenacted.

The bill contains an emergency clause.

House: 97 0 Effective: March 2, 1979
 Senate: 47 0 C 8 L 79

HB 343

SPONSORS: Representatives Newhouse, Smith (R.) and Whiteside
 (By Code Reviser Request)

COMMITTEE: Judiciary

Correcting double amendments to RCW 27.28.010 and 27.32.010.

ISSUE:

Certain sections of the code relating to the State Historical Society were amended more than once by separate bills in the 1977 legislative session.

SUMMARY:

Specified sections of the code relating to the State Historical Society are reenacted.

The bill contains an emergency clause.

House: 97 0 Effective: March 2, 1979
 Senate: 47 0 C 9 L 79

HB 344

SPONSORS: Representatives Newhouse, Smith (R.)
and Whiteside
(By Code Reviser Request)

COMMITTEE: Judiciary
Correcting double amendments to RCW 43.17.010,
43.17.020, 43.41.110, and 43.51.040.

ISSUE:
Certain sections of the code relating to the State
Executive Department were amended more than
once by separate bills in the 1977 legislative session.

SUMMARY:
Specified sections of the code relating to the State
Executive Department are reenacted.
The bill contains an emergency clause.

House:	97	0	Effective: March 2, 1979
Senate:	46	0	C 10 L 79

HB 345

SPONSORS: Representatives Newhouse, Smith (R.)
and Whiteside
(By Code Reviser Request)

COMMITTEE: Judiciary
Correcting double amendments to RCW 46.37.340,
46.52.030, and 46.70.011.

ISSUE:
Certain sections of the code relating to motor
vehicles were amended more than once by separate
bills in the 1977 legislative session.

SUMMARY:
Specified sections of the code relating to motor
vehicles are reenacted.
The bill contains an emergency clause.

House:	95	1	Effective: March 2, 1979
Senate:	46	0	C 11 L 79

HB 346

SPONSORS: Representatives Newhouse, Smith (R.)
and Whiteside
(By Code Reviser Request)

COMMITTEE: Judiciary
Correcting double amendments to RCW 82.08.030
and 82.12.030.

ISSUE:

Certain sections of the code relating to the sales
and use taxes were amended more than once by
separate bills in the 1977 legislative session.

SUMMARY:
Specified sections of the code relating to the sales
and use taxes are reenacted.
The bill contains an emergency clause.

House:	96	1	Effective: March 2, 1979
Senate:	46	0	C 12 L 79

HB 347

SPONSORS: Representatives Newhouse, Smith (R.)
and Whiteside
(By Code Reviser Request)

COMMITTEE: Judiciary
Correcting double amendments to RCW 84.48.010.

ISSUE:
A section of the code relating to county boards of
equalization was amended more than once by
separate bills in the 1977 legislative session.

SUMMARY:
A section of the code relating to county boards of
equalization is reenacted.
The bill contains an emergency clause.

House:	97	0	Effective: March 2, 1979
Senate:	46	0	C 13 L 79

HB 348

SPONSORS: Representatives Newhouse, Smith (R.)
and Whiteside
(By Code Reviser Request)

COMMITTEE: Judiciary
Making RCW corrections to Title 28B.

ISSUE:
Certain sections of the code relating to higher
education were amended more than once by
separate bills in the 1977 legislative session.

SUMMARY:
Specified sections of the code relating to higher
education are reenacted.
The bill contains an emergency clause.

House:	97	0	Effective: March 2, 1979
Senate:	47	0	C 14 L 79

HB 351

SPONSORS: Representatives Barr, Kreidler and Amen

COMMITTEE: Agriculture

Increasing the maximum allowable agricultural commodity assessment on wheat.

ISSUE:

Agricultural commodity assessments on wheat are used by the Washington Wheat Commission to fund various programs such as operations, public/consumer information, wheat research at Washington State University, freight rate studies, market development, crop improvement, and the promotion of Washington grown wheat. Current law provides for a maximum wheat commodity assessment of one-half cent per bushel. This commodity assessment is lower than the maximum amount which can be assessed on all other commodities organized under the law. An increase in the maximum wheat commodity assessment would enable wheat growers to better deal with potential emergency situations in marketing, pest control, plant disease and other areas.

SUMMARY:

The maximum commodity assessment on wheat is changed from one-half cent per bushel to three percent of the total market value per bushel. The assessment may be implemented through a petition to the Director of the Department of Agriculture by the affected growers, and then by a referendum vote of the affected growers supervised by the Director. The referendum must be approved by 60% of the growers who produce at least 60% of the commodity.

House: 95 3 Effective: Sept. 1, 1979
Senate: 47 0 C 93 L 79 1st ex. sess.

SHB 352

SPONSORS: Committee on Judiciary (Originally Sponsored by Representatives Smith (R.), Newhouse, Gruger, Hurley, Brekke, Wilson, Tilly and Owen)

COMMITTEE: Judiciary

Establishing procedures for termination of parent-child relationships.

ISSUE:

Legislation is required to remove needless delay in the permanent placement of infants who are placed with adoptive parents. A frequent source of delay is

giving notice to the father or alleged father in cases where the parents are not married or have been separated for some time.

SUMMARY:

Notice procedures to fathers and alleged fathers may begin before the child is born so that a hearing on termination of parental rights can be held promptly after the birth of the child.

A pregnant woman may file a petition, without a fee, for voluntary termination of parental rights and intent to place the child for adoption. The alleged father must be notified at least thirty days prior to the birth of the child and advised of his rights and responsibility to respond. If the alleged father fails to respond to the notice, the court may terminate his rights. If a father responds and contests, the matter is then dealt with as a petition for dependency and proceedings are conducted under current statute (RCW 13.34.180) in juvenile court.

Only two types of contested proceedings are handled by this act; a petition contested by an alleged father, and a contested step-parent adoption.

All petitions under this chapter are heard by the court without a jury and members of the general public are excluded.

It is the duty of the prosecuting attorney to handle cases involving juvenile offenses. However, the Attorney General's office must handle contested cases brought by the Department of Social and Health Services concerning dependency petitions or termination of parental rights petitions. Any contested termination cases involving alleged fathers and petitions approving or disapproving alternative residential placements also must be handled by the Attorney General's office. In class 1 through 9 counties the Attorney General may contract with the prosecuting attorney of the county to perform the above duties of the Attorney General.

The time period for juveniles taken to crisis residential centers and then placed in secure detention is brought into conformity with federal guidelines.

Language that was reintroduced into ESSB 2768 as a result of the Governor's veto that dealt with the duties of the Department in relation to runaways is deleted. The Department must develop a recruiting plan for prospective adoptive and foster homes and monitor out-of-home placements on a timely and routine basis.

The bill contains an emergency clause.

House: (a) 98 0 Effective: May 11, 1979
 Senate: (a) 40 5 C 165 L 79 1st ex. sess.
 H. Concur.
 (Partial)
 S. Recede: 42 0
 H. Final
 Passage: 94 0

HB 358

SPONSORS: Representatives Burns, Bender, Eng, Lux, Charnley, Nelson (D.), Kreidler, King, Maxie, Haley, Grimm, Pruitt, Isaacson and Bauer

COMMITTEE: Higher Education

Abolishing certain fees at community colleges for certain students seeking to finish their high school education.

ISSUE:

Community colleges are currently authorized to provide high school completion and general education development (GED) preparatory programs. Students enrolled in these programs are subject to tuition and fee charges. A waiver program for needy students in these programs exists but such waivers are granted at the discretion of the community college.

SUMMARY:

Charges for tuition, operating, and services and activity fees are to be waived by each community college for all students nineteen years of age or older who enroll in high school completion and GED programs. The citizens of the state, regardless of age or financial situation, are guaranteed cost free high school education.

The fiscal note indicates that there will be a total revenue reduction of \$1,189,580 (\$529,872 from the general fund) for the 1979-81 biennium.

House: (a) 73 22 Effective: Sept. 1, 1979
 Senate: 27 19 C 148 L 79 1st ex. sess.

HB 365

SPONSORS: Representatives Lux, Galloway, Smith (R.), Zimmerman, Garrett, and Williams

COMMITTEE: Financial Institutions

Authorizing satellite facilities for credit unions.

ISSUE:

In 1974, the Legislature authorized commercial banks, savings and loan associations, and mutual

savings banks to utilize unmanned "satellite" transaction facilities. Credit unions were not included in the authorizing legislation at that time.

SUMMARY:

Credit unions are authorized to utilize unmanned "satellite" transaction facilities according to the terms of existing law, which includes provisions for the sharing of "satellite" facilities among financial institutions. Credit unions are treated in the same manner as savings and loan associations and mutual savings banks.

House: 95 0 Effective: June 7, 1979
 Senate: 47 0 C 137 L 79

SHB 367

SPONSORS: Committee on Education
 (Originally Sponsored by Representatives Chandler, Heck, Whiteside, Bauer, Bender, Taller, Tupper and Mitchell)

COMMITTEE: Education

Having State Board of Education examine and accredit all public schools within a school district and modifying terms of suspension.

ISSUE:

Currently, only the state's secondary schools are accredited by the State Board of Education.

The State Board of Education presently defines short and long term suspensions on the basis of consecutive calendar days which includes weekends and holidays.

SUMMARY:

The State Board of Education is authorized to accredit all schools that apply for accreditation. Accreditation may be extended to both public and private schools. The State Board of Education may require all or certain classifications of public schools to participate in pre-accreditation examination and evaluation processes.

Every school district board of directors must adopt and make available to each pupil, teacher and parent written rules and regulations on short and long term suspensions.

The computation of days included in short term and long term suspensions must be determined on the basis of consecutive school days.

House: 66 30 Effective: Sept. 1, 1979
 Senate: (a) 29 18 C 173 L 79 1st ex. sess.
 H. Concur: 68 27

HB 376

SPONSORS: Representatives O'Brien, Warnke, Thompson, Salatino, Eberle, Erickson, Blair, Adams, Burns, Lux, Chandler, Brown, Teutsch and Maxie

COMMITTEE: Commerce
Establishing the Pacific Northwest Festival Facility.

ISSUE:
There is no cultural center in or near the Pacific Northwest and it is believed that one would attract tourism and have a beneficial economic impact upon the state.

SUMMARY:
The development and construction of a multi-theater international performing arts center near Federal Way is authorized. The State Finance Committee is authorized to issue up to \$5 million in general obligation bonds as required to finance the construction. No bonds may be offered for sale without prior legislative appropriation.
Proceeds from sale of the bonds are to be placed in the newly created Pacific Northwest Festival Facility Construction Account.
The principal proceeds are to be administered by the Director of the Department of Commerce and Economic Development.
No bonds may be issued until \$15 million in matching funds from federal or private sources is provided or secured.
A 12-member Festival Commission is established to assist the Director of Commerce and Economic Development.
The bill contains an emergency clause.

House: (a) 60 38 Effective: May 25, 1979
Senate: (a) 33 11 C 197 L 79 1st ex. sess.
H. Concur: 72 21

HB 380

SPONSORS: Representatives Dawson, Erak and Patterson
(By: Department of Transportation Request)

COMMITTEE: Transportation
Providing new and revised state highway numbers and descriptions.

ISSUE:
Periodically, the state' route descriptions in existing law become out of date because of changes in the alignment of a highway or modifications of one route which affect other routes.

SUMMARY:

Several route descriptions for state highways are brought up to date. They are technical changes and do not substantively affect the actual highway routes.

House: (a) 98 0 Effective: Sept. 1, 1979
Senate: 46 0 C 33 L 79 1st ex. sess.

SHB 398

SPONSORS: Committee on Higher Education
(Originally Sponsored by Representatives Teutsch, Deccio, Grimm and North)

COMMITTEE: Higher Education
Insuring that community college board trustees serve until their successors are appointed and qualified.

ISSUE:
Community college district trustees have no specific statutory authority to continue to serve after their term has expired even where no successor has yet been appointed. Trustee appointees are sometimes delayed. The Attorney General's Office is concerned that board actions during this interim could be legally challenged. The statutes providing for the appointment of the governing bodies of the four-year institutions of higher education need clarification.
Revisions in the procedures associated with gubernatorial appointments to the governing boards of higher education institutions will standardize the existing appointment process.

SUMMARY:

Trustees of community college districts are allowed to continue to serve until a successor has been appointed and qualified.
The procedures governing the appointment of trustees or regents to the governing boards of the four-year higher education institutions are made parallel by designating October 1st as the beginning of each term of office.
In the case of an appointment made to the board of a four-year institution after a new term has begun, the appointee serves only for the remainder of the term.

House: 98 0 Effective: Sept. 1, 1979
Senate: (a) 47 0 C 103 L 79 1st ex. sess.
H. Concur: 91 0

SHB 402

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Hastings, Newhouse,
Smith (C.), Barr and Struthers)

COMMITTEE: Local Government

Providing for fund disbursement by irrigation districts.

ISSUE:

Irrigation districts which have designated their own treasurer, rather than relying on the county treasurer to serve as district treasurer, wish clarification to permit appointed treasurers to issue checks and warrants. Additionally, a joint board of control of irrigation districts wants authority to appoint a treasurer for the board of control.

SUMMARY:

The irrigation district's designated treasurer is authorized to issue warrants and checks. Joint boards of control are allowed to appoint their own treasurers.

The legislative body of an irrigation district is authorized to reimburse directors for reasonable expenses by resolution or ordinance.

House: (a) 96 1 Effective: June 7, 1979
Senate: (a) 47 0 C 83 L 79
H. Concur: 93 1

HB 413

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

COMMITTEE: Education

Modifying the law on the purchase and sale of real property by school districts.

ISSUE:

Under current law, a school district may sell real property without voter approval only if the value does not exceed \$35,000.

SUMMARY:

The current statutory provision permitting the sale or purchase of real property, if the value of such property is \$35,000 or less, is deleted.

Where there is a proposed sale of school district real property and the value of such property exceeds \$70,000, the board of directors is required to publish a notice of its intention to sell the property. Following such notice, the board is

required to hold a public hearing upon the proposal to dispose of the school district property.

The current statutory provision calling for a vote of the people where the appraised value of any real property considered for sale is greater than \$35,000 is deleted.

House: (a) 97 1 Effective: Sept. 1, 1979
Senate: 45 0 C 16 L 79 1st ex. sess.

HB 415

SPONSORS: Representatives O'Brien, Greengo,
Garrett and Zimmerman

COMMITTEE: Local Government

Permitting cities to designate an officer to conduct local assessment hearings.

ISSUE:

Under existing law, public hearings must be held on local improvement and utility local improvement assessment rolls. Such hearings permit interested parties to comment upon individual benefit assessments. These hearings are held before the city or town legislative authority, or a committee comprised of its members.

SUMMARY:

Cities of 15,000 or more are permitted to designate an officer to conduct public hearings on local improvement and utility local improvement assessment rolls.

Cities designating such officers must provide for appeals of officer decisions to the legislative authority.

House: 98 0 Effective: Sept. 1, 1979
Senate: (a) 46 0 C 100 L 79 1st ex. sess.
H. Concur: 92 0

2SHB 418

SPONSORS: Committee on Appropriations
(Originally Sponsored by
Representatives Gruger, Teutsch,
Brekke, Kreidler, Lux, Adams and
Pruitt)

COMMITTEE: Social and Health Services and
Appropriations

Establishing a program for victims of sexual assault.

ISSUE:

Because sexual assault has become one of the most rapidly increasing violent crimes in the last decade,

the state must take steps to improve treatment of victims of sexual crimes.

SUMMARY:

An office is created in the Department of Social and Health Services to coordinate activities of programs relating to sexual assaults. A state-wide sexual assault victims plan is to be developed by the Department.

The state-wide plan is to provide training regarding: the scope of the problem; sensitive treatment of assault cases; public education programs and technical advice. A personal representative may accompany the victim to medical care and legal proceedings if the victim desires.

A law enforcement agency to which a criminal act has been reported must make a reasonable effort to inform the victim of the existence and method of contacting agencies for assistance.

The state assumes the cost of the physical examination of a sexual assault victim when the examination is performed for purposes of gathering evidence for possible prosecution.

Any profits which the perpetrator of a crime receives regarding the crime are required to be placed in an escrow account so that the victim of the crime may bring a civil action to recover a monetary judgement for damages against the accused.

The bill's provisions are subject to termination on June 30, 1985.

There is an appropriation of \$350,000 from the general fund to DSHS for the 1979-81 biennium.

House:	91	4	Effective: Sept. 1, 1979
Senate: (a)	46	0	C 219 L 79 1st ex. sess.
H. Concur:	91	3	

HB 419

SPONSORS: Representatives Burns, Blair, Warnke, Nelson (D.), Douthwaite and Greengo

COMMITTEE: Higher Education

Allowing sale of liquor at faculty center on University of Washington grounds.

ISSUE:

Existing law prohibits the sale of intoxicating liquors with or without a license on the grounds of the University of Washington.

SUMMARY:

The Washington State Liquor Control Board is permitted to issue a Class H club liquor license for

the designated faculty center at the University of Washington.

House:	70	27	Effective: Sept. 1, 1979
Senate: (a)	25	19	C 104 L 79 1st ex. sess.
H. Concur:	72	26	

HB 424

SPONSORS: Representatives Smith (R.), Newhouse and Chandler

COMMITTEE: Judiciary

Allowing negotiation of court filing fees between cities and counties.

ISSUE:

Currently, the law limits the amount of revenue a county can collect from a city to four dollars per filing fee when the county provides court services to a city to process municipal ordinance violations. The present four dollar filing fee is inadequate, with the result that the county is subsidizing the city.

SUMMARY:

The amount of revenue collected from the city per filing may be set by an agreement between the city and county pursuant to the Interlocal Cooperation Act. If no agreement is reached within 90 days of the effective date of this act, the county and city must submit to arbitration in which only those additional costs borne by the county in providing justice court services for the city will be considered.

House: (a)	95	3	Effective: Sept. 1, 1979
Senate: (a)	46	0	C 129 L 79 1st ex. sess.
H. Concur:	87	4	

SHB 425

SPONSORS: Committee on Judiciary
(Originally Sponsored by Representatives Smith (R.) and Newhouse)

COMMITTEE: Judiciary

Permitting each county's superior court to authorize mandatory arbitration for civil actions less than \$10,000.

ISSUE:

Court congestion has caused delays in resolving civil actions for money damages, especially cases which involve relatively small amounts of money.

SUMMARY:

In counties where a majority of the superior court judges elect to implement the procedure, mandatory

arbitration is established for all civil actions involving \$10,000 or less, where the sole relief sought is a money judgment. Procedures are to be established by Supreme Court Rule. A right of appeal by means of a trial de novo in superior court is provided, including a jury trial if demanded. If no appeal is filed within 20 days following the arbitrator's decision, the decision becomes final. The appointment and qualification of arbitrators are to be established by Supreme Court Rule. They are paid the same as judges pro tem. The Supreme Court may, by rule, provide for costs and attorney's fees against an appellant who fails to improve his or her position following appeal to the superior court.

The effective date of the law is July 1, 1980, in order to allow time for the Supreme Court to develop rules.

House: 92 4 Effective: July 1, 1980
Senate: 29 18 C 103 L 79

HB 433

PARTIAL VETO

SPONSORS: Representatives Barr, Valle and Granlund

COMMITTEE: Ecology

Updating certain powers of the Department of Ecology.

ISSUE:

The Federal Water Pollution Control Act, prior to 1977, authorized state implementation of certain water pollution control programs, specifically, administration of industrial waste discharge permit issuance. Issuance of dredge and fill permits for certain bodies of water has been administered by the federal Corps of Engineers.

The 1977 amendments to the Water Pollution Control Act delegate increased authority to the state for carrying out the provisions of the act, if adequate state legislation is in place. The amendments authorize the Environmental Protection Agency (EPA) to delegate to the state administration of the issuance of dredge and fill permits for certain waters and construction of sewage treatment works.

SUMMARY:

Provisions in the state statutes regarding water pollution control are updated to correspond with the federal Water Pollution Control Act as amended, allowing assumption of the additional powers which the federal act authorizes for delegation in the 1977 amendments. In addition to its current authority to administer waste discharge permits under the federal act, the Department of Ecology (DOE) is authorized to administer dredge and fill permits for

other than "traditional navigable waters" which will continue to be administered by the Corps of Engineers. An exception to this is Lake Chelan, which, though classified as a body of traditional navigable water, may be administered by the Department.

The Department is also authorized to administer grants for construction of municipal sewage treatment works. Currently, the EPA is authorized to carry out these provisions, though the Department has conducted much of the implementation of this section, under an arrangement with the EPA.

An amendment added on the House floor would have prohibited any further tax credits and exemptions pursuant to this bill. A conflicting Senate amendment apparently negates this provision by allowing those plants in existence or under construction prior to 1967 to receive additional tax credits and exemptions. (Vetoed Section)

House: (a) 95 0 Effective: Sept. 1, 1979
Senate: (a) 41 0 C 267 L 79 1st ex. sess.
H. Concur: 74 14

VETO SUMMARY:

The Governor vetoed the last two sentences of subsection 3, dealing with tax credits and exemptions, because she felt that they introduced a separate subject which is inconsistent with the purpose of the bill, and that they could lead to misinterpretation and possible litigation. (See VETO MESSAGE)

SHB 437

SPONSORS: Committee on Education
(Originally Sponsored by
Representatives Chandler, Heck, Nelson
(G.), Dunlap, Bender, Bauer, Eng,
Maxie, Fuller and Mitchell)

COMMITTEE: Education

Making miscellaneous changes to educational clinic law.

ISSUE:

Revisions are proposed which clarify sections of the existing law with regard to eligibility of students, use of the General Education Development (GED) test for diagnostic purposes and evaluating the cost and effectiveness of the educational clinic program.

SUMMARY:

Eligibility requirements for attendance at educational clinics are changed to permit only those common school dropouts who have reached the age of thirteen and who have not passed the age of

twenty to attend. A common school dropout may attend an educational clinic if one month has passed after such person has dropped out of school and the clinic receives written verification of nonattendance from a school official of the common school last attended in this state.

The current statutory provisions prohibiting attendance at an educational clinic by any student who has not completed the ninth grade unless he or she has written permission from the principal, head teacher or similar official of the last school attended is deleted. The fact that a common school dropout may still be affected by this state's compulsory attendance law shall not bar attendance by such person at an educational clinic.

The fee for the initial diagnostic procedure is limited to not more than fifty dollars per student.

Regulations governing educational clinics now require seventeen year old students to take the General Education Development (GED) test as part of the enrollment procedure. Those receiving a standard score of forty-five or above in any subject may not receive instruction in that subject at an educational clinic. The administration of such test may not be a part of an initial diagnostic procedure.

Student absences may not be reimbursed.

A report to the Legislature, before each regular session, by the Legislative Budget Committee detailing the fiscal impact of those certified educational clinics receiving reimbursements from the state, is required. The report to the Legislature by the Legislative Budget Committee detailing the fiscal impact of state reimbursed educational clinics shall include an analysis of cost per student and the progress they have achieved, as well as comparisons with other educational and institutional alternatives.

House: (a)	93	2	Effective: Sept. 1, 1979
Senate: (a)	41	3	C 174 L 79 1st ex. sess.
H. Concur:	87	8	

SHB 438

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representatives Gruger, Adams, Fancher, Haley, Brekke, Tupper, Taller, Erickson, Sherman, Lux, Pruitt, Kreidler, Nelson (D.) and Burns)

COMMITTEE: Social and Health Services
Establishing law enforcement procedures for domestic violence cases.

ISSUE:

Victims of domestic violence have often had a difficult time obtaining the assistance of law enforcement agencies, courts and prosecutors in pursuing criminal actions against the abusers. The law at present does not outline the response of law enforcement agencies, the courts, or prosecutors to domestic violence problems. Nor does it require complete and retrievable records or otherwise contain procedures to provide the maximum protection possible for the victim of domestic violence. When the parties involved are cohabitants, criminal laws are often not enforced to the same extent as if the parties were strangers. Changes are needed in law enforcement agencies response to domestic violence, to stress enforcement of criminal laws where applicable, and to provide the victims with protection and necessary information to pursue actions where practicable.

SUMMARY:

All training of law enforcement officers is required to stress enforcement of criminal laws in domestic situations and protection of the victim. Duties of peace officers responding to domestic violence calls and considerations to be made by the court in domestic violence situations are outlined. No contact conditions are provided upon release from custody or upon sentencing. A violation of a no contact condition upon release from custody is made a misdemeanor. Duties of prosecuting attorneys handling domestic violence cases are outlined.

House:	95	0	Effective: Sept. 1, 1979
Senate: (a)	48	0	C 105 L 79 1st ex. sess.
H. Concur:	98	0	

HB 441

SPONSORS: Representatives McCormick and Haley
(By Utilities and Transportation Commission Request)

COMMITTEE: Energy and Utilities
Modifying penalties for failure to pay certain regulatory fees.

ISSUE:
Existing law requires the Utilities and Transportation Commission (UTC) to bring civil actions to collect a statutory penalty of \$25 per day from each entity failing or neglecting to pay UTC regulatory fees. As these daily penalties accumulate, smaller suppliers delinquent in fee payments are faced with disproportionate financial burdens compared to the larger suppliers. The State Auditor and the UTC suggest that removal of this daily penalty will be more equitable to the smaller service entities while still maintaining proper regulation of the industries.

SUMMARY:

The \$25 per day penalty charged against regulated utilities and transportation companies for delinquencies in their UTC fee payments is eliminated. Other penalties regarding regulatory violations remain unchanged. All fees, fines, forfeitures and penalties collected or assessed for violations of state law are remitted to the court.

House: 98 0 Effective: Sept. 1, 1979
Senate: 45 0 C 198 L 79 1st ex. sess.

SHB 446

SPONSORS: Committee on Ecology
(Originally Sponsored by
Representatives Thompson, Barr and
Chandler)

COMMITTEE: Ecology

Conditioning certain water permits.

ISSUE:

Current state law specifically grants the Department of Ecology the authority to establish instream flow and level requirements in streams and lakes in the state. Nonetheless, the Departments of Fisheries and Game may establish similar requirements indirectly through the use of state hydraulic statutes and the State Environmental Policy Act. Such requirements might be better established by general purpose agencies such as the Department of Ecology, not by a single purpose agency.

SUMMARY:

Only the Department of Ecology may establish minimum water flows or levels in Washington streams or lakes under state statutes. The Department of Ecology is to establish such flows or levels in consultation with the Departments of Fisheries and Agriculture, the Game Commission, the Energy Office and representatives of affected Indian tribes. The Department of Fisheries, the Game Commission, the State Energy Office, and the Department of Agriculture are authorized to participate in public hearings on minimum flow needs at the state level and in proceedings of the Federal Energy Regulatory Commission and other agencies. The Department of Ecology is required to report to both houses of the Legislature on the first day for each regular session regarding the minimum flow setting program. Any water permits issued for a body of water for which level or flow restrictions have been established must protect that level or flow.

House: (a) 92 5 Effective: Sept. 1, 1979
Senate: (a) 42 2 C 166 L 79 1st ex. sess.
H. Concur: 97 0

HB 450

SPONSORS: Representatives Adams, Haley, Gruger, Mitchell, May, Thompson, Whiteside, Brekke, Schmitt, Barr, King, Bauer, Brown, Salatino, Becker, Kreidler, Scott, Williams, Maxie and Lux

COMMITTEE: Social and Health Services

Requiring continuing education for nurses.

ISSUE:

Presently, registered nurses may have their licenses renewed automatically upon payment of a fee with no continued nursing education as a requirement. Growing knowledge and technology in the medical field presents handicaps to nursing professionals when they have not received adequate training in new methodologies.

SUMMARY:

The Board of Nursing must establish requirements of continuing nursing education as a condition for license renewal and, the Board is granted waiver authority.

The continuing nurses education requirements will be terminated on January 1, 1986, unless extended.

There is a biennial cost of \$301,212 to the Department of Licensing for the 1979-81 biennium which will be borne from nurses' licensure fees.

House: (a) 80 14 Effective: Sept. 1, 1979
Senate: (a) 47 0 C 106 L 79 1st ex. sess.
H. Concur: 78 20

HB 455

SPONSORS: Representatives McGinnis and Rohrbach
(By Insurance Commissioner Request)

COMMITTEE: Insurance

Eliminating laws regulating employee welfare trust funds.

ISSUE:

An employee welfare trust fund is any fund established for the benefit of employees of one or more employers. Presently, trustees of employee welfare trust funds register with the Insurance Commissioner. The trusts are periodically examined by the Commissioner and accurate records must be kept. Other procedures are provided for in this Chapter, including enforcement, review and

hearings, and penalties. The Federal Employee Retirement Income Security Act (ERISA) provides for substantially the same type of trust examinations and procedures as does RCW 48.52. Because the Federal Government can oversee and regulate employee welfare trust funds, state regulation is not necessary.

SUMMARY:

The laws requiring the Insurance Commissioner to regulate employee welfare trust funds are repealed. These funds will now be regulated solely under The Federal Employee Retirement Income Security Act.

House: 98 0 Effective: Sept. 1, 1979
Senate: 44 0 C 34 L 79 1st ex. sess.

SHB 459

SPONSORS: Committee on Insurance
(Originally Sponsored by
Representatives Maxie, Rohrbach and
McGinnis)
(By Insurance Commissioner Request)

COMMITTEE: Insurance

Modifying various insurance laws.

ISSUE:

The Insurance Commissioner is presently prohibited from destroying correspondence files for five years and foreign insurers' annual statements for ten years. As a result the amount of paper required to be kept by the Insurance Commissioner is burdensome and is creating a storage problem.

Currently, the Commissioner, upon written request, issues refunds to persons who have overpaid any tax, license fee or other charge within six years of the payment. The Commissioner believes that the time allowed to seek repayment is too long with regard to license fees and other charges. The Commissioner asserts that most overpayments of this kind are discovered at year's end and also that the present time frame has proved administratively difficult.

Surplus line brokers renew their licenses each year on the same date as when they were purchased. Requiring all surplus line brokers to renew their annual licenses on the same day would ease the administrative burden of issuing renewals.

Statutes requiring countersignature by a resident agent on insurance policies written by nonresident agents covering subjects of insurance located in Washington State have become disfavored.

The Insurance Commissioner's office has been unable to determine the reasoning behind the prohibition against life insurance companies owning an insurance subsidiary. Even if there were

justification for the prohibition when it was enacted in 1947, the Commissioner can find no justification for it today.

SUMMARY:

The Insurance Commissioner is no longer required to retain certain records for specific time periods. The length of time which the Commissioner's records are kept is governed by the State Records Committee. Requests for tax overpayment refunds must be made within six years and requests for refunds of fees or other charges must be made within thirteen months from the date such fees or charges were paid. The Commissioner is authorized to set a uniform annual renewal date for surplus line brokers' licenses. Language requiring that local agents countersign insurance contracts covering subjects of insurance located in Washington is repealed. The statutory prohibition against a life insurer owning an insurance subsidiary is removed.

House: 98 0 Effective: Sept. 1, 1979
Senate: (a) 45 0 C 130 L 79 1st ex. sess.
H. Concur: 92 0

HB 460

SPONSORS: Representatives Vrooman, Schmitt, Martinis, Wilson, Adams and Fuller

COMMITTEE: Natural Resources

Regulating processing and transportation of specialized forest products.

ISSUE:

The Specialized Forest Products Act was modernized in 1977. Since that time additional refinements which would clarify and strengthen the law have become necessary.

SUMMARY:

Importers of specialized forest products into the State of Washington must possess or obtain documentation of the source of the product either through a specialized forest products permit or some other document. Cedar processors must obtain information about the origin of the products from importers.

U.S. Forest Service personnel and Department of Fisheries personnel are authorized to enforce this law. Enforcement of the law is permitted on federal lands. Any law enforcement officer suspecting that a permit is forged or stolen may retain the permit until its authenticity is verified.

Harvesting permits are redesignated as specialized forest products permits. Activities of persons are limited to those authorized by the permit. Christmas tree growers may use printed tags as

authorization for possession or transportation instead of the specialized forest products permits.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 46 0 C 94 L 79 1st ex. sess.

SHB 480

SPONSORS: Committee on Social and Health Services
 (Originally Sponsored by Representatives Adams, O'Brien, Whiteside, Eng, Maxie, May, Brekke, Winsley, Lux, North and Haley)
 (By Executive Request)

COMMITTEE: Social and Health Services
 Revising the laws against discrimination to include persons with physical handicaps.

ISSUE:
 The existing civil rights and anti-discrimination laws do not protect rights of persons with physical, mental, or sensory handicaps, making protection of these rights extremely difficult.

SUMMARY:
 Discrimination against persons with physical, mental, or sensory disabilities relative to insurance, credit, public accommodations, and real estate transactions is prohibited.
 A potential conflict between the office of the Insurance Commissioner and the Human Rights Commission is resolved.
 An appropriation of \$202,000 is provided.

House: (a) 98 0 Effective: June 7, 1979
 Senate: (a) 47 0 C 127 L 79
 H. Concur: 90 2

SHB 481

SPONSORS: Committee on Financial Institutions
 (Originally Sponsored by Representatives Chandler, Sommers, Thompson, Winsley, Smith (R.), Amen, Owen, Blair, Polk, O'Brien, Nelson (G.), Sherman, Grimm, Fancher, Eng, Bond, Heck, Mitchell, Tupper and Patterson)

COMMITTEE: Financial Institutions
 Permitting certain persons and institutions to prepare documents relating to the sale of property.

ISSUE:
The Washington State Supreme Court in Washington State Bar Association v. Great Western Union Federal Savings and Loan, 91 Wn.

2nd 48 (1978), held that the completion of mortgage documents, including deeds of trust, escrow agreements and notes relating to the sale or transfer of property is included in the definition of practicing law. The Court also held that financial institutions are allowed to "practice law" under an exception authorizing parties to a transaction to do their own legal work. However, the Court held that when a fee was charged for this work it was beyond the scope of the exemption and was therefore unauthorized. Since the institution involved in the suit also prepared deeds of trust, which are documents solely between the seller and the buyer, the Court also invalidated that practice. Allowing this practice to continue may save the consumer the cost of having to go to an attorney for closing transactions and may be in the public interest.

SUMMARY:
 Institutions which have traditionally selected, prepared, and completed documents relating to the sale or transfer of real or personal property are authorized to continue to do so, provided that they notify the parties that: (1) their legal rights are affected by the documents and the maker is protecting its own interests and they may need a lawyer; and (2) no preparer of such documents will make an additional charge for such service. If the parties request that an attorney do the selection, preparation, or completion of the documents, then the institution is prohibited from doing so itself. Any person operating under this statute will be held to the same standard of care as an attorney would be under like circumstances.

House: 95 3 Effective: Sept. 1, 1979
 Senate: (a) 37 10 C 107 L 79 1st ex. sess.
 H. Concur: 93 5

HB 482

SPONSORS: Representatives Winsley, Eng and Lux
 COMMITTEE: Financial Institutions
 Modifying restrictions on certificates of deposits issued by mutual savings banks.

ISSUE:
 Under current law a mutual savings bank's certificates of deposit have a six year maximum maturity period. No other financial institution is limited by statute on the maturity limitation for its certificates of deposit. Federal institutions are allowed an eight year maturity on their certificates of deposit. In order for mutual savings banks to remain competitive, the Federal Deposit Insurance Corporation has promulgated an emergency rule allowing Washington's mutual savings banks to offer eight year certificates, pending a change in state law.

SUMMARY:

The six year restriction on maturity time limits for mutual savings banks' certificates of deposit is eliminated, thus allowing them to offer certificates of deposit whose maturity period will be governed by rules of the Federal Deposit Insurance Corporation.

House: 95 0 Effective: June 7, 1979
Senate: 48 0 C 51 L 79

SHB 486

SPONSORS: Committee on Ecology
(Originally Sponsored by
Representatives Barr, Fancher and
Hughes)

COMMITTEE: Ecology

Authorizing sale of certain second class shorelands by the state.

ISSUE:

In 1971, the state adopted a policy that state "shorelands" and "tidelands" may no longer be sold to private individuals. The law states that "second class shorelands" (i.e., those lands on navigable, non-tidal lakes and rivers lying between the ordinary high water line and a line toward the center of the body of water, "the line of navigability") may not be sold.

On highly developed recreational lakes, the value of public ownership of shorelands may be minimal, yet such ownership may be valuable to the upland owner for enjoyment of lake property. Much of the shoreland on such lakes may already be privately owned.

SUMMARY:

The Department of Natural Resources is permitted to sell second class shorelands on navigable lakes to abutting owners, where the Board of Natural Resources has determined such sales are not contrary to the public interest. Shorelands must be sold at the fair market value, but in no case below a minimum amount which is computed from the value of abutting land.

An administrative appeals procedure by which the abutting owner may have the sales price reviewed is provided.

It is estimated that \$697,500 in new revenue will be raised for the 1979-81 biennium, and \$163,100 will be expended.

House: 94 1 Effective: June 7, 1979
Senate: (a) 38 10 C 150 L 79
H. Concur: 84 9

HB 491

SPONSORS: Representatives Scott, Whiteside, Salatino, Warnke, Lux, Bender, Brekke, King, Kreidler, Winsley, Mitchell, Douthwaite, Galloway, Erickson, Maxie, McCormick, Sherman, Nelson (D.), Valle, Burns, Jovanovich, North, Dawson, Haley, Schmitt, Rosbach, Nisbet, Hastings, Bauer, Brown, Granlund, Charnley, Garrett, Williams, Tupper, Tilly, Barnes, Sprague, Zimmerman, Heck, Martinis, Greengo, Keller, Addison, Taylor, Nelson (G.), Fuller, Wilson and Sanders.
(By Executive Request)

COMMITTEE: Social and Health Services
Modifying and extending the Senior Citizens Service Act.

ISSUE:

The existing Senior Citizen Services Act passed in 1977 is scheduled to terminate June 30, 1979. This act provides extensive and varied services to the senior citizens of the state.

SUMMARY:

The termination date of the Senior Citizen Services Act is repealed. The Department of Social and Health Services (DSHS), when voluntary and public assistance recipients are not available to provide the services, must use a bid procedure for obtaining such services. Well-Adult clinic services may be substituted for screening services and if so done, a fee may be charged.

\$13,600,000 are appropriated from the general fund to DSHS for the 1979-81 biennium with a proviso that federal funds received offset state expenditures.

The bill contains an emergency clause and takes effect July 1, 1979.

House: (a) 96 0 Effective: July 1, 1979
Senate: (a) 45 0 C 147 L 79 1st ex. sess.
H. Concur: 97 0

SHB 500

SPONSORS: Committee on Appropriations
(Originally Sponsored by
Representatives Galloway, Whiteside,
Maxie, Dawson, Winsley, Sommers,
Lux, O'Brien, North, Bauer, Bender,
Brekke and Haley)
(By Executive Request)

COMMITTEE: Appropriations
Modifying the retirement systems of public employees, teachers, and state patrol officers.

ISSUE:

Current law regarding public employee retirement systems varies widely with regard to post-retirement increases for retired public employees.

Since July 1, 1973, retirees of the Public Employee Retirement System (PERS) have received an annual three percent post-retirement increase, which is conditioned on meeting the test for growth of assets in excess of that needed to meet actuarial liabilities. The Attorney General has determined that this test has been met.

The same provision exists in the Teachers' Retirement System (TRS) statute. However, since contribution rates to that system increased dramatically, the increase was granted only once, in 1973. Currently, the minimum pension is \$8 per month per year of service.

The Washington State Patrol (WSP) retirees receive a statutory two percent annual increase.

The pension revisions enacted by the 1977 Legislature built automatic three percent annual post-retirement increases into the Plan 2 benefit structures of Law Enforcement Officers and Fire Fighters (LEOFF), PERS and TRS.

SUMMARY:

Post-retirement increases are provided to beneficiaries of the PERS, TRS, WSP, Judges Retirement System and Teachers Insurance and Annuity Association of America - College Retirement Equities Fund (TIAA-CREF) as follows:

- 1. The minimum pension or retirement allowance payable in the systems affected is \$10 per month for each year of service;
- 2. The retirement allowance of all retirees who have been retired five years or more is increased by six percent of the total retirement allowances of that group spread on the basis of years of service;
- 3. Both increases take effect July 1, 1979.

\$11,460,000.00 are appropriated from the general fund to the Department of Retirement Systems and \$1,070,000 are appropriated to the Institutions of Higher Education for the 1979-81 biennium.

The bill contains an emergency clause.

House:	96	0	Effective: April 30, 1979
Senate: (a)	46	0	C 96 L 79 1st ex. sess.
H. Concur:	93	0	

SHB 502

SPONSORS: Committee on Education
 (Originally Sponsored by
 Representatives Gruger, Chandler,
 Erickson, Heck, Galloway, Zimmerman,
 Williams, Pruitt, Kreidler, Brekke, Lux,
 Schmitten, Mitchell and Haley)
 (By Executive Request)

COMMITTEE: Education

Providing for immunization of the children in this state.

ISSUE:

Children attending a public or private school or licensed day care center are not required to be immunized against certain vaccine preventable diseases. Mandatory immunization could materially benefit public health.

SUMMARY:

Children attending a public or private school or licensed day care center are required to be immunized against certain diseases. These diseases are to be determined by the Board of Health. If immunization is medically inadvisable, against religious beliefs or objected to by the parents, no immunization is required. Rubella immunization is not required for females twelve years of age or older. No immunizations are required for persons after the age of eighteen.

Immunization may be obtained from any source, and a record must be provided to the person immunized. Procedures in conformance with due process rights are established for excluding a child from attending a school or day care center for non-compliance with immunization requirements.

For the 1979-81 biennium, \$100,000 are appropriated from the general fund to the Superintendent of Public Instruction and \$240,000 are appropriated to the Department of Social and Health Services.

The bill contains an emergency clause with an effective date of September 1, 1979. However, portions of the act will not apply to children in grades seven through twelve before September 1, 1980.

House: (a)	95	1	Effective: See summary
Senate: (a)	42	1	for dates.
H. Concur:	93	0	C 118 L 79 1st ex. sess.

SHB 504

SPONSORS: Committee on Parks and Recreation
(Originally Sponsored by
Representatives Grimm, Walk and
Garrett)

COMMITTEE: Parks and Recreation
Modifying requirements for senior citizen park
passes.

ISSUE:
Presently, persons receiving Social Security benefits
for disabilities are allowed free admission to state
parks. These people also receive a fifty percent rate
reduction on state park campsites. Certain disabled
persons are denied these benefits because of the
source of their disability income.

To some it seems unfair for the state to grant a
benefit to one group of disabled persons and not to
another. The eligibility criteria could be based upon
the disability and not upon the source of benefits
which a person receives for the disability.

It has been suggested that the Legislature recognize
disabled veterans who have served their country.
Military service could be justification for granting
disabled veterans over 62 years of age with at least
a thirty percent disability free admission and
overnight camping privileges in all state parks.

SUMMARY:
Any disabled Washington resident who receives
benefits from any nongovernmental or governmental
source, including the Social Security
Administration, is entitled to a free disability pass
for Washington State parks. The pass guarantees
free admission to state parks and a fifty percent
discount in campsite rental fees.

A free lifetime park pass is granted to any
Washington veteran of at least 62 years of age with
a service related disability of thirty percent or more.
This pass admits the holder to state parks free of
charge and allows the holder and members of his
camping unit to use state park campsites at no cost.

Profoundly deaf and legally blind are included in
the definition of disabled.

The fiscal note indicates there will be an
expenditure of \$36,208 from the general fund for
the 1979-81 biennium. These funds are for salaries
and goods and services.

House: 98 0 Effective: Sept. 1, 1979
Senate: (a) 41 2 C 131 L 79 1st ex. sess.
H. Concur: 92 0

HB 516

PARTIAL VETO

SPONSORS: Representatives Blair and Thompson
COMMITTEE: Rules

Making appropriations.
Note: An analysis of this bill is presented in the
budgetary highlights section of this report.

House: (a) 50 47 Effective: July 1, 1979
Senate: (Fail) 8 39 C 270 L 79 1st ex. sess.
S. Recon.
Senate: (a) 29 18
H. Concur: 50 47

VETO SUMMARY:
A summary of the Governor's veto message is
presented in the budgetary highlights section of this
report. (See VETO MESSAGE).

2SHB 527

SPONSORS: Committee on Appropriations
(Originally Sponsored by
Representatives Schmitt, Bender,
Winsley, Oliver, Vrooman, Barr, Walk
and Grimm)

COMMITTEE: State Government and Appropriations
Modifying the emergency services law.

ISSUE:
The state emergency services law is unclear as to
the responsibility at the local level for search and
rescue operations. The Department of Emergency
Services indicates that many search and rescue
activities are currently carried out more by custom
than by law.

SUMMARY:
The emergency services law is amended as follows:
1. "Search and rescue" is defined.
2. Provision is made for public education and
training programs in the area of emergency
preparedness. These programs are conducted
with intergovernmental cooperation.
3. The chief law enforcement officer of each
political subdivision is made responsible for local
search and rescue activities, the operation of
which must be in accordance with state and local
plans. Local emergency services directors are
required to notify the State Department of
Emergency Services of all search and rescue
missions and to register search and rescue
workers for employee status under the law
relating to personnel of emergency mobile

support units. Chief local law enforcement officers are authorized to restrict access to search and rescue areas and unauthorized persons are prohibited from interfering with a search and rescue mission. The local law enforcement officer in addition is charged with insuring compliance with Chapter 68.08 RCW relating to the disposal of human remains whenever a deceased person is discovered in a search and rescue operation.

- 4. Existing law is expanded relating to the compensation of emergency services workers by stipulating that compensation will be made in the event of death, economic harm including personal property damage or loss, or if emergency services workers incur expenses for transportation, telephone, and the use of personal supplies.
- 5. The Search and Rescue Account is created in the State Treasury and \$55,000 are appropriated to this account for use during the coming biennium. Political subdivisions are not eligible for state appropriated funds if they have reduced their operating budget expenditures for search and rescue operations to less than the amount that was budgeted during the preceding fiscal year.

House: (a) 92 0 Effective: Sept. 1, 1979
 Senate: (a) 39 5 C 268 L 79 1st ex. sess.
 H. Concur: 94 2

SHB 535

SPONSORS: Committee on Transportation
(Originally Sponsored by Representative Valle)

COMMITTEE: Transportation

Providing exemptions from regulation for common carriers to certain motor freight carriers.

ISSUE:

Common carrier rates are generally less on the per pound basis when a full truck load is tendered for shipment. Shippers or associations of shippers are presently unable to consolidate shipments of commodities in intra-state commerce to take advantage of full truck load rates.

SUMMARY:

Nonprofit organizations of shippers are permitted to consolidate freight for members to secure a preferential rate. The Washington Utilities and Transportation Commission is authorized to adopt rules for the purposes of examining books and records of the shipper associations.

House: 96 0 Effective: Sept. 1, 1979
 Senate: 48 0 C 138 L 79 1st ex. sess.

SHB 546

SPONSORS: Committee on Insurance
(Originally Sponsored by Representatives Rohrbach and Maxie)
(By Insurance Commissioner Request)

COMMITTEE: Insurance

Revising the billing for the expenses of examiners for insurers.

ISSUE:

Current law provides that non-domestic insurers must pay for the cost of examinations by the Insurance Commissioner's office. The present practice is that the company being examined pays the costs of the examination directly to the examiner, who is an employee of the Insurance Commissioner. The Insurance Commissioner believes that in order to preserve the appearance of objectivity it would be better if the company paid the Commissioner and the Commissioner then paid the employee examiner.

Non-domestic insurers, when examined by the Commissioner pay travel expenses, living expenses and per diem compensation. Presently, the cost of employee benefits is not included in per diem compensation.

SUMMARY:

Non-domestic insurers must reimburse the state directly for travel expenses, living expenses and per diem compensation of the examiner. Per diem compensation includes the employee's salary and the employer's cost of employee benefits.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 46 0 C 35 L 79 1st ex. sess.

SHB 554

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representatives Adams, Whiteside, Brekke, Erickson, Gruger, Nelson (D.), Kreidler, Haley, Pruitt, Valle, Burns, Gallagher, Lux, Becker, Salatino, Keller, Ehlers, Sherman, King, Blair, Brown, Isaacson, Sommers, Charnley and Maxie)

COMMITTEE: Social and Health Services

Assisting shelters for victims of domestic violence.

ISSUE:

Domestic violence is a problem of growing concern to government. It is responsible for a significant percentage of homicides and assaults and is also

responsible for disrupting personal and community life. It is believed that shelters for victims of domestic violence are needed to protect victims from further physical harm. There is no continuing funding available to shelters presently in operation.

SUMMARY:

The Department of Social and Health Services is authorized to award grants to nonprofit agencies, organizations, or individuals providing shelter services to victims of domestic violence meeting minimum standards established by the Department. Fifty percent of the funding for shelters receiving grants must be provided by a local, municipal or county source.

The minimum standards established by the Department insure that shelters receiving grants provide basic survival needs such as food, clothing, housing, safety, security, client advocacy and counseling.

The Department is authorized to contract with nonprofit organizations to develop an educational program designed to promote public awareness and the availability of services; maintain a directory of temporary shelters and other facilities for victims of domestic violence; create a statewide toll-free information and referral number; provide for information exchange on domestic violence; and provide training opportunities.

The Department is directed to prepare an annual report to the Legislature containing statistics on the incidence of domestic violence in Washington State; the number of persons assisted by shelters receiving state funds; a listing of potential and feasible prevention efforts; and the estimated costs and projected benefits of providing the services.

Shelters receiving state funds must make available services to persons who are victims of domestic violence and their children. Victims are to be encouraged to reimburse the shelter whenever possible and to participate in its operation as volunteers or staff personnel. Shelters are not liable in any civil action for denial or withdrawal of any services.

One million dollars are appropriated from the general fund to the Department of Social and Health Services for the 1979-81 biennium to implement this bill.

House: (a) 76 7 Effective: Sept. 1, 1979
Senate: (a) 35 7 C 245 L 79 1st ex. sess.
H. Concur: 88 8

HB 571

SPONSORS: Representatives Smith (R.), Newhouse, Knowles, Tilly and Isaacson

COMMITTEE: Judiciary

Modifying the Criminal Records Privacy Act.

ISSUE:

Current law requires a criminal justice agency to include the disposition of a case whenever any criminal history record information is released regarding an individual. While courts are required to report the disposition of cases to the state patrol, there is currently no requirement that they inform the initiating agency of the disposition.

SUMMARY:

Courts must furnish disposition information to the criminal justice agency initiating the criminal proceeding. A criminal justice agency may disseminate information within its direct knowledge to another criminal justice agency without including disposition data unless it has received such disposition data from the state patrol or the court or another criminal justice agency. In addition, the administrative responsibility for the Criminal Records Privacy Act is transferred from the State Planning Agency (Criminal Justice Division of the Office of Financial Management) to the Washington State Patrol.

House: (a) 95 0 Effective: Sept. 1, 1979
Senate: 48 0 C 36 L 79 1st ex. sess.

SHB 574

SPONSORS: Committee on Appropriations
(Originally Sponsored by Representative Valle)
(By Executive Request)

COMMITTEE: Appropriations

Authorizing bonds for water supply facilities.

ISSUE:

Additional funds are needed to continue water supply projects for municipal and industrial purposes in the 1979-81 biennium. Referendum 27, approved by the electorate in 1972, provided funds for similar projects; however, these funds have been fully obligated for specific projects and additional funds are needed for the next biennium.

SUMMARY:

Ten million dollars of general obligation bonds are authorized for the construction of municipal and industrial water supply facilities. These monies are

to be administered by the Department of Social and Health Services during the 1979-81 biennium.

House: 87 10 Effective: Sept. 1, 1979
 Senate: (a) 43 0 C 258 L 79 1st ex. sess.
 H. Concur: 85 2

HB 576

SPONSORS: Representatives Scott, Clayton, Lux, Martinis, Taller, McDonald, Brown, Bender, Jovanovich and King

COMMITTEE: Labor

Revising laws regulating apprenticeships.

ISSUE:

To enable the Washington State Apprenticeship Council to continue as a registration agency for the Federal Bureau of Apprenticeship and Training, six changes in the law are required by the Bureau. Four of the six changes have been made through administrative rules and regulations. The Bureau has given the Department of Labor and Industries until the end of this legislative session to achieve the two statutory changes needed.

Also, the agency in charge of trade and industrial education is incorrectly designated as the State Board for Vocational Education.

SUMMARY:

To conform with federal standards, the two statutory changes required in the Washington Apprenticeship Program are made. First, the Washington State Apprenticeship Council is required to adopt a procedure to resolve tie votes between Council members. Second, the minimum number of hours of employment required for apprenticeships is decreased to 2,000 from 4,000.

The Commission for Vocational Education is correctly designated as the state agency responsible for trade and industrial education.

The fiscal note indicates there will be expenditures of \$61,195 from the general fund for the 1979 - 81 biennium.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 46 0 C 37 L 79 1st ex. sess.

HB 585

SPONSORS: Representatives Erickson, Schmitt and Vrooman

COMMITTEE: Higher Education

Abolishing and transferring duties of Institute of Forest Products to an Institute of Forest Resources.

ISSUE:

The statutes authorizing the Forest Products Institute at the University of Washington, originally enacted in 1947, are outdated in view of the current operations of the Institute.

SUMMARY:

The Institute of Forest Products is renamed the Institute of Forest Resources. The scope of the Institute's activities is broadened to cover research and education in the area of forest resources generally as contrasted with the narrow field of forest products. In order to carry out this expanded function, the Institute is authorized to cooperate with state and federal agencies and industrial institutions. The Institute may solicit and accept funds through grants, contracts or institutional consulting arrangements for research or education activities. The Institute must distribute information acquired as a result of their research.

The Institute is administered by the Dean of the College of Forest Resources of the University of Washington, who is designated as its director. The existing nonsalaried, advisory commission is retained; however, its membership is altered. The President of the University of Washington appoints eight members, six from the visiting committee to the College of Forest Resources and two representing labor in the state. The State Supervisor of the Department of Natural Resources, the Director of the Pacific Northwest Forest and Range Experiment Station and the Dean of the College of Agriculture at Washington State University serve as ex officio members of the commission.

House: 94 0 Effective: June 7, 1979
 Senate: 47 0 C 50 L 79

HB 588

SPONSORS: Representatives Rohrbach and Keller (By Insurance Commissioner Request)

COMMITTEE: Insurance

Authorizing issuance of certain limited licenses to sell insurance.

ISSUE:

Currently, persons financing the purchase of household goods cannot offer credit, fire, and theft insurance on the collateral, unless they are fully licensed as agents or brokers. The availability of this insurance is important to those consumers who have no regular homeowners or renters insurance covering their property.

Currently, persons selling or leasing goods cannot sell policies insuring against defects in those goods unless they are fully licensed agents or brokers.

HB 588

This has created an availability problem with insurance which, for example, supplements warranties of such goods. Since one does not need to take an examination to obtain a limited license, issuing limited licenses to sellers and lessors would ease the availability problem.

SUMMARY:

The Insurance Commissioner is allowed, at his discretion, to issue a limited license to persons who are not otherwise authorized to insure to allow them to offer credit, fire, and theft insurance on their collateral.

The Insurance Commissioner is also allowed to issue a limited license, backed by an insurance company, to those who sell or lease goods for the purpose of insuring against defects in those goods.

House: (a) 97 0 Effective: June 7, 1979
Senate: 46 0 C 138 L 79

HB 602

SPONSORS: Representatives Rohrbach, Douthwaite, Dawson and Maxie

COMMITTEE: Insurance

Permitting reliance on a CPA's audit in an insurance examination.

ISSUE:

There is no express statutory provision allowing the Insurance Commissioner to rely on audits, other than his own, when examining authorized insurers operating in this state. A grant of this authority would aid in reducing examination costs.

SUMMARY:

The Insurance Commissioner is authorized in the course of his examination of an insurer to rely on audit reports prepared by independent certified public accountants for an insurer when the audits cover the same general subject matter as the Commissioner's examination. The Commissioner may incorporate the audit into his examination report, or if not satisfied with the independent report, he may conduct his own audit examination of any authorized insurer.

House: 96 0 Effective: June 7, 1979
Senate: 48 0 C 139 L 79

HB 612

SPONSORS: Representatives King, Sanders, Pruitt, Lux, Monohon, Scott, Nisbet, Clayton, Williams, Jovanovich, Owen, Thompson, Haley, Dunlap, Vrooman, Nelson (D.), Addison, McGinnis, Burns, Bauer, Mitchell, Winsley and Isaacson

COMMITTEE: Labor

Increasing workmen's compensation for permanent partial disabilities.

ISSUE:

The benefit amounts for various permanent partial disabilities have not changed since 1971. During that time the consumer price index has increased at least sixty-five percent. The question is whether and to what extent benefits should be increased at this time.

SUMMARY:

The current schedule for workers' permanent partial disabilities is doubled. The maximum amount available for total bodily impairment increases from \$30,000 to \$60,000 and the amounts for lesser disabilities are adjusted accordingly. Compensation for permanent partial disability in difficult to diagnose back injuries is set at seventy-five percent of the amount available for the percentage of total bodily impairment caused by the injury. This compensation may not exceed \$45,000. Only those injuries occurring after the effective date of the act will be compensated at the higher award amounts.

The fiscal note indicates that the State Accident Fund premiums must be increased by approximately \$44 million in the 1979-81 biennium to meet the projected increased expenditures to compensate injured workers and administer the program.

The bill contains an emergency clause.

House: (a) 97 1 Effective: March 23, 1979
Senate: 41 6 C 104 L 79

SHB 617

SPONSORS: Committee on Agriculture (Originally Sponsored by Representatives Becker, Fancher, Sommers, Amen, Kreidler, Van Dyken, Charnley, Vrooman, Ehlers and Sherman)

COMMITTEE: Agriculture

Providing tax relief for farmlands.

ISSUE:

In recent years, there has been much interest in farmland preservation. Due to urban expansion into agricultural areas, productive farmland is being converted from its agricultural use. The question arises whether the state should provide landowners with the option of being exempt from local improvement districts' special benefit assessments for agricultural lands that are enrolled in the open space taxation act as a means of retaining agricultural lands.

SUMMARY:

Farmland that is enrolled in the open space taxation program is exempt from local improvement district special benefit assessments. This exemption delays special benefit assessments until the land involved is removed from the open space agricultural land classification. The property owner of land exempt from these assessments must receive notice of the exemption. Similar notice must also be filed with the local assessor, treasurer and legislative body. Later purchasers of exempt property are held to be on notice that exempt land will be subject to special benefit assessments if the land is removed from the open space classification.

Landowners wishing to receive benefits from local improvement districts may waive their exemption and keep their land in the open space classification. Special benefit assessments may be levied only on the portion of land withdrawn from current use classification. A determination must be made as to the extent such land is liable for special benefit assessments. Local governments, however, have no duty to provide service to land that is exempted.

Lands which are withdrawn from open space classification prior to retirement of the bonds are subject to the original benefit assessment charges made, plus interest. The interest rate is compounded each year at a rate equivalent to the average inflation rate from the time notice of the improvement is first filed. Landowners must pay these charges within 180 days of the time when their notice of the charges is mailed. When payments for improvements are received after the bonds in question are retired, those payments are to be used for debt servicing, maintenance expenses, or facilities construction.

Any development right, easement, covenant or contractual right protecting or preserving future agricultural use for farmland is exempt from special benefit assessment.

The Department of Revenue is to adopt rules to implement this legislation.

House: (a) 94 3 Effective: June 7, 1979
 Senate: (a) 46 0 C 84 L 79
 H. Concur: 94 0

SHB 619

SPONSORS: Committee on Social and Health Services
 (Originally Sponsored by Representatives Mitchell, Adams, Whiteside and Addison)

COMMITTEE: Social and Health Services

Revising laws relating to prescribing drugs.

ISSUE:

The Legend Drugs Act of 1973 was declared unconstitutional by the Washington State Supreme Court. The Court said the act failed to indicate which agencies have the authority to designate legend drugs.

SUMMARY:

The Board of Pharmacy is designated as the agency with authority to specify legend drugs. Guidelines for classification of a drug as a legend drug are described and the locations and method of acquiring lists of legend drugs are stated. Osteopathic physician's assistants and physicians' assistants when authorized by the appropriate board are authorized to prescribe drugs.

The bill contains an emergency clause.

House: 98 0 Effective: May 7, 1979
 Senate: (a) 47 0 C 139 L 79 1st ex. sess.
 H. Concur. (Partial)
 S. Recede: 45 0
 H. Final
 Passage: 77 0

HB 622

SPONSORS: Representatives Martinis, Wilson, Bender, Nelson (G.), Garrett, Van Dyken, Charnley, Chandler, Gruger, McDonald, Knowles, Sherman, Polk, King, May, Struthers, Tupper, Gallagher, Sommers, Isaacson and Lux

COMMITTEE: Transportation

Modifying the motor vehicle excise tax distribution statute.

ISSUE:

The state's authority to distribute motor vehicle excise taxes to municipalities with public transportation programs expires June 30, 1981.

SUMMARY:

The June 30, 1981, expiration date is removed. Distribution of the motor vehicle excise taxes is made by the State Treasurer to municipalities

based on locally generated tax revenues budgeted for mass transportation purposes. This amount is to be adjusted at the end of the year to reflect amounts actually collected, as indicated in an annual report to be submitted by each municipality and verified by the State Auditor.

The amount of motor vehicle excise taxes that may be remitted annually to each municipality may not exceed their budgeted locally generated tax revenues, but in no event may remittances exceed actual collections of motor vehicle excise taxes on behalf of the municipality during the year.

Motor vehicle excise taxes are to be remitted to qualified municipalities without an appropriation. A newly created municipality must have an operating system in effect within one year after levying motor vehicle excise tax.

Municipalities are prohibited from pledging the proceeds from local motor vehicle excise taxes for payment of public transportation bonds issued after the enactment of the bill.

The bill contains an emergency clause. The provisions relating to the prohibition of issuing bonds for mass transportation purposes take effect May 14, 1979, and the remaining provisions take effect January 1, 1980.

House: (a) 87 11 Effective: See summary
 Senate: (a) 43 2 for dates.
 H. Concur: 94 4 C 175 L 79 1st ex. sess.

SHB 624

SPONSORS: Committee on Social and Health Services
 (Originally Sponsored by Representatives Mitchell, Adams, Whiteside, Tupper, Brekke, Scott, Granlund and Winsley)
 (By Department of Social and Health Services Request)

COMMITTEE: Social and Health Services
 Regulating certain controlled substances.

ISSUE:
 Certain Schedule II controlled substances, amphetamines and non-narcotic stimulants, used for weight reduction, have come under serious medical question regarding their benefit, and have a high incidence of prescription abuse. Current law does not specify the medical conditions on which these drugs have a known efficacy.

SUMMARY:

Medical practitioners are prohibited from prescribing certain Schedule II controlled substances — amphetamines and non-narcotic stimulants — except for the treatment of narcolespy, hyperkinesis, drug-induced brain dysfunction, epilepsy, differential diagnostic psychiatric evaluation of depression, depression refractory to other therapeutic modalities, or for the clinical investigation of the effects of such drugs or compounds.

The Washington State Board of Pharmacy is directed to establish investigative protocol for enforcing violations. The Medical Disciplinary Board of the Department of Licensing is to work in cooperation with the Washington State Board of Pharmacy in establishing investigative protocol and enforcing violations in cases involving licensed physicians.

The bill contains an emergency clause.

House: 68 30 Effective: May 2, 1979
 Senate: (a) 43 0 C 119 L 79 1st ex. sess.
 H. Concur: 74 17

HB 630

SPONSORS: Representative Flanagan
 COMMITTEE: Judiciary

Providing for awarding of attorney fees and costs in lien foreclosures against the reserve fund for a public works project.

ISSUE:
 Current law requires a public body which contracts for public improvements to maintain a reserve fund for the purpose of ensuring that all persons who supply material or labor to the project are paid. The law creates an automatic lien against the fund for all those who supply material or labor to the project. However, current law does not provide for attorneys' fees for a supplier or laborer who is forced to take legal action to enforce that lien.

SUMMARY:

A material supplier or laborer who prevails in a legal action to enforce the lien on the reserve fund is entitled to recover reasonable attorneys' fees in addition to all other costs.

House: (a) 97 1 Effective: Sept. 1, 1979
 Senate: 46 0 C 38 L 79 1st ex. sess.

HB 636

SPONSORS: Representatives Charnley, Barnes and Rohrbach

COMMITTEE: Local Government

Revising the limits of areas near airports studied for aircraft noise impact.

ISSUE:

The Port of Seattle is authorized to engage in noise impact programs in areas within specified distances of the Seattle-Tacoma airport runways. Noise impact programs may include the relocation of property owners who have been adversely affected by aircraft noise.

SUMMARY:

The size of the area in which noise impact programs may be conducted is increased from three to six miles beyond the paved end of runways, and from fifteen hundred feet to thirty-three hundred feet from the center line of runways. Port districts may not relocate property owners or their successors who have previously been relocated due to noise impacts.

House: (a) 91 4 Effective: June 7, 1979
 Senate: 29 17 C 85 L 79

HB 645

SPONSORS: Representatives Heck, Chandler, Bender, Williams, Grimm, Bauer, Vrooman and Erickson
 (By Superintendent of Public Instruction Request)

COMMITTEE: Education

Implementing law relating to use of school plants for community activities.

ISSUE:

Under current law, state funds appropriated to the common schools may not be used to begin new community education programs or expand existing ones. With the implementation of full state funding of basic education and the levy lid, existing community education programs may be eliminated unless state funds are appropriated to match anticipated federal funding for such programs.

SUMMARY:

Current statutory language which precludes use of state funds for creation or expansion of community education programs in the schools is removed.

The Superintendent of Public Instruction and the Executive Director of the State Board for Community College Education, in concert with the

representatives of local school districts, community college districts and the general public are required to prepare a report which includes recommendations for public policy on community schools to the Legislature. Interim reports are to be presented to the education and higher education committees of the Legislature as requested. The final report must be submitted to the appropriate legislative committees by January 1, 1981.

House: (a) 75 22 Effective: Sept. 1, 1979
 Senate: (a) 46 0 C 120 L 79 1st ex. sess.
 H. Concur: 83 15

HB 650

SPONSORS: Representatives Clayton, Lux and Scott
 (By Department of Employment Security Request)

COMMITTEE: Labor

Establishing civil penalties for late or inaccurate employer reports under unemployment compensation.

ISSUE:

Current penalties for violations of unemployment compensation laws are largely criminal in nature, as found in Chapter 50.36 RCW. In order to assess fines or require incarceration, convictions require that some form of intent or deliberate act to violate provisions of the title be proved beyond a reasonable doubt. For delinquent contributions, interest equal to one percent per month is assessed employers under RCW 50.24.040.

SUMMARY:

Penalties in various amounts are assessed against employers once the following acts occur, in addition to fines or interest payable under current law: (1) failing to file timely and complete reports: \$10 per violation; and (2) delaying payment of contributions: (a) 4% of amount due for first month of delay, (b) 9% of amount due for up to two months of delay, (c) 19% of amount due for up to three months of delay.

Accumulation of penalties from overdue contributions is stopped while an estate is in probate or bankruptcy, unless employment is continued by the personal representative or trustee and contributions then become delinquent. Waiver of penalties is required when liability is due to the Department's acts or failure to act and is permissible when good cause is found for the delinquency that negates the employer's responsibility. These penalties will begin to be assessed by the chief of the tax branch of the Unemployment Insurance Division for reports and contributions required in 1980. The right of an

employer to appeal the assessment of a penalty is expressly reserved.

In addition, two corresponding changes in various current statues are made: (1) changing the agency designation from Unemployment Compensation Division to Employment Security Department and (2) adding collection of penalties to the enforcement procedures currently in effect for contributions and interest.

The Department's fiscal note estimates that the penalties will add up to nearly one million dollars in increased revenue to the Department for the 1979-81 biennium.

House: (a) 87 5 Effective: Sept. 1, 1979
Senate: (a) 44 1 C 190 L 79 1st ex. sess.
H. Concur: 95 2

SHB 663

SPONSORS: Committee on Education
(Originally Sponsored by
Representatives Bauer, Whiteside,
Galloway, Chandler, Valle, Greengo,
Scott, Addison and Lux)
(By Superintendent of Public Instruction
Request)

COMMITTEE: Education

Creating program of remediation assistance to public school students who are deficient in basic skills achievement and modifying the In-Service Training Act.

ISSUE:

The fourth grade test administered by the Superintendent of Public Instruction pursuant to RCW 28A.03.360 has yielded considerable information concerning the extent of basic skills deficiencies among students of Washington State's common schools. The establishment of a statewide program of remediation assistance is one way to provide academic help for those students who are below grade level in basic skills achievement. In addition, the federal government has authorized special incentive grants for states who have developed this type of program.

The In-Service Training Act of 1977 provides that each school district or educational service district shall establish an in-service training task force, and that no less than sixty percent of the members shall be public members not employed by the school district. This affects the flexibility of local boards to develop an in-service program based on the needs of each district.

SUMMARY:

A statewide program designed to provide remediation assistance to public school students who are below grade level in basic skills achievement is created. Such assistance shall be provided to five students or less per session by a trained individual.

The program provides supplementary services designed to meet the special educational needs of participating students. Such services are to include a program of remediation and support services consisting of supervision, materials, supplies and the training of administrators, teachers, aides and tutors.

At least 50 percent of funds expended by any school district for the remediation program must be expended in school attendance areas where there is a high concentration of low-income students.

School districts which have established an approved program of remediation will be eligible for state funds. The Superintendent of Public Instruction is required to use data derived from the fourth grade basic skills test to calculate the number of eligible participants per district. Participation is determined by each school district through placement testing and is limited to students in grades two through six who are behind grade level in one or more basic skills. Students in handicapped programs which address similar needs are excluded from participation.

The school districts are directed to evaluate annually their respective remediation programs and the Superintendent of Public Instruction to monitor such programs at least once every three years.

The remediation program is made an integral part of the existing state urban, rural, racial and disadvantaged program.

At least 20 percent of any funds appropriated to carry out the purposes of the act must be used for the implementation of nationally validated educational practices that are diagnostic and prescriptive models in the basic skills.

A school district board of directors or educational service board of directors is authorized to establish the numeric composition of each school district's in-service training task force. Such task force shall be composed of representative from several groups, including administrators, teachers, classified and support personnel and the public.

House: (a) 79 19 Effective: June 7, 1979
Senate: (a) 47 0 C 149 L 79
H. Concur: 84 12

SHB 665

SPONSORS: Committee on Judiciary
 (Originally Sponsored by
 Representatives Chandler, Thompson,
 Rosbach, Heck, Teutsch, Sherman,
 Haley, Newhouse and Fuller)

COMMITTEE: Judiciary

Providing a program for the evaluation and treatment of alcohol related traffic offenders.

ISSUE:

A substantial number of traffic fatalities involve persons who are driving while intoxicated. Stiffening the penalties for driving while intoxicated may deter these violations. Current law provides for a jail sentence or alcohol program for second convictions and a jail sentence for third and subsequent convictions of driving while under the influence of intoxicating liquor or drugs. Jail terms are not mandatory for a first offense.

In addition, current law provides that a person with .10 blood alcohol content is presumed to be under the influence of intoxicating liquor although evidence to rebut that presumption is admissible. A number of states consider .10 blood alcohol content conclusive evidence of intoxication.

SUMMARY:

If a person's blood alcohol level is found to have been .10 percent by weight or higher while that person was driving or was in physical control of a motor vehicle, that person is guilty of the offense charged. A person under the combined influence of intoxicating liquor and drugs may be guilty of either offense.

Evidence of blood alcohol content of less than .10 percent by weight is admissible in court to establish that a person was intoxicated. First offenders are subject to a mandatory jail sentence of one day, and repeat offenders are subject to a mandatory jail sentence of from seven days to one year. In either case, a judge may suspend or defer a jail sentence upon a written finding that a jail sentence would impose a risk to the defendant's physical or mental well being.

Repeat offenders may also be subject to an additional 180 days in jail if they violate court imposed conditions within two years of conviction. Completion of an alcohol information school is required for all first offenders.

Persons charged with being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs may raise the defense that, prior to pursuit by a law enforcement officer, they were moving a vehicle safely off a roadway. A requirement is removed which provided that license suspension start upon the termination of a person's jail sentence.

The Department of Social and Health Services is directed to organize and sponsor statewide programs to inform court personnel about the disease of alcoholism and the uses of treatment programs.

Ten thousand dollars are appropriated to the Department of Social and Health Services to study driver alcohol abuse.

The mandatory sentencing provisions of the bill do not take effect until January 1, 1980. The Division of Criminal Justice is required to study the impact of the sentencing provisions and report to the Legislature by December 31, 1980. The remaining sections take effect Sept. 1, 1979.

House:	95	0	Effective: See summary
Senate: (a)	41	3	for dates.
H. Concur:	94	1	C 176 L 79 1st ex. sess.

HB 666

SPONSORS: Representatives Rosbach, Fuller, Heck and Chandler

COMMITTEE: Education

Allowing authorized transfers of students to another school district for indefinite periods and allowing school districts to contract with private agencies for food services.

ISSUE:

Under current law, a school district is authorized to contract with another district for the education of its students, when such arrangements will afford better educational facilities for the students and a cost saving. This arrangement is limited to one year with a discretionary one year extension by the educational service district superintendent.

School districts are not permitted to contract with private food service contractors to purchase foodstuffs and other supplies, collect money, prepare tax returns or to provide other management and accounting related services. According to a 1979 Attorney General's opinion, the only functions which could be performed by such private agencies are the actual preparation and service of food within a school lunchroom. The cost effectiveness of such arrangements has been attested to by school districts which have existing, but illegal contracts with private agencies to provide for the management and/or operation of a food service program.

SUMMARY:

When a local school district contracts to transport and educate its pupils in another district, the amount paid by the state to the resident school district for apportionment purposes must not be

greater than the regular apportionment for each high school student of the receiving district.

Any school district which participated in an agreement with another district for the education of its pupils during the 1978-79 school year is authorized to continue such agreement through the 1984-85 school year.

Any school district board of directors is authorized to enter into an agreement with a private agency for the establishment, management and/or operation of a food service program.

The bill contains an emergency clause.

House: 98 0 Effective: May 7, 1979
 Senate: (a) 47 0 C 140 L 79 1st ex. sess.
 H. Concur: 89 2

HB 668

SPONSORS: Representatives Lux, Scott and Erak
 (By Department of Employment Security Request)

COMMITTEE: Judiciary

Modifying the Employment Security Department statutes.

ISSUE:

In 1977 the statutes governing certain records maintained by the Department of Employment Security were amended to protect against unauthorized disclosure of information. An unintended consequence of the 1977 act was that the Department cannot release employer records to other government agencies in order to determine compliance with licensing requirements and tax laws.

Presently, many employers, as a condition of employment, require employees to turn all inventions which are job related or non-job related over to the employer.

SUMMARY:

The Department of Employment Security may release employer's records to other government agencies in order to determine compliance with licensing requirements and tax laws.

Contract provisions which assign an employee's right in an invention to an employer or require such assignment are void to the extent that the provision applies to inventions which are developed: (1) on the employee's own time; (2) without using equipment, supplies, facilities, or trade secret information of the employer; and (3) which do not relate directly to the employer's business or the employer's actual or demonstrably anticipated research and development.

An employer may not require such a provision as a condition of employment. If a contract of employment entered into after the effective date of the act contains a provision relating to inventions, the employee must be given notice of his rights.

Employees must inform the employer of all inventions being developed by the employee in order to determine their respective rights. That information may be disclosed to the Department of Employment Security which shall maintain that record for at least five years.

House: 92 6 Effective: Sept. 1, 1979
 Senate: (a) 41 0 C 177 L 79 1st ex. sess.
 H. Concur: 93 3

HB 677

SPONSORS: Representatives Rosbach, North, Fancher, Fuller, Thompson and Keller

COMMITTEE: Local Government

Providing an allowance for clothing and incidentals for a sheriff and deputies.

ISSUE:

Existing law permits counties to provide allowances for uniforms for county sheriffs and their deputies. Some of these officers are required to purchase civilian clothing and non-clothing items to perform their official duties. The State Auditor has determined that the statute only permits the purchase of uniforms.

SUMMARY:

Counties may provide allowances to county sheriffs and deputies for "clothing and other incidentals necessary to the performance of official duties."

House: 71 24 Effective: June 7, 1979
 Senate: 46 1 C 132 L 79

HB 689

SPONSORS: Representatives Hughes, Owen, Grimm, Schmitt, Barr, Sherman, Heck, Williams, Nisbet, McGinnis, Vrooman, Keller, Sommers, Walk, Galloway, Monohon, Scott, Granlund, Pruitt, Hurley and Addison

COMMITTEE: Ecology

Requiring persons convicted of littering to pick up or remove the deposited litter.

ISSUE:

The Model Litter Control Act establishes unlawful littering as a misdemeanor with a fine of not less

than \$10. The court is currently authorized, but not required, to direct any person convicted of such littering to additionally pick up and remove litter from public or private property where the act occurred. The discretionary authority allowed the court may not currently result in sufficient penalties.

SUMMARY:

Persons convicted of littering are required to pick up and remove litter for not less than eight hours nor more than sixteen hours for each separate offense. Such litter removal is to be scheduled to avoid interference with employment or family responsibilities.

House: (a) 95 0 Effective: Sept. 1, 1979
 Senate: 47 1 C 39 L 79 1st ex. sess.

HB 691

SPONSORS: Representatives Patterson, Amen, Grimm and Erickson

COMMITTEE: Higher Education

Authorizing exclusion of certain WSU extension service employees from state employees' insurance and health care plan.

ISSUE:

Washington State University Cooperative Extension employees who hold federal civil service appointments are eligible for participation in federal insurance programs. Recently, the State Employees Insurance Board ruled that such employees and the employer, WSU, must participate in the state program. The federal program provides greater benefits upon retirement than does the state program.

SUMMARY:

Qualified WSU Cooperative Extension Employees may choose to participate in federal health and insurance programs rather than the state program.

The bill contains an emergency clause.

House: 98 0 Effective: April 13, 1979
 Senate: 42 0 C 9 L 79 1st ex. sess.

SHB 697

SPONSORS: Committee on Judiciary
 (Originally Sponsored by Representatives Newhouse, Smith (R.), Knowles and Chandler)

COMMITTEE: Judiciary

Revising the law on replevin.

ISSUE:

Under current law, a plaintiff in an action to recover possession of personal property may obtain immediate possession of the property pending a final judgment by following the procedures of the replevin statutes. The statutes provide that the plaintiff must file an affidavit and bond for double the value of the property with the sheriff. The sheriff then takes the property into custody and serves a copy of the affidavit and bond on the defendant. After three days the sheriff delivers the property to the plaintiff unless within that period the defendant obtains redelivery of the property by posting a bond for double the value of the property. The current replevin statutes, however, are constitutionally defective because they do not require that a hearing be held before a plaintiff can obtain possession of the property.

SUMMARY:

The current replevin statutes are amended to require that a hearing be held before the plaintiff can obtain possession of personal property prior to final judgment. The hearing must be held within ten to twenty-five days of the request and the defendant must be given at least five days notice. The court may order delivery of the property to the plaintiff after the plaintiff gives a bond equal to the value of the property. The defendant may retain possession of the property by posting bond equal to the plaintiff's bond.

Statutes providing for an essentially similar replevin procedure in district court are repealed so that the procedure in superior court and district court will be the same.

A provision is made for the recovery of court costs, reasonable attorneys' fees, and the cost of recovery by the prevailing party in certain situations.

House: 97 1 Effective: Sept. 1, 1979
 Senate: (a) 47 0 C 132 L 79 1st ex. sess.
 H. Concur: 91 1

SHB 704

FULL VETO

SPONSORS: Committee on Judiciary
 (Originally Sponsored by Representative Smith(R.))

COMMITTEE: Judiciary

Modifying the laws regulating driving while under the influence of intoxicating liquor.

ISSUE:

Under current law, a driver who refuses to submit to a test for determining his blood alcohol content has his license automatically revoked for six

SHB 704

months, even if he subsequently pleads guilty to the charge of "driving while intoxicated" and receives additional penalties. Should a driver subsequently plead guilty, the reason for the revocation is met (i.e., the driver is found guilty) and the revocation penalty is no longer necessary.

SUMMARY:

A driver who refuses to submit to a blood alcohol test and later pleads guilty to the charge of "driving while intoxicated" will not automatically have his driver's license revoked. The arresting officer is required to warn the driver that his refusal to submit to the blood alcohol test can and will be used as evidence against him in a court of law.

House: 90 5
Senate: 46 2

VETO SUMMARY:

The Governor had two major objections. (1) She said that the bill allows a person to keep his license by pleading guilty to driving while intoxicated but does not specify at what stage of the criminal proceedings such plea must be entered.

(2) She feared that the bill would give potentially dangerous plea bargaining leverage to local prosecuting attorneys since it permits a person to keep his license by pleading guilty to driving while intoxicated but not by pleading guilty to the lesser offense of being in physical control of a vehicle while intoxicated. The concern is that a person may be persuaded to plead guilty to the more serious offense in order to keep his license. (See VETO MESSAGE)

SHB 706

SPONSORS: Committee on Appropriations
(Originally Sponsored by
Representatives Burns and Haley)
(By Office of Financial Management
Request)

COMMITTEE: Appropriations

Authorizing the Director of Financial Management to evaluate and satisfy certain sundry claims against the state.

ISSUE:

The Office of Financial Management receives many claims during the course of the biennium for small amounts. These sundry claims must, under present law, be retained by the Director until the next regular session. It is believed that an evaluation and payment of worthy claims could be handled in a more expeditious manner.

SUMMARY:

The Director of Financial Management is authorized to evaluate sundry claims of \$500 or less as they are received by OFM. The Director may approve or reject payment of such claims and, if approved, pay the amount approved from money specifically appropriated for that purpose. A claimant may bring his claim before the Legislature only if the Director has made a recommendation adverse to the claimant in whole or part. Claims exceeding \$500 are not affected.

If a claimant accepts all or any part of payment of his claim, as recommended by the Director, he is deemed to have waived any further claims against the state relating to the damage or injury asserted in the claim.

The Director must submit a list to the Senate Ways and Means and House Appropriations Committees of all claims paid at the beginning of each regular session.

Five thousand dollars are appropriated from the general fund to the Office of Financial Management.

House: 95 0 Effective: Sept. 1, 1979
Senate: (a) 41 1 C 167 L 79 1st ex. sess.
H. Concur: 96 0

SHB 729

SPONSORS: Committee on State Government
(Originally Sponsored by
Representatives Douthwaite, Taller,
Newhouse, Blair, Keller, Salatino and
Lux)
(By State Employees' Insurance Board
Request)

COMMITTEE: State Government

Modifying the laws on panel medicine plans for state employees.

ISSUE:

In 1977, the state adopted a fully-funded, uniform health care plan for its employees which eliminated provisions for optional employee deductions. In addition, the state was prohibited from paying a higher per employee contribution to a panel medical plan (health maintenance organization) than it does to a regular insurance carrier. Elimination of these prohibitions would remove any competitive advantage that regular insurance carriers may have over health maintenance organizations.

SUMMARY:

The prohibition against the state's paying a higher per employee contribution to a panel medical plan than it does to a regular insurance carrier or health

care service contractor is removed. The State Employees' Insurance Board may approve a panel medical plan at a subscription rate in excess of the premium of a regular insurance carrier or health care service contractor. In such cases, employee contributions may be authorized in amounts equal to the approved excess.

Dependents who become ineligible under a state plan and wish to continue coverage on an individual basis are no longer subject to a waiting period before obtaining individual coverage. The term "panel medical plan" is expanded to include health maintenance organizations.

Conflicting statutes are eliminated by providing that one member of the State Employees' Insurance Board will be a retired person covered by a program over which the Board exercises jurisdiction.

House: (a) 94 0 Effective: June 7, 1979
Senate: (a) 38 9 C 125 L 79
H. Concur: 86 10

HB 735

PARTIAL VETO

SPONSORS: Representatives Rohrbach and Douthwaite

COMMITTEE: Insurance

Modifying valuation and nonforfeiture provisions for insurance contracts.

ISSUE:

The National Association of Insurance Commissioners has developed a uniform act which is designed to increase the maximum interest rate which insurers may assume they will earn on their investments. Thus far, the uniform act has been adopted in twenty-three states and the District of Columbia.

In Washington, the Insurance Commissioner is required to annually value the reserves of all life insurance policies and annuity and pure endowment contracts of every life insurer doing business in Washington. The law imposes a maximum limit on the interest which an insurer may assume it will earn on its investment in the calculation of these reserves. Currently, this maximum interest rate ranges between three and one-half percent and six percent depending on the type of policy.

Current law sets a limit on the interest rates a life insurer may assume it will receive on its investments for the purpose of calculating the nonforfeiture benefits of its policies. The present interest rate is set at four percent for policies issued after July 16, 1973 and three and one-half percent for all other life policies.

If Washington insurers were able to assure higher interest rates on their investments in the calculation of reserves and nonforfeiture values, they would be able to accumulate smaller amounts in order to provide the same policy benefits. This would result in lower cash surrender values, lower reserves and lower premiums.

SUMMARY:

The uniform act relating to maximum interest rates insurers may assume they will earn on their investments as promulgated by the National Association of Insurance Commissioners is adopted.

For contracts purchased on or after the effective date of this act, the maximum interest rates on reserve are raised to seven and one-half percent for group annuities and single premium immediate annuities, five and one-half percent for single premium life and single premium deferred annuities, and four and one-half percent of all other individual life deferred annuities.

The interest rate a life insurer may assume it will receive on its investments for the purpose of calculating nonforfeiture benefits is raised to six and one-half percent for single premium life policies and five and one-half percent for all life policies.

The minimum rate at which the nonforfeiture value on individual deferred annuities may grow is set. The maximum age setback used in the computation of life insurance premiums for female lives is increased from three to six years.

House: 98 0 Effective: June 7, 1979
Senate: 48 0 C 157 L 79

VETO SUMMARY:

The Governor vetoed the provision establishing the "Standard Nonforfeiture Law for Individual Deferred Annuities", a model law suggested by the National Association of Insurance Commissioners. She states that the vetoed provision would have allowed nonforfeiture amounts to be far too low relative to the premium paid and it appears to treat the consumer less favorably than our present statute. (See VETO MESSAGE)

SHB 740

SPONSORS: Committee on Appropriations (Originally Sponsored by Representatives Whiteside, Adams, Gallagher, Haley, Becker, Zimmerman, Williams, Maxie and Fuller)

COMMITTEE: Appropriations

Authorizing a bond issue for facilities for the handicapped.

SHB 740

ISSUE:

The existing program for providing construction funds for regional and community facilities (established by Referendum 29) to care for, train, and rehabilitate persons with sensory, physical, or mental handicaps has fully obligated all of its available funds. Additional bonding authority is needed for the continuation of this program.

SUMMARY:

The Legislature will submit to the voters for their approval at the next general election a proposal for a system of regional and community facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps. The term facilities includes nonprofit group training homes, community centers, close to home living units, sheltered workshops, vocational rehabilitation centers, developmental disability training centers, and community homes for the mentally ill that are owned by the state, a state agency, political subdivision, taxing district or municipal corporation.

In order to finance the facilities, the State Finance Committee is authorized to issue and sell general obligation bonds in the amount of \$25 million. No bonds may be offered for sale without prior legislative appropriation. The bonds are to be paid and discharged within thirty years of the date of issuance.

All counties are eligible to participate in the distribution of bond proceeds based on their percentage of the state's population. No single project in a class AA county is eligible for more than 15 percent of the county's total distribution of bond proceeds.

House:	96	0	Effective upon approval
Senate: (a)	25	9	by the voters.
H. Concur:	89	0	C 221 L 79 1st ex. sess.

SHB 749

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives McCormick, Bond,
Gallagher, Martinis and McGinnis)
(By Department of Transportation
Request)

COMMITTEE: Transportation

Providing for issuance of refunding bonds in exchange for outstanding Spokane River toll bridge revenue bonds held by certain retirement systems.

ISSUE:

Existing law provides that where the state has issued bonds for the construction of any toll bridge and any of those bonds are outstanding and unpaid,

no new bridge will be constructed within ten miles on either side of the existing bridge. An exception to this prohibition would permit the state to construct an additional bridge across the Spokane River within ten miles of the Maple Street Toll Bridge, so long as existing bond holders are secured.

SUMMARY:

The Department of Transportation may contract with the existing bond holders for the retirement of existing bonds by issuing refunding bonds in an amount not to exceed \$5.6 million so that a new bridge may be built across the Spokane River in the vicinity of Trent Street. The refunding bonds are to be issued in two series. Series A bonds are to be issued in an amount equal to the outstanding Maple Street Series A bonds and bear interest at four and one-half percent per annum. The Series B bonds are to be issued in an amount equal to the Maple Street Toll Bridge Series B bonds and bear interest at the rate of five percent per annum. All refunding bonds shall have a maturity date of not later than 1996.

Principal and interest on the refunding bonds are payable from revenues derived from the Maple Street Toll Bridge. If revenues are not sufficient, proceeds distributed to the state from state excise taxes on motor vehicle and special fuels are pledged. If revenues are still insufficient, they are to be paid from the "net tax amount" received from the motor vehicle fuel tax and special fuel tax previously paid to the counties, cities and towns. The state is obligated to repay these moneys to the counties, cities and towns.

Upon execution of a contract between the state and the retirement systems holding the bonds, the existing bond funds and revenue funds are to be liquidated and used to redeem outstanding Maple Street Toll Bridge revenue bonds.

The revenues from the tolls on the Maple Street Bridge are to be used to pay principal and interest on the refunding bonds and will be continued as long as necessary.

The name of the new bridge is designated as the James E. Keefe Bridge. The intent of the Legislature is that revenues from fuel tax be pledged to retire bonds.

An appropriation of \$15,000 is made to pay expenses of issuing the refunding bonds. All motor vehicle funds which may be appropriated due to deficiencies in toll revenues and/or the cost of issuing refunding bonds will be repaid to the motor vehicle fund prior to elimination of the tolls.

This bill contains an emergency clause.

House:	95	0	Effective: March 26, 1979
Senate: (a)	43	0	C 131 L 79
H. Concur:	96	0	

HB 750

SPONSORS: Representatives Martinis, Douthwaite, Charnley, Chandler and Lux
(By Department of Transportation Request)

COMMITTEE: Transportation

Establishing minimum funding levels for trails along roadways.

ISSUE:

Every year, the Department of Transportation (DOT) must spend one-half of one percent of the fuel tax received in that year for construction and maintenance of trails for use by pedestrians, equestrians, or bicyclists. Current law does not tie trail construction funds into the construction budget.

SUMMARY:

The Department of Transportation is directed to allocate three-tenths of one percent per year of all state and federal funds appropriated for highway construction for constructing trails to be used by pedestrians, equestrians, or bicyclists. The Department may accumulate this sum for a period of four years for a more efficient construction program. These funds may be expended for widening of shoulders of existing roads where the extra width is needed for the accommodation of bicyclists, consistent with a master plan adopted by a state or local governmental authority either prior to the construction or before January 1, 1980.

House: 96 0 Effective: Sept. 1, 1979
Senate: 43 0 C 121 L 79 1st ex. sess.

SHB 751

SPONSORS: Committee on Transportation
(Originally Sponsored by Representatives Wilson and Martinis)
(By Department of Transportation Request)

COMMITTEE: Transportation

Restructuring highway priority programming.

ISSUE:

The State Highway Commission is presently responsible for developing and maintaining a comprehensive plan for state highways on a 14-year basis. The Department of Transportation finds development of such a plan based upon estimated revenues to be received 14 years later to be unworkable and unrealistic.

SUMMARY:

The State Highway Commission is directed to develop a 6-year program and financial plan which will specify program objectives for category A, B and C improvements.

Prior to October 1 of each even-numbered year, the Transportation Commission, after consultation with the Legislative Transportation Committee, will revise these 6-year programs.

Category A allocations and priorities are to be made without regard to the functional classification of the highway. The priority programming procedures directed to be established are not applicable to the 1977-79 biennium in order to take into consideration the new federal classification system. The priority programming procedures also are not required for the 1979-81 biennium in order to facilitate the transition to the revised allocation systems.

Prior to October 1 of each odd-numbered year, the Transportation Commission will adopt a biennial operating budget to conform with the legislative appropriations.

House: 95 1 Effective: Sept. 1, 1979
Senate: 41 0 C 122 L 79 1st ex. sess.

HB 754

SPONSORS: Representatives Lux, Scott, Whiteside, Erak, Brown, Struthers, Mitchell, Houchen, Winsley, Williams, Zimmerman, McGinnis, Wilson, Fuller, Burns, Nelson (D.) and Maxie
(By Executive Request)

COMMITTEE: Labor

Adjusting workers' compensation payments.

ISSUE:

Present industrial insurance law limits annual cost of living increases to those whose right to compensation was established prior to July 1, 1971. For such individuals this results in yearly benefit increases in temporary total disability, permanent total disability and death benefits.

Persons whose right to compensation was established after July 1, 1971, and before July 1, 1977, received a benefit adjustment to 1977 compensation levels. For such persons and for those whose rights to compensation were established after July 1, 1977, there are no benefit adjustments in proportion to the annual change in the statewide average monthly wage.

SUMMARY:

On July 1, 1979, workers' compensation benefits for temporary total disability, permanent total

disability and death benefits are increased for those workers whose eligibility was established between July 1, 1971 and July 1, 1979. The increase will raise their benefits to compensation levels payable on July 1, 1979.

Another adjustment is made on July 1, 1980, to raise the benefits of those persons whose eligibility was established between July 1, 1971, and July 1, 1980, up to the 1980 compensation levels.

The fiscal note indicates that total worker compensation contributions will be increased by an estimated \$22 million to meet projected expenditures to compensate injured workers for the 1979-81 biennium.

House: 98 0 Effective: June 7, 1979
Senate: 42 1 C 108 L 79

SHB 755

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives Charnley, Wilson,
Burns, Garrett, Sherman and Bender)

COMMITTEE: Transportation
Providing for rights, duties, and penalties when a vehicle is left on the highway.

ISSUE:
Recent lower court decisions have necessitated a change in existing laws regarding the impoundment of vehicles left unattended on public roadways.

SUMMARY:
The duty of a vehicle operator to promptly remove a vehicle left on the highway is set forth. Law enforcement officers are authorized to remove vehicles from the highway where the vehicle constitutes a hazard or is abandoned. An abandoned vehicle is defined as one which has been left unattended for 24 hours or longer.
Procedures are established for removal of vehicles, notification of owners, the opportunity of a hearing, and redemption of a vehicle or posting of bond.
A registered disposer is defined and provisions are made for the regulation of registered disposers by the Department of Licensing. Provisions of existing law relating to the processing of abandoned vehicles are amended. The time in which notice of impoundment must be given to the registered owner is reduced from five to three days. It is a misdemeanor to sell an abandoned vehicle without being properly registered as a vehicle disposer. It is a misdemeanor to remove a vehicle from private property without notifying appropriate law enforcement agencies. It is a gross misdemeanor to make any false statement in any document

prepared in connection with the disposition of an abandoned vehicle or hulk.

This bill contains an emergency clause.

House: 94 1 Effective: May 14, 1979
Senate: (a) 44 0 C 178 L 79 1st ex. sess.
H. Concur: 96 0

HB 759

SPONSORS: Representatives Valle, Whiteside and Galloway

COMMITTEE: Local Government
Permitting job recruitment expenditures by libraries.

ISSUE:
Library trustees and library districts do not have the authority to reimburse job applicants for their travel expenses.

SUMMARY:
Trustees of libraries and library districts are permitted to spend funds to recruit job candidates. They also are permitted to reimburse job candidates for reasonable and necessary travel expenses.

House: 98 0 Effective: Sept. 1, 1979
Senate: 32 13 C 40 L 79 1st ex. sess.

SHB 768

SPONSORS: Committee on Appropriations
(Originally Sponsored by
Representatives Burns, Blair,
Douthwaite, Patterson, Chandler and McGinnis)

COMMITTEE: Appropriations
Modifying the higher education annuities and retirement income plans.

ISSUE:
Two issues relating to the retirement benefits of faculty members and certain employees of institutions of higher education are addressed.
1. Current law provides that a retired faculty member may provide survivorship benefits only to a surviving spouse. Therefore, a retired faculty member is precluded from designating a dependent relative, other than a spouse, as his beneficiary.
2. Current law sets conditions under which institutions of higher education may supplement the retirement benefits for eligible faculty and employees (Teachers Insurance Annuity

Association of America - College Retirement Equities Fund). The benefit derived from TIAA-CREF plus supplementation is not to be less than two percent of the retiree's final salary for each year of service, if the retiree has ten or more years of service. Some variation in the application of this law has occurred when retirees have credit under TIAA and other public retirement plans. Standardization of the calculation of supplementation is recommended.

SUMMARY:

All references to surviving spouse are stricken and designated beneficiary is substituted. The designated beneficiary must have an insurable interest in the retiree's life and be nominated by written designation duly executed and filed with the institution of higher education. A designated beneficiary is defined as either the surviving spouse of the retiree or any person with an insurable interest in the retiree's life who obtains written consent of the surviving spouse, if any.

Standardization of the application of supplementation to the TIAA-CREF benefit is established. Only years of service at an institution of higher education for which contributions have been made will be used in the calculation. Any benefits received from such service from any other public retirement system will reduce the supplementation payments. Standard assumptions to be made with regard to the basic TIAA-CREF benefit are provided.

The bill contains an emergency clause.

House:	97	0	Effective: June 21, 1979
Senate: (a)	45	0	C 259 L 79 1st ex. sess.
H. Concur. (Partial)			
S. Recede:	45	0	
H. Final Passage:	77	0	

SHB 774

SPONSORS: Committee on Judiciary
(Originally Sponsored by
Representatives Nelson (D.), Chandler
and Bender)

COMMITTEE: Judiciary

Reenacting the law granting attorney fees to an owner suing to recover stolen goods from a pawnbroker.

ISSUE:

Stolen personal property often is sold to a pawnbroker or a second hand dealer. In attempting to recover stolen personal property, a crime victim

frequently bears the costs of attorneys' fees which seems an undue hardship.

SUMMARY:

Whenever the owner of stolen goods locates his or her stolen goods in the possession of a pawnbroker or a second hand dealer and brings an action to recover possession, the owner is entitled to reasonable attorneys' fees and costs in connection with the action. Attorneys' fees connected with an action to recover the property before final judgment may also be recovered.

House:	91	5	Effective: Sept. 1, 1979
Senate:	47	0	C 41 L 79 1st ex. sess.

HB 778

SPONSORS: Representatives Kreidler, Fancher, Clayton and Scott

COMMITTEE: Agriculture

Changing the law on voting to dissolve an agricultural cooperative association.

ISSUE:

Currently, to dissolve an agricultural cooperative association, fifty percent of the total membership must vote on the proposal and two-thirds of those voting must approve the dissolution. Some agricultural co-ops with large memberships find this quorum requirement to be too stringent.

SUMMARY:

An agricultural cooperative association with more than ten thousand members may be dissolved by a vote of two-thirds of the members voting on the proposal. All members must be given prior notice of the proposed dissolution. At least twenty-five percent of the total membership must vote on the dissolution proposal for it to be approved.

House:	92	0	Effective: June 7, 1979
Senate:	47	0	C 86 L 79

HB 781

SPONSORS: Representatives Smith (R.) and Craswell
(By Department of Natural Resources Request)

COMMITTEE: Natural Resources

Providing for geoduck and clam licenses.

ISSUE:

Currently, the law is vague in many matters relating to the commercial harvesting of geoduck

clams. As a result, the orderly administration of the commercial fishery and the enforcement of the regulations pertaining to geoduck harvesting is difficult and largely ineffective.

The Occupational Safety and Health Act of 1970 (OSHA) provided authority to establish commercial diving safety standards. These standards are only applicable to businesses where an employer-employee relationship exists. Accordingly, commercial geoduck clam divers who are self-employed are not required to meet the OSHA diving standards.

SUMMARY:

The Director of Fisheries authority to issue licenses for geoduck harvesting is amended. Harvesting licenses are authorized only for specific tracts of marine lands for which harvest rights have been granted by the Department of Natural Resources. In addition, harvesting must take place on beds at least eighteen feet below the low tide mark and two hundred yards seaward of the high tide mark.

Geoduck harvesters and clam harvesters are exempted from the need for a commercial fishing license for their vessels.

Geoduck harvest tracts are exempted from the need for a commercial clam farm license.

A geoduck tract license is required for each subtidal geoduck tract and the fee for this license is \$100 per year.

Each diver who harvests geoducks must have a personal commercial fishing license and the fee for this license is \$50 per year.

The Department of Natural Resources is authorized to designate the areas of marine lands available for geoduck harvesting.

It is unlawful to harvest geoducks or other clams without obtaining the specified licenses.

The Director of Fisheries may revoke all personal commercial fishing licenses and geoduck tract licenses if within a five year period the person has (1) been convicted or has forfeited bail twice for violations of the geoduck licensing and harvesting provisions of the fisheries code, or (2) has violated the lease agreement with the Department of Natural Resources on two occasions.

The Department of Natural Resources is authorized to enter into leases for the harvesting of geoduck clams. The lessee may terminate those leases under certain circumstances.

Any person who holds a commercial geoduck harvesting license or who leases state lands for the purposes of harvesting geoduck clams must comply with the commercial diving standards promulgated under the authority of the federal Occupational

Safety and Health Act of 1970. This requirement also extends to the person's agents or representatives. Violations of these requirements may result in the suspension or cancellation of the license or the lease.

Persons who dive for geoducks are considered employees subject to the protection of OSHA.

The Departments estimate there will be approximately \$775,000 in revenue generated and \$190,000 in expenditures for the 1979-81 biennium.

This bill contains an emergency clause.

House: (a)	91	4	Effective: May 8, 1979
Senate: (a)	41	3	C 141 L 79 1st ex. sess.
H. Concur.			
(Partial)			
S. Recede:	40	4	
H. Final			
Passage:	89	0	

HB 788

SPONSORS: Representatives Winsley, Eng, Kreidler, Knowles, Newhouse and Blair

COMMITTEE: Financial Institutions

Authorizing affiliated banks or trust companies to form common trust funds for investments.

ISSUE:

Banks and trust companies may have "common trust funds" in their trust departments. This allows the trust department to aggregate small trust accounts into one so that investments may be diversified and thereby lessen the risk of loss. Some banks are subsidiaries of multi-bank holding companies; each bank may have a trust department, some of which may be more specialized in dealing with certain types of investments than others. At the present time the "affiliated" banks, those belonging to the same holding company, are prohibited from using the expertise of a trust department other than their own.

SUMMARY:

Banks with affiliated or related banks may use the affiliate's common trust fund. "Affiliated banks" is defined as two or more banks or trust companies in which twenty-five percent of the stock is owned by one holding company, or in which the board of directors is controlled by one holding company.

House:	98	0	Effective: June 7, 1979
Senate:	45	0	C 105 L 79

SHB 791

PARTIAL VETO

SPONSORS: Committee on Appropriations
 (Originally Sponsored by
 Representatives Taller, Douthwaite and
 McDonald)
 (By Department of Retirement Request)

COMMITTEE: Appropriations
 Making miscellaneous changes to the laws on
 retirement from public service.

ISSUE:
 When the 1976 Session of the Legislature created
 the Department of Retirement Systems to
 administer the state's public retirement systems, the
 need for certain technical statutory changes was not
 identified. Additional technical errors have become
 apparent in the major pension reforms of 1977 and
 remedial action is needed. Housekeeping measures
 are recommended to improve the operation of the
 retirement systems.

SUMMARY:
 The definitions section of the Law Enforcement
 Officers and Fire Fighters Systems Act is amended
 to remove references to gender and clarify
 definitions of basic salary, full-time service and
 state elective position. Members of the LEOFF
 System who establish membership on or after July
 1, 1979, will not be required to meet minimum
 health standards as a condition of eligibility.

The definitions section of the Teachers' Retirement
 System is amended to substitute "director" for
 "board of trustees" where appropriate. The
 responsibility for determining the value of non-
 money maintenance compensation is transferred to
 the employer. References to gender are removed.
 Further, compensation paid in lieu of reinstatement
 is allowed to be included as compensation earned
 for services rendered. Finally, Plan II members are
 given the option of contributing and receiving
 service credit for the ninety-day waiting period.
 Those persons entering service from October 1,
 1977 through June 30, 1979 may have until June
 30, 1980 to make payment for such service in a
 lump sum.

The definitions section of the Public Employees
 Retirement System (PERS) is amended to remove
 references to gender, to clarify the definition of
 full-time service, to provide that compensation
 awarded in lieu of reinstatement is to be included as
 compensation earned for service rendered, and to
 provide that employer contributions made by the
 employee shall be treated as employee
 contributions. Employer contributions are to be
 calculated by the Director of PERS based on the
 employee's compensation during the first month of
 the employee's membership.

The PERS statute is amended to provide that the
 benefit for a survivor of a member who has ten or
 more years of service and who dies prior to
 retirement may be computed using either the old
 one percent formula plus annuity or the new two
 percent formula. The old formula yields about two-
 thirds of that yielded by the new formula.

A single expense fund is created for the
 Department of Retirement Systems to replace the
 several funds currently in existence. Other funds
 credited or receivables due for administrative
 services are to be transferred or payable to this
 fund. Employers of members are to transfer
 amounts due to the Department within fifteen days
 of the end of the month when amounts are payable
 as required by law. Overdue payments may accrue
 one percent interest where the Director deems it
 necessary to secure adherence to time requirements.

Retirement benefits may be payable to a spouse or
 ex-spouse to the extent expressly provided for in
 any court decree of dissolution or legal separation
 or in any court order or court approved property
 settlement agreement incident to any court decree
 of dissolution or legal separation. (Vetoed Section)

Sections of the retirement system which are
 amended are the Judicial Retirement System, the
 Volunteer Firemen's Relief and Pension System,
 the Police Relief and Pension System for first class
 cities, the LEOFF system, the Teachers Retirement
 System and the Public Employees Retirement
 System. (Vetoed Section)

The bill contains an emergency clause.

House:	97	0	Effective: June 15, 1979
Senate: (a)	44	0	C 249 L 79 1st ex. sess.
H. Concur:	95	0	

VETO SUMMARY:
 The Governor vetoed the sections indicated above
 because they are identical to those contained in SB
 2378 which was signed into law and took effect on
 May 25, 1979. (See VETO MESSAGE)

HB 795

SPONSORS: Representatives Eng, Winsley, Burns
 and Douthwaite

COMMITTEE: Financial Institutions
 Authorizing charitable gift annuities.

ISSUE:
 Current law does not authorize state colleges and
 universities or nonprofit institutions to issue
 charitable gift annuities. Charitable gift annuities
 provide federal tax benefits to those transferring
 money or securities in exchange for an institution's
 agreement to pay the donor a fixed income for life.

HB 795

The issuance of charitable gift annuities would be very beneficial to the fund raising efforts of state colleges and universities and nonprofit organizations.

SUMMARY:

State colleges and universities and educational, religious, charitable and scientific nonprofit institutions may issue charitable gift annuities. State colleges and universities must invest 100 percent of the charitable gift annuity assets in reserve for the lifetime of the donor to meet liabilities that result from the gift program. The obligation to make payments to the donor is not an obligation of the state, state college or university. Also, these institutions are exempt from coverage under the insurance code.

Nonprofit institutions must apply for a certificate of exemption from the Insurance Commissioner's Office. In order to obtain a certificate, they must be actively doing business in the state for three years. They are required to establish a reserve fund to guarantee their annuity agreements.

For purposes of the securities law, charitable gift annuities are considered securities. However, they are exempt from registration when issued by state colleges and universities or nonprofit corporations.

House: 92 0 Effective: June 7, 1979
Senate: (a) 46 0 C 130 L 79
H. Concur: 94 0

SHB 796

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives O'Brien, Valle and
Erak)

COMMITTEE: Local Government

Permitting Seattle to charge admission to the hydroplane races.

ISSUE:

Cities and towns are not currently permitted to charge entry fees in their public parks for the use of spectators at hydroplane races. Some park property has been conveyed to local governments by the state under deed terms which specify that the property will revert to the state if park uses ever cease. The question has arisen whether Seattle's charging entry fees for viewing hydroplane races violates deed terms.

SUMMARY:

Cities and towns are permitted to charge entry fees and provide facilities in their parks for the use of spectators of hydroplane races. These local governments are also permitted to allow hydroplane

race sponsors to collect entry fees and provide public facilities and services on park property.

State property which is conveyed to cities and towns to be exclusively used for park purposes does not revert to the state because admission fees are charged.

House: 74 21 Effective: June 7, 1979
Senate: 48 0 C 26 L 79

HB 802

SPONSORS: Representatives Knowles, Newhouse,
Winsley, Lux and Deccio

COMMITTEE: Judiciary

Modifying the definition of "debenture company."

ISSUE:

The Washington State Securities Act which requires the registration of securities sold in the state also regulates the operations of debenture companies doing business in the state. The debenture company law was added to the Securities Act following a failure of a number of such companies operating in this state which resulted in extensive losses to the general investing public.

The typical debenture company at which the current debenture law is directed derives its capital from securities marketed to the general investing public. Other types of companies which come within the scope of the debenture company law are finance companies that, characteristically, are subsidiaries of Washington-based manufacturing companies and that aid in the sale of a parent company's products by providing the financing to purchasers of those products. Such "captive" companies obtain a large part of their funds by borrowing from banks, insurance companies and the commercial paper market but do not market their securities to the general investing public.

Because current law regulating debenture companies is interpreted by some as applying to "captive" finance companies and appears to be incompatible with their mode of operating, legislation has been proposed which amends the current provision defining "debenture company."

SUMMARY:

Any isolated transaction or sale not involving a public offering or any offer or sale to a financial institution is exempt from inclusion in the term "debenture company."

It is the intent of the Legislature that debenture companies engaged in investing, reinvesting, owning, holding, leasing or trading in land be covered by the Washington State Securities Act.

House: (a) 92 0 Effective: June 7, 1979
 Senate: 48 0 C 140 L 79

SHB 803

SPONSORS: Committee on Financial Institutions
 (Originally Sponsored by
 Representatives Winsley, Hurley and
 Knowles)
 (By Department of General
 Administration Request)

COMMITTEE: Financial Institutions
 Modifying banking laws.

ISSUE:

The Supervisor of Banks has determined that a number of technical amendments are needed in the banking code. These needed amendments relate to unissued capital stock for stock purchase plans by employees of banks, authorization for banks to offer stock purchase plans and stock bonus plans, permission for commercial banks to issue capital notes or debentures which are convertible to stock, updates in statutes relating to alien banks, auxiliary facilities, and preemptive voting rights.

SUMMARY:

A number of technical amendments are made to the statute (Title 30 RCW) governing the regulation of state chartered commercial banks and trust companies.

State banks and trust companies are allowed more authorized but unissued capital stock for stock purchase plans for their employees or for other purposes.

Employee stock plans must be approved by the Supervisor, limits upon the consideration for stock under such plans are established, and issuance of stock under approved plans to employees does not require notice to or approval by the Supervisor.

State banks are authorized to establish, in addition to stock purchase option plans, stock purchase plans, stock bonus plans, or other similar plans to allow more flexibility in employee benefits.

Commercial banks may issue capital notes or debentures which are convertible to stock. Such plans must be approved by the Supervisor.

State banks are given authority to construct, under certain limitations, drive-up facilities in the central business district of cities of 45,000 population or more.

A new section is added to the chapter which authorizes banks or trust companies in their articles of incorporation to limit or permit the preemptive rights of a shareholder to acquire unissued shares of the corporation.

House: 98 0 Effective: June 7, 1979
 Senate: (a) 47 0 C 106 L 79
 H. Concur: 95 0

HB 806

SPONSORS: Representatives Winsley, Hurley and
 Knowles
 (By Department of General
 Administration Request)

COMMITTEE: Financial Institutions

Authorizing the Supervisor of Banking to issue cease and desist orders against mutual savings banks engaging in certain practices.

ISSUE:

The Supervisor of Banking currently has the authority to issue cease and desist orders against commercial banks. However, the Supervisor does not have this authority with regard to mutual savings banks. The Supervisor may not administratively stop a practice of a mutual savings bank without additional powers.

SUMMARY:

The Supervisor of Banking is empowered to issue a final cease and desist order against mutual savings banks after a hearing. A cease and desist order may be issued when it appears to the Supervisor that any mutual savings bank is engaging in an unsafe or unsound business practice or has violated any law, rule, or condition imposed by the Supervisor. The Supervisor may also issue a cease and desist order if he finds reasonable cause to believe that such acts are about to be done. Unless the mutual savings bank appears at the hearing, it will be deemed to have consented to the order.

The Supervisor is given the additional authority to issue a temporary cease and desist order without a hearing if the Supervisor determines that a mutual savings bank is acting in such a way as to seriously prejudice the interests of its depositors. Unless set aside by a superior court, the temporary order remains in effect until the Supervisor dismisses the charges which gave rise to the request for a cease and desist order or until the termination date of the temporary cease and desist order. In the case of a violation or a threatened violation of a temporary cease and desist order, the Supervisor may apply to superior court for an injunction to enforce the order.

The Supervisor is also given the power, after a hearing, to remove any trustee, officer or employee of any mutual savings bank where he finds that such person has committed a violation of a rule, law, final cease and desist order, or has engaged in any unsafe or unsound practice, or breached his fiduciary duty. The Supervisor must also find that

HB 806

this violation results in financial loss or prejudice to interests of depositors, and involves dishonesty, recklessness or incompetence on the part of the trustee, officer, or employee.

Any present or former trustee, officer, or employee of a mutual savings bank who has been removed and who nevertheless continues to participate in any manner in the business of any mutual savings bank or is involved in the solicitation or transfer of voting rights, is guilty of a gross misdemeanor and is subject to punishment under Chapter 9A.20 RCW.

House: 92 0 Effective: June 7, 1979
Senate: 47 0 C 46 L 79

HB 808

SPONSORS: Representatives Hurley, Winsley and Knowles
(By Department of General Administration Request)

COMMITTEE: Financial Institutions

Permitting corporations doing a trust business to deposit securities held in trust in other banks and trust companies.

ISSUE:

Current law requires that securities held in the trust departments of banks and trust companies be separately labeled and kept segregated from other accounts. Further, banks and trust companies are required to deposit their securities in "clearing corporations." These requirements do not allow banks and trust companies to utilize more modern data processing methods for the management of trust accounts.

SUMMARY:

Language which requires a trust department to label each security to indicate the trust to which it belongs is deleted thereby allowing more modern data processing methods to be utilized. Additionally, a trust department is allowed to deposit its trust securities with its own bank, or with another bank in addition to the clearing corporation now authorized. Electronic transfer of securities among accounts or institutions is authorized.

House: 92 0 Effective: June 7, 1979
Senate: 48 0 C 45 L 79

SHB 815

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Representatives Kreidler, Adams, Whiteside, Mitchell, Pruitt, Brekke, Lux, Burns, Winsley, Charnley, Galloway, Sherman and Scott)

COMMITTEE: Social and Health Services

Revising laws relating to substitutions of prescription drugs.

ISSUE:

In 1977, the Legislature passed the Generic Drug Substitution Act which provides among other things that all savings resulting from such substitution be passed on to the consumer and that such substituted generic drugs meet certain standards of manufacture.

Currently hospital pharmacies are not able to utilize their own drug formularies in substituting less expensive therapeutically equivalent drugs. Pharmacists do not have enough economic and other necessary incentives to substitute less costly generic drugs for purchasers who wish them when physicians authorize them.

These incentives are necessary to stimulate the substitution of less costly therapeutically equivalent drugs for consumers.

SUMMARY:

The substitution of therapeutically equivalent drugs with the identical base or salt content is allowed, except where a medical practitioner has otherwise authorized by prior consent. Pharmacists are required to substitute a therapeutically equivalent less costly drug and pass on to the purchaser at least 60 percent of the cost savings. Liability of pharmacists for drug substitution is limited to the same liability for dispensing a prescribed drug. The requirement is deleted that a pharmacist show a manufacturer's label, expiration date and one-inch high letters printed on a sign informing purchasers of the drug substitution law. The Board of Pharmacy is authorized to establish by rule, a list of therapeutically equivalent drugs.

House: 94 0 Effective: June 7, 1979
Senate: 43 0 C 110 L 79

HB 845

SPONSOR: Representative Keller
(By Insurance Commissioner Request)

COMMITTEE: Insurance
Revising insurance licenses.

ISSUE:
Current law relating to the licensing of insurance agents and brokers has not been updated substantially since enactment in 1947. The Insurance Commissioner has requested changes to the licensing laws in order to streamline procedures and to allow for computerization of programs.

Currently, there are no continuing education requirements for agents and brokers. There is some concern that such education is needed to guarantee that insurance professionals maintain and update their knowledge and skills relating to the many complex factors involved in current insurance programs.

SUMMARY:
The fee for an agent's qualification license is increased from \$10 to \$25, and the fee for a temporary license is eliminated.

Revisions are made in the procedures concerning the appointment of agents by insurers, including a provision allowing the Commissioner to develop alternative procedures to those provided in the bill. Appointments will be for one year, and the Commissioner is authorized to determine renewal dates.

The form and content of licenses for agents, solicitors, adjusters and brokers shall be determined by the Commissioner.

Each individual who will exercise the authority conferred under a licensed firm or corporation must also be licensed. Because each agent who works for a licensed firm or corporation must now also be licensed, the bonding requirements for licensed firms or corporations are revised. In addition to the twenty thousand dollar corporate surety bond required of the licensed firm or corporation, a bond in the amount of five thousand dollars must also be obtained for each licensed individual working for the licensed firm or corporation.

The requirement that an agent appointed by an insurer for life, disability, or life and disability insurance be licensed separately as to each insurer, is repealed and instead an agent is required to have but one license regardless of the number of appointments by insurers the agent may have.

The Commissioner may establish time periods for which agents' licenses will be valid and may determine, by rule, renewal dates for licenses of all agents, brokers, solicitors and adjusters.

The Commissioner is authorized to establish minimum pre-licensing education requirements and is required to establish continuing education requirements. Continuing education courses must be made available on a statewide basis, and the Commissioner may waive the requirements for good cause shown.

The bill establishes an effective date of April 1, 1980.

House:	95	0	Effective: April 1, 1980
Senate: (a)	34	9	C 269 L 79 1st ex. sess.
H. Concur:	94	2	

HB 846

SPONSOR: Representatives Newhouse and Smith (R.)
(By Department of Revenue and Code Reviser Request)

COMMITTEE: Judiciary
Correcting statutory references to the Department of Revenue.

ISSUE:
Current statutory references to the Department of Revenue are outdated and not uniform.

SUMMARY:
All statutory references to the Department of Revenue are updated and made uniform.
The bill contains an emergency clause.

House:	92	0	Effective: March 23, 1979
Senate:	46	1	C 107 L 79

HB 847

SPONSORS: Representatives Smith (R.) and Newhouse
(By Department of Social and Health Services and Code Reviser Request)

COMMITTEE: Judiciary
Correcting statutory references to the Department of Social and Health Services.

ISSUE:
Current statutory references to the Department of Social and Health Services are outdated and not uniform.

SUMMARY:
All statutory references to the Department of Social and Health Services are updated and made uniform.

HB 847

The bill contains an emergency clause.

House: 87 0 Effective: March 28, 1979
Senate: 48 0 C 141 L 79

HB 848

PARTIAL VETO

SPONSORS: Representatives Smith (R.) and Newhouse
(By Office of Financial Management and Code Reviser Request)

COMMITTEE: Judiciary

Correcting statutory references to the Office of Financial Management.

ISSUE:

Current statutory references to the Office of Financial Management are outdated and not uniform.

SUMMARY:

All statutory references to the Office of Financial Management are updated and made uniform.

The bill contains an emergency clause.

House: 93 0 Effective: March 29, 1979
Senate: 47 0 C 151 L 79

VETO SUMMARY:

The Governor vetoed one section which corrected a statutory reference previously corrected by SHB 96 (C 111 L 79). (See VETO MESSAGE)

HB 849

PARTIAL VETO

SPONSORS: Representatives Newhouse, Smith (R.) and Maxie
(By Department of Licensing and Code Reviser Request)

COMMITTEE: Judiciary

Correcting statutory references to the Department of Licensing.

ISSUE:

Current statutory references to the Department of Licensing are outdated and not uniform.

SUMMARY:

All statutory references to the Department of Licensing are updated and made uniform.

The bill contains an emergency clause.

House: 93 0 Effective: March 30, 1979
Senate: 47 0 C 158 L 79

VETO SUMMARY:

The Governor vetoed several sections which corrected statutory references previously corrected. (See VETO MESSAGE)

HB 860

SPONSORS: Representatives Van Dyken, Becker, Charnley, Zimmerman, Sherman, Rosbach, McGinnis

COMMITTEE: Local Government

Revising the guidelines for decisions of boundary review boards.

ISSUE:

Boundary review boards may be invoked to approve, disapprove, or modify proposed boundary changes of cities, towns, and certain special purpose districts. Existing law sets out factors to be considered and objectives to be obtained by such review boards in their decision-making.

SUMMARY:

In considering proposed actions, boundary review boards must be cognizant of prime agricultural soils and agricultural uses in affected areas. Their decision-making objectives must include the protection of agricultural lands.

When reviewing a resolution for annexation initiated by any city with a population of 400,000 or more, boundary review boards must provide reasonable assurance that the extension of municipal services and additional taxes to be paid by property owners in the area to be annexed bear a reasonable relation to the value of additional municipal services to be received.

House: 96 1 Effective: Sept. 1, 1979
Senate: (a) 40 7 C 142 L 79 1st ex. sess.
H. Concur: 82 15

HB 862

SPONSORS: Representatives North, Zimmerman, Thompson, Sherman and Teutsch

COMMITTEE: Local Government

Reimbursing class AA county hospital trustees for travel expenses.

ISSUE:

Commissioners of public hospital districts presently receive compensation and reimbursement for

expenses incurred on district business. The directors of community hospitals similarly receive reimbursement for their expenses. State law precludes members of the boards of trustees of county hospitals from receiving compensation or reimbursement for expenses.

Because reimbursement is unavailable, many persons are discouraged from serving as county hospital trustees.

SUMMARY:

Each member of a board of trustees of a county hospital may be reimbursed for travel expenses in accordance with statutes which authorize the Office of Financial Management to prescribe reasonable travel allowances for state employees. Trustees now may receive a per diem for subsistence and lodging, and a mileage reimbursement for the use of private vehicles on state business.

In addition, county hospital trustees receive mileage for travel from their homes to trustee meetings.

House: (a) 93 0 Effective: Sept. 1, 1979
Senate: 47 0 C 17 L 79 1st ex. sess.

SHB 871

SPONSORS: Committee on Transportation
(Originally Sponsored by Representatives Wilson, Martinis, Scott, Garrett, Struthers, Tilly, Isaacson, Patterson, Sanders and Teutsch)
(By Office of Financial Management Request)

COMMITTEE: Transportation
Making biennial appropriations for operations and capital improvements of the Department of Transportation, the Urban Arterial Board, and the Board of Pilotage Commissioners.

SUMMARY:
The 1979-81 biennial budgets of the Washington State Department of Transportation, Urban Arterial Board and Board of Pilotage Commissioners are adopted. The amounts appropriated are for salaries, wages, capital projects, judgments, obligations incurred and not paid and other expenses. A total of \$902,255,400 (including \$388,911,900 of federal funds) is appropriated. The program/agency amounts are set forth below:

- Program A: Highway resurfacing, rehabilitation and reconstruction — Total \$177,939,300.
- Program B: State highway projects on the Interstate system — Total \$290,937,000.

Program C: State highway projects not on the Interstate system — Total \$75,520,000.

Program D: Improvement and construction of buildings, construction, supervision, and direct support, and state aid to counties and cities — Total \$14,699,500.

Program F: Aeronautics planning and assistance — Total \$1,370,800.

Program M: Maintenance and operations of highways — Total \$121,613,000.

Program P: Highway management and support — Total \$6,652,000.

Program T: Public transportation and planning, including rail — Total \$20,295,400.

Program W: Marine transportation operations and capital improvements — Total \$112,073,000.

Programs S & Z: Executive, Management Services and Support — Total \$15,400,000.

Total Department of Transportation Budget: \$836,500,000. (Sum of above Programs)

Urban Arterial Board Budget: Total \$63,827,400.

Board of Pilotage Commissioners Budget: Total \$53,000.

Appropriation to the Department of Transportation from the general fund for off-the-job training programs for minority highway construction workers and for minority contractors' training programs — Total \$975,000 general fund (fully reimbursable from federal funds).

Appropriation to the Department of Transportation for guarantee of Spokane River Bridge Bond deb service payments — Total \$900,000 motor vehicle fund (state).

The bill contains an emergency clause.

House: 76 18 Effective: May 11, 1979
Senate: (a) 39 4 C 168 L 79 1st ex. sess.
H. Concur: 82 13

SHB 872

SPONSORS: Committee on Transportation
(Originally Sponsored by Representatives Martinis, Wilson, Scott, Garrett, McCormick, Isaacson, Patterson, Sanders, Struthers and Tilly)
(By Office of Financial Management Request)

COMMITTEE: Transportation

SHB 872

Making appropriations to the Department of Transportation.

SUMMARY:

The sum of \$224,369,200 (which includes \$223,665,200 of federal funds) is appropriated to the Washington State Department of Transportation from the Motor Vehicle Fund to finance reimbursable expenditures for construction and maintenance of non-state highways (including city and county roads), and miscellaneous sales and services to other agencies.

This bill contains an emergency clause.

House: 96 1 Effective: May 11, 1979
Senate: 42 3 C 169 L 79 1st ex. sess.

HB 874

SPONSORS: Representatives Owen, Schmitt and Vrooman

COMMITTEE: Natural Resources

Revising laws relating to the Forest Fire Advisory Board.

ISSUE:

The Forest Fire Advisory Board is slated for termination as part of the process established under the Sunset Act of 1977. The Board seems to function economically and provides input for forest landowners who are being taxed for fire suppression.

SUMMARY:

The Board is removed from the 1977 Sunset Act. The duties of the Board are changed by eliminating its advisory capacity on forest fire policy and protection budgets. The Board is given, in addition to existing duties, an advisory capacity for the review of prevention and suppression policies made by the Department of Natural Resources.

House: 93 0 Effective: June 7, 1979
Senate: 48 0 C 49 L 79

HB 875

SPONSORS: Representatives Winsley, Knowles, Hurley and Sanders

COMMITTEE: Financial Institutions

Increasing the amounts that banks and trust companies may invest in real estate.

ISSUE:

Currently, banks and trust companies may invest up to thirty percent of their capital, surplus and

undivided profits or one hundred percent of their capital stock in real estate. These limits do not realistically reflect the current cost of real property capital assets.

SUMMARY:

Banks and trust companies are authorized to invest up to fifty percent of their capital, surplus and undivided profits or one hundred twenty-five percent of their capital stock in real estate.

House: 93 0 Effective: June 7, 1979
Senate: 43 1 C 142 L 79

HB 888

SPONSORS: Representatives Zimmerman and Heck

COMMITTEE: Social and Health Services

Authorizing use of a rehabilitation center.

ISSUE:

The Buckner Rehabilitation Center operated by the Department of Labor and Industries has an excellent complete rehabilitation program for some types of injuries, but is presently under-utilized. Existing statutes do not allow the Center's services to be provided to other than industrial accident patients.

SUMMARY:

The Department of Labor and Industries is authorized to contract with any interested person for the use of its rehabilitation center.

House: 97 0 Effective: Sept. 1, 1979
Senate: 48 0 C 42 L 79 1st ex. sess.

SHB 907

SPONSORS: Committee on Appropriations (Originally Sponsored by Representatives Warnke and Charnley)

COMMITTEE: Appropriations

Modifying the bond issue for the "People's Lodge" regional Indian facility.

ISSUE:

Current law provides for the issuance of bonds for the purpose of providing a matching grant to establish a regional Indian cultural facility, the People's Lodge, located at Discovery Park, Seattle. There is no provision in current law that the bond proceeds be used to finance acquisition, equipping or remodeling of the facility, or that the facility be used for tourist or economic development purposes.

SUMMARY:

The bond issue for the regional Indian facility is modified to include acquisition, equipping and remodeling of the People's Lodge as a cultural, educational, tourist, and economic development facility.

Expenditure of the bond proceeds for real estate acquisition and construction plans is conditioned on prior approval by the Director of the Department of General Administration. Approval must be based on a finding that the real estate to be acquired is appraised at or above the purchase price, that any construction plans provide for completion of the facilities, and that there are sufficient funds to finish the project.

The requirement that the People's Lodge be located at Discovery Park, Seattle, is removed. The property or facility is to be transferred to the state if \$2.7 million in additional federal or private funds is not secured within five years from the effective date of the bill and applied toward completion of the Lodge.

House: (a) 62 33 Effective: Sept. 1, 1979
 Senate: 30 9 C 246 L 79 1st ex. sess.

SHB 912

SPONSORS: Committee on Energy and Utilities
 (Originally Sponsored by
 Representatives Sherman, McCormick,
 Haley and Douthwaite)

COMMITTEE: Energy and Utilities

Providing for solar easements.

ISSUE:

Due to current energy needs, many have considered solar power as a viable source of additional energy. Current law in Washington State does not define property rights to solar energy nor provide a means for protecting one's access to sunlight.

SUMMARY:

Potential economic and environmental benefits from solar energy are declared to be in the public interest. Local government entities are authorized to encourage, regulate and protect access to direct sunlight for solar energy systems. The creation of solar easements is therefore authorized, and may be obtained through private negotiation. Such easements are freely transferrable and enforceable through legal action for actual damages, injunctive relief, and reasonable attorney fees. Solar easements are declared to be an interest in real property and are appurtenant to and run with the land affected by the easement. City and county

planning commissions are encouraged to investigate the potential for solar energy development and may include a solar energy element in the local comprehensive plan.

For the purpose of assuring a landowner's adequate access to direct sunlight for solar energy systems, solar easements are defined as an interest in real property. These easements must be created in writing, and are subject to the same conveyancing and recording requirements as other easements.

Instruments creating solar easements must include a description of the easement which is sufficiently certain to allow the owner of the subject property to determine its extent. Such description may include the vertical or horizontal angles expressed in degrees, the height to which the solar easement extends, or any other reasonably certain description. In addition, the instrument may also include: (1) the terms or conditions under which the easement is granted or will terminate, and (2) provision for compensating the owner of the easement for any interference, or compensating the owner of the subject property for costs of maintaining the easement. Such easements may not be acquired as an implied easement or prescriptive easement.

House: 90 5 Effective: Sept. 1, 1979
 Senate: (a) 36 1 C 170 L 79 1st ex. sess.
 H. Concur: 87 7

HB 913

SPONSORS: Representative Schmitten

COMMITTEE: Natural Resources

Revising laws relating to use of certain areas for aquaculture.

ISSUE:

The Department of Natural Resources is currently authorized to lease first class and second class tidelands. In addition, the beds of navigable tidal waters offshore of second class tidelands can be leased for cultivating oysters, clams and other shellfish. However, the bedlands offshore of first class tidelands cannot be leased for any purpose.

SUMMARY:

The Department of Natural Resources is authorized to lease the beds of all navigable tidal waters, except as prohibited by Article XV, Section 1 of the Washington State Constitution. The purposes for which the bedlands may be leased are expanded to include all aquacultural uses.

House: 95 0 Effective: Sept. 1, 1979
 Senate: (a) 41 3 C 123 L 79 1st ex. sess.
 H. Concur: 93 0

HB 923

PARTIAL VETO

SPONSORS: Representatives King, Warnke, Newhouse and Winsley (By Public Employment Relations Commission Request)

COMMITTEE: Labor

Modifying the terms of office, salary, and duties of the Public Employment Relations Commission.

ISSUE:

Legislation enacted in 1975 established the Public Employment Relations Commission and set forth the terms, compensation and travel expenses of Commission members and the duties of the Executive Director of the Commission.

The Commission members' terms are not evenly staggered, and this does not provide a uniform level of experience on the Commission over time. Additionally, the delegation of authority to the Executive Director is not clearly defined and the Commission members claim that their compensation is inadequate.

Commission members are not currently subject to the provisions of the state's Public Disclosure Law, which requires elected and appointed officials to file information about their financial affairs with the Public Disclosure Commission. Commission members appointed by the Governor are allowed to serve unless the Senate rejects their appointment during the next regular session.

SUMMARY:

The following changes are made in the administration of the Public Employment Relations Commission:

1. The terms of the three members are extended from five to six years, with one term expiring every other year. (Vetoed Section)
2. The person selected by the Governor to chair the Commission does so throughout his or her term on the Commission. (Vetoed Section)
3. The Commission members are required to report to the Public Disclosure Commission. (Vetoed Section)
4. Compensation for members is increased from \$50 to \$100 for each day such person attends meetings or conducts authorized official business.
5. The duties of the Executive Director are defined in greater detail and authority is given to seek compliance orders in court to enforce Commission actions. This delegation of duties does not affect the right of appeal to the Commission.

In addition, Commission members appointed by the Governor must be confirmed by the Senate within thirty days if the Legislature is in session or within

the first thirty days of the next session if the Legislature is not in session or if less than thirty days remain when the appointment is made. If Senate approval is not given within that time, the member cannot continue to serve. (Vetoed Section)

Two statutes in the Educational Employment Relations Act (Chapter 41.59 RCW) are repealed which refer to the structure of the Educational Employment Commission not now in existence. The Public Employment Relations Commission has jurisdiction over this act and is governed by similar provisions in Chapter 41.58 RCW, making these two statutes unnecessary.

The fiscal note indicates expenditures for compensation increases for the 1979-81 biennium will amount to \$15,200.

House:	94	1	Effective: Sept. 1, 1979
Senate: (a)	35	3	C 146 L 79 1st ex. sess.
H. Concur:	68	27	

VETO SUMMARY:

The Governor vetoed section 1 of HB 923 which provided that a Public Employment Relations Commission member not confirmed by the Senate could not serve on the Commission. The Governor argued that the public has a right to know who opposes gubernatorial appointments and that allowing the Senate to defeat appointments by not voting on them frustrated this goal. Further, the Governor said that the agency could be incapacitated by Senate inaction on the appointments. (See VETO MESSAGE)

HB 933

SPONSORS: Representatives Patterson, Keller, Erickson and Mitchell

COMMITTEE: Local Government

Revising the provisions relating to annexation of territory by public hospital districts.

ISSUE:

The existing method of annexation into a hospital district requires resident voter approval. Owners of certain property in Eastern Washington wish to annex into a city located inside a public hospital district. The city will not allow the annexation unless the land also annexes into the hospital district. No one lives in the particular area which the property owners wishes annexed into the city.

SUMMARY:

An additional procedure is established for annexation to public hospital districts. This procedure is not to supersede other existing annexation procedures and may be used only if there are no qualified electors residing in the

territory proposed to be annexed at the time the owners' petition is filed.

Owners of property may petition for annexation into a public hospital district when the petition is signed by owners of sixty percent or more of the affected property. Hearings and notice for hearings are provided. If after the hearing, the hospital district commissioners desire to annex the territory, they may annex it by resolution. The territory proposed to be annexed may become subject to the existing indebtedness of the district if the petition and resolution provide for such and the petition was signed by owners of all the land proposed to be annexed.

Public hospital districts may provide nursing home facilities.

Public hospital districts may mortgage land in excess of the statutory indebtedness limitation, but within the constitutional limit, upon a simple majority voter approval.

House: (a) 96 0 Effective: Sept. 1, 1979
 Senate: (a) 43 3 C 143 L 79 1st ex. sess.
 H. Concur: 95 0

HB 952

SPONSORS: Representatives Winsley, Eng, Newhouse and Knowles

COMMITTEE: Financial Institutions

Modifying liability of banks and trust companies for adverse claims on deposits.

ISSUE:

Bank or trust company deposits may be claimed by one who is not the person in whose name the funds stand on the bank's records. An adverse claim may be factually correct, but it is frequently based upon facts about which a bank has no actual knowledge.

Banks believe they need protection from liability for refusing claims filed against their accounts by persons who believe they are entitled to money being held in the account of another.

SUMMARY:

Notice of an adverse claim to any bank, mutual savings bank, or trust company doing business in this state may be disregarded without liability unless the adverse claimant also procures a restraining order, injunction or follows another appropriate process.

Where the adverse claimant demonstrates by affidavit that the bank account holder is a fiduciary for the adverse claimant and that the account holder is about to misappropriate the funds in the account, the bank shall without liability refuse to

deliver the funds to the account holder for a period not to exceed five days. At the end of the five-day period, a claim against a fiduciary is treated in the same manner as any other adverse claim.

House: 94 0 Effective: June 7, 1979
 Senate: 47 0 C 143 L 79

HB 954

SPONSORS: Representatives Sanders and Garrett

COMMITTEE: Local Government

Revising laws relating to annexation by code cities.

ISSUE:

Existing law specifies procedures by which contiguous territory may be annexed to code cities. The electorate of the territory to be annexed may be asked to approve a ballot proposition to assume all of the then-existing debt of the city. A provision in the petition circulated under the direct petition method of annexation may similarly provide for the assumption of all the then-existing debt of the city. Under existing law, new territory annexed to code cities is either taxed for existing debt at the same rate as other city territory, or the new territory is not taxed to pay for any of the existing debt. Under some circumstances, it may be preferable to provide a third option so that newly-annexed property may be assessed and taxed to pay a portion of existing debt.

Currently, airports in unincorporated areas of a county that are owned by cities are not subject to county zoning procedures in the same manner as if these airports were privately owned.

SUMMARY:

When land is annexed into a city operating under the Optional Municipal Code, such land may be subjected to a portion of the existing indebtedness of the code city. Under the direct petition method of annexation, the petition must provide which percentage of indebtedness will be assumed. Under the petition/election and resolution/election methods of annexation, a proposition may be presented, concerning the assumption of a portion of the city indebtedness, to the voters residing in the area which is proposed to be annexed. Approval of such a proposition may be made a condition of annexation.

If a first class city owns and operates a municipal airport located in an unincorporated area of a county, the airport is subject to the county comprehensive plan and zoning ordinances in the same manner as if it were privately owned and operated.

HB 954

House: (a) 96 0 Effective: Sept. 1, 1979
Senate: (a) 48 0 C 124 L 79 1st ex. sess.
H. Concur: 90 1

SHB 962

SPONSORS: Committee on Natural Resources
(Originally Sponsored by
Representatives Schmitt and Wilson)
(By Department of Fisheries Request)

COMMITTEE: Natural Resources

Revising the laws relating to buy-back of fishing vessels.

ISSUE:

A buy-back program for commercial fishing vessels was authorized by the Legislature in 1975 in order to accomplish two primary purposes: (1) provide economic relief to Washington's commercial fishing industry from the adverse effects of the Boldt decision and (2) reduce the number of fishing vessels and licenses operating in the state. Currently, the buy-back program may only accept applications until June 30, 1980, even though the Department of Fisheries believes the program has not yet accomplished its goals. Only vessels whose fishing seasons were restricted by the Department of Fisheries as a result of federal court decisions are eligible for the buy-back program.

SUMMARY:

The length of time that fishermen can apply for the buy-back program is extended to December 31, 1981. The resale of buy-back vessels to the original seller or the seller's immediate family is prohibited. The list of eligible participants in the program is increased to include any vessel that was substantially restricted in its fishing as a result of compliance with the federal courts' decisions on Indian fishing rights, rather than just those restricted in their fishing season by the Department of Fisheries.

House: 92 6 Effective: Sept. 1, 1979
Senate: 44 2 C 43 L 79 1st ex. sess.

SHB 972

SPONSORS: Committee on Local Government
(Originally Sponsored by
Representatives Rohrbach, Barnes and
Garrett)

COMMITTEE: Local Government

Permitting cities to combine with fire protection districts.

ISSUE:

Fire protection districts may be formed to provide fire prevention and fire fighting services to unincorporated areas. In some cases, it may be more efficient to permit a fire protection district to serve incorporated areas as well.

SUMMARY:

Any city or town with a population of 10,000 or less may be annexed to an adjacent fire protection district. Annexation procedures are initiated by ordinance of the city or town legislative authority. If the board of fire commissioners concurs, a special election is called to decide the annexation issue. Election procedures are provided. A majority of voters in the city or town and in the fire protection district must each approve annexation of the city or town.

A city or town annexed to a fire protection district for at least three years may withdraw from the district if city or town voters approve a proposition to that effect. If such a proposition is approved, the city or town has a vested right in the capital assets of the district proportionate to taxes levied in the city or town used to acquire such assets.

Annual fire district levies are imposed throughout the district including any annexed city or town. Cities and towns annexed to fire districts may levy up to \$3.60 for each \$1000 of assessed valuation, but they must subtract regular levies imposed by the fire protection districts or library districts in the incorporated areas.

House: 94 0 Effective: Sept. 1, 1979
Senate: (a) 43 0 C 179 L 79 1st ex. sess.
H. Concur: 94 0

HB 983

SPONSORS: Representatives Charnley, Barnes, Grimm, Burns, Teutsch, Salatino, McGinnis, Oliver, Gruger, Erickson and Patterson

COMMITTEE: Higher Education

Setting forth new limitations as to allowable aggregate cost of leaves for community college professional personnel.

ISSUE:

Professional (sabbatical) leaves are subject to a number of restrictions. One of these is that the aggregate cost of professional leaves (remuneration and replacement cost) cannot exceed salaries which would have otherwise been paid to the faculty/staff member on leave. Some community colleges have experienced problems meeting this limitation and providing adequate sabbatical leaves and educational programs.

SUMMARY:

The community college districts' limitation on aggregate cost of professional leaves (remuneration to faculty member on leave plus replacement cost) is raised to 150 percent of the amount of salaries which would have otherwise been paid to faculty/staff on leave. Four-year institutions continue to be limited to the amount of salaries which would have otherwise been paid.

House: 94 1 Effective: June 7, 1979
Senate: 46 0 C 44 L 79

HB 989

SPONSORS: Representatives Haley, McCormick, Scott, Tupper, Isaacson and Grimm

COMMITTEE: Energy and Utilities

Authorizing Utilities and Transportation Commission to approve lease of utility facilities by a public service company to exempt owner of facilities as being a public utility company under certain federal law.

ISSUE:

Federal law requires state utility commissions to approve the leasing of utility facilities before the lessor/owner of the facilities may be exempted from requirements of the federal Public Utility Holding Company Act of 1935. It is not clear, however, whether the Washington Utilities and Transportation Commission (WUTC) is empowered under existing state law to approve such leases.

SUMMARY:

The WUTC is authorized to approve the leasing of utility facilities by lessee public service companies. The owner of such facilities is not considered a public utility company under the Public Utility Holding Company Act of 1935.

House: 98 0 Effective: Sept. 1, 1979
Senate: 44 1 C 125 L 79 1st ex. sess.

SHB 1013

SPONSORS: Committee on Energy and Utilities
(Originally Sponsored by
Representatives Sherman, Haley and
Charnley)

COMMITTEE: Energy and Utilities

Exempting certain companies and facilities using cogeneration processes from regulation as public service companies.

ISSUE:

There is an increasing need and demand for electrical energy in Washington State. Studies have indicated that great potential exists for additional energy development, and that presently wasted heat energy could be recovered and put to use through a process known as cogeneration. To encourage the development of cogeneration facilities, an allegedly clean and reliable energy source, it is suggested that barriers be removed which presently inhibit its use.

SUMMARY:

The development of cogeneration facilities designed to convert presently wasted steam and heat into electricity or mechanical power is encouraged. A tax incentive is provided which allows an annual amount of two percent of the facilities' cost, up to accumulative amount of fifty percent of the cost, as a tax credit against the state business and occupation (B&O) tax liability. The credit is available when the facility is operational, provided that the date on which the facility is operational is not more than four years after the date the certificate is issued. The credit is reduced by the amount of any federal tax credit received which applies to the facility.

In order to qualify for the credit, an applicant must be certificated by the Washington State Department of Revenue, and must list on an application to the Washington State Energy Office all costs, plans, materials and specifications of the cogeneration facility. The certificate is only granted for such a facility which is designed and will be operated primarily for cogeneration. An applicant may seek a new or supplemented certificate if the cogeneration facility is replaced or modified. Proceedings for review of the certificate by the State Energy Office are provided. Applications for the certification program terminate on December 31, 1984.

In addition to the B&O tax credit, certificate holders are exempt from real and personal property taxes for a period of seven years from the date the facility is operational, or until the certificate is revoked. The Department of Revenue is required to administer this provision.

A company or person operating cogeneration facilities, other than electrical companies otherwise defined by statute, are not considered an electrical company for purposes of regulation by the Washington Utilities and Transportation Commission.

Individual natural persons who provide power through cogeneration from non-polluting renewable energy sources are exempted from all statutes and rules regulating power generation. They are authorized to sell, and the local utility is authorized to buy such power under terms mutually agreed upon between the parties.

SHB 1013

Because of the lead time required for the development of cogeneration facilities and because of the requirement to offset any federal credits before the B&O credit can be claimed, this bill will have no fiscal impact in the present biennium and very little during the next six years.

House: 97 0 Effective: Sept. 1, 1979
Senate: (a) 44 0 C 191 L 79 1st ex. sess.
H. Concur: 96 1

SHB 1018

SPONSORS: Committee on Insurance
(Originally Sponsored by Representative Douthwaite)

COMMITTEE: Insurance

Authorizing associations to have group insurance on lives of members.

ISSUE:

Current law recognizes certain specified groups for the purpose of issuing group life insurance. These recognized groups include employee groups, credit unions, debtor groups, labor unions, public employee associations, trustee groups, agent groups, the Washington State Patrol, and financial institutions. Other associations are not qualified for consideration as a "group" for the purpose of issuing group life insurance, and therefore members of these other associations are not able to obtain the benefits of group policies, such as lower premium rates.

SUMMARY:

The sale of group life insurance to general associations not covered by current law is permitted, provided that the association has been in existence for at least one year, has a constitution and bylaws, and is organized and established for purposes other than to obtain insurance.

House: 97 0 Effective: Sept. 1, 1979
Senate: 46 0 C 44 L 79 1st ex. sess.

SHB 1031

SPONSORS: Committee on Transportation
(Originally Sponsored by Representatives Martinis and Wilson)

COMMITTEE: Transportation

Directing various transportation studies.

ISSUE:

The Legislative Transportation Committee is directed to report to the Legislature during, or prior to, each regular session findings and recommendations relative to studies made pursuant to legislative directives.

The Legislature passed several bills in the 1979 sessions amending the same section of Revised Code of Washington.

SUMMARY:

The Legislature authorizes the Legislative Transportation Committee to conduct numerous transportation-related studies. These studies range from statute review to thorough review of transportation programs and highway route evaluation.

The Washington Utilities and Transportation Commission and the Board of Pilotage Commissioners are added to other transportation agencies required to prepare six-year programs.

Approximately 2.1 miles of SR 181 (Interurban Avenue running through the center of Tukwila) is removed from the state highway system.

Changes provided by four separate chapters passed in the 1979 Extraordinary Session and all amending Chapter 46.16.380 RCW are consolidated into that section. These chapters include 1) C7 L79 E1, adding certain persons with lung disease to the definition of disabled persons eligible for special parking cards and decals; 2) C27 L79 E1, providing one set of special license plates in place of a parking decal for permanently disabled persons; 3) C26 L79 E1, providing that vehicles displaying the special plates, card, or decal shall be entitled to use parking spaces reserved for handicapped persons, and persons parking a vehicle not displaying such plates, decal or card in a handicapped parking space shall be guilty of a misdemeanor; and 4) Sec. 50, C136 L79 E1, providing that as of July 1, 1980, any unauthorized use of card, decal, or plates constitutes a traffic infraction (presently constitutes a gross misdemeanor).

For the 1979-1981 biennium up to \$185,000 are appropriated from the general fund to the Legislative Transportation Committee to conduct a study on general aviation and Washington intrastate air carriers.

Provisions of Section 6, relating to traffic infractions, take effect July 1, 1980. The bill contains an emergency clause causing the remainder of the bill to take effect July 1, 1979.

House: (a) 95 0 Effective: See summary
Senate: (a) 43 3 for dates.
H. Concur: 98 0 C 192 L 79 1st ex. sess.

SHB 1032

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives Wilson and Martinis)

COMMITTEE: Transportation

Authorizing bonds for completion of I-90.

ISSUE:

In order to finance the state's share of the completion of I-90 (between Bellevue and Seattle) and other associated interstate projects in the Seattle-Bellevue area, authorization of a \$100 million general obligation bond issue has been requested.

SUMMARY:

The sale of \$100 million in general obligation bonds to pay the state's share of construction costs of I-90 and related projects between Seattle and Bellevue is authorized. The funds received and allocated to the state from motor vehicle and special fuel taxes are pledged for the payment of the bond principal and interest. The share of motor vehicle and special fuel taxes allocated to counties, cities and towns may never be obligated unless the state's share is insufficient to meet the obligation.

Ten million dollars are appropriated from the Motor Vehicle Fund to the Department of Transportation for the 1979-1981 biennium to carry out these provisions.

This bill contains an emergency clause.

House: 61 35 Effective: May 14, 1979
Senate: 40 2 C 180 L 79 1st ex. sess.

SHB 1033

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives Martinis and Wilson)

COMMITTEE: Transportation

Appropriating funds for the Hood Canal Bridge.

ISSUE:

The destruction of the Hood Canal Bridge on February 13, 1979, has created an emergency and the Department of Transportation requires additional appropriations in order to restore transportation services and replace the bridge.

SUMMARY:

The Department of Transportation is directed to proceed immediately with all necessary actions including obtaining federal emergency relief funds. \$11 million of state motor vehicle fund revenues for ferry system operation and maintenance costs are

appropriated to replace the loss of tolls. \$55 million of motor vehicle fund revenues (\$50 million of federal and \$5 million of state) are appropriated for added ferry system operating capital costs for interim service and for bridge replacement costs. Reimbursement of the motor vehicle fund not covered by federal or insurance funds by 1990 is authorized. The Department of Transportation is required to report to and consult quarterly with the Legislative Transportation Committee on implementing the Act.

The bill contains an emergency clause.

House: 95 0 Effective: March 13, 1979
Senate: 48 0 C 27 L 79

SHB 1034

SPONSORS: Committee on Transportation
(Originally Sponsored by
Representatives Martinis and Wilson)

COMMITTEE: Transportation

Granting certain cities the authority to raise revenues for certain highway improvements.

ISSUE:

The City of Seattle is seeking an additional 25 million dollars to finance construction of a high level West Seattle Bridge.

SUMMARY:

Any city with a population in excess of 400,000 is authorized to impose a tax of up to two cents per gallon on motor vehicle and special fuels sold within the city. The city must contract with the Department of Licensing for collection of the tax and pay the Department of Licensing costs of collection.

The net amount of the tax received by the city may not exceed 25 million dollars.

The bill contains an emergency clause and takes effect July 1, 1979. It expires June 30, 1985, except that the Department of Licensing may engage in refund procedures until June 30, 1986.

House: 70 24 Effective: July 1, 1979
Senate: 29 14 C 181 L 79 1st ex. sess.

SHB 1045

SPONSORS: Committee on Appropriations
(Originally Sponsored by Representative
McDonald)
(By Department of Retirement Request)

COMMITTEE: Appropriations

SHB 1045

Governing retirement coverage of CETA employees.

ISSUE:

The Department of Labor has revised its policy regarding the use of federal funds for payment of employer contributions to retirement systems for the Comprehensive Employment and Training Act (CETA) employees. Federal funds will no longer be available for this purpose, consequently the subsidized employer will have to pick up that cost. To avoid this cost the state must change the public retirement systems.

SUMMARY:

Certain retirement systems are amended to allow the state to exempt CETA employees from coverage in those systems unless the employee has five years of service credit or has previously retired from the system. The employee is allowed to buy back retirement credit if he or she is able to acquire an unsubsidized employment in a position covered by the retirement system within 90 days of terminating his or her CETA employment. In doing this, the employee pays the amounts of employer retirement contributions he or she would have owed as a non-CETA employee. The Department of Labor is then authorized to provide CETA funds for employer contributions, plus interest.

CETA employees hired prior to the effective date of the bill will continue to have membership in retirement systems. Federal funds will be available for employer contributions on their behalf.

Employees affected are those in the Law Enforcement Officers and Fire Fighters, Teachers, and Public Employee Retirement Systems.

The state will be in full compliance with federal law and will avoid the added expenditure of \$1.5 million.

The bill contains an emergency clause and will take effect on July 1, 1979.

House: 97 0 Effective: July 1, 1979
Senate: 46 2 C 45 L 79 1st ex. sess.

SHB 1057

SPONSORS: Committee on State Government
(Originally Sponsored by
Representatives Tallier and Ehlers)

COMMITTEE: State Government

Specifically excepting certain contracts for services from coverage of the State Higher Education Personnel Law and the State Civil Service Law.

ISSUE:

In interpreting the State Higher Education Personnel Law, the State Supreme Court recently

held that an institution of higher education could not independently contract for a new service where that service had customarily and historically been performed by classified state employees. Because of this decision, concern has been expressed whether many existing contracts between independent contractors and institutions of higher education are valid.

SUMMARY:

Institutions of higher education and state agencies may purchase services on contract from individuals or private business firms if such services were regularly purchased by contract prior to the effective date of this act.

No contract, however, may have the effect of terminating classified employees or classified employee positions existing at the time of the execution or renewal of the contract.

The bill contains an emergency clause.

House: 97 0 Effective: April 23, 1979
Senate: 48 0 C 46 L 79 1st ex. sess.

SHB 1064

SPONSORS: Committee on Appropriations
(Originally Sponsored by Representative North)

COMMITTEE: Appropriations

Providing for the funding of the general fund Sick Leave Account.

ISSUE:

Presently, sick leave payments are made from the existing account used for making all salary payments. The Social Security Administration has ruled that payments on account of sickness may be exempted from OASI tax if they are made from an account dedicated solely for those purposes.

SSB 2030, as enacted by the 46th Legislature, established a fund to allow the state to realize these savings. The bill, however, did not provide the necessary appropriation authority for payments from the Sick Leave Account.

SUMMARY:

The appropriation authority and necessary working capital to implement SSB 2030 are provided. The appropriations are contingent upon the certification by the Office of Financial Management that the appropriation is necessary for the state to achieve the intended savings.

A \$40 million appropriation is made to the Governor's special appropriations account from the general fund Sick Leave Account. 2.5 million dollars are provided as working capital to the Sick

Leave Account, \$520,000 are appropriated to OFM for administrative costs, and \$353,000 are appropriated to the Superintendent of Public Instruction for the same purpose.

House: 90 0 Effective: Sept. 1, 1979
 Senate: (a) 45 0 C 247 L 79 1st ex. sess.
 H. Concur: 95 0

SHB 1075

PARTIAL VETO

SPONSOR: Committee on Energy and Utilities
 (Originally Sponsored by Representative McCormick)

COMMITTEE: Energy and Utilities
 Relating to Washington Public Power and Supply System.

ISSUE:
 It has been suggested that an independent audit be conducted of every operating agency certificated by the state to construct or operate a thermal power plant. The ultimate goal is to assure cost efficiency in meeting energy needs of the state by providing internal auditing and input to the management of public agency energy facilities.

SUMMARY:
 The board of directors of any operating agency which constructs or operates a thermal power plant under a state authorized site certification agreement must appoint an independent administrative auditor to oversee the agency's progress. The board is required to retain a nationally prominent and independent auditing firm to conduct continuing audits, including design engineering analyses, of the operating agency. The report which includes the firm's actions and recommendations for achieving management efficiency must be submitted at least once a year to the board of directors. The administrative auditor is required to coordinate the auditing functions of the firm.
 An additional audit by the Legislative Budget Committee (LBC) is required for evaluation of the adequacy and effectiveness of the independent audit. Costs of the LBC incurred in conducting its audit are to be reimbursed by the operating agency. Both the operating agency and the LBC are required to report to the Senate and House Energy and Utilities Committees, and upon concurrent request of the respective chairmen, the agency must report on a quarterly basis.
 All operating agencies or joint operating agencies and their subagencies, boards, committees, commissions, participating agencies, or other internal organizations are subject to the Public

Disclosure Law and the Open Meeting Law of this state. (Vetoed Section)

House: (a) 96 0 Effective: Sept. 1, 1979
 Senate: (a) 31 16 C 220 L 79 1st ex. sess.
 H. Concur: 97 0

VETO SUMMARY:

The governor vetoed the section making the construction and management of thermal power plants subject to the public disclosure and open meeting laws. She stated the terms "participating agency or other internal organization thereof" were not consistent with those statutes.

HB 1114

SPONSORS: Representatives Blair and Thompson
 COMMITTEE: Appropriations

Appropriating moneys for preparation and publication of the session laws of the state Legislature.

ISSUE:
 It is necessary to appropriate money to the Statute Law Committee to publish the session laws for the 1979 session.

SUMMARY:
 The sum of \$111,720 or so much thereof as may be necessary is appropriated for the preparation, reproduction and printing and mailing of the session laws.
 This bill contains an emergency clause.

House: 95 0 Effective: March 28, 1979
 Senate: 46 0 C 144 L 79

HB 1115

SPONSORS: Representatives Burns, Blair, Walk, Fuller and Winsley
 (By Executive Request)

COMMITTEE: State Government
 Consolidating the administrative support functions of certain boards.

ISSUE:
 Under current law, the Pollution Control Hearings Board, the Shorelines Hearings Board and the Forest Practices Appeals Board have distinct quasi-judicial functions relating to appeals on environmental issues. The statutes provide separate budgets for the boards, but the Pollution Control Hearings Board (composed of three members of the Shorelines Hearings Board) provides staff for the

Shorelines Hearings Board. Because of the limited activity of the Forest Practices Appeals Board (only five appeals have been filed with the FPAB since its creation in 1975), its only staff member is assigned to the Pollution Control Hearings Board. Governor Ray has suggested that the boards be administratively consolidated, but that they retain their separate composition, functions and powers.

SUMMARY:

The Environmental Hearings Office is created, consisting of the Pollution Control Hearings Board, the Forest Practices Appeals Board and the Shoreline Hearings Board. These boards retain their membership and functions as provided by law prior to creation of the new office. The chairman of the Pollution Control Hearings Board is the Chief Executive Officer of the Environmental Hearings Office. All full-time employees of the Pollution Control Hearings Board and the full-time employee of the Forest Practices Appeals Board become full-time employees of the Environmental Hearings Office without loss of rights. Property and obligations of all the boards are transferred to the Environmental Hearings Office.

The Chief Executive Officer may appoint, discharge and fix compensation of necessary staff, or may contract for required services.

House: 90 6 Effective: Sept. 1, 1979
Senate: 47 0 C 47 L 79 1st ex. sess.

SHB 1121

PARTIAL VETO

SPONSORS: Committee on Insurance
(Originally Sponsored by Representative Garrett)

COMMITTEE: Insurance

Revising laws relating to insurance.

ISSUE:

There is currently a prohibition against life insurance companies owning an insurance subsidiary. There appears to be no justification for this prohibition, and it is asserted that it should be removed.

Service of legal process against a surplus line insurer is made by service upon the Insurance Commissioner's Office. Current law then requires the Insurance Commissioner to notify the person designated by the insurer in the policy for receipt of service of process. This requirement is impossible to comply with as the Insurance Commissioner's Office never sees the policy. The Insurance Commissioner believes that he should be able to serve the surplus line insurer directly as he does

with foreign and alien insurers. Also, the fee for service of process is currently \$2.00. The Insurance Commissioner believes that this is inadequate to meet the costs involved.

Currently, if insurance companies cancel an insurance policy, they are required to return the unearned premiums as soon as practicable to the insured. The Insurance Commissioner believes the unearned premiums should be returned within thirty days. This is the practice currently followed by most companies.

Presently, all cancellations by insurers of private automobile insurance policies must be preceded by twenty days notice to the insured except when cancellation is due to nonpayment of premium, in which event only ten days notice is required. Also, no reason for cancellation is necessary if done within the first sixty days, except where cancellation is for nonpayment of premium and only ten days notice is given. The Insurance Commissioner believes that the reason for cancellation should always be given and that insurers should be allowed to cancel a policy within the first thirty days on short notice, to cover the situation where an underwriting error has been made.

Insurers are required to renew private automobile insurance unless the insurer gives twenty days notice of its refusal to do so, the insurer communicates its willingness to renew anytime prior to the policy expiration date, or the insured has procured other coverage twenty days prior to the expiration date. The Commissioner believes that an insurer should give twenty days notice of its intention to renew. Also, procurement by the insured of other insurance anytime prior to the expiration of existing coverage should be sufficient, the Commissioner believes, to allow an insurer not to renew.

An insurance company may refuse to renew the liability or collision coverage on an automobile because of claims made by an insured under the comprehensive, road service, or towing coverage of the policy. It is asserted that this practice should be prohibited as the types of claims brought under the comprehensive, road service or towing portions of the policy bear little relationship to the insurer's risk on liability and collision coverage.

When an insured cancels an insurance policy, the insurer must return the unearned premium as soon as practicable. The Insurance Commissioner believes the unearned premiums should be returned within thirty days. This is the practice currently followed by most companies. Also, the Commissioner believes that the short rate tables which set forth the percentage of premium to be returned to the insured are confusing and in need of revision.

Group life insurers may presently pay up to \$500 for burial costs. This statute was last amended in

1955 and it is believed a \$1,000 burial allowance more accurately reflects the current cost.

The Attorney General's Office has held that an insurance agent or broker who performs preliminary consultation and planning for a client and reduces his charge for that work because of the commissions he receives from insurance purchased by the client is engaged in rebating and may have his license revoked. The Insurance Commissioner wants the authority to authorize this standard industry practice on a case by case basis.

SUMMARY:

- The following changes are made in the Insurance Code:
- a. The prohibition against life insurance companies owning insurance subsidiaries is removed;
 - b. The Commissioner is given the authority to send service of process directly to a surplus line insurer or a person appointed for that purpose;
 - c. The fee for service of process on a surplus line insurer is raised from \$2.00 to \$10.00 to more accurately reflect the costs involved;
 - d. If an insurance company cancels an insurance contract, it is required to return the unearned portion of the premium within thirty days after the date of cancellation;
 - e. A notice of cancellation of private automobile insurance by an insurer must specify the reason for such action;
 - f. Insurance companies are given the right to cancel private automobile insurance with ten days prior notice within the first thirty days after the insurance is in effect;
 - g. An insurance policy is now to be referred to as a contract of insurance. An insurance binder is to be treated as a contract of insurance for purposes of cancellation and renewal of private automobile insurance;
 - h. An insurer is required to renew private automobile coverage unless: a) it gives twenty day notice in writing of its refusal to renew, b) it gives twenty days notice of its willingness to renew and includes a statement of the amount of the premium, or c) the insured procures other insurance anytime prior to the expiration date of the policy.
 - i. After January 1, 1980, no private automobile insurance policies may be issued for a term of less than six months;
 - j. Insurers may not refuse to renew the liability or collision coverage on an automobile because of claims made by an insured under the

comprehensive, road service or towing coverage of the policy;

- k. If an insured cancels an insurance contract, the insurer is required to return the following to the insured within thirty days after the date of cancellation: a) 90% of that portion of unearned premium under \$100, b) 95% of that portion of unearned premium between \$100 and \$500, and c) 97% of that portion of unearned premium over \$500. If the amount of the unearned premium is less than \$2, no refund need be made;
- l. Group life insurers may pay up to \$1,000 for burial costs;
- m. The Insurance Commissioner's Office is permitted to regulate arrangements made between an agent or broker and a client, when the agent or broker performs consultation and planning for the client and reduces his charge for that work because of the commissions he receives from insurance purchased by the client; and
- n. An association composed of attorneys, doctors or nurses of 500 or more members is allowed to form mutual corporations for the purpose of insuring or self-insuring against malpractice, without first qualifying as an insurer if the association can meet a capitalization requirement of \$1,000,000. Other associations composed of at least one-third of the health care professionals licensed as dentists, chiropractors, osteopaths or podiatrists may insure or self-insure if they can meet certain capitalization requirements. The formation of such a mutual corporation is allowed only upon a finding by the Insurance Commissioner that malpractice insurance is unavailable or cost-prohibitive from an authorized insurance carrier. Each mutual corporation formed must submit a financial and operational report annually to the Legislative Budget Committee and the Insurance Commissioner. (Vetoed Section)

House: (a)	95	0	Effective: Sept. 1, 1979
Senate: (a)	42	5	C 199 L 79 1st ex. sess.
H. Concur:	90	6	

VETO SUMMARY:

The Governor vetoed those sections of the bill allowing attorneys, medical doctors, nurses, osteopaths, chiropractors, podiatrists, and dentists to form mutual corporations, provided certain criteria are met, for the purpose of insuring against professional malpractice claims. The Governor noted that the criteria established for the formation of these mutual corporations do not provide sufficient protection to the public. (See VETO MESSAGE)

SHB 1126

SPONSORS: Committee on Constitution, Elections, and Governmental Ethics
(Originally Sponsored by Representative Eberle)

COMMITTEE: Constitution, Elections, and Governmental Ethics

Setting the commencement date for annual legislative sessions.

ISSUE:

During the regular session the Legislature approved SJR 110, submitting to the voters a constitutional amendment which provides for annual legislative sessions. Under current statutory law the second Monday of January in odd-numbered years is designated as the commencement date for legislative sessions. If the constitutional amendment is approved by the voters, then the present law will have to be amended to specify the commencement date for even-year sessions.

SUMMARY:

The second Monday of January is designated as the commencement date for legislative sessions convened in both odd and even numbered years.

The act becomes effective January 1, 1980, if the proposed constitutional amendment (SJR 110) is ratified by the voters. However, if the amendment is not ratified, this act will be null and void in its entirety.

House: 93 3 Effective: See summary
Senate: 44 3 for date.
C 48 L 79 1st ex. sess.

HB 1133

SPONSOR: Representative Sanders

COMMITTEE: Constitution, Elections and Governmental Ethics

Defining and regulating "continuing political funds."

ISSUE:

In 1977 the Legislature enacted a law which for the first time regulated the use of surplus campaign funds. However, the Legislature did not establish a definition of the term surplus funds and this has caused some uncertainty in the implementation of this law.

SUMMARY:

For political committees and candidates, surplus funds are defined as the balance of contributions not needed to pay for expenditures and obligations

incurred prior to the election. In the case of a continuing political committee, surplus funds are the contributions which are not needed to pay campaign debts and which remain in the control of the committee when it makes its final report to the Public Disclosure Commission.

House: (a) 96 1 Effective: Sept. 1, 1979
Senate: 48 0 C 50 L 79 1st ex. sess.

HB 1175

SPONSOR: Representative Thompson

COMMITTEE: Appropriations

Modifying procedures for settling claims against the state.

ISSUE:

Revision of the state agency claim settlement authority is needed. Currently, only the head of the agency may settle tort claims.

SUMMARY:

The maximum amount of agency claim settlement authority is increased from \$2,500 to \$10,000.

The designee of any state agency is authorized to settle tort claims against the state. Small agencies are allowed to use the services of a claims officer of another agency.

House: 91 6 Effective: Sept. 1, 1979
Senate: 47 0 C 144 L 79 1st ex. sess.

SHB 1176

SPONSORS: Committee on Local Government
(Originally Sponsored by Representatives Galloway, Bauer, Heck and Zimmerman)

COMMITTEE: Local Government

Setting forth means for authorizing concurrent federal and local jurisdiction over certain federal lands.

ISSUE:

There are federal lands in the state over which the federal government has exclusive jurisdiction. Thus, state and local authorities have no jurisdiction to undertake law enforcement functions on such lands. Congress has authorized the Secretary of Interior to establish concurrent jurisdiction with the state on designated lands, if such jurisdiction is accepted by the Governor.

SUMMARY:

The Governor is permitted to accept concurrent jurisdiction over federal lands, if the appropriate federal authority files a legally adequate notice. The state's concurrent jurisdiction is limited to the subject matters and time periods specified in the notice, and it becomes effective on the filing of acceptance documents with the Secretary of State.

House: 98 0 Effective: Sept. 1, 1979
 Senate: 47 1 C 49 L 79 1st ex. sess.

HB 1207

SPONSORS: Representatives Gruger, Houchen, Galloway and Brekke

COMMITTEE: Social and Health Services

Establishing a demonstration project to contract with a day care center for services provided to certain children in danger of being abused or neglected.

ISSUE:

A recent Seattle Police Department study has shown that children who are abused or neglected have a greater probability of mental problems, juvenile delinquency, and criminal behavior. It is hoped that the cycle of criminal behavior and child abuse can be broken by providing specialized support services to children who are in danger of abuse and neglect and to their parents.

SUMMARY:

The Department of Social and Health Services must conduct a two-year demonstration project for the purpose of contracting with an existing day care center to provide for the protection, care, and treatment of children from birth to two years of age, who are in danger of abuse or neglect. The services to be provided through the project are specified and \$250,000 are appropriated for the 79-81 biennium.

House: 79 4 Effective: Sept. 1, 1979
 Senate: (a) 42 1 C 248 L 79 1st ex. sess.
 House: 87 8

2SHB 1239

SPONSORS: Committee on Revenue
 (Originally Sponsored by
 Representatives King, Haley, Adams,
 Scott, Nelson (G.), Bender, Gruger,
 Whiteside and Charnley)

COMMITTEE: Local Government and Revenue

Authorizing a six-year levy solely for emergency medical services upon approval by the voters of cities, counties, towns and other taxing districts.

ISSUE:

Emergency medical care and services are currently financed primarily through annual special levies. This form of funding makes planning difficult due to the annual voting requirements. A more stable source of revenue is desired. Counties, cities, towns, public hospital districts and fire protection districts want to be able to levy regular property taxes to fund emergency medical services.

SUMMARY:

Counties, emergency medical service districts, cities, towns, public hospital districts, and fire protection districts are permitted to impose an additional regular property tax levy of twenty-five cents or less per thousand dollars of assessed valuation to fund emergency medical care and services. Such units of local government are permitted to levy the tax for six consecutive years if a proposition to levy such tax is approved by three-fifths of the voters of the entity who vote on the proposition. This tax levy is in addition to the \$9.15 per thousand dollars of assessed valuation statutory limitation on regular property taxes. The initial levy of this tax for each six year period by such an entity is exempted from the 106 percent limitation.

No two entities which contain common territory may levy the tax. If a county levies the tax, no other entity within the county can levy the tax except that cities or towns may impose an annual excess levy for this purpose. Additionally, before the tax can be levied countywide, the legislative authority of cities exceeding 50,000 population within the county must grant approval.

Counties are permitted to create emergency medical service districts in all or part of the unincorporated areas of the county to provide emergency medical care and service. The county legislative authority is the governing body of the emergency medical service district.

House: (a) 83 13 Effective: Sept. 1, 1979
 Senate: (a) 42 3 C 200 L 79 1st ex. sess.
 H. Concur: 82 7

HB 1241

SPONSORS: Representatives Hurley, Fuller and Brown

COMMITTEE: Parks and Recreation

Providing a property tax exemption for property held for park purposes by nonprofit organizations.

ISSUE:

Presently real property held by nonprofit organizations for conservation of ecological systems or natural resources are exempted from ad valorem taxation. However, real property held by nonprofit corporations or associations which is used exclusively for the conservation of open space or park land is not exempt from such taxation.

SUMMARY:

Lands held by nonprofit corporations used for open spaces, including park lands, are exempted from ad valorem taxation.

The fiscal note indicates there will be a revenue loss to the general fund of approximately \$2,000 per year as a result of the property tax exemption authorized by this legislation.

House: 96 1 Effective: Sept. 1, 1979
Senate: (a) 42 0 C 193 L 79 1st ex. sess.
H. Concur: 94 0

SHB 1258

SPONSORS: Committee on Institutions
(Originally Sponsored by Representative Kreidler)

COMMITTEE: Institutions

Modifying provisions relating to juvenile truancy.

ISSUE:

The 1977 Juvenile Court Reform Act eliminated juvenile court jurisdiction over truancy matters. Under the act the schools were directed to inform habitual truants and their parents of the availability of crisis intervention services provided by the Department of Social and Health Services. Since then, a number of school districts have complained about the ineffectiveness of this approach to dealing with the problem of truancy.

SUMMARY:

A school must inform the custodial parent, parents, or guardian of a frequently truant child of the existence of the problem, schedule conferences with the parent(s) or guardian and child to discuss the problem and take steps to eliminate or reduce truancy. If, through the fault of the parent(s) or guardian, these procedures do not eliminate or reduce truancy, the school may petition the juvenile court for imposition of a fine against the parent(s) or guardian of not more than twenty-five dollars for each day of unexcused absence. The fine may be suspended if the parent(s) or guardian has exercised reasonable diligence in attempting to compel attendance or the school has not performed its duties as required by the bill. The fine may also be suspended on condition that the parent participate in a supervised plan for improving attendance.

Either the attorney for the school district or the county prosecuting attorney may represent the complainant in proceedings under the compulsory attendance law.

House: (a) 98 0 Effective: Sept. 1, 1979
Senate: (a) 43 2 C 201 L 79 1st ex. sess.
H. Concur.
(Partial)
S. Refused
to Recede
H. Concur: 96 0

SHB 1281

PARTIAL VETO

SPONSORS: Committee on Parks and Recreation
(Originally Sponsored by
Representatives Tilly, Hurley,
Schmitt, Barr and Fancher)

COMMITTEE: Parks and Recreation

Regulating snowmobiles.

ISSUE:

Presently, no single public agency is responsible for snowmobile recreation programs, nor is there any representation from the public sector to the planning and development of snowmobile facilities and programs throughout the state. It may be more beneficial to consolidate snowmobile programs within one state agency and create an advisory board to assist that agency in administering such programs.

SUMMARY:

A Snowmobile Advisory Committee is created to advise and assist the Washington State Parks and Recreation Commission in planning snowmobile facilities and programs. The Committee is subject to the sunset review process and terminates June 30, 1983.

The Snowmobile Advisory Committee must include six snowmobilers, one from each of the six areas of the state where snowmobiling occurs; three representatives of the non-snowmobiling public; one representative from both the Departments of Natural Resources and Game; and one representative from Washington Association of Counties. Citizen members serve for three-year terms. The Committee must meet at least twice each year.

The snowmobile registration fee is increased from five dollars to seven dollars and fifty cents. State-owned snowmobiles must be registered, but are not required to pay fees. Snowmobile registration decals and replacement decals are to be sold at cost. The Department of Licensing must consult with the State Parks and Recreation Commission prior to

adopting rules relating to registration and licensing. The fine for failing to display valid decals is twenty-five dollars, sixty percent of which goes to the Snowmobile Account in the general fund and forty percent of which goes to the involved local government's general fund. Snowmobiles manufactured after January 1, 1975, must have valid and current registration papers before they may be transferred.

Registration fees and snowmobile fuel tax money are to be used by the State Parks and Recreation Commission to administer and coordinate snowmobile laws. They are deposited in a Snowmobile Account in the general fund. The Department of Licensing may keep up to three percent of the fees and fuel tax revenues for its administrative expenses. Remaining funds are to be used by the State Parks and Recreation Commission for snowmobile purposes.

Any excess funds must be invested and all interest earned accrues in the Snowmobile Account. (Vetoed Section)

Noise levels for snowmobiles manufactured (1) before January 4, 1973, must be eighty-six decibels or below; (2) after January 4, 1973, must be eighty-two decibels or below; and (3) after January 1, 1975, must be seventy-eight decibels or below. The authority of the Department of Ecology to adopt noise performance standards for snowmobiles is maintained.

Any person who operates a snowmobile in such a way as to endanger human life is guilty of a gross misdemeanor.

The snowmobiling money currently in the general fund is to be transferred to the Snowmobile Account. There is an appropriation of \$495,000 from the Snowmobile Account for snowmobile purposes.

House: (a)	85	10	Effective: Sept. 1, 1979
Senate: (a)	41	5	C 182 L 79 1st ex. sess.
H. Concur:	94	2	

VETO SUMMARY:

The Governor vetoed the section allowing interest earned from Snowmobile Account money to be credited to the Snowmobile Account. Currently, most interest from this type of account is credited to the State General Fund and not the specific account. The Governor seeks to continue this policy. (See VETO MESSAGE)

SHB 1308

PARTIAL VETO

SPONSORS: Committee on Judiciary
(Originally Sponsored by
Representatives Ehlers, May, King,
Walk, Grimm, Barnes, Erickson,
Bender, Mitchell, Charnley, Gruger and
Burns)

COMMITTEE: Judiciary

Changing the laws concerning landlord and tenant in mobile home parks.

ISSUE:

Certain provisions of the Mobile Home Landlord-Tenant Act of 1977 have proven to be ambiguous and dispute producing. An attorney general's opinion has stated that major portions of the act do not apply to month-to-month tenancies. With the growing shortage of mobile home spaces and the significant expense of moving a mobile home, the mobile home park owner-tenant legal relationship needs clarification.

SUMMARY:

A landlord cannot offer a one-year lease to a tenant on terms that are more burdensome than offered a month-to-month tenant. This includes offering the lot at a rent higher than that charged a month-to-month tenant. If there is no written one-year lease or waiver of the right to a one-year lease, the tenant is considered to be in the park under a one-year lease.

There must be written rental agreements signed by all the parties for all mobile home lot tenancies. The rental agreement must include a listing of utilities or services provided the tenant, a description of the nature of any fees charged, and a description of the boundaries of the lot rented.

A landlord may not charge guest fees unless the guest stays for more than fifteen days in any sixty-day period. A landlord may not prohibit meetings of the tenants of the park to discuss mobile home matters nor penalize a tenant for participating in such meetings. A landlord may not evict or take other retaliatory actions against a tenant who, in good faith, takes certain lawful actions. A landlord also may not charge utility fees in excess of actual utility costs.

A landlord may terminate a tenancy without cause upon six-months notice as long as it does not cut short a valid lease which has longer than six months to run. However, a landlord may not terminate a tenant for participating in meetings of tenants in the park or if such action is in retaliation for certain authorized actions by the tenant. Rental agreements are automatically renewed for six months, or the original term if it is shorter, unless the landlord or tenant takes certain actions to stop

the renewal. A landlord may fail to renew by giving the tenant notice prior to the expiration of the agreement. The tenancy, however, will not be terminated until the six-month notice has been given. A landlord may increase rent upon expiration of the rental agreement by giving three-months written notice of the increase.

A number of specified duties are imposed on landlords and tenants. The manner in which notices under the act are to be served is specified. The terms and conditions regarding security deposits must be specified in the rental agreement. Security deposits must be placed in a trust account maintained by the landlord and the tenant must be notified of the location of the trust account. Any interest on such trust accounts is the property of the landlord unless otherwise agreed. Security deposits must be returned or an accounting made within fourteen days of the termination of the tenancy.

The remaining paragraphs describe the vetoed sections.

A landlord must offer a prospective floating home tenant a written rental agreement for a term of not less than one year. Any rental agreement for a term of one year or any renewed agreement is automatically renewed for an additional six-month term unless notice of nonrenewal is given. The landlord must give the tenant notice of nonrenewal three months prior to the expiration of the rental agreement. The tenant must give the landlord notice of nonrenewal one month prior to the expiration of the rental agreement. In addition, the tenant may otherwise terminate the rental agreement upon thirty days written notice if the tenant's location of employment is moved a distance of not less than twenty miles from the leased site. If the tenant is a member of the Armed Forces, less than thirty days notice will be allowed if a change in duty station order does not allow greater notice.

The rental agreement must specify the amount of rent, reasonable rules for land and water guest parking and moorage, and the conditions under which any deposit may be withheld. The rental agreement may not contain a provision which allows the landlord to increase the rent or alter the due date of rental payments during the term of the rental agreement. However, an escalator clause may be included for a pro rata share of any increase in the floating home moorage's real property taxes or utility assessments or charges if the clause also provides for a pro rata reduction in rent or other charges in the event of a reduction in real property taxes or utility assessments or charges.

A landlord may not deny any tenant the right to sell the tenant's floating home within a moorage or require the removal of the floating home from the moorage solely because of the sale. However, the assignment of a rental right is subject to the landlord's approval which must come within fifteen

days of written notice. As assignee must assume all the duties and obligations of the assignor for the remainder of the rental agreement unless, by mutual agreement, a new agreement is entered into with the landlord.

Specific criteria are provided for termination of a rental agreement and any structural or affixed moorage improvements purchased and installed by a tenant on a floating home site must remain the property of the landlord.

The bill applies to floating home rental agreements entered into after September 30, 1979.

House: 88 7 Effective: Sept. 1, 1979
Senate: (a) 41 4 C 186 L 79 1st ex. sess.
H. Concur: 77 19

VETO SUMMARY:

The Governor vetoed the floating home landlord tenant portions of the bill. She said they dealt with a local problem already controlled by city ordinance. She thought state preemption of a local ordinance was inappropriate in this situation. (See VETO MESSAGE)

HB 1325

SPONSORS: Representatives Garrett and Zimmerman

COMMITTEE: Local Government

Revising the Optional Municipal Code.

ISSUE:

Legislation adopted in 1969 permits cities and towns to become non-charter code cities governed by the Optional Municipal Code. The purpose of the Code was to permit these local governments to exercise general powers of self-government. The experiences of cities and towns operating under the Code have revealed numerous, technical problems with the law.

SUMMARY:

The following technical changes in the Optional Municipal Code are made.

1. Procedures for cities and towns wishing to change their classifications to become non-charter code cities are clarified.
2. Procedures by which non-charter code cities may change their plans of government (mayor/council, commission, council/manager) and numbers of elected officials are clarified.
3. The minimum population of a new city that may be incorporated within five miles of a code city with a population of 15,000 or more is changed from 5,000 to 3,000.

4. In spite of a loss of population, a code city with a seven-member council retains that council, instead of dropping to a five-member council.
5. When a small non-charter code city increases its population to 2,500 or more, the existing five-member council must appoint two additional council members to serve until the next election.
6. The instances when a mayor in a mayor/council, non-charter code city may vote to break a tie council vote are limited.
7. Past actions of code cities taken at special meetings where notice to council members did not comply with the notice requirements in the Open Public Meetings Act are validated.
8. Members of planning agencies are required to disqualify themselves from participating in certain deliberations if they have a conflict of interest or an appearance of fairness problem (alternates may be appointed in such instances).
9. Code cities with populations smaller than 2,500 need not appoint boards of adjustment if they plan and zone.

The bill contains an emergency clause.

House: (a)	97	1	Effective: Sept. 1, 1979
Senate:	47	0	C 18 L 79 1st ex. sess.

SHB 1347

SPONSORS: Committee on Institutions
(Originally Sponsored by
Representatives Struthers and Becker)

COMMITTEE: Institutions

Permitting the exemption of certain mental health services to school children from charging of fees.

ISSUE:

Federal law requires that education services for emotionally ill children be provided without charge. Washington statute mandates that community mental health programs collect payments for their services. Several mental health programs are provided to the schools resulting in a conflict between the state and federal statutes.

SUMMARY:

The Department of Social and Health Services is authorized to exempt children with behavioral disabilities from the fee payment requirements when such programs are provided by a school district.

House:	96	0	Effective: Sept. 1, 1979
Senate:	46	0	C 145 L 79 1st ex. sess.

HJM 3

SPONSORS: Representatives Oliver, Bauer, Clayton, Hastings, Isaacson, May, Smith (C.) and Struthers

COMMITTEE: Agriculture

Requesting passage of federal price support legislation for sugar beets.

ISSUE:

The sole sugar beet processor in the State of Washington, the U and I Sugar Company, announced this year it can no longer process sugar beets because of the depressed price of sugar in recent years unless federal price support legislation is enacted. The state's ninth largest agricultural crop, which contributes \$90 million to the economy of Washington State, will not be produced in future years. The loss of this industry will cause a very significant economic impact to farmers, workers, and businesses to Central Washington and the state as a whole.

SUMMARY:

The memorial requests that Congress pass sugar price support legislation which will allow the state's sugar industry to remain economically viable.

House:	63	32
Senate:	37	8

HJM 16

SPONSORS: Representatives McCormick, Clayton, Douthwaite, Haley, Keller, Isaacson, Nelson (D.) and Oliver

COMMITTEE: Energy and Utilities

Requesting Congress to clear the regulatory barriers on gasohol production.

ISSUE:

Much concern exists regarding the United States's dependence upon oil as a major energy source and the relatively rapid rate of oil's disappearance. Many believe that gasohol, a blend of gasoline and alcohol, should be used as a motor vehicle fuel to aid in the solution of these problems. It is suggested that gasohol provides a valuable energy potential, is an environmentally cleaner fuel, would create new markets for agricultural products, and would provide income growth to the economy.

SUMMARY:

This joint memorial requests that federal regulatory barriers be cleared away and that investment tax credits and rapid amortization schedules be provided as means of stimulating the production of gasohol.

HJM 16

House:	96	0
Senate:	38	2

SB 2005

SPONSORS: Senators Van Hollebeke, Quigg, Conner, and Wojahn

COMMITTEE: Commerce

Modifying the limitation on the number of class H liquor licenses.

ISSUE:

Current law, enacted in 1948, requires that the total number of class H liquor licenses issued in the state not exceed one license for each fifteen hundred of population, as determined by the last available federal census. This restriction applies to all class H licensees, including restaurants, private clubs, and hotels. There is concern that the current number of licenses, based upon the 1970 federal census, will be exhausted prior to the availability of data from the 1980 census.

SUMMARY:

The class H liquor license law is amended to exclude from the license/population formula licenses issued to private clubs. The number of available licenses is to be based upon the yearly state population determination conducted by the Office of Financial Management, rather than upon the last federal census.

Senate:	32	16	Effective: June 7, 1979
House:	82	12	C 87 L 79

SSB 2010

SPONSORS: Committee on Local Government (Originally Sponsored by Senator Bluechel)

COMMITTEE: Local Government

Authorizing housing authorities to build mobile home parks for senior citizens.

ISSUE:

Existing law authorizes housing authorities to conduct projects to clear slum areas and to provide housing for persons of low income. Housing authorities are not currently permitted to undertake projects to provide "middle-income" senior citizens with housing, apartments, and mobile home parks.

Senior citizens, even those who may be considered middle-income, are finding it increasingly difficult to afford housing in some parts of the state. However, any attempt to assist seniors without limiting benefits to low-income seniors could be held unconstitutional under the provision prohibiting local governments from lending their credit.

SUMMARY:

The governing body of a city or a county is authorized to declare that there is a need for a functioning housing authority in the area if there is a shortage of suitable housing for senior citizens. Housing authorities are permitted to construct or otherwise provide living accommodations, including mobile home parks, for senior citizens, along with related administrative, community, social, and health services. "Senior citizen" is defined as a person 62 years of age or older who is "poor or infirm" (as defined by the authority). However, eligible senior citizens must have financial resources at least sufficient to pay for housing authority accommodations at a level which would permit the authority to meet its financial obligations.

Senate:	36	6	Effective: Sept. 1, 1979
House: (a)	93	0	C 187 L 79 1st ex. sess.
S. Concur. (Partial)			
H. Recede:	97	0	
S. Final			
Passage:	44	0	

SB 2015

SPONSOR: Senator Talley

COMMITTEE: Parks and Recreation

Designating an official dance for the state.

ISSUE:

Currently there is no official State dance of Washington.

SUMMARY:

The square dance is designated as the official dance of the State of Washington.

Senate:	46	2	Effective: Sept. 1, 1979
House:	81	15	C 10 L 79 1st ex. sess.

SSB 2016

SPONSOR: Committee on Judiciary (Originally Sponsored by Senator Rasmussen)

COMMITTEE: Judiciary

Prescribing penalties for unauthorized parking in spaces reserved for physically disabled.

ISSUE:

Physically disabled persons may apply to the Director of Licensing for a special card and decal to be placed in a motor vehicle to indicate that it is being used to transport a physically disabled person.

The purpose of displaying the card or decal is to permit the vehicle involved to be parked in parking spaces reserved for the handicapped.

SUMMARY:

It is a misdemeanor to park in a parking place reserved for the physically disabled without displaying the special card, license plate or decal issued by the Department of Licensing. It is a defense that the person charged had been issued a special card, license plate or decal at the time of the alleged violation.

Senate: 47 0 Effective: Sept. 1, 1979
House: (a) 98 0 C 26 L 79 1st ex. sess.
S. Concur: 45 0

SB 2021

SPONSORS: Senators Hayner and Guess

COMMITTEE: Judiciary

Controlling contraband in state correctional institutions.

ISSUE:

There are currently two statutory schemes dealing with the subject of contraband in state correctional institutions. The first makes it a felony for a prisoner to possess, carry, or have under his control any narcotic drug, controlled substances, alcoholic beverage, weapon, firearm, or instrument which could cause serious body harm to another (RCW 9.94.040).

The second set of statutes deals with the person introducing the contraband into the state correctional institution or local detention facility. The perceived shortcoming of the introducing contraband statutes is that the crime is not committed until the person actually transfers or attempts to transfer the contraband to the prisoner. In a recent incident a car load of guns was driven onto the grounds of a state prison and discovered before any attempt was made to give the guns to a prisoner. Since the transfer had not yet been made or attempted, there could be no prosecution under the introduction of contraband statutes.

SUMMARY:

The crime of introducing contraband on the premises of a state correctional institution in the first and second degree is created and the statute dealing with possession of contraband by a prisoner is modified to make it a second degree offense.

Section 1 amends the statute dealing with possession of contraband by a prisoner to increase the penalty to a Class B felony (maximum 10 years and/or \$10,000) for possession of any weapon, firearm, or instrument which could produce serious

bodily harm. Section 2 of the bill covers the possession of narcotic drugs and controlled substances by a prisoner. Section 2 offenses are classified as Class C felonies (maximum 5 years and/or \$5,000).

Sections 3 and 4 establish the crime of possession of contraband on the premises of a state correctional institution in the first and second degree. They apply to possession by someone other than a prisoner, which would cover visitors and, in some situations, even guards. The first degree offense, which is punishable as a Class B felony, covers knowing possession of a deadly weapon. The second degree of the crime is punishable as a Class C felony and covers possession or control of any narcotic drug or controlled substance. Notices of the existence of this law are to be posted at reasonable intervals at the perimeter of correctional institutions.

This bill contains an emergency clause.

Senate: (a) 47 0 Effective: March 26, 1979
House: (a) 98 0 C 121 L 79
S. Concur: 46 1

SB 2026

SPONSOR: Senators Donohue, Matson, Odegaard, Scott, and McDermott

COMMITTEE: Transportation

Including school district needs in feasibility studies of public transportation.

ISSUE:

Present law provides that any municipality, county transportation authority, public transportation benefit area, or metropolitan municipal corporation is eligible to receive a one-time advance financial support payment to perform a feasibility study to determine the need for public transportation to serve its residents. The amount of the payment is commensurate with the number of residents and the land area of the municipality.

Existing law places a \$35,000 ceiling on any payment for a feasibility study.

SUMMARY:

In addition to the number of residents and the land area, the number and size of school districts in the municipality are to be considered in determining the amount of the payment.

Any feasibility study done must include consideration of the K-12 pupil transportation system existing within the area. The school district affected is directed to cooperate unless the school board passes a resolution to the contrary. The board must give reasons for not cooperating and must

send a copy of these reasons to the Department of Transportation.

The ceiling for any feasibility study payment is raised to \$110,000.

Senate: (a) 47 0 Effective: June 7, 1979
House: 97 0 C 59 L 79

SSB 2028

SPONSORS: Committee on Judiciary
(Originally Sponsored by Senators Rasmussen and Walgren)

COMMITTEE: Judiciary

Permitting police to divert telephone lines in an emergency hostage situation.

ISSUE:

Under current Washington law a person may not intercept, record, or divulge any telephone communication without first obtaining the consent of all the participants. There are two exceptions to this rule: (1) The first authorizes the state Attorney General or any prosecuting attorney to obtain a court order for the interception under certain circumstances. The grounds for obtaining an order are fairly restrictive and require, among other things, that there be reasonable grounds to believe that national security is endangered, that a human life is endangered, or that arson or a riot is about to be committed. (2) The other exception is a procedure enacted in 1977 for the interception, recording, or disclosure of telephone communications where law enforcement is one of the parties to the communication or one of the parties has consented to an interception, recording, or disclosure by law enforcement. There is also a requirement under this exception that law enforcement obtain a court order approving such interception.

There are no other statutes in Washington which permit the interception and rerouting of telephone communications without prior court authorization.

SUMMARY:

The supervising law enforcement official of a jurisdiction is authorized to order the telephone company to divert a telephone call when there is probable cause to believe that the person calling is holding someone hostage. The reason for diverting the call is to prevent any communication between the hostage holder and anyone other than law enforcement. No court authorization for the interception is required. The telephone company is required to designate an employee to be contacted by law enforcement whenever such interception is requested. The telephone company is protected

from any liability for an action taken in good faith reliance on an order from law enforcement.

The provisions of the chapter dealing with the interception recording of private communications and conversations is superseded. That chapter prohibits interceptions without consent of all parties unless a court order authorizing the interception is obtained.

This bill contains an emergency clause.

Senate: 46 0 Effective: March 13, 1979
House: 96 1 C 28 L 79

SSB 2030

SPONSOR: Committee on State Government
(Originally Sponsored by Senator Shinpoch)

COMMITTEE: State Government

Modifying the method of payment for sick leave of public employees.

ISSUE:

Under current law, the state and its employees pay Old Age and Survivors' Insurance (OASI) on all salaries and wages, including amounts paid employees for sick leave. Federal law provides that OASI contributions need not be made on payments to employees "on account of sickness." To implement this OASI exclusion, federal law requires that the state specifically authorize payments to be made "on account of sickness," and establish a separate account from which these payments shall be made. The state may realize substantial cost savings if legislation is enacted to relieve the state from having to make OASI contributions on payments to employees on account of sickness.

SUMMARY:

A separate account known as the "sick leave account" is created in the general fund to be used for payments to employees on account of sickness. The account is established for the purpose of excluding these payments after January 1, 1980, from regular salary for which the state is required to make an OASI contribution. The power of the State Personnel Board, Higher Education Personnel Board or other personnel authorities, to establish sick leave regulations is not affected, except that each personnel authority is now required to establish the maximum number of days an employee under its jurisdiction may be absent on account of sickness without a medical certificate.

All payments made on account of sickness are required to be reported to the appropriate state retirement system. Payments for unused sick leave are not to be considered payment "on account of

SSB 2030

sickness" and are not paid from the "sick leave account."

By January 1, 1980, the Office of Financial Management is directed to develop an accounting plan and payroll procedure for implementation of this act.

Local governments are authorized to establish procedures enabling them to exclude payments to employees on account of sickness from those payments on which OASI contributions must be made. (For further implementing legislation see SHB 1064.)

Senate: 46 0 Effective: June 7, 1979
House: 95 0 C 152 L 79

SSB 2032

SPONSORS: Committee on Commerce
(Originally Sponsored by Senators Rasmussen, Newschwander, Clarke and Conner)
(By Legislative Budget Committee Request)

COMMITTEE: Commerce

Modifying regulation of commercial driver training schools and instruction.

ISSUE:

Existing law regulates commercial driver training schools, instructors and instruction through the Driving Instructors Examination Committee and the Department of Licensing. The existing committee, which has not met since 1972, is scheduled for termination on June 30, 1979, according to the Washington Sunset Act of 1977. On the basis of its sunset review, the Legislative Budget Committee recommends that the committee and the antiquated existing law be terminated and a revised regulatory law, which would provide for an advisory committee, be enacted.

SUMMARY:

New regulations for licensing of drivers training schools and instructors are to be administered by the Department of Licensing. The existing Driving Instructors Examination Committee is terminated and a new five-member advisory committee is created to advise the Director of the Department of Licensing.

A license is required to operate a commercial drivers training school or to give driving instruction for a fee. Grounds for issuance, denial, revocation, reinstatement, renewal, and nonrenewal of licenses are specified.

Fees are allocated to the general fund rather than to a special fund or account.

A violation of the chapter is a misdemeanor.

Senate: 47 0 Effective: Sept. 1, 1979
House: 93 0 C 51 L 79 1st ex. sess.

SB 2033

SPONSORS: Senators Rasmussen, Bluechel, Newschwander and Conner
(By Legislative Budget Committee Request)

COMMITTEE: State Government
Relating to state purchasing.

ISSUE:

The Department of General Administration has statutory authority to provide a uniform inventory system for all state equipment. This inventory is conducted by each state agency, including educational institutions, according to rules and regulations issued by the Department. The Office of Financial Management also controls accountability for state equipment under its authority to require financial reports of state expenditures. In monitoring implementation of the Purchasing and Materials Control Act, the Legislative Budget Committee concluded that centralizing state equipment control will result in improved management.

SUMMARY:

Authority to establish state equipment inventory records and to require agency accountability for equipment is transferred from the Department of General Administration to the Office of Financial Management. The Department of General Administration will continue to store all unneeded state equipment.

Senate: 47 0 Effective: June 7, 1979
House: 91 0 C 88 L 79

SB 2040

SPONSORS: Senators Rasmussen and Conner

COMMITTEE: Transportation

Replacing the special parking decals for disabled persons with license plates.

ISSUE:

Under present law, a disabled person upon submission of satisfactory proof to the Director of Licensing receives a card for display in the vehicle together with a decal designating the use of the vehicle by a disabled person. A vehicle displaying this decal may park for unlimited periods of time in

parking zones unless parking is prohibited or otherwise restricted. Unauthorized use of the special card and decal constitutes a gross misdemeanor.

SUMMARY:

Special license plates may be substituted for decals previously used by disabled persons to identify their use of a motor vehicle. If the disabled person disposes of the vehicle having special plates and does not acquire a new vehicle the plates are to be surrendered to the Director of Licensing. The disabled person may transfer the plates to a new vehicle owned by him and need only inform the Director of Licensing. The plates are renewed in the same manner and for the same fees as are regular motor vehicle license plates.

No plates are to be issued unless the disabled person possesses a valid disabled card issued by the Director of Licensing. Permanently disabled persons are to have permanent cards issued to them. Temporarily disabled persons are to be issued cards by the Director on an annual basis subject to satisfactory proof of their disability. On the effective date of this bill, disabled persons are entitled to receive special plates upon surrender of their existing plates and upon payment of standard fees as specified by statute.

No special license plates will be issued to persons who are temporarily disabled.

Senate: (a) 47 0 Effective: Sept. 1, 1979
 House: (a) 96 0 C 27 L 79 1st ex. sess.
 S. Concur: 45 0

SSB 2042

SPONSORS: Committee on Higher Education
 (Originally Sponsored by Senators McDermott and Conner)

COMMITTEE: Higher Education

Authorizing pilot programs allowing undergraduate higher education students whose parents are assigned to consular missions to pay like fees as resident students.

ISSUE:

Generally, residents of foreign countries must pay nonresident fees to attend Washington State colleges and universities. This is also true of students whose parents are temporarily assigned to consular missions in this state.

SUMMARY:

Foreign students attending Washington colleges and universities, whose parents are temporarily assigned to consular missions in this state, may pay resident tuition. The tuition waiver applies only to

students from countries providing a similar waiver to all Washington State students.

Students enrolled in undergraduate or graduate programs only for the period August 1, 1979, to July 31, 1983 are included. The Council for Postsecondary Education shall evaluate this legislation and make recommendations to the 1983 Legislature to continue or terminate the program.

Senate: 38 6 Effective: Sept. 1, 1979
 House: 90 8 C 19 L 79 1st ex. sess.

SB 2045

SPONSORS: Senators Peterson and Conner

COMMITTEE: Natural Resources

Excluding certain salmon guides from the laws governing charter boats.

ISSUE:

Currently, the law does not distinguish between the activities of charter boats operating in salt water areas and guides operating small boats in freshwater areas. License requirements and restrictions developed for the charter boat industry also apply to the river guides. Proponents of this bill contend that the moratorium on the issuance of new charter boat licenses unduly restricts the river guide industry.

The Salmon Advisory Council was created by the Legislature in 1977 to aid and advise the Department of Fisheries with regard to its salmon enhancement program. The legislation which created the Council did not provide terms for the members of the Council, nor did it provide for the termination of the Council at some future date.

The fee for a salmon charter boat license is currently \$200 for residents and \$400 for nonresidents. Applying the same fee to resident and nonresident charter boat owners might encourage nonresidents to maintain their charter businesses in Washington.

SUMMARY:

The vessels used by guides operating in freshwater rivers, streams, and lakes other than Lake Washington or the lower Columbia River are excluded from the definition of "charter boat".

In addition, terms of office for the members of the Salmon Advisory Council are established. The initial council members terms expire on December 31, 1979, and thereafter, new members serve for terms of two years. The council ceases to exist on December 31, 1989.

The yearly license fee for salmon charter boats is set at \$200 for both residents and nonresidents of the state.

The bill contains an emergency clause.

Senate:	46	0	Effective: March 21, 1979
House: (a)	94	0	C 60 L 79
S. Concur:	44	1	

SB 2053

SPONSOR: Senator Bluechel

COMMITTEE: Parks and Recreation

Authorizing the formation of park and recreation districts containing portions of two counties.

ISSUE:

Current law provides no means for the formation of a park and recreation district beyond the boundary of one county. There may be mutual advantages to the residents of two counties in allowing a joint park and recreation district encompassing portions of two counties.

SUMMARY:

Joint park and recreation districts encompassing portions of two counties are given the powers and duties of a park and recreation district. To form a joint park and recreation district, certified petitions signed by fifteen percent of the registered voters in the proposed area must be filed with the county auditor of one of the counties. A copy of the petition must be filed with the other county auditors.

A public hearing then must be held to establish the district boundaries within each county. The territories must be contiguous for a joint district to be formed. The proposed district must be approved by the voters.

For joint districts involving two counties, the more populous county, as determined by the Office of Financial Management, elects three district representatives while the less populous county elects two. For joint districts involving more than two counties, the election of district representatives must reflect the proportion of population in each county and each county must be represented by at least one resident elector. In all cases, the most populous county names the district. For all purposes essential to the administration, operation and maintenance of the joint park and recreation district, the most populous county is considered the county to which the district belongs.

The bill contains an emergency clause.

Senate: (a)	46	0	Effective: April 17, 1979
House:	98	0	C 11 L 79 1st ex. sess.

SSB 2058

SPONSORS: Committee on Natural Resources
(Originally Sponsored by Senators Peterson, Donohue, Benitz and Conner)
(By Department of Natural Resources Request)

COMMITTEE: Natural Resources

Regulating leasing of public lands.

ISSUE:

DNR contends that certain procedural and substantive sections of the state land lease and sale laws are obsolete and ambiguous. They need to be updated and clarified to allow for modern practices and to provide for a better understanding of the rights and obligations of the lessor, the Department, and the lessee, the private individual.

SUMMARY:

"Improvements" are defined as any condition of a fixture which changes value to the land.

The Board of Natural Resources is empowered to establish fees for lease processing on a cost basis rather than a fixed fee.

Only improvements authorized by DNR may be placed on leased lands. They become property of the state upon expiration of the lease unless other arrangements have been negotiated. DNR can require removal of improvements after expiration of the lease. The maximum period for a residential lease is extended from 55 years to 99 years.

The Department is authorized to purchase any improvements on the leased land at "fair market value". A set of criteria and an arbitration procedure are established for determining "fair market value".

Auction procedures for public land leases are brought into conformity with the procedure used for the sale of timber. Agricultural and grazing leases are brought under the same procedural requirements as other types of leases.

The Board is authorized to renegotiate the terms of leases. Any changes in the duration of a lease are not a term of the lease and require a new lease, except in the case of a residential lease, where the duration may be renegotiated without a new lease for financing purposes. Negotiation with notice to the public is added as the method for leasing state lands.

Extensions of one and five years are authorized in certain lease situations.

Current leaseholders may convert their leases within two years of the effective date of the act.

State tidelands, shore lands, harbor areas and the beds of navigable waters are not affected except in sections 1, 2, 8 and 18.

The effective date of the bill is September 26, 1979.

Senate: 44 4 Effective: Sept. 26, 1979
 House: (a) 95 0 C 109 L 79 1st ex. sess.
 S. Concur.
 (Partial)
 H. Recede: 90 1
 S. Final
 Passage: 41 1

SB 2060

SPONSOR: Senator Hansen
 COMMITTEE: Social and Health Services
 Revising laws relating to health officers.

ISSUE:

Under existing statutes, counties and cities of the first class, if they are served by full time health officers, may issue and act as registrars of vital statistics.

SUMMARY:

Counties and cities of the first class need not have a full time health officer in order to register and issue vital statistics.

Senate: 45 0 Effective: Sept. 1, 1979
 House: 98 0 C 52 L 79 1st ex. sess.

SB 2062

SPONSORS: Senators Jones, Fleming, North, Morrison and Conner

COMMITTEE: Local Government

Authorizing municipal performing and visual arts centers.

ISSUE:

Present law authorizes cities and counties acquiring and operating stadiums and convention facilities to help fund these facilities by levying a 2 percent tax on hotel/motel transient lodging. This is not an additional tax, but permits local governments to share with the state those funds obtained from the 4-1/2 percent state sales tax on hotel/motel accommodations. Statutory provisions permitting the described funding arrangement do not apply to performing arts center facilities and/or visual art center facilities.

SUMMARY:

Municipalities are authorized to fund performing arts center facilities and/or visual arts center

facilities with taxes received from hotel/motel transient lodging. When a city or county has levied a tax on hotel/motel lodging to fund facility construction, it may also use tax revenues for advertising to attract visitors and to promote tourist expansion.

Senate: (a) 39 0 Effective: Sept. 1, 1979
 House: (a) 82 15 C 222 L 79 1st ex. sess.
 S. Refused
 to Concur
 H. Insisted on
 its Position
 S. Insisted
 H. Insisted
 S. Insisted
 H. Recede: 63 26

SB 2065

SPONSORS: Senators Conner, Guess and Henry
 (By Legislative Transportation
 Committee Request)

COMMITTEE: Transportation

Reenacting authorization for certain urban arterial bonds.

ISSUE:

The Variable Fuel Tax legislation (chapter 317, Laws of 1977, 1st Ex. Sess.) included in Section 18 authorization for a \$60 million Series II urban arterial bond issue. Article 8, Section 1(h) of the Washington State Constitution requires that a bond authorization receive an affirmative vote of 60 percent in each house of the Legislature. The Variable Fuel Tax bill was one vote short of this requirement in the House.

SUMMARY:

A new \$60 million Series II bond issue is authorized for city and county arterials. Reimbursement from the Urban Arterial Trust Account (UATA) of revenues advanced to cities from the Motor Vehicle Fund for preliminary engineering of approved projects is provided. Reimbursement from the UATA to any city that has used local funds for construction costs is also authorized. An "equal lien position" is provided against motor vehicle and special fuel taxes which are pledged for debt service payments on the new \$60 million Series II, Ferry System Capital Improvement, and any such future bond authorizations.

This bill contains an emergency clause.

Senate: 42 3 Effective: Jan. 26, 1979
 House: 97 0 C 5 L 79

SB 2066

SPONSORS: Senators Henry, Wanamaker and Conner
(By Department of Licensing Request)

COMMITTEE: Transportation

Making various changes in the taxation of travel trailers and campers.

ISSUE:

Present state law provides that an excise tax on travel trailers and campers be assessed whether the travel trailer or camper is used or not. The Department of Licensing feels that an unfair burden is placed upon travel trailer and camper owners in that excise tax on travel trailers and campers accrues and becomes a lien while no tax is assessed on unused passenger cars.

SUMMARY:

That portion of existing law which subjects travel trailers and campers to continuing assessment of tax when the vehicles are unused is repealed. The assessment and collection of taxes on passenger cars, travel trailers and campers is made uniform.

Senate: 47 0 Effective: June 7, 1979
House: (a) 95 0 C 123 L 79

SB 2067

SPONSORS: Senators Henry, Wanamaker and Conner
(By Department of Licensing Request)

COMMITTEE: Transportation

Making various changes in driver licensing laws.

ISSUE:

The Department of Licensing requests certain revisions of existing law which will facilitate the procedures for licensing of drivers.

SUMMARY:

Conflicts in wordings with existing laws are eliminated. Substantive changes in existing law are as follows:

1. "Cancel" is defined as an "invalidation indefinitely."
2. The contents of a physician's certificate used by a disabled person for a driver's license application are confidential and not subject to the Public Records Act.
3. A person operating a vehicle under an instruction permit must be accompanied by a person with at least five years driving experience holding any valid driver's license.

4. The equipment weight limitation for a person holding a juvenile agriculture driving permit is removed.
5. Applications for occupational licenses must be made to the Department of Licensing.

Senate: (a) 43 0 Effective: June 7, 1979
House: 97 0 C 61 L 79

SB 2068

SPONSORS: Senators Henry, Wanamaker and Conner
(By Department of Licensing Request)

COMMITTEE: Judiciary

Transferring jurisdiction of habitual traffic offenders to Department of Licensing.

ISSUE:

Under the Habitual Traffic Offenders Act, an individual having a prescribed number of traffic offenses within a five year period can be adjudicated a habitual offender and have his or her driver's license revoked for a five year period. To be classified as a habitual offender the individual must have either (1) three or more convictions of a serious traffic offense, namely, negligent homicide by motor vehicle, driving while under the influence of intoxicants or drugs, driving while the license is suspended or revoked, or hit and run involving injury to a person or an attended vehicle, or (2) twenty or more convictions or bail forfeitures involving less serious traffic offenses. Proceedings under the Act are handled in superior courts with the action filed by a prosecuting attorney in the case of Washington residents or the Attorney General in the case of nonresidents.

SUMMARY:

An administrative hearing procedure for classifying an individual as a habitual traffic offender is established. However, a party adversely affected by a hearing officer's decision can appeal the decision to a superior court judge where the case is heard de novo. A mandatory jail sentence from thirty days to one year is imposed on persons convicted of both (1) driving while an order of revocation under the Habitual Traffic Offenders Act is in effect, and (2) driving while under the influence of intoxicating liquor or drugs or hit and run involving injury to a person or an attended vehicle (presumably arising out of the same incident).

A number of changes are made in the list of traffic offenses which can be used to classify an individual as a habitual offender. It adds reckless driving and hit and run involving an attended vehicle to the list of serious traffic offenses. Excluded from the list of less serious offenses are driving with an expired

license or not having a license in the operator's immediate possession. The last three minor convictions must have occurred in the preceding one year period.

Senate: (a) 48 0 Effective: June 7, 1979
 House: 94 0 C 62 L 79

SB 2069

SPONSORS: Senators Henry, Wanamaker, Conner and Guess
 (By Department of Licensing Request)

COMMITTEE: Transportation

Permitting refund of vehicle license fees paid in advance and never used.

ISSUE:

Under present law, there are no provisions for the refund of license fees or excise taxes paid, except those paid in error. Vehicle license fees may be paid within forty-five days prior to the expiration of the current registration year. Once paid, the license fees may not be refunded, whether or not the vehicle is ever used on the state's highways during the subsequent registration year.

SUMMARY:

Renewal license fees paid in advance of the expiration of the current registration year are refunded when the vehicle is destroyed or removed from the state and the renewed license will not be used during the subsequent registration period. The destruction or removal of the vehicle must occur prior to the beginning date of the registration period for which the renewal fee was paid.

A provision is made for the refund of license fees and excise taxes erroneously paid. In any case where a person has been required to pay an excise tax in error, he is entitled to a refund, and the Department is required to initiate a refund, if the sum is in excess of \$5. If, due to error, the Department has failed to collect excise taxes and the amount of undercharge is more than \$5, the Department must collect the amount due.

Minor grammatical changes to update this section of the code are made.

Senate: 47 0 Effective: June 7, 1979
 House: (a) 98 0 C 120 L 79
 S. Concur: 46 0

SSB 2071

SPONSORS: Committee on Transportation
 (Originally Sponsored by Senators Henry, Wanamaker and Conner)
 (By Department of Licensing Request)

COMMITTEE: Transportation

Increasing motor vehicle dealer, subagency and salesperson fees and correcting dealer plate provisions.

ISSUE:

The Department of Licensing is requesting that certain fees be increased and that dealer plate provisions be adjusted.

SUMMARY:

Original vehicle dealer license fees are increased from \$50 to \$60; vehicle dealer renewal fees are increased from \$25 to \$50. Vehicle manufacturers license fees are increased from \$50 to \$60, and renewal fees for vehicle manufacturers are increased from \$25 to \$50.

The limitation on the number of dealer plates a dealer may have is removed.

Senate: 42 2 Effective: Sept. 1, 1979
 House: (Fail) 46 44 C 251 L 79 1st ex. sess.
 H. Recon.
 H. Final
 Passage: 78 16

SB 2077

SPONSORS: Senators Gaspard, Benitz, North, Woody, Williams and Fleming

COMMITTEE: Energy and Utilities Committee

Permitting reduced rates for utility services to low income senior citizens.

ISSUE:

The Legislature believes that low income senior citizens are uniquely disadvantaged and should be granted a reduction in utility service rates.

SUMMARY:

A new section is added to Chapter 74.38 RCW authorizing any county, city, town, municipal corporation or quasi-municipal corporation providing utility services to low income senior citizens to do so at reduced rates. Reduced rates granted by utilities in one part of the utility service area must be uniformly extended to low income senior citizens in all other parts of the service area. Governmental bodies "providing utility services" are required to define "low income senior citizen" by appropriate ordinance or resolution.

SB 2077

Senate: 42 6 Effective: June 7, 1979
House: (a) 90 6 C 116 L 79
S. Concur: 47 1

SB 2078

SPONSOR: Senator von Reichbauer
(By Washington State Patrol Request)

COMMITTEE: Transportation

Increasing the fee required for release of accident records.

ISSUE:

Existing law provides that the Washington State Patrol receive a fee of two dollars for copies of accident reports. In 1977, 21,395 copies of accident reports were furnished upon request. The cost of furnishing these reports was approximately \$59,000. Receipts were \$42,790.

SUMMARY:

The Washington State Patrol is required to set the fee for accident reports at a level sufficient to meet the costs of furnishing the reports.

Senate: 46 0 Effective: June 7, 1979
House: (a) 96 0 C 34 L 79
S. Concur: 45 2

SB 2094

SPONSORS: Senators Conner and Henry
(By Legislative Transportation Committee Request)

COMMITTEE: Transportation

Lengthening the effective period of an instruction permit for operation of a motor vehicle.

ISSUE:

Present law permits the Department of Licensing to issue an instruction permit to operate a motor vehicle to a person fifteen and one-half years of age. Sometimes the course of instruction offered extends beyond the present six month validity period which requires that the holder of an instruction permit apply for an additional instruction permit and pay an additional \$1.50. Therefore, the cost under existing law for one year is \$3.

The person holding an instruction permit presently may operate a motor vehicle only if he is accompanied by a driver licensed in the State of Washington who has had at least five years driving experience.

SUMMARY:

The holder of an instruction permit is allowed to be licensed for one year at a cost of \$2.50. The allocation to the Traffic Safety Education Account in the general fund is raised from \$1 to \$1.40.

The provision in existing law requiring that the accompanying driver hold a Washington State driver's license is removed. The accompanying driver need only be a licensed driver with five years' experience.

Senate: 48 0 Effective: June 7, 1979
House: 97 0 C 63 L 79

SSB 2095

PARTIAL VETO

SPONSORS: Committee on Judiciary
(Originally Sponsored By Senators Marsh, Henry and Talley)

COMMITTEE: Judiciary

Creating additional superior court judge positions.

ISSUE:

The Legislature periodically creates additional superior court judgeships to enable the superior courts to keep pace with their increasing workload. New filings in the superior courts were up six percent in 1978 with a total of 135,634 new cases filed. The state court administrator has examined the statistics and determined that additional judges are justified in a number of counties.

SUMMARY:

There are nine additional superior court judgeships created. Each of the following counties will receive one additional judge: Clark, Kitsap, Snohomish, Spokane, Mason-Thurston (joint county district), Cowlitz, and Grant. Pierce County will receive two additional judges. Grant County receives a new judge as part of a redistricting package which dissolves the Douglas-Grant district and creates a Chelan-Douglas district with the current Douglas County judge being transferred to the new Chelan-Douglas district.

There are two effective dates for these positions. The new positions in Clark, Snohomish, Spokane, Mason-Thurston and Grant are effective January 1, 1980. The new positions in Pierce, Kitsap and Cowlitz are effective January 1, 1981.

All of the positions will be filled by election at the November general election immediately preceding their effective date. (Vetoed Section)

Senate: (a) 31 17 Effective: See summary
 House: (a) 96 0 for dates.
 S. Refused C 202 L 79 1st ex. sess.
 to Concur
 H. Refused
 to Recede
 S. Concur: 35 10

VETO SUMMARY:

The Governor vetoed the elective procedure established for the selection of the newly created judgeships. She stated that it is "the Governor's historic constitutional and statutory right to appoint judges" to newly created positions. If that right is to be withdrawn, she suggested a constitutional amendment would be required. (See VETO MESSAGE)

SSB 2097

SPONSORS: Senate Transportation Committee
 (Originally Sponsored by Senators
 Conner, Henry and Hayner) (By
 Legislative Transportation Committee
 Request)

COMMITTEE: Transportation

Recognizing mopeds as motor vehicles for certain purposes.

ISSUE:

A new type of vehicle known as a moped is now being marketed and used in Washington. This vehicle has pedals for propulsion by human power, but also has a small motor for alternate propulsion. Present laws do not adequately cover this type of vehicle.

SUMMARY:

Mopeds are integrated into the existing laws covering motor vehicles. A moped is defined giving limitations on cubic centimeter displacement, maximum speed and size. The Commission on Equipment may grant variances on devices which are similar but do not fit the specific statutory criteria.

Any person 16 years of age or older, holding a valid driver's license, may operate a moped without taking any special examination.

Registration and licensing of mopeds are authorized. Places where mopeds may be lawfully operated are limited. Modification of mopeds is restricted by prohibiting removal of mufflers or pollution control devices. Mopeds must conform to the safety standards applicable to motor driven cycles as established in the National Traffic Vehicle Safety Act of 1966.

Senate: 45 3 Effective: Sept. 1, 1979
 House: (a) 90 6 C 213 L 79 1st ex. sess.
 S. Concur: 29 12

SB 2101

SPONSORS: Senators Day and Moore

COMMITTEE: Social and Health Services

Increasing the maximum size of veterans' estates for which the Director of Veterans Affairs may act as executor.

ISSUE:

At the present time, the Director of Veterans Affairs is authorized to act as the executor of veterans' estates that do not exceed \$7,500.

SUMMARY:

The maximum amount of veterans' estates for which the Director of Veterans Affairs may act as executor is increased from \$7,500 to \$15,000.

Senate: 48 0 Effective: June 7, 1979
 House: 98 0 C 64 L 79

SB 2102

SPONSORS: Senators Day and Moore

COMMITTEE: Social and Health Services

Requiring the Director of Veterans Affairs to set the value of support items furnished residents at the Colony of the State Soldiers' Home.

ISSUE:

The Director of Veterans Affairs may furnish residents at the Colony of the State Soldiers' Home certain medical supplies and rations not to exceed \$30 per month, and clothing not to exceed \$60 per year. Inflation has created serious hardships with the foregoing limitations.

SUMMARY:

Certain monetary limitations on supplies, rations and clothing that may be issued to residents at the Colony of the State Soldiers' Home are deleted and the Director of Veterans Affairs is granted discretion as to the amount to be furnished.

Senate: (a) 48 0 Effective: June 7, 1979
 House: 94 1 C 65 L 79

SB 2106

SPONSORS: Senators Talmadge and Wojahn

COMMITTEE: Judiciary

Modifying items of personal property exempt from execution and attachment.

ISSUE:

All property of a judgment debtor is subject to execution by the judgment creditor to satisfy the judgment unless it is exempt by law. Execution is the principal creditor remedy for the enforcement of judgments and involves the seizing and forced sale of property of the judgment debtor. Certain kinds of personal property are exempted specifically from execution. Examples of the kinds of property exempt are wearing apparel of family members and household goods up to a value of \$1,000.00.

These exemptions also apply in federal bankruptcy proceedings. The exemptions, however, do not apply when the creditor is seeking the recovery of the purchase price of the item, nor when the action is to collect a tax debt. Nor is it likely that the exemptions would apply when the property is being sold to satisfy a mechanic's or materialman's lien.

SUMMARY:

The special exemptions now available only to householders are extended to any person or family. There are three exemptions which currently apply only to householders which are affected. Any person is able to exempt (1) household goods and appliances up to a value of \$1,000.00, (2) household fuel for three months, and (3) other property not to exceed \$400.00, of which not more than \$100.00 is in cash or securities. A new exemption is created for a motor vehicle used for personal transportation up to a value of \$750. This new exemption applies to any person or to a family. It should be noted that the reference to dollar value in this bill refers only to the debtor's equity in the item and does not include the amount of any liens or encumbrances.

Senate: (a) 48 0 Effective: Sept. 1, 1979
House: (a) 96 0 C 65 L 79 1st ex. sess.
S. Concur: 45 0

SB 2111

SPONSORS: Senators Odegaard, Donohue, Morrison, Woody, Talley, Benitz, Conner and Peterson

COMMITTEE: Ways and Means

Pertaining to taxation of timber and timber lands.

ISSUE:

The harvest tax rate of 6.5% on the value of timber harvested from private lands expired December 31, 1978. Current law provides a phase-out of the assessment value of timber roll, or the assessed value of standing timber used in distributing harvest tax revenues. This phase-out could be halted and the harvest tax rate reimposed.

SUMMARY:

The timber harvest tax is reimposed at the rate of 6.5 percent until June 30, 1981. This new rate is applied retroactively to January 1, 1979. The timber roll values are adjusted to 80% of full value and maintained at that level.

If a permanent forest tax rate is not set during this legislative session, a Forest Tax Committee, chaired jointly by the House and Senate, is to be established to review the harvest tax rate, distribution system, and other issues. The Committee is directed to present a report of Committee findings and recommendations to the Legislature prior to the next regular or extraordinary session.

The termination date of a 1976 act which placed certain accounts, including the timber accounts, into the general fund for purposes of protecting the general fund balance is repealed.

The total amount of timber tax revenue collected or distributed is not changed. Revenue projections assumed the 6.5 percent rate would be reimposed.

State school apportionment is indirectly affected because any timber tax revenue distributed to local school districts is deducted from the amount of state school support to such districts. The size of the deductible amount is reduced by approximately three million dollars for the 1979-81 biennium and the general fund expenditures are increased by the same amount.

The Forest Tax Committee proposed in the bill also requires some modest amount of revenue to operate.

The bill contains an emergency clause.

Senate: (a) 36 12 Effective: March 1, 1979
House: (a) 96 1 C 6 L 79
S. Concur: 47 1

SSB 2117

SPONSORS: Committee on Local Government (Originally Sponsored by Senators Quigg, Sellar and Talley)

COMMITTEE: Local Government

Changing certain sewerage improvement districts to sewer districts.

ISSUE:

In 1913, the Legislature passed a law permitting counties to organize districts for diking and drainage purposes. These districts were also authorized to undertake sewer projects. "Sewerage improvement districts" (SID) organized under this law are directed by a board of supervisors. In the 1940's, the Legislature authorized the organization of "sewer districts" (SD). The organization, power and duties of these two entities are different.

Three SIDs have been organized in the state under the 1913 legislation: one in Grays Harbor County and two in King County. Since the mid-1950's, the SID at Pacific Beach, Grays Harbor County, has been operating erroneously under the statute relating to SDs. Because of this, many of the activities undertaken by Pacific Beach SID may be contrary to existing law.

The Pacific Beach SID wishes to expand service to nearby Moclips which is within the boundaries of an existing, although "semi-defunct" SD. In the opinion of the Grays Harbor County Prosecuting Attorney's office, the Pacific Beach SID does not have the authority to extend service beyond its boundaries, nor may it extend its boundaries into an existing SD. Sewer construction is urgently needed in the Moclips area due to septic tank failures.

SUMMARY:

SIDs in third class counties may become SDs on or after the effective date of passage of this legislation, on order of the board of county commissioners. Such a former SID then operates and has the same powers as an SD.

Before a board of county commissioners order may be made, a public hearing must be held. Newspaper notices must be published announcing the hearing at least thirty days in advance. Thirty-day notice must also be mailed to any known creditors, holders of contracts, and obligees. After hearing and a finding by the board of county commissioners that a conversion from SID to SD is in the district's best interests, the board must order conversion and set a date upon which it becomes effective. All debts, contracts, and obligations of the former SID remain in effect, and the district retains all powers necessary to fulfill these duties until they are satisfied.

An existing board of supervisors of such a converted SID is empowered to function as does a board of commissioners of an SD. However, a new governing body for a converted district is to be elected "on the same date as the 1979 state general election". The election procedures and terms of office for the new governing body are as provided in the statute concerning the first election of a board of commissioners of an SD.

The conversion of any SID which has been operating as an SD upon order of the appropriate board of county commissioners is permitted.

Procedures for public notice and hearing are the same as those described above, except that the board must also find that the SID has been operating as an SD. Provisions for continuation of existing debts, contracts, and obligations, and retention of powers to fulfill these obligations are the same as those described above. Members of the governing authority of such SIDs converting to SDs continue in office for the completion of their terms.

Boards of commissioners of sewer districts are permitted to notify property owners that their land is included in the proposed service area described in a petition to form a sewer district or annex area to an existing sewer district. Commissioners are authorized to review petitions for proper drafting and comment on effects of adoption.

The bill contains an emergency clause.

Senate: (a)	46	0	Effective: March 16, 1979
House:	95	0	C 35 L 79

SSB 2118

SPONSORS: Committee on Local Government
(Originally Sponsored by Senators
Quigg, Sellar and Talley)

COMMITTEE: Local Government

Modifying the definition of public agency in the Interlocal Cooperation Act.

ISSUE:

The Interlocal Cooperation Act permits cities, counties and other specified local entities to enter into agreements with other local governments, as well as federal agencies and Indian tribes, for the provision of services and the execution of governmental functions.

SUMMARY:

All entities of local government, including special purpose and local service districts, are permitted to enter cooperative agreements under the Interlocal Cooperation Act.

Senate: (a)	47	0	Effective: June 7, 1979
House:	97	0	C 36 L 79

SB 2119

SPONSORS: Senators Marsh, Talmadge, Clarke,
Hayner, Bottiger and Woody

COMMITTEE: Judiciary

Revising the Business Corporation Act.

ISSUE:

The Washington Business Corporation Act is the basic corporation law of this state for profit corporations and deals with all major aspects of corporate activity from the original incorporation to dissolution. The current Act was enacted in 1965 and is based on the Model Business Corporation Act which also serves as the basis for corporation acts in at least 36 states. A committee of the Washington State Bar Association was formed in 1976 to conduct an overall review of the 1965 Act primarily because there had been a number of amendments to the Model Act since Washington's enactment of it. The Bar Committee's proposal was presented to the Senate Judiciary Committee at two 1978 interim committee meetings and with a number of committee amendments was introduced as SB 2119.

SUMMARY:

The overwhelming majority of the amendments proposed in the bill are to conform the Washington Act to the Model Business Corporation Act. The amendments are designed to simplify procedures under the Act or to remove inconsistencies or ambiguities in some of the language. The bill, however, does make a number of more substantive changes in the Washington Act which are as follows:

1. Eliminates the requirement that a corporation have at least \$500 paid-in capital before commencing business.
2. Permits a new corporation to use a name which is similar to an existing corporation as long as the consent of the existing corporation and approval of the Secretary of State's office is obtained.
3. Removes the requirement that a corporation have at least three directors on the board of directors.
4. Clarifies that a quorum at a meeting of shareholders can be fixed in the articles of incorporation at less than a majority but at no less than 33 percent of the shares entitled to vote at the meeting.
5. Allows for corporate combinations through plans of exchange of stock in addition to the current procedures for mergers and consolidations.

Senate: (a) 44 2 Effective: June 7, 1979
 House: (a) 96 1 C 16 L 79
 S. Concur: 46 0

SB 2121

SPONSORS: Senators Conner, Day, von Reichbauer and Ridder

COMMITTEE: Social and Health Services

Authorizing embalmers to remove eyes from deceased donor.

ISSUE:

Existing statutes provide that a person may donate his or her body or parts of it for medical use. There is an extreme shortage of eyes because of a lack of facilities to remove them throughout the state. This is an especially acute problem in smaller communities. This lack of removal facilities, in view of the time constraints involved, raises problems relative to allowing citizens who wish to donate body parts being unable to do so.

SUMMARY:

"Any qualified embalmer" may remove an eye from the body of a donor. The Director of Licensing can under the authority of current law, determine who is a qualified embalmer and can mandate certain educational requirements.

Senate: 44 0 Effective: June 7, 1979
 House: 94 0 C 37 L 79

SB 2124

SPONSORS: Senators Conner and Gallagher

COMMITTEE: Natural Resources

Consolidating food fish and shellfish sellers' and processors' licenses.

ISSUE:

The Department of Fisheries is now required by statute to issue different licenses for each of the following fishery related businesses: (1) wholesale fish dealers, (2) custom canners, (3) canners, and (4) fish byproduct manufacturers. This variety in license types for these similar kinds of businesses increases the administrative burden on the licensing section of the agency. In addition, a license is currently needed to operate a boat house; however, the Department finds that it is no longer important for them to closely account for all of the recreational boat houses in order to collect their management data.

SUMMARY:

The four fish processing licenses (wholesale dealers, custom canners, canners and fish byproduct manufacturers) are consolidated into a single wholesale fish dealer's license. Fish brokers are added to the list and the existing law regarding commingling of personal use and commercially caught fish is clarified.

The license requirements for boat house operators are repealed.

Senate: (a) 48 0 Effective: June 7, 1979
 House: 90 0 C 66 L 79

SB 2130

SPONSORS: Senators McDermott and Gaspard
(By Superintendent of Public Instruction Request)

COMMITTEE: Education

Implementing law relating to services of educational service districts.

ISSUE:

Currently, each Educational Service District (ESD) board may establish and operate a depository and distribution center for films, tapes, charts, maps and other instructional material for schools within its boundary. ESD boards are not authorized to provide depository and distribution center services to private schools.

SUMMARY:

Every Educational Service District board is authorized to extend depository and distribution center services to private schools located within the district subject to a fee that reflects the actual cost of such services and of the use of instructional materials.

To purchase supplies, equipment, and services, each ESD board may establish joint purchasing agreements with the board of directors of school districts for schools within the ESD or with another ESD.

Senate: 48 0 Effective: Sept. 1, 1979
House: (a) 98 0 C 66 L 79 1st ex. sess.
S. Concur: 41 0

SB 2131

SPONSORS: Senators McDermott, Gaspard and Morrison
(By Superintendent of Public Instruction Request)

COMMITTEE: Education

Appropriating moneys to surplus and donated food commodities revolving fund for 79-81 biennium.

ISSUE:

The surplus and donated food commodities revolving fund was created in 1967 to permit the Superintendent of Public Instruction to pay vendors for transporting surplus and donated federal food commodities to school districts. School districts are billed by SPI for such costs and reimbursement is then made to the revolving fund. Current law limits the fund to \$25,000. To insure that the revolving fund will have sufficient money to meet an increase in the total number of pounds of commodities

distributed and higher freight costs, it is necessary to increase the amount of the fund. The original appropriation was made for the 1967-1969 fiscal biennium without subsequent fiscal appropriation date alterations; therefore, a date change which reflects the current biennial appropriation for the fund is needed.

SUMMARY:

The surplus and donated food commodities revolving fund amount appropriated for the 1967-1969 biennium is increased from \$25,000 to \$75,000. The revolving fund appropriation date is changed to fiscal biennium 1979-1981.

A one time appropriation of \$50,000 is made to implement the act.

Senate: 48 0 Effective: Sept. 1, 1979
House: 96 0 C 20 L 79 1st ex. sess.

SSB 2132

SPONSORS: Committee on Education
(Originally Sponsored by Senators McDermott, Gaspard and Morrison)
(By Superintendent of Public Instruction Request)

COMMITTEE: Education

Extending date that funds for school building purposes may be used on school facilities cost stabilization program.

ISSUE:

Funds appropriated by the Legislature from the Common School Construction Fund to carry out the purposes of the 1977 School Facilities Cost Stabilization Program ends June 30, 1979. The program has a statutory termination date of June 30, 1983. Continued appropriations by the Legislature from the Common School Construction Fund are necessary to carry out the goals of the program.

SUMMARY:

Expenditures for the program for the remainder of the 1977-1979 fiscal biennium are permitted and funding from the Common School Construction Fund is authorized to continue until the termination date of the program. The present funding limitation, which restricts the use of common school construction funds appropriated for the program to not more than two-tenths of one percent for each period, is retained.

Senate: 46 0 Effective: June 7, 1979
House: 96 0 C 89 L 79

SB 2136

SPONSORS: Senators Day and Van Hollebeke

COMMITTEE: Social and Health Services

Authorizing agreements for purpose of conducting multi-state dental licensing examinations.

ISSUE:

Presently, dentists, having graduated from a dental school and wishing to practice in the State of Washington, must pass an examination given by a Washington Board of Dental Examiners. The members of this Board must be licensed to practice in this state.

Washington does not allow dentists who are licensed in other states to practice dentistry in this state without passing the Washington State dental examination.

SUMMARY:

The state is authorized to enter into compacts with other states for the purpose of conducting multi-state examinations. The compact may allow this state to recognize the examinations given by other compact state members and may allow successful examinees to become eligible for licensure in any of the compact states.

Senate: 47 0 Effective: June 7, 1979
House: 98 0 C 38 L 79

SB 2138

SPONSORS: Senators Day, Talmadge, Van Hollebeke and Hayner

COMMITTEE: Social and Health Services

Making the sale of a counterfeit controlled substance unlawful.

ISSUE:

Under current law, a person who represents that he is selling a controlled substance, but who delivers instead an uncontrolled substance, is not guilty of a crime.

SUMMARY:

A section is added to the Uniform Controlled Substances Act which makes it unlawful for a person to sell or deliver counterfeit material in lieu of a controlled substance. Generic drug substitution is clarified.

The bill provides for a term of imprisonment of not more than five years and/or a fine of not more than \$10,000.

This bill contains an emergency clause.

Senate: (a) 45 0 Effective: March 21, 1979
House: 97 0 C 67 L 79

SSB 2140

SPONSORS: Committee on Higher Education (Originally Sponsored by Senators Odegaard and Goltz)

COMMITTEE: Higher Education

Permitting funds for scholarships for performing arts students so long as moneys from performing arts events go into fund therefor.

ISSUE:

Currently the law permits the use of contributions or revenues related to intercollegiate athletics for the financial assistance of eligible students. No similar provision exists to permit the use of funds generated by performing arts events as scholarships for eligible students.

SUMMARY:

Financial assistance for students participating in curriculum related performing arts activities may be drawn from contributions or revenues related to performing arts events and activities.

Senate: 48 0 Effective: Sept. 1, 1979
House: 94 2 C 1 L 79 1st ex. sess.

SSB 2141

SPONSORS: Committee on Social and Health Services (Originally Sponsored by Senators Day and Moore)

COMMITTEE: Social and Health Services

Revising the regulations of the practice of pharmacy.

ISSUE:

The practice of pharmacy in many aspects has changed materially in the last ten years. Many of the existing related statutes have been adopted within that period of time. The Board of Pharmacy and practitioners, in view of the importance of drugs, both from the medical standpoint and from a criminal standpoint, believe that the Pharmacy Practice Act should be updated to reflect the present conditions in the practice of this profession.

SUMMARY:

The activities of the Board of Pharmacy and its control over the practice of pharmacy are expanded and detailed. The Board's investigative powers and participation in control of illicit drug activity are

expanded. Nomenclature used in other related code provisions is integrated into other recently enacted statutes.

The scope of the practice of pharmacy is expanded to reflect changes made in the actual practice of pharmacy and the duties and responsibilities of the practitioners are clarified.

The Board of Pharmacy is authorized to establish appropriate fees for examinations and licenses and to stagger renewal dates.

The disciplinary authority of the Board of Pharmacy is strengthened.

Senate: 37 6 Effective: June 7, 1979
House: 98 0 C 90 L 79

SSB 2142

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senators Gaspard, Bottiger, Goltz and Woody)

COMMITTEE: Agriculture

Changing the penalty for causing physical damage to animals.

ISSUE:

An outbreak of horse mutilation incidents in the state has prompted concern over the types of penalties that can be imposed on persons who engage in this type of activity. Under present law, animal mutilators could be prosecuted under the cruelty to animal statute (RCW 16.52.070) which makes violation a misdemeanor. In addition, mutilators could be prosecuted under the malicious mischief statute (RCW 9A.48) which makes the degree of punishment dependent on the dollar amount of damage inflicted. A single statute prohibiting animal mutilation could be enacted and a uniform penalty could be imposed, rather than one depending on the dollar amount of damage inflicted.

SUMMARY:

A person who knowingly and maliciously amputates, mutilates, castrates, or performs other malicious acts upon a horse, mule, cow, heifer, bull, steer, swine, goat, or sheep, belonging to another, is guilty of malicious mischief in the second degree. Malicious mischief in the second degree is a Class C felony, punishable by not more than five years in jail, or a fine not exceeding \$5,000, or both.

Another statute which prohibits cruelty to animals (RCW 16.52.070) is amended to exclude those acts prohibited by this bill.

Senate: (a) 45 0 Effective: June 7, 1979
House: (a) 96 0 C 145 L 79
S. Refused
to Concur
H. Recede: 84 10

SB 2143

SPONSORS: Senators McDermott, Talmadge, North and Fleming

COMMITTEE: Education

Changing descriptive designation of certain first class districts in class AA counties.

ISSUE:

Current statute authorizes first class school districts having an enrollment of 50,000 students or more to form director districts and to elect a board of seven members who serve six year terms. (The boards of other first and second class school districts are composed of five members.) It is estimated that the student enrollment in such districts may decline below 50,000 causing these districts to lose their statutory right to elect seven school board members from separate director districts.

SUMMARY:

The definition of certain first class school districts is changed from one based upon a student population of 50,000 or more to one based upon a population of 400,000 or more people in a city within such districts. The board of directors of such districts are composed of seven members who serve four year terms.

The initial four year terms commence upon the expiration of terms in existence at the effective date of this act. Nothing in the act affects the term of office of any incumbent director of any first class school district.

Senate: 47 0 Effective: Sept. 1, 1979
House: (a) 91 5 C 183 L 79 1st ex. sess.
S. Refused
to Concur
H. Refused
to Recede
S. Concur: 42 4

SSB 2144

SPONSORS: Committee on Judiciary
(Originally Sponsored by Senators Bottiger, Gaspard, Goltz and Woody)

COMMITTEE: Judiciary

Modifying the reward statutes.

ISSUE:

There are a number of statutes providing for the payment of rewards by the government for assistance in arresting and convicting criminals. One of these statutes authorizes the legislative authority of the county to offer and pay a reward not exceeding five hundred dollars to anyone who "apprehends, brings back, and secures any person or persons, convicted of or charged with any criminal offense, if that offense be a felony." This requires the person to physically bring in the convicted or charged person. It does not permit the county to offer or pay a reward to a person who simply provides information which leads to the arrest and/or conviction of the criminal, nor does it allow for a reward when the underlying offense is a misdemeanor or gross misdemeanor.

There are also statutes which authorize the Governor to offer a reward not exceeding one thousand dollars in certain cases. The principal statute authorizes the Governor to offer a reward for the apprehension of any person convicted of a felony who has escaped from the state prison or has committed or is charged with the commission of a felony.

SUMMARY:

The county legislative authority is authorized to offer and pay a reward not to exceed five hundred dollars to any person providing information which leads to (1) the arrest of a named person or persons convicted of or charged with a criminal offense, or (2) the arrest and conviction of a person or persons committing a specified criminal offense. The payment of a reward when the crime involved is less than a felony is permitted.

A similar change is made in the statute authorizing the Governor to offer rewards by permitting payment for information leading to the apprehension or arrest of a person. Three statutes on rewards are repealed. One of the repealed statutes directs the Governor to offer a standing reward of two hundred dollars for the arrest of persons involved with certain specified crimes as long as a conviction follows. These standing rewards apply in cases involving the placement of an obstruction on railroad tracks or a road, or robbery or attempted robbery on a train or other public or private conveyance.

Senate: 45 0 Effective: Sept. 1, 1979
 House: 95 0 C 53 L 79 1st ex. sess.

SB 2147

SPONSORS: Senators Williams, Lee, Talmadge and Conner

COMMITTEE: Judiciary

Limiting liability of persons donating food items to nonprofit organizations.

ISSUE:

There are a number of organizations in this state which distribute unsaleable but still wholesome food to the needy. These include local organizations whose primary purpose is food distribution as well as more established organizations such as the Salvation Army and food banks. By making use of food that would otherwise be thrown away, these organizations are attempting to reduce the amount of waste that takes place in this country. A 1974 Government Accounting Office study estimated that about 20% of all the food produced in this country is wasted and the amount of food wasted in this state has been estimated at \$5 million per year.

The nonprofit organizations distributing food rely mainly on donations of food from retail and wholesale outlets. There is, therefore, considerable interest in encouraging retailers, wholesalers, farmers and others to donate food. One obstacle has been the concern of potential donors of food as to their liability to ultimate consumers because of the quality or condition of the food. Many are reluctant to participate in food donation programs unless they are protected from any subsequent liability as to donated food.

SUMMARY:

Persons who in good faith donate food to nonprofit organizations are immune from any civil or criminal liability resulting from the nature, age, condition or packaging of the donated food. The bill, however, does not protect the donee organization from any liability it may incur in accepting and distributing the food. The State Department of Agriculture is required to maintain a list of organizations participating in food donation programs and to make those programs subject to any state and local regulations or inspections.

Senate: (a) 48 0 Effective: June 7, 1979
 House: 97 0 C 115 L 79

SSB 2148

SPONSORS: Committee on Ways and Means (Originally Sponsored by Senators Donohue, McDermott and Scott) (By Executive Request)

COMMITTEE: Ways and Means

Adopting the supplemental budget.

Note: An analysis of this bill is presented in the budgetary highlight section of this report.

Senate: (a) 35 12 Effective: March 2, 1979
 House: (a) 92 5 C 15 L 79
 S. Concur: 34 12

SSB 2149

SPONSORS: Committee on Education
 (Originally Sponsored by Senators
 McDermott, Matson and Ridder)

COMMITTEE: Education

Providing for bilingual instruction in the common schools.

ISSUE:

In the 1974 case of Lau v. Nichols, the U.S. Supreme Court focused national attention on the problem of educating students with non-existent or limited English speaking skills by requiring that any school district which receives federal funds is required to meet the educational needs of children who do not speak English.

It is estimated that there are approximately 6,200 students in the state who understand little or no English. Classes taught both in English and in the child's primary language can help these students develop proficiency in English and advance their educational development in other academic areas.

SUMMARY:

Each school district board of directors must:

1. Make transitional bilingual instruction available to all eligible students. Transitional bilingual instruction is defined as a system of instruction which uses English and one other language to enable the pupil to achieve competency in English. Those pupils whose primary language is other than English and whose English skills are sufficiently deficient or absent to impair learning when taught only in English are eligible for bilingual instruction. Bilingual instruction is not to be made available to pupils who are equally or almost equally competent in English and other languages. All testing of subject matter taught under the program must be in English.
2. Insure, wherever feasible, that communications emanating from the schools are appropriately bilingual for those parents of pupils in the bilingual program;
3. Annually determine student eligibility for bilingual education through testing; and
4. Provide in-service training for all staff involved in bilingual education in the district.

Every school district board of directors may appoint, maintain and receive recommendations from an advisory committee composed of parents whose children are in the bilingual instruction program, bilingual teachers and other school staff.

The Superintendent of Public Instruction is required to issue program development guidelines prior to September 1979 and to promulgate rules for implementation of the program of transitional bilingual instruction by May 15, 1980. Such rules must provide for an alternative instructional program where there are limited numbers of pupils of the same non-English dominant language in a school. In such cases, school districts are not required to activate a new bilingual program, but may utilize resources available within the district.

The priority for funding bilingual instruction is for the early elementary grades. No moneys are to be allocated to fund more than three school years of bilingual instruction for each eligible student within a district unless any such student fails to demonstrate improvement in English language skills adequate to remove learning impairment resulting from instruction in English only. The Superintendent of Public Instruction must approve a test for the measurement of such English language skills.

School districts are authorized to accept gifts, donations, and other gratuities from both private and public sources to aid in accomplishing the objectives of the act.

A biennial appropriation of \$4.5 million is made to the Office of the Superintendent of Public Instruction to implement the requirements of this act.

Senate: (a) 37 10 Effective: June 7, 1979
 House: (a) 74 22 C 95 L 79
 S. Concur: 36 11

SB 2155

SPONSORS: Senators McDermott, Ridder, Gaspard and Gould
 (By Superintendent of Public Instruction Request)

COMMITTEE: Education

Allowing school districts to provide certain nonprofit meal programs for certain children.

ISSUE:

Current law limits school lunch room services to students enrolled in the common schools, certificated and noncertificated staff and the elderly. There are school districts that would provide food services at cost to children enrolled in programs operated by nonprofit organizations and to private

school students, but which presently lack the necessary statutory authority to do so.

SUMMARY:

A school district board of directors is authorized to provide use of school kitchens and lunch rooms or to establish a nonprofit meal program using school facilities to serve private school students or children participating in educational programs or activities conducted by private, nonprofit organizations.

These programs are to operate on a full cost reimbursement basis and must not interfere with the educational process within the school district or reduce food services available to common school students.

Senate: (a) 46 0 Effective: June 7, 1979
 House: 94 2 C 58 L 79

SSB 2158

SPONSORS: Committee on Local Government
 (Originally Sponsored by Senators Wilson, North, Bluechel, Bottiger, Williams, Gaspard, Gould, Goltz and Hansen)

COMMITTEE: Local Government

Providing for the classification and conveyance of conservation rights as real property.

ISSUE:

The Washington open space, agricultural, and timber lands act encourages the preservation of undeveloped lands. Two means are provided to accomplish this goal. The original legislation, passed in 1971, provides that owners of qualifying lands may apply to have their property classified under the act. If a property qualifies, it is assessed for property tax purposes at its "current use" value. The usual tax assessment practice is to value property at its "highest and best use", i.e., its most economically productive use.

Thus, owners not wishing to develop their open space, agricultural, or timber property can avoid the tax squeeze which results when development pressures push up property values. Owners wishing to develop their land within 10 years of obtaining current use classification must pay taxes that have been avoided by that classification along with statutory penalties.

In the 1975-1976 legislative session, a second means of preserving these lands was adopted by the Legislature. Provisions were added regarding the purchase or acquisition of "conservation futures" by counties, cities, and "nonprofit nature conservancy corporation(s) or association(s)." "Conservation futures" are the rights to the future development of open space, agricultural, or timber lands. This

provision is written in such a way as to suggest that "conservation futures" can be purchased only on those lands that come within the definitions of agricultural, open space, or timber land and have been classified as such for "current use" tax valuation purposes.

Nature conservancy organizations have pointed out the need to facilitate the acquisition of some or all of an owner's development rights when the owner may be unwilling to have real property classified under the open space, agricultural, and timber lands act. The interest in acquiring only some of the development rights to real property is motivated by desires to preserve specific conditions or features of land: for example, the presence of fragile wildlife habitat or ecologically sensitive areas. Such amenities could be preserved without eliminating future development of an owner's entire property, and without regard to whether the property is classified under the open space legislation.

Other changes are needed in existing law to clarify legislative intent. Potential problems exist in the law due to the rigidities and technicalities of property law and long-standing judicial interpretations.

Nature conservancy organizations argue that it should be clarified that "conservation futures" and development rights can be held "in gross" and need not be "appurtenant" to ownership of other property. In most situations, when someone other than an owner has a non-possessory interest in land, that non-possessory interest serves or facilitates the enjoyment of nearby property. For example, one landowner may have a non-possessory easement to travel over his neighbor's lot to reach his own. When the owner holding the easement sells, the easement remains with (is "appurtenant" to) the land. Courts do not favor interpretations that easements or restrictive covenants are personal rights (rights "in gross"). There is question as to whether easements "in gross" are even recognized in Washington.

The open space, agricultural, and timber lands act does not clearly spell out that development rights may be acquired "in gross." Nature conservancy organizations urge that such rights be clearly classified as rights in gross because local governments and nature conservancy organizations wish to purchase these rights without having to also purchase nearby property.

"Conservation futures" are an innovative addition to the various real property rights that have long been recognized in real property law. Proponents believe that clarification is needed to show that the Legislature intended to authorize the creation of development rights as real property interests. Conveyances of and encumbrances upon real property in this state may be recorded with a county auditor where the property is located. However, only "real property rights" may be

recorded. Recording serves the important function of public notice of title, restrictions, and encumbrances on land.

SUMMARY:

A new section is added to the Washington statutes dealing with land conveyancing and title recording. It specifically authorizes local governments and nature conservancy corporations and associations to acquire development rights to real property. Development rights may be purchased on any land, not just on those lands classified as agricultural, open space, or timber land under the Washington open space legislation.

Development rights are declared to be "real property" rights which may be acquired in gross and need not be incident to ownership of other land.

The bill contains an emergency clause.

Senate: 44 0 Effective: April 19, 1979
House: 97 1 C 21 L 79 1st ex. sess.

SB 2159

SPONSORS: Senators Conner, Odegaard and Peterson

COMMITTEE: Natural Resources

Changing certain procedures used in the sale and exchange of public lands and materials.

ISSUE:

The Department of Natural Resources wants the requirements for land exchanges and for sales of materials on state lands (including standing timber) updated. The Department believes this modernization is necessary to meet the current problems in the exchange of public lands for other lands and in the sale of materials on the land.

SUMMARY:

The Department is permitted to hold a public hearing on a proposed land sale exchange at "some time" prior to the Board of Natural Resources considering the exchange instead of under the present law of at least 10 days or not more than 25 days prior to Board consideration. The ceiling is raised from \$10,000 to \$20,000 of the appraised value on sales which may be sold 10 days after one advertising. The ceiling is raised from \$500 to \$1000 of appraised value on sales which may be sold directly to the applicant for cash without notice or advertising. The use of cashiers' checks is made acceptable for bid deposits and a bid bond may be used instead of cash for a bid deposit.

The bill contains an emergency clause.

Senate: 47 0 Effective: March 19, 1979
House: (a) 97 0 C 54 L 79
S. Concur: 48 0

SSB 2161

PARTIAL VETO

SPONSORS: Committee on Local Government (Originally Sponsored by Senators Wilson, Walgren, Lewis, North, Gaspard, Gallagher and Vognild)

COMMITTEE: Local Government

Revising the limitations and procedures for cities and towns to administer small public works projects.

ISSUE:

Statutory "bid limits" require cities undertaking public work and improvement projects exceeding specified dollar amounts to contract out such work, after a public notice and bidding process. Due to rapidly increasing construction costs, many city officials are concerned that existing statutory bid limits are too low to allow cities the flexibility they need to efficiently serve the public.

The current bid limit for first class cities (population over 20,000) is \$10,000, and the limit for second (population over 10,000), third (population over 1,500) and fourth (population between 300 and 1,500) class cities is \$5,000. Code cities of all sizes have been subject to the bid limits applicable to second, third, and fourth class cities. Furthermore, second, third, and fourth class cities purchasing supplies, materials, equipment, and non-professional services costing more than \$2,000 must use the notice and bidding procedures applicable to public work projects before making these purchases.

Cities are not currently permitted to jointly undertake public work projects with private contractors.

SUMMARY:

The bid limits for public works or improvements of second and third class cities and towns are raised to \$15,000. The bid limit for projects of code cities having populations of at least 20,000 is the same as first class cities; code cities having populations under 20,000 have the same bid limit as second and third class cities and towns.

Cities and towns may also jointly undertake public works and improvement projects with private contractors. However, the dollar value of a first class city's share in such a joint project may not exceed \$7500; the dollar value of a second or third class city or town's share may not exceed \$11,250. (Vetoed Section)

Cities and towns may maintain "small works rosters" to be used for letting contracts valued at less than \$30,000 for first class cities and \$20,000 for second and third class cities and towns. All properly licensed and registered contractors may appear in the roster at their request. When contracts valued under the applicable limits are to be awarded, cities must invite bids from all appropriate contractors in the roster and must award the contract to the contractor submitting the lowest responsible bid. Invitations must include an estimate of the scope and nature of the work.

Second and third class cities and towns may dispense with advertisement and competitive bidding for purchases of supplies, material, equipment, or services valued between \$2000 and \$4000. But, to do so, the city or town legislative authority must adopt a procedure for securing telephone or written price quotes that insures competitive bidding and awards to the lowest responsible bidder. Bid quotes must be open for public inspection and made available by telephone inquiry.

Senate: (a) 44 4 Effective: Sept. 1, 1979
 House: (a) 94 4 C 89 L 79 1st ex. sess.
 S. Concur: 29 17

VETO SUMMARY:

The Governor vetoed sections 4 and 5 which would permit the combining of municipal work forces with those of private contractors.

Her two main reasons for the partial veto were:

1. There may be difficulties in deciding fault or error on a project which uses combined work forces; and
2. Problems in employee relations could develop because wages, working hours, and the like are different for municipal work forces and private contractors. (See VETO MESSAGE)

SB 2173

SPONSORS: Senators Talmadge, Clarke and Woody

COMMITTEE: Judiciary

Revising the laws relating to court commissioners.

ISSUE:

In the past few years court congestion has increased which has placed a large burden on judges. To alleviate this burden, the Washington State Constitution and Chapter 2.24 RCW authorize the use of court commissioners. Court commissioners are appointed in each county or judicial district to perform specified judicial functions such as conducting mental commitment hearings. The matters the court commissioners hear are subject to

the review of a superior court judge at the request of a party.

SUMMARY:

The appointment of more than one superior court commissioner is authorized. This brings the statutory language more in conformity with the Constitution of the State of Washington which allows a county to appoint up to three court commissioners. Furthermore, it expands a court commissioner's authority to include the authorization to hear and determine ex parte and uncontested civil matters of any nature.

Senate: 46 0 Effective: Sept. 1, 1979
 House: 98 0 C 54 L 79 1st ex. sess.

SB 2175

SPONSORS: Senators Woody, Walgren, Clarke, Marsh, Jones and Bottiger

COMMITTEE: Judiciary

Adding the chief of the state patrol and a citizen member to the criminal justice commission.

ISSUE:

The Washington State Criminal Justice Training Commission is a statutory agency with responsibility for providing programs and standards for the training of criminal justice personnel across the state. The Commission consists of eleven members: two sheriffs, two chiefs of police, a county correctional official, a state correctional official, a prosecuting attorney or municipal attorney, a superior court or district court judge, an elected local government official, the attorney general, and the agent in charge of the Seattle FBI office.

SUMMARY:

Two new members are added to the Washington State Criminal Justice Training Commission: the chief of the Washington State Patrol and a private citizen appointed by the Governor.

Senate: 47 0 Effective: Sept. 1, 1979
 House: 95 0 C 55 L 79 1st ex. sess.

SB 2176

SPONSORS: Senators Donohue, Shinpoch and Scott (By Executive and State Treasurer Request)

COMMITTEE: Ways and Means

Revising the law relating to state debts.

ISSUE:

Proponents of this legislation feel that the statutory limitations on state bonded indebtedness should be reduced. Under the current statute and the Constitution, debt service from general state revenues is limited to nine percent of the average of general state revenues from the three most recent years.

SUMMARY:

Statutory limitations on state bonded indebtedness payable from general state revenues are modified to create a tighter restriction or limitation than that required by the Constitution in Article 8, Sections 1, 2, and 3. The percentage of debt service allowed is reduced to seven percent. The debt service required for publicly voted bonds is included within the limitation, even though the voted bonds are not included in the constitutional limitation.

Senate: (a) 47 0 Effective: Sept. 1, 1979
House: 95 0 C 204 L 79 1st ex. sess.

SB 2178

SPONSORS: Senators Marsh, Clarke, Talmadge, Woody, Hayner and Vognild

COMMITTEE: Judiciary

Authorizing standby guardians to authorize emergency medical treatment.

ISSUE:

Under the guardianship law the guardian or limited guardian of an incompetent or disabled person will normally be given the power to give his or her informed consent to necessary medical procedures. The power of the guardian or limited guardian to give informed consent, however, is not unlimited and where certain extraordinary medical procedures are contemplated, such as psychosurgery, amputation, and various others, specific court authorization is required.

A problem arises when there is a need for medical attention and the guardian or limited guardian cannot be located. The law presently requires the appointment of a standby guardian or standby limited guardian at the creation of the guardianship or limited guardianship to take over in the event of the death, incompetency or disability of the guardian or limited guardian. This provision, however, is of little use when the problem is simply that the guardian or limited guardian cannot be located. Unless some provision is made for these situations there will be in some cases no one in a position to give informed consent where medical attention is needed.

SUMMARY:

A standby guardian or limited guardian may give informed consent to necessary medical procedures in a situation where the guardian or limited guardian cannot be located within four hours after the need for such consent arises. The power given to the standby guardian in these situations is strictly limited to the power to give informed consent to necessary medical procedures and does not extend to other aspects of the guardianship or limited guardianship.

Senate: (a) 47 0 Effective: June 7, 1979
House: 98 0 C 32 L 79

SB 2179

FULL VETO

SPONSORS: Senators von Reichbauer and Lewis
(By State Parks and Recreation Commission Request)

COMMITTEE: Parks and Recreation

Assessing penalties to be used to fund law enforcement by the Parks and Recreation Commission.

ISSUE:

There are presently no funds available to the State Parks and Recreation Commission for specialized law enforcement training of their staff.

SUMMARY:

A minimum penalty of five dollars is levied for every twenty dollars imposed and collected as a fine or bail forfeiture for state park and recreation law violations. The assessment is collected by the court and remitted quarterly to the Parks and Recreation Commission for deposit in the law enforcement and training account of the general fund. The fund is to be administered by the State Parks and Recreation Commission.

\$55,000 or as much as has accumulated from the account is appropriated to the State Parks and Recreation Commission for the 1979-1981 biennium.

Senate: (a) 40 6
House: 97 0

VETO SUMMARY:

The Governor's primary objection was that the regular budgetary process and not a new fund should be used in this area because dedicated funds do not provide adequate public accountability. The Governor also said that the courts were already overloaded with this type of fine. (See VETO MESSAGE)

SB 2180

SPONSORS: Senators Gaspard, Hansen, Benitz, Wilson, Day, Wanamker and Hayner

COMMITTEE: Agriculture

Limiting the application of nuisance laws to agricultural activities.

ISSUE:

Nuisance lawsuits may be maintained against persons who make unreasonable use of their property to the detriment of property belonging to another. Persons may bring nuisance lawsuits to prevent such things as noise or odors that unreasonably interfere with the enjoyment of their property. Farmers in urbanizing areas may be vulnerable to nuisance lawsuits which might encourage the premature removal of land from agricultural uses.

SUMMARY:

Agricultural activities conducted on farmland, if consistent with good agricultural practice and established prior to surrounding non-agricultural activities, are presumed to be reasonable and therefore do not constitute a nuisance, unless the activity has a substantial adverse effect on the public health and safety.

If agricultural activity is undertaken in conformity with government laws and regulations, it is presumed to be good agricultural practice and not adversely affecting the public health and safety.

Senate: (a) 46 1 Effective: June 7, 1979
 House: 96 0 C 122 L 79

SSB 2181

SPONSORS: Committee on Ways and Means (Originally Sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Marsh, Matson, Shinpoch, Gaspard, Gallagher, von Reichbauer, Lewis, Pullen, Newschwander, Clarke, Bottiger, Day, North, McDermott, Peterson, Walgren, Wilson, Moore, Talmadge, Hansen, Guess, Wojahn, Ridder, Goltz, Conner, Fleming, Talley, Wanamaker, Quigg, Jones, Lee, Benitz, Sellar, Bluechel, Morrison, Hayner, Van Hollebeke, Woody, Bausch and Vognilid)

COMMITTEE: Ways and Means

Revising the inheritance and gift tax laws.

ISSUE:

The existing inheritance tax statute has not been substantially revised since it was enacted in the

early 1900's. Exemption levels and tax brackets need to be adjusted for inflation.

Class A beneficiaries (spouses, ancestors, and descendants) are allowed a \$5,000 exemption for an estate. There is a \$5,000 exemption for a spouse, and a \$5,000 exemption for each child.

Class B beneficiaries (brothers and sisters) are allowed a \$1,000 exemption for a brother or sister.

No provision is made for valuing closely-owned (family) businesses and farms at current use, rather than fair market value.

Payment of inheritance taxes is required within nine months of the decedent's death.

SUMMARY:

For Class A beneficiaries, a \$100,000 exemption is allowed for amounts passing to a spouse and minor child (under 25 years old), a \$10,000 exemption for each minor child and a \$10,000 exemption for amounts passing to a child over 25 years old. A schedule has been included to allow for increased exemption levels for spouse and children to keep up with inflation. By 1985 the exemption levels will be increased to \$130,000 for a spouse and \$12,500 for each child.

A four year phase-in period beginning in 1981 is established whereby community property passing to a surviving spouse will be totally exempt in 1984.

The bill generally follows the provisions of federal law which allow a "sliding scale" exemption formula for infant-orphans. The exemption is calculated as follows: \$5,000 x (21 minus the age of the child).

The definition of Class B heir has been expanded to include not only brothers and sisters, but any lineal descendant of a brother or sister. Formerly lineal descendants of brothers and sisters had been included in Class C.

For Class B beneficiaries a \$10,000 exemption is allowed if no exemption for Class A is allowed. The existing tax brackets have been doubled for both Class B and C beneficiaries (Class C is everyone not included in Class A or Class B) in order to reduce their inheritance taxes.

Provisions of federal law are incorporated which allow current use valuation for closely-owned (family) businesses and farms.

Inheritance taxes may be paid over a ten-year period in cases of hardship.

Representatives of non-probated estates are given the option to appeal an adverse determination of the tax by the Department of Revenue to either the board of tax appeals or the appropriate superior court.

The bill contains an emergency clause and applies to persons dying after the effective date of the act.

Senate:	48	0	Effective: May 29, 1979
House: (a)	97	0	C 209 L 79 1st ex. sess.
S. Concur:	40	0	

SSB 2182

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Rasmussen, Donohue, Scott, Odegaard, Walgren, Matson Shinpoch, Gaspard, Conner, Jones, Lewis, Van Hollebeke, Woody, Hayner, Morrison, Lee, Sellar, Bluechel, Goltz, Hansen, Talley, Fleming, Wanamaker, Guess, Talmadge, Wilson, Quigg, Benitz, Wojahn, Ridder, Day, Gallagher, Newschwander, Pullen, Clarke, McDermott, North, Bottiger, von Reichbauer, Moore, Peterson, Bausch and Vognil)

COMMITTEE: Ways and Means

Revising the gift tax.

ISSUE:

The present gift tax statute has not been substantially revised since enacted in the early 1940's. Exemption levels and tax brackets are no longer realistic in light of inflation. Additionally, the existing statute is confusing and contradictory.

SUMMARY:

The existing gift tax code is repealed because it contains considerable obsolete and contradictory language. The substance and intent of the existing code are retained, with the exception of making adjustments in the areas of exemption levels and tax brackets.

Class A (spouses, ancestors and descendants), B (brothers, sisters, nieces and nephews), and C (all others) donees are the same as inheritance tax beneficiaries (SSB 2181), including restrictive language as to who can become a Class A beneficiary through adoption.

The tax rate schedules are established. A \$40,000 Class A lifetime exemption is allowed instead of existing \$10,000 exemption. The \$1,000 Class B exemption and the former 90% of inheritance tax rate concept are eliminated. Existing tax brackets for Class B and C beneficiaries have been doubled in order to decrease the tax burden of the gift tax.

The existing \$3,000 annual exclusion for gifts is retained.

Gift taxes are not imposed on gifts to public, educational, charitable, etc. institutions, unless the donee is required to pay gift taxes on non-exempt property.

Procedures are established for the filing of the gift tax returns (the Department of Revenue may require an oath). The Department has the right to receive a copy of a federal gift tax audit, if any audit is performed.

If a person disclaims an interest in property, no gift tax is imposed.

An appeal procedure is established for a donor to contest the determination of the tax; the donor has 60 days from receipt of a determination letter to file suit in a superior court. The Department of Revenue may elect to collect the tax from the donee. The bill allows for an appeal by the donee to superior court within 60 days of receipt of determination letter.

Interest on delinquent taxes is 8%.

Refund of overpaid taxes is allowed within two years from the date of the payment of the taxes, or the notice of completion of any state or federal audit.

This bill takes effect January 1, 1980.

Senate:	48	0	Effective: Jan. 1, 1980
House: (a)	95	1	C 210 L 79 1st ex. sess.
S. Concur:	39	0	

SSB 2184

SPONSORS: Committee on Ecology
(Originally Sponsored by Senators Guess, Day, Pullen and Lee)

COMMITTEE: Ecology

Including recycling facilities in the definition of "waste disposal facilities," for purposes of funding certain recycling projects.

ISSUE:

Referendum 26 (RCW 43.83A) authorized the issuance of general obligation bonds for the purpose of aiding in the planning, acquisition, construction, and improvement of waste disposal facilities. Waste disposal facilities are defined to include those operated by a public body for the collection, storage, treatment and disposal of liquid or solid wastes. These wastes include, but are not limited to, sanitary sewage, storm water, residential, industrial, and commercial wastes, and any combination of those. All equipment, utilities, structures, real property, and interests in and improvements on real property, necessary for or incidental to the disposal of wastes, are included in the definition.

Legal opinion within the Department of Ecology has indicated that facilities designed to process recyclable materials are not included in the definition of waste disposal facilities because these materials, once separated, acquire economic value and are no longer waste.

SUMMARY:

The definition of waste disposal facilities is expanded to include those operated for the recycling or recovery of waste materials, including materials segregated into recyclables and nonrecyclables. Under its provisions, local governments could use funds authorized by this chapter in the development of facilities used to store and process recyclable materials, unless recycling activities and services are reasonably available from local private enterprise operations.

Senate: 44 0 Effective: June 7, 1979
 House: (a) 88 3 C 68 L 79
 S. Concur: 47 0

SB 2186

SPONSORS: Senators Bottiger, Benitz and North

COMMITTEE: Energy and Utilities

Regulating attachments to utility poles.

ISSUE:

Due to the impracticality and cost of duplicate utility facilities, it may be in the public interest for the state to regulate the rates, terms or conditions of additional "attachments" to existing utility facilities.

SUMMARY:

The Washington State Utilities and Transportation Commission (UTC) is granted the authority to regulate the rates, terms and conditions of attachments by licensees to existing utility facilities. The Commission is required to resolve disputes between the parties and, after hearing, is required to determine and fix the just, reasonable or sufficient rates, terms or conditions for attachments. In making its determination the Commission must consider the customer interests of both the attaching and the attached-to utilities.

The utility to whose facilities attachments are made is allowed to charge a just and reasonable rate for the additional attachments. The rate includes just compensation and may not be less than the additional costs incurred, nor more than actual capital and operating expenses, attributable to the proportionate share of the pole or other facility used for attachment. Both UTC regulated utilities and those not regulated by the UTC are required to levy attachment rates which are uniform for all licensees within the service area.

The Commission is further required to adopt rules, regulations and procedures for regulation of attachments. Attachments by an electrical company to facilities of another electrical company are exempted from provisions of this bill.

Senate: (a) 47 1 Effective: June 7, 1979
 House: 92 3 C 33 L 79

SB 2191

SPONSORS: Senators Bottiger, Benitz, Hayner and Lee

COMMITTEE: Energy and Utilities

Declaring geothermal resources to be the private property of owner of the surface land.

ISSUE:

Exploration and development of geothermal resources is a relatively new endeavor. The property rights in these resources have not yet been clearly defined by law.

SUMMARY:

Geothermal resources are a distinct and separate phenomenon, being neither mineral nor water resources. Geothermal resources are declared to be private property of the party holding title to the surface land above the resource.

Senate: 43 5 Effective: Sept. 1, 1979
 House: 55 42 C 2 L 79 1st ex. sess.

SSB 2192

SPONSORS: Committee on State Government (Originally Sponsored by Senators Bausch, Odegaard, Rasmussen, Pullen and Newschwander)

COMMITTEE: State Government

Establishing a program for compensation of certain state employees for unused sick leave above a certain level.

ISSUE:

Many state employees, including those subject to the state civil service and higher education personnel laws, are entitled to accumulate one day of paid sick leave each month. Under current law, no direct compensation is received by employees who do not use all the sick leave to which they are entitled. Compensating employees for a portion of unused sick leave might provide an incentive to reduce improper use of sick leave.

SUMMARY:

An attendance incentive program is established for all state employees entitled to accumulate sick leave, except teaching and research faculty at institutions of higher education. Each January the employee has the option of receiving one day's pay for every four full days of sick leave accrued in the

previous year in excess of sixty days. Sick leave for which compensation has been received is deducted from accrued sick leave at the rate of four days for every one day's monetary compensation.

At time of death or retirement from state service, the employee or employee's beneficiary receives one day's pay for every four days of accrued sick leave. Compensation received for unused sick leave is not included in computation of retirement benefits. The State Personnel Board, Higher Education Personnel Board, and other personnel authorities are required to adopt rules to carry out the provisions of this act.

Determination as to what classes of employees are eligible to receive compensation under this act is subject to approval by the Office of Financial Management. Should the Legislature revoke any benefits provided by this act, no affected employee shall be entitled to benefits as a matter of contractual right.

Senate:	44	4	Effective: Sept. 1, 1979
House: (a)	94	3	C 150 L 79 1st ex. sess.
S. Concur.			
(Partial)			
H. Recede:	95	0	
S. Final			
Passage:	40	3	

SSB 2194

SPONSORS: Committee on Higher Education
(Originally Sponsored by Senators
Ridder, Scott and Goltz)

COMMITTEE: Higher Education

Increasing dollar amount of capital construction projects of certain institutions of higher education before same have to be put out for public bid.

ISSUE:

Currently four-year higher education institutions must submit construction, remodeling or demolition work to public bid if the cost of the project exceeds ten thousand dollars.

Community colleges are presently subject to the public bid requirements applicable to public school districts contained in RCW 28A.58.135. As a result, a community college must submit to public bid any building, improvement, repair or other work the cost of which exceeds \$3,500.

All projects of community colleges and four-year institutions, regardless of cost, are also subject to Chapter 39.04 RCW which specifies planning, accounting, public notice and wage rate requirements for all public works contracts.

SUMMARY:

The public bid threshold for four-year institutions is increased from ten thousand to seventeen thousand five hundred dollars. Projects requiring work by a single craft or trade and amounting to more than \$10,000 are considered as a special class and are subject to the bidding provisions. The publication requirements of RCW 39.04.020 and RCW 39.04.090 are declared inapplicable to construction projects of four-year institutions where the cost is less than ten thousand dollars.

Community colleges are made subject to the same public contract provisions applicable to four-year institutions. However, the threshold for public bids is set at five thousand dollars. Sections 39.04.020 RCW and 39.04.090 RCW are declared inapplicable to construction projects of community colleges where the cost is less than five thousand dollars.

Senate: (a)	32	13	Effective: Sept. 1, 1979
House:	91	6	C 12 L 79 1st ex. sess.

SSB 2197

SPONSOR: Committee on Energy and Utilities
(Originally Sponsored by Senators
Bottiger, Benitz, Hayner and North)

COMMITTEE: Energy and Utilities

Regulating the milling of uranium and thorium.

ISSUE:

The milling of uranium and thorium creates a concentration of radioactive isotopes which radiate gamma rays and expel radioactive materials into the atmosphere. This creates a potential hazard to the citizens of Washington State which may require regulation in order to protect the public health.

SUMMARY:

Conditions are established for the licensing or renewal of licenses for operators of uranium or thorium mills in Washington State. The Washington State Department of Social and Health Services (DSHS) is charged with the surveillance and monitoring of compliance with terms of the license. As a condition for being granted a license or license renewal, the operator must submit a "plan for reclamation and disposal of tailings and for decommissioning the site" which conforms to the then existing safety and health standards. DSHS must conduct a public hearing for the presentation of evidence regarding adequacy of the plan and must allow cross-examination by both the Department and the person proposing the plan. The mill owner must agree that upon termination of the license (i.e., cancellation of the license after permanent cessation of operations) the licensee will

transfer to the state or appropriate federal agency all lands and facilities necessary for protection of the public safety and health. Where the lands are held in trust or owned by an Indian tribe, this requirement is inapplicable.

Issuance fees are charged to mill operators for application and monitoring compliance with conditions of the license, and a quarterly charge is imposed at the rate of five cents per pound of the elements extracted. Total charges collected, not to exceed \$1 million from each licensee, are deposited in the "radiation perpetual maintenance fund." The Department is required to use this security fund for maintenance and surveillance of radioactive milling sites when the licensee has ceased operations. The Department may increase or decrease the charge rate depending on the estimated costs required to monitor sites where operation has ceased, and allows the Department to refund excess amounts collected.

Licensees are required to post a bond to provide funds in the event of abandonment, default, or other inability to comply with license requirements. Forfeited bonds are paid into the radiation perpetual maintenance fund. The state is allowed to acquire, by gift or transfer, the milling sites and other lands and buildings necessary to provide proper care and surveillance of such milling sites. The licensee must submit to on-site inspection or monitoring during operation of the facility.

Senate: (a) 44 0 Effective: Sept. 1, 1979
 House: (a) 98 0 C 110 L 79 1st ex. sess.
 S. Concur.
 (Partial)
 H. Refused
 to Recede
 S. Concur: 45 0

SB 2206

SPONSORS: Senators Hansen, Gaspard, Day, Wanamaker and Benitz
 (By Department of Agriculture Request)

COMMITTEE: Agriculture

Revising the fees and procedures for commercial feed inspection.

ISSUE:

Costs for the inspection of commercial feed have increased because of inflation and added expenses for facilities and analysis. The Department of Agriculture contends that increased funding is needed to maintain current program levels.

SUMMARY:

Inspection fees on commercial feeds are increased from six cents to eight cents per ton. The reporting requirements of the industry are reduced from four times to two times per year. The penalty assessed for collection of late fees is lowered from 25 percent to 10 percent with a \$5 minimum.

The Department of Agriculture estimates that \$23,600 in additional revenue will be generated each year by the increase in inspection fees for the support of the feed inspection program.

Senate: 47 0 Effective: Jan. 1, 1980
 House: (a) 98 0 C 91 L 79
 S. Concur: 47 0

SB 2218

SPONSORS: Senators Peterson, Conner, Vognil and Wanamaker
 (By Department of Natural Resources Request)

COMMITTEE: Natural Resources

Providing for cooperative land use planning by the Department of Natural Resources and local governments.

ISSUE:

Due to the increased development of state lands located in urban areas, DNR contends there needs to be better communication and cooperation between the Department and local governments concerning land use planning.

SUMMARY:

At least annual meetings between the Department and local governments are required, prior to finalizing DNR's urban land leasing action plan, to review and coordinate state and local planning in areas where urban lands are located.

DNR and local governments are permitted to enter into formal agreements concerning the development of state urban lands.

Although DNR is directed to contact local governments to arrange for meetings, local governments may initiate contact.

"Urban lands" are defined as those areas having urban governmental services which are expected to be intensively developed within the next ten years. "Local government" is defined as any jurisdiction having planning and land-use regulation authority.

Senate: 44 0 Effective: Sept. 1, 1979
 House: 98 0 C 56 L 79 1st ex. sess.

SB 2221

SPONSORS: Senators Marsh, Day, von Reichbauer, Sellar, Gallagher and Talmadge

COMMITTEE: Judiciary

Revising law relating to health care practitioner review boards.

ISSUE:

A number of disciplinary committees or boards have been established to hear and dispose of complaints of unprofessional conduct leveled against members of the health care profession. They are generally given the power to suspend or revoke licenses and to issue reprimands. Under present law, the written records, including transcripts of proceedings, of such committees or boards are not subject to subpoena or pretrial discovery in any civil action except one arising out of the recommendations of the committee or board.

SUMMARY:

The protection against being subject to subpoena or pretrial discovery is extended to written records of members, employees, staff, or investigators of health care profession disciplinary or review committees or boards. The effect is to protect all written records and files kept by anyone working on, or employed by, the disciplinary committee or board.

Senate: (a)	46	0	Effective: June 7, 1979
House:	97	0	C 17 L 79

SB 2224

SPONSORS: Senators Conner, Gaspard, Rasmussen, Talley, Quigg, Walgren, Van Hollebeke, Moore, Peterson, Odegaard, Goltz, Wilson, Bausch, Vognild, Benitz, Wojahn, Talmadge and Morrison

COMMITTEE: Ways and Means

Establishing a schedule of early retirement pensions for volunteer firemen.

ISSUE:

Current law provides that in order to receive a service pension, a volunteer fireman must have served in such capacity for twenty-five years or more. The maximum monthly pension provided under current law is \$100.

SUMMARY:

The volunteer firemen's relief and pension system is modified in several respects.

1. The basic benefit accrual rate for a retiree who is at least sixty-five years old and who has spent

twenty-five years in active service is increased from \$25 per month plus \$3 per month of each year of participation to \$25 per month plus \$5 per month of each year of participation. The maximum monthly benefit amount is raised to \$150.

2. A schedule is established under which individuals serving less than twenty-five years are eligible for a reduced amount of benefits, payable at age sixty-five:
 - a. Ten through fourteen years = fifteen percent of the basic benefit;
 - b. Fifteen through nineteen years = thirty percent of the basic benefit;
 - c. Twenty through twenty-four years = sixty percent of the basic benefit.

- a. Ten through fourteen years = fifteen percent of the basic benefit;
- b. Fifteen through nineteen years = thirty percent of the basic benefit;
- c. Twenty through twenty-four years = sixty percent of the basic benefit.

3. An additional rate schedule is provided whereby a recipient of benefits may begin receiving benefits prior to age sixty-five. If the recipient has completed twenty-five years of service, he may irrevocably elect to receive a portion of his accrued benefits as follows:
 - a. Retirement at age sixty = sixty percent;
 - b. Retirement at age sixty-two = seventy-five percent.

- a. Retirement at age sixty = sixty percent;
- b. Retirement at age sixty-two = seventy-five percent.

Any monthly pension amounting to less than \$25 may be paid in a lump sum equal to the value of the annuity.

Senate:	48	0	Effective: Sept. 1, 1979
House:	98	0	C 157 L 79 1st ex. sess.

SSB 2226

SPONSORS: Committee on Local Government (Originally Sponsored by Senators Odegaard and Peterson)

COMMITTEE: Local Government

Permitting a port district to own property in another port district.

ISSUE:

Existing law permits port districts, owning property contiguous to their boundaries and inside the boundaries of another port district, to have such property transferred to the owning port district's jurisdiction. Transfer is accomplished by unanimous resolution of the boards of commissioners of both port districts concerned with the property. The terms of existing law do not permit the acquisition of property outside a port district's boundaries.

This law was passed in 1977 to solve a legal problem rising from a particular port district's ownership of land outside its boundaries. Judicial opinion concerning the situation had held that raising tax revenues for upkeep of property outside

the port district's boundaries was unlawful. This law was passed to correct the illegality, but it was later discovered that existing maps were incorrect. The property was very close to port district boundaries, but not contiguous.

Port commissioners must require performance bonds of all lessees of state-owned harbor areas to insure payment of agreed rental fees. Existing law does not permit lessees to substitute cash deposits for such bond requirements.

SUMMARY:

Port districts are permitted to acquire property contiguous to their boundaries, or within one-quarter air mile of their boundaries, and inside the boundaries of another port district. Such property is transferred to the acquiring port district after unanimous action of the board of commissioners has resolved to acquire and accept transfer. The board of commissioners of the transferring port district must also unanimously resolve to permit acquisition and transfer. After transfer, the owning port district has full jurisdiction over the property.

Lessees of state-owned harbor areas are permitted to pay cash deposits in the amount of required bonds in lieu of bond purchase.

This bill contains an emergency clause.

Senate: (a) 48 0 Effective: March 21, 1979
 House: (a) 97 1 C 72 L 79
 S. Concur: 46 0

SB 2233

SPONSORS: Senators Donohue, Clarke and Bausch

COMMITTEE: Financial Institutions and Insurance

Modifying provisions regulating small loan companies.

ISSUE:

Currently, small loan companies are not authorized to offer credit disability insurance, i.e., insurance which allows a borrower to insure that his loan will be repaid during periods of disability. Other lending institutions have this authority.

The current method utilized by small loan companies to compute default charges is overly complex, confusing to the consumer and does not reflect current practices by other types of lending institutions.

When lending limits for small loan companies were increased in 1977, corresponding increases in bonding requirements were inadvertently left unchanged.

SUMMARY:

Small loan companies are authorized to insure against the disability of a borrower and to deduct the premium of the insurance from the principal of the loan.

The current method for computing default charges is replaced and companies are allowed to charge 5% of the unpaid amount of the late installment or \$5.00 whichever is less.

Additionally, the amount of the bond which licensees must file at the time of application to the Supervisor of Banking is increased from \$1,000 to \$2,500. The maximum amount of the additional bond which the Supervisor may demand in situations where he determines the original bond is no longer effective is also increased to \$2,500.

Finally, the title of Chapter 31.08 RCW is changed from the Small Loan Act to Consumer Finance Act.

Senate: 44 3 Effective: June 7, 1979
 House: 96 1 C 18 L 79

SB 2242

SPONSORS: Senators Rasmussen, Day, McDermott, Woody, Conner, Sellar, Benitz and Guess
 (By Executive Request)

COMMITTEE: State Government

Authorizing a designee or other state official to serve in the governor's stead on certain boards.

ISSUE:

Under current law, the Governor is designated as a member of a number of boards, committees and commissions. The Governor's role on these bodies ranges from being designated chairman to serving only in an advisory capacity. The demands of office make it difficult for the Governor to participate on all such boards and commissions, and in some cases her direct participation is unnecessary because the boards are advisory to the Governor.

The Governor has requested changes with respect to her participation on several such entities.

SUMMARY:

In five instances, the Governor's membership is eliminated without replacement (Washington State Historical Society Board of Curators, Eastern Washington State Historical Society Board of Trustees, State Capitol Historical Association Board of Trustees, Washington State University Board of Regents, and Washington Toll Bridge Authority — the functions of which were assumed by the Department of Transportation created in 1977).

The Governor is replaced by the Superintendent of Public Instruction on the Candidates' Pamphlet Board of Review, by the Lieutenant Governor on the Voters' Pamphlet Board of Censors, and by the Director of the Department of Emergency Services on the Emergency Services Council.

The Governor may appoint a designee to the Mutual Savings Banks' Board of Appeals, the State Board of Natural Resources, and the State Capitol Committee.

Some additional technical changes are made to bring statutory terminology up to date.

Senate: (a) 45 1 Effective: Sept. 1, 1979
House: 97 0 C 57 L 79 1st ex. sess.

SSB 2243

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Goltz, Van Hollebeke, Conner, Lee, Jones, Quigg and Benitz)
(By Executive Request)

COMMITTEE: Higher Education and Ways and Means

Authorizing a bond issue for institutions of higher education.

ISSUE:

A bond issue for the planning and construction of capital improvements needed by the state institutions of higher education is required to carry out the purposes of the capital budget.

SUMMARY:

The issuance of \$14 million in general obligation bonds for the institutions of higher education is authorized to be paid from general revenues of the state.

Bond receipts are to be deposited in the state higher education construction account, and the state higher education bond retirement fund of 1977 is to be used for payment of principal and interest on the bonds.

The bill contains an emergency clause.

Senate: 46 0 Effective: June 15, 1979
House: 88 5 C 223 L 79 1st ex. sess.

SSB 2244

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Peterson, Conner, Talley, Odegaard, Newschwander, Clarke, Rasmussen, Moore, Vognild, Woody, Lee, Jones, Gallagher, Quigg and Benitz)
(By Executive Request)

COMMITTEE: Ways and Means

Authorizing a bond issue for fisheries facilities.

ISSUE:

A bond issue for Department of Fisheries' projects capital improvements is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue \$6 million in general obligation bonds for acquisition, construction and remodeling of state buildings and facilities for the Department of Fisheries.

The bill contains an emergency clause.

Senate: 45 1 Effective: June 15, 1979
House: 89 8 C 224 L 79 1st ex. sess.

SSB 2249

SPONSORS: Committee on Higher Education
(Originally Sponsored by Senators Peterson, Goltz, Conner, Clarke, Benitz, Bluechel, Vognild, Talley, Lee, Jones, Morrison, Gallagher, Quigg, Guess and Lewis)
(By Executive Request)

COMMITTEE: Higher Education

Authorizing a bond issue for the commission for vocational education.

ISSUE:

Authorization of a bond issue and the necessary appropriation is required to finance the design and construction of a Fire Service and Training Center to serve the fire fighters of the state.

SUMMARY:

The issuance of an additional \$2,400,000 in general obligation bonds and an appropriation of \$4,259,400 for the 1979-81 biennium are authorized for continued financing of a state Fire Service Training Center for the Commission for Vocational Education.

The bill contains an emergency clause.

SSB 2249

Senate: 45 1 Effective: June 15, 1979
House: 93 4 C 225 L 79 1st ex. sess.

SSB 2250

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Goltz, Walgren, Odegaard, Fleming, Van Hollebeke, von Reichbauer, Woody, Talley, Gallagher, Newschwander, Lee, Jones, Morrison, Bluechel, Quigg, Lewis, Wanamaker, Benitz, Sellar and Talmadge)
(By Executive Request)

COMMITTEE: Ways and Means

Authorizing a bond issue to fund community college capital projects.

ISSUE:

A bond issue to fund community college capital projects is required to carry out the purpose of the capital budget.

SUMMARY:

The bond proceeds will be deposited in the 1975 community college capital construction account. The 1975 community college capital construction bond retirement fund will be used for paying principal and interest on the bond issue.

Funds from general tuition fees must be deposited in the general fund to adequately meet the requirements of principal and interest payments. Bonds are issued only when the Community College Board has certified to the State Finance Committee that anticipated general tuition fees are adequate for such purposes.

The bill contains an emergency clause.

Senate: 46 1 Effective: June 15, 1979
House: (a) 84 11 C 226 L 79 1st ex. sess.
S. Concur: 42 0

SSB 2251

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Day, Fleming, Conner, Gould, Peterson, Lee, Jones, Hayner and Talmadge)
(By Executive Request)

COMMITTEE: Social and Health Services and Ways and Means

Authorizing a bond issue for social and health services facilities.

ISSUE:

A bond issue for the planning and construction of capital improvements needed by the Department of Social and Health Services is required to carry out the purposes of the capital budget.

SUMMARY:

Issuance of \$100 million in general obligation bonds is authorized for the planning and construction of social and health services facilities.

The current social and health services construction account is used and if a state general obligation bond retirement fund is not established, there is created the state social and health services bond redemption fund of 1979 for bond retirement purposes.

The bill contains an emergency clause.

Senate: 45 0 Effective: June 21, 1979
House: (a) 90 6 C 252 L 79 1st ex. sess.
S. Concur: 40 1

SSB 2252

SPONSORS: Committee on Transportation
(Originally Sponsored by Senators Henry, Walgren and von Reichbauer)
(By Executive Request)

COMMITTEE: Transportation

Adopting a transportation supplemental budget.

ISSUE:

Additional funds are necessary to fund the transportation budget for the remainder of the 1977-79 biennium.

SUMMARY:

The following sums are appropriated:

1. Up to \$4,850,000 (all state funds) from the motor vehicle fund for the operations and maintenance of the ferry system.
2. Up to \$12,621,000 (all state funds) from the Puget Sound capital construction account in the motor vehicle fund for improving the Washington State Ferry System, including acquisition of vessels and terminal construction.
3. Up to \$24,000 (all state funds) from the motor vehicle fund for the operation of Puget Island-Westport Ferry.
4. Up to \$27 million from the urban arterial trust account in the motor vehicle fund for assistance to cities and counties in urban areas for urban arterial highways, roads and streets. Seven million dollars of this sum is to come from the proceeds from the sale of first authorization bonds and \$15 million is to come from the sale of series two bonds.

5. Up to \$186,500 (all federal funds) from the general fund for minority construction workers and minority contractors.

This bill contains an emergency clause.

Senate: 46 1 Effective: March 13, 1979
House: 89 7 C 30 L 79

SSB 2254

PARTIAL VETO

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senators Hansen, Gaspard, Day, Benitz and Wanamaker)
(By Department of Agriculture Request)

COMMITTEE: Agriculture

Updating laws relating to agriculture.

ISSUE:

The Department of Agriculture requested this bill to make changes in various laws which are administered by the Department. The changes would increase indemnity payments for diseased dairy cattle, remove unnecessary requirements for obtaining permits and filing reports, update terminology, differentiate between types of stray animals, and repeal outdated statutes.

SUMMARY:

The requirement of obtaining a permit from the Department of Agriculture to remove screenings containing noxious weed seed is removed and the Department is authorized to adopt regulations for disposal of screenings which contain weed seeds.

The commercial fertilizer industry's requirement for reporting inspection fees to the state is reduced from four to two times per year. These reports are exempt from classification as public records.

The number of times that a public hearing notice is required in the producer referendum process of a commodity commission is reduced from five to two.

Commodity commissions are permitted to end their fiscal year on a date other than June 30 which is in the middle of the marketing season for some crops. The Department no longer needs to compile a composite financial statement showing the financial positions of all commodity commissions.

Stray livestock may be impounded by state brand inspectors and county sheriffs. Types of stray livestock are differentiated so that brand inspectors must attempt to determine ownership of certain impounded animals prior to sale in case the animal has an abnormal value.

The Department is authorized to take measures to suppress dangerous diseases in all animals which present a potential communicable disease problem.

Tests for brucellosis disease may be made by veterinarians other than Department veterinarians.

The maximum indemnity payment by the state is increased for dairy cattle that are condemned because of tuberculosis or brucellosis disease. The maximum payment for grade dairy females is increased from \$25 to \$100, and the maximum payment for a purebred registered dairy bull or female is increased from \$50 to \$150. Also included is a condition that the combined indemnity payment and salvage value for an animal shall not exceed 80 percent of its true value.

The Department is authorized to suspend or revoke food processor licenses for failure to comply with provisions of the Washington Food, Drug, and Cosmetic Act and regulations adopted thereunder.

The false defamation of competitors in the macaroni industry is decriminalized.

The 1903 Bakery and Bakery Products Act is repealed to correct an oversight which left this statute on the books after passage of a 1937 Bakery Act.

Sections in the 1937 Bakery and Bakery Products Act which prohibited the consignment of bakery products and the giving of refunds, credit, exchanges, discounts, gifts, or allowances in connection with the sale of bakery products are repealed. Bakeries and macaroni factories need not file statements of prices and discounts with the Department of Agriculture.

Confectioners need not file each trademark and trade name of confection products with the Department of Agriculture.

The Department of Agriculture is directed to adopt rules governing the intrastate movement of animals to prevent the spread of brucellosis. These rules must require testing for brucellosis upon change in ownership for certain animals. (Vetoed Section)

The prohibition against using a combination of imitation dairy products and real dairy products in the manufacture of certain food products is deleted.

The fiscal note states that the only item having a fiscal impact is the increase in the brucellosis indemnity payments for dairy livestock. The reason for the proposed increase is to allow indemnity payments to more accurately reflect the value of milk producing animals and better enable the herd owner to reestablish a depopulated herd. The herd owner would be compensated up to eighty percent of the value of animals having the contagious disease. The estimated fiscal impact because of higher indemnity payments is \$112,500 from the general fund for the coming biennium. This amount has been appropriated for this purpose.

SSB 2254

Senate: (a) 48 0 Effective: June 7, 1979
House: (a) 95 0 C 154 L 79
S. Concur: 45 0

VETO SUMMARY:

The Governor vetoed the section requiring mandatory testing by the Department of Agriculture of animals for brucellosis or other contagious diseases when the animal changes owners. The Governor feared that eliminating the Department of Agriculture's present discretionary testing program would prove to be expensive and perpetuate the program once brucellosis is brought under control. (See VETO MESSAGE)

SSB 2255

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senators Hansen, Gaspard, Day, Benitz and Wanamaker)
(By Department of Agriculture Request)

COMMITTEE: Agriculture

Revising the laws relating to the control of pesticides.

ISSUE:

Currently, the Washington Department of Agriculture has primary enforcement powers relating to pesticide control in the state. In order to retain this power, Washington law must not allow for less stringent regulation of pesticide use than the federal law requires. Amendments to the Washington Pesticide Control Act (RCW 15.58) to comply with the Federal Insecticide, Fungicide and Rodenticide Act as amended in 1978 are therefore needed.

SUMMARY:

To allow the state to continue primary pesticide control responsibilities, pesticide label or labeling registration requirements are specified. The use of any pesticide contrary to its label directions is unlawful. Compliance with federal law is required to protect trade secrets and other confidential information from public disclosure.

The Director is authorized to apply to the Environmental Protection Agency for an exemption to use a pesticide under emergency conditions. The Director is authorized to comply with federal requirements to register pesticides for special local needs and to issue experimental use permits.

Definitions are added to comply with federal law. The Pesticide Control Board is repealed.

Senate: 44 0 Effective: June 7, 1979
House: (a) 96 0 C 146 L 79
S. Concur: 46 0

SB 2256

SPONSORS: Senators Rasmussen, Newschwander and Moore
(By State Finance Committee Request)

COMMITTEE: State Government

Revising laws relating to investments and custody of state funds.

ISSUE:

Three issues concerning investment of state funds by the State Finance Committee are raised in this bill.

(1) Under current law, the Attorney General has taken the position that the conflict of interest provision relating to membership on the Investment Advisory Committee precludes the appointment of a trust investment officer employed by a commercial bank or trust company which owns a mortgage servicing subsidiary. The State Finance Committee believes that this provision unnecessarily limits the Committee in securing appointees who could otherwise contribute to the state's investment program.

(2) In 1977, the Legislature authorized the State Treasurer to appoint a custodian of securities other than himself. Use of the Depository Trust Company in New York as a sub-custodian would reduce paper work and costs of transactions. Other states which permit this practice include Connecticut, Maryland, Minnesota, North Carolina and Wisconsin.

(3) Short-term investments in time certificates of deposit are currently limited to the amount of the federal insurance allowed for institutions (up to \$100,000). The State Finance Committee is already authorized to purchase (without limitation) bankers' acceptances and commercial paper, two classes of investments with similar risk.

SUMMARY:

A trust investment officer of a commercial bank or trust company which owns a mortgage servicing subsidiary may be appointed to the State Investment Advisory Committee. The State Treasurer may use the Federal Reserve System or the Depository Trust Company as a sub-custodian for state investments, and the insurance limitation on the amount of time certificates of deposit which may be purchased by the state as short-term investments is removed. Time certificates of deposit may now be purchased from banks outside, as well as within, the State of Washington.

Senate: (a) 46 0 Effective: June 7, 1979
House: 97 0 C 119 L 79

SSB 2265

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senators
Hansen, Gaspard, Day, Benitz and
Wanamaker)
(By Department of Agriculture
Request)

COMMITTEE: Agriculture

Revising laws relating to application of pesticides.

ISSUE:

Currently, Washington has its own certification program for pesticide applicators. This plan must be approved by the Environmental Protection Agency or that federal agency is authorized by Congress to take over the certification of applicators. To assure approval by the EPA of the Washington program and thus to continue state certification of Washington applicators, amendments to the Washington Pesticide Application Act, RCW 17.21, are needed.

SUMMARY:

Definitions are added to comply with federal law. The bill allows employees of landowners or land managers to be applicators without certification if the employer is certified. Persons who (1) produce agricultural commodities, or (2) apply pesticides to associated non-crop land, or (3) apply pesticides to lands owned or rented by the applicator or employer are called "private applicators" and must be certified by the Director prior to using restricted use pesticides.

To comply with federal laws, the Director is no longer required to find a pesticide injurious prior to adopting rules governing application, prohibition or possession of pesticides. Governmental research pesticide applicators are required to hold public operators licenses. Private research applicators must be licensed as pesticide applicators, but are exempt from the surety bond and insurance requirements of the Act. Landscape gardeners are exempt from the licensing provisions of this Act unless they apply restricted use pesticides. Private commercial applicators are required to apply to the Director of the Department of Agriculture for licenses, pay a twenty dollar license fee, and pass an examination prior to obtaining a license. Licenses for private commercial applicators and certifications of private applicators may be renewed upon a showing of competence regarding new knowledge.

Senate: 46 0 Effective: June 7, 1979
House: 97 0 C 92 L 79

SSB 2273

SPONSORS: Committee on Local Government
(Originally Sponsored by Senators
Talley, Sellar and Woody)

COMMITTEE: Local Government

Modifying the provision for trust funds deposited with the clerk of the superior court.

ISSUE:

Existing law permits superior court clerks to invest funds held in the "clerks' trust funds" in authorized investments. Income from such investments is paid into the county current expense fund. A county clerk may invest funds as a trustee for a litigant beneficiary if funds held in a particular matter equal \$2,000 or more and the litigant beneficiary specifically requests investment.

Within thirty days of deposit with the court, litigants in matters where funds equal \$2,000 or more are entitled to notice that funds which the court holds in trust may be invested, as described above. Notice need not be given if litigants have previously received notice or have already requested investment.

County clerks have urged that this notice requirement is burdensome and unnecessary in actions where litigants are represented by attorneys.

SUMMARY:

Notice provisions described above are deleted. However, in matters where at least \$2,000 are on deposit in a clerk's trust fund, any litigant who has appeared and who is not represented by an attorney is entitled to written notice that funds may be invested.

Senate: 45 3 Effective: Sept. 1, 1979
S. Recon. C 227 L 79 1st ex. sess.
Senate: (a) 44 0
House: (a) 87 0
S. Concur: 36 3

SSB 2274

SPONSORS: Committee on Local Government
(Originally Sponsored by Senators
Sellar, Talley and Lewis)

COMMITTEE: Local Government

Permitting county treasurers to invest in bankers' acceptances.

ISSUE:

County treasurers are directed by law to keep and pay out state and county funds only as specifically authorized. County treasurers and municipal corporation treasurers may invest municipal

corporation funds in their custody when authorized by the corporation's governing body or by the county finance committee. However, such investment may only be made in accounts in specified financial institutions and in notes, bonds and certificates of specified types. These investment restrictions are imposed to insure that public money will not be lost as a result of unsound investments. Treasurers are not currently permitted to invest municipal corporation funds in bankers' acceptances.

A banker's acceptance is a negotiable note or draft which a bank has agreed to pay in the event of a note-maker's default. Bankers' acceptances are often used in financing foreign trade. They are generally considered to be safe investments, and they yield a high rate of return.

SUMMARY:

County and municipal corporation treasurers are permitted to invest municipal corporation funds in bankers' acceptances purchased on the secondary market when authorized to invest these funds by their governing bodies.

Senate: 46 1 Effective: June 7, 1979
House: (a) 96 0 C 57 L 79
S. Concur: 48 0

SSB 2275

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Keefe, Matson and Morrison)

COMMITTEE: Ways and Means
Revising laws regulating horse racing.

ISSUE:
Gross receipts from parimutuel machines might be distributed so as to assure the continued operation of small race tracks in the state.

SUMMARY:
The percentages used for distributing the total parimutuel receipts from meets averaging \$500,000 or less gross receipts is modified. The percentage to be distributed to licensees is raised from 10% to 11%. The percentage to be distributed daily to the Racing Commission is 4.5% of up to the first \$500,000 daily gross receipts. The Commission then receives 5% of receipts over \$500,000. The percentage to be distributed to the parimutuel pool is based on whether the bet is exotic or non-exotic.

Race meets which average \$500,000 or more gross receipts for each authorized day of racing may retain ten and one-half percent of the first

\$500,000 in receipts and 10% of the amount of receipts in excess of \$500,000. At least 50% of the excess over 10% is to be used to support the general purse structure. The remainder may be used for certain capital improvements and to support the general purse structure.

Of the percentage over 10% to be received by the licensee of meets averaging \$500,000 or less, at least 50% is committed to the general purse structure. The remainder may be used for certain capital improvements and to support the general purse structure.

It is unlawful for licensees with gross receipts of \$500,000 or less to retain gross receipts in excess of the percentages stated in section 5 of the bill.

The definition of a nonprofit race is amended from six days and \$200,000 gross annual receipts to ten days or less and average daily gross receipts of less than \$120,000.

Race meets of twenty-five days or less which run 60% quarter horses and/or Appaloosa races may retain 14% of gross receipts, and the operator is required to pay one percent of gross receipts per day of each such meet to the Racing Commission.

The bill contains an emergency clause.

Senate: (a) 36 10 Effective: March 16, 1979
House: (a) 82 14 C 31 L 79
S. Concur: 34 11

SB 2277

SPONSORS: Senators Wanamaker and Moore
COMMITTEE: Transportation

Permitting certain bus stop signs.

ISSUE:
Present law limits the type of signs which are visible from an interstate highway system, primary highway system or scenic highway system.

SUMMARY:
Existing law is amended to permit the erection of public service signs on school bus stop shelters. The signs are limited as to size, number, content, and placement on school bus shelters authorized by law, regulation or ordinance.
The Department of Transportation is delegated the authority to adopt rules and regulations relating to the appearance of school bus shelters and the size and contents of signs located on those shelters.

Senate: (a) 47 1 Effective: June 7, 1979
House: 92 3 C 69 L 79

SSB 2284

SPONSORS: Committee on Natural Resources
(Originally Sponsored by Senator Peterson)

COMMITTEE: Natural Resources

Providing for leasing of harbor areas.

ISSUE:

The Department of Natural Resources is required by statute to adjust the rental fees on harbor area leases every five years. The rental fee is established as a percentage of the appraised value of the harbor area. Recently, the rental fees for some harbor area leases have skyrocketed following the Department's five-year reappraisal of the property. New rental fees for harbor area leases are frequently two, three or four times the amount of the previous rental fee. The lessees and other people that use these harbor areas disagree with the Department about the justice of these large rent increases.

SUMMARY:

Existing law is amended to allow a lessee thirty days, rather than the current ten days, to appeal the revised rental fees following reappraisal of the property.

Increases in the rental fee are temporarily limited to an annual rate of no more than six percent unless the reappraisal is conducted by a specially qualified independent appraiser. This temporary restriction on rent increases expires on July 1, 1982.

The Department of Natural Resources is required to adopt by rule the procedures used to establish the annual rent for harbor area leases. The Department must grant reduced rental rates to lessees that encourage public access and use of the leased property.

This bill contains an emergency clause.

Senate:	45	2	Effective: April 30, 1979
House: (a)	85	13	C 97 L 79 1st ex. sess.
S. Concur:	25	17	

SB 2290

SPONSORS: Senators Conner, Hansen and Guess
(by Department of Transportation Request)

COMMITTEE: Transportation

Revising the powers of the Department of Transportation relative to highways.

ISSUE:

The 1977 session of the Legislature created the Department of Transportation. Powers previously held by the Highway Commission were transferred

to the Department of Transportation. The Department contends that powers previously held by the Highway Commission should be specifically conferred upon the Department of Transportation.

SUMMARY:

The Department of Transportation is authorized to plan, construct, and maintain state highways and bridges and to approve or disapprove payments for this work. The Department of Transportation has the power to acquire property and erect structures on that property which are necessary for the maintenance of the state highway system or necessary for the health, safety and convenience of the traveling public.

Senate:	48	0	Effective: Sept. 1, 1979
House:	94	1	C 58 L 79 1st ex. sess.

SSB 2291

SPONSORS: Committee on Transportation
(Originally Sponsored by Senators Henry, Conner and Hansen)
(By Department of Transportation Request)

COMMITTEE: Transportation

Modifying permissible expenditures from the state highway fund and ratifying transfers to the state highway fund.

ISSUE:

Present law provides for expenditures from the state highway fund by the Highway Commission. The Highway Commission was abolished by the Legislature in 1977 and the functions transferred to the Transportation Commission and the Department of Transportation.

SUMMARY:

The intent of the 1977 DOT Act to fund transportation equipment and facilities is recognized, and references to the former highway equipment fund are amended.

The Department of Transportation is given the authority to use funds in the transportation equipment fund. The state motor pool is eliminated as a recipient of funds from the transportation equipment fund. The functions and duties of the state motor pool were transferred to the Department of General Administration in 1975. Prior transfers of equipment acquired with motor vehicle fund appropriations to the transportation equipment fund are ratified and the fund is reimbursed for computer services.

Senate:	47	1	Effective: June 7, 1979
House:	93	0	C 39 L 79

SB 2295

SPONSORS: Senators Scott, Shinpoch, Bluechel and Odegaard
(By Legislative Budget Committee Request)

COMMITTEE: State Government

Disestablishing certain obsolete state funds and accounts.

ISSUE:

Current law contains references to several state funds and accounts which are inactive, obsolete, or no longer required. The Legislative Budget Committee believes that references to these funds and accounts should be eliminated from the Revised Code of Washington.

SUMMARY:

Thirteen state funds and fifteen state accounts are abolished on various dates through July 1, 1981.

In addition, the General Obligation Bond Acts of 1949 and 1957 and the Capitol Building Bond Act are repealed.

All assets remaining in such funds and accounts are transferred to the General Fund.

Senate:	47	0	Effective: Sept. 1, 1979
House: (a)	94	0	C 67 L 79 1st ex. sess.
S. Concur:	45	0	

SB 2296

SPONSORS: Senators Scott, Shinpoch and Bluechel
(By Legislative Budget Committee Request)

COMMITTEE: State Government

Revising laws relating to veterans.

ISSUE:

Current laws provide for a Veterans Affairs Account and a Veterans Rehabilitation Account. Since these accounts are inactive, the Legislative Budget Committee believes they should be abolished. Current laws also include the Veterans Bonus Acts of 1949, 1955, and 1972. The Legislative Budget Committee believes that these acts (except for a portion dealing with the cigarette excise tax) should be repealed since all state obligations incurred under them have been paid off, making them obsolete.

SUMMARY:

The Veterans Affairs Account and the Veterans Rehabilitation Account are abolished and the Veterans Bonus Acts of 1949 (Ch. 73.32 RCW), 1955 (Ch. 73.33 RCW) and 1972 (Ch. 73.34

RCW) are repealed. Provisions of current law (RCW 72.32.130) relating to payment of the cigarette excise tax, are transferred from the Veterans Bonus Act of 1949 to the chapter relating to excise taxes (RCW 82.24).

Senate:	48	0	Effective: Sept. 1, 1979
House:	98	0	C 59 L 79 1st ex. sess.

SB 2297

SPONSORS: Senators Scott and Goltz
(By Legislative Budget Committee Request)

COMMITTEE: Higher Education

Repealing higher education assistance authority act.

ISSUE:

The Washington State Higher Education Assistance Authority Act was created in 1973 to form a secondary market for student loans. It could issue bonds, use the proceeds to purchase student loans from lending institutions and require the lending institutions to make new loans.

In December 1974, the Washington Supreme Court declared the act creating the state's Higher Education Assistance Authority wholly unconstitutional on two grounds: (1) the Authority's advanced purchase of student loans from the lenders violated the state constitutional prohibition against giving or loaning the credit of the state, and (2) the indirect and incidental use of public funds to purchase loans made to students at sectarian schools was an unconstitutional attempt to circumvent the state constitutional provision forbidding any use of public funds in support of sectarian schools (Higher Education Assistance Authority v. Graham, 84 Wash. 2d 813).

SUMMARY:

The Higher Education Assistance Authority Act is repealed.

Senate:	45	0	Effective: Sept. 1, 1979
House:	95	0	C 60 L 79 1st ex. sess.

SSB 2301

SPONSORS: Committee on State Government
(Originally Sponsored by Senators Bluechel, Rasmussen, Clarke and Hayner)
(By Legislative Budget Committee Request)

COMMITTEE: State Government

Modifying review of state personal service contracts.

ISSUE:

Current law (Chap. 39.29 RCW) provides that all personal service contracts entered into by state departments must be filed with the Office of Financial Management (OFM) and the Legislative Budget Committee at least ten days prior to the contractor commencing work under such a contract. OFM has defined what is meant by "personal service contract" by regulation since no definition is provided in the statute. The Legislative Budget Committee proposes that the statute include a definition of "personal service contract" to provide uniform administration.

SUMMARY:

Under the personal services contracts statute (Chap. 39.29 RCW), "personal service contract" is defined to mean an agreement with an independent contractor for the rendering of personal services to the state. "Personal service" is defined to mean performing a specific study, project, or task which requires professional or technical expertise.

The statute does not apply to: (1) contracts specifying a fee of less than \$2,500; (2) contracts awarded through competitive bid where bidding follows a formal procedure and where a request for bids is advertised, unless the Office of Financial Management requires filing of certain specific contracts for management purposes; (3) contracts where the contracting agency recognizes that an employee-employer relationship exists; (4) contracts awarded to companies furnishing a service where a tariff is established by the Utilities and Transportation Commission or other public entity; (5) intergovernmental agreements awarded to any public corporation; and (6) contracts awarded for services to be performed for a standard fee established by the contracting agency and a like contract is available to all qualified applicants.

Senate:	48	0	Effective: Sept. 1, 1979
House:	96	0	C 61 L 79 1st ex. sess.

SSB 2304

SPONSORS: Committee on Transportation
(Originally Sponsored by Senators
Hansen, Guess and Donohue)
(By Department of Licensing Request)

COMMITTEE: Transportation

Pertaining to taxation and regulation of special fuel.

ISSUE:

The existing procedures for collection of the tax on special fuels seems cumbersome and burdensome

for the public. For example, all licensees are required to file monthly reports with the Department of Transportation.

SUMMARY:

Special fuel dealers are required to collect the special fuel tax when selling special fuel to other than the holder of a special fuel user's license. Commercially operated motor vehicles using special fuel may apply for a trip permit in lieu of a special fuel user's license. The fee for the trip permit is ten dollars plus three dollars for each day's use. This fee is in lieu of the special vehicle fuel tax. The Department may refuse to issue a trip permit if the applicant has unpaid fuel taxes, or if its special fuel license has been revoked for cause and the cause remains. Providers of fuels used for heating purposes, auto transportation companies, and passenger charter carriers are exempt from this bill.

Bonding requirements are changed by this bill. These changes will eliminate bonding requirements for licensees who have a tax liability of less than \$500.00/yr. For licensees who still must be bonded, the amount of the bond is raised from two to three times the estimated monthly tax liability. Those bonded for five or more years, without having had their bonds revoked, may reduce their bond requirements to twice the estimated monthly tax liability.

Monthly reports must be filed only by licensees whose estimated annual tax liability is or exceeds \$500. Quarterly reports are required only by those persons whose estimated annual tax liability is \$251 to \$499. Semi-annual reports are required for licensees whose estimated annual tax liability is \$101 to \$250. For licensees whose estimated tax liability is \$100 or less, only yearly reports are required.

Anyone desiring to purchase untaxed fuel is required to obtain a license.

The state can acquire a lien on the property of any special fuel dealer, supplier, or user failing to pay the tax. A claim for lien must be filed with the county auditor where the property is located, but the lien is valid only where the property is located. A lien filed with the county auditor and with the Secretary of State is effective in every county in the state.

Diversion of special fuel purchased for a nontaxable use to a taxable use, without payment of the tax, is a gross misdemeanor.

A special fuel dealer dispensing special fuel through a "key-lock" meter is required to account for all sales, taxable and untaxable, on a monthly basis.

The Department is granted certain investigatory powers, including subpoena power, to enforce the provisions of this act. Warrant procedures for collection of delinquent taxes are provided.

An exemption from payment of fuel tax is granted to one moving a motor vehicle on a public highway between two pieces of private property where the movement is incidental to the primary use of the motor vehicle.

Senate: (a) 45 0 Effective: June 7, 1979
House: 96 0 C 40 L 79

SB 2305

SPONSORS: Senators Bausch, Clarke and Walgren
(By Department of Licensing Request)

COMMITTEE: Financial Institutions and Insurance

Modifying insurance and bond requirements of escrow agents.

ISSUE:

In 1977 the Legislature enacted a number of revisions to the law regulating escrow agents. These revisions included the requirement that escrow agents obtain an errors and omissions policy in the minimum amount of \$50,000 "per loss". An errors and omissions policy insures against unintentional errors and omissions of the escrow agent and its employees. This requirement has created a problem in the industry because insurers do not offer policies on a "per loss" basis, but rather in "aggregate" amounts only.

Escrow agents are currently operating without this insurance coverage under an emergency regulation promulgated by the Department of Licensing which will expire ninety days after the end of the Regular Session of the 1979 Legislature.

Fidelity bonds insure the escrow agent against fraudulent or dishonest acts committed by its officers or employees. There is confusion as to whether the coverage under a fidelity bond extends both to corporate officers and escrow officers.

SUMMARY:

The law relating to escrow agents is revised by requiring that errors and omissions policies for escrow agents be issued in the minimum "aggregate" amount of \$50,000. Cash or securities satisfactory to the Director of the Department of Licensing may be deposited with the Department as an alternative to the policy. Fidelity bonds must provide coverage in the "aggregate" amount of \$200,000, and the acts of escrow officers, corporate officers, and partners must be covered.

Senate: (a) 47 0 Effective: June 7, 1979
House: 95 0 C 70 L 79

SSB 2306

SPONSORS: Committee on Financial Institutions and Insurance
(Originally Sponsored by Senators Bausch and Clarke)
(By Department of Licensing Request)

COMMITTEE: Financial Institutions and Insurance

Establishing enforcement mechanisms under the Franchise Investment Protection Act.

ISSUE:

The Director of the Department of Licensing, who is charged by statute with administration of the Franchise Investment Protection Act, currently has no statutory power to enforce compliance with existing law regulating franchise investments. While the State Attorney General has general enforcement powers under the Act and may bring an action in the name of the state to restrain and prevent prohibitive acts, the Department of Licensing contends that this practice is impractical and inefficient, since violators often leave the state before an action can be brought.

The Director of the Department of Licensing could be given authority to stop, control and investigate violations of the Franchise Investment Protection Act in order to afford greater protection of public investments in franchise offerings.

SUMMARY:

The Director of the Department of Licensing is authorized to conduct investigations of any proposed or existing franchise registration. The Department may also use its investigative powers to ascertain if any violations of the Act have occurred or will occur and to aid in the enforcement of the Franchise Investment Protection Act. Publication of information concerning violations of the Act is permitted.

Procedures for conducting investigations are established and the Director is granted general subpoena power and the power to administer oaths. Further, the Director is given discretionary power to issue cease and desist orders where it appears a violation has occurred or is about to occur. Reasonable notice and opportunity for hearing are provided. A temporary order may be issued by the Director prior to the hearing and may remain in effect until ten days after the hearing. A temporary order is final if no hearing is requested.

In any action brought by the Attorney General to restrain and prevent violations of the Franchise Investment Protection Act, a permanent or temporary injunction, restraining order or writ of mandamus must be granted following a proper showing for cause. In such a suit, a receiver or conservator for the defendant or his or her assets may be appointed.

Senate: 44 2 Effective: Sept. 1, 1979
 House: 97 0 C 13 L 79 1st. ex. sess.

SSB 2308

PARTIAL VETO

SPONSORS: Committee on Social and Health Services
 (Originally Sponsored by Senators Day and Vognild)

COMMITTEE: Social and Health Services

Revising laws relating to emergency medical services.

ISSUE:

At the present time, eight regional coordinators of emergency medical services are funded by the federal government. Additionally, under existing statutes, the services coordinated by the Regional Council emphasizes activity within major cities.

SUMMARY:

A methodology for funding emergency medical services is established.

Regional advisory councils are created which are to develop a plan and a budget for all emergency medical services within the region. The regional council must also prepare guidelines appropriate to the delivery of emergency medical care within the region. (Vetoed Section)

A state advisory committee is established to advise the secretary of DSHS in connection with matters affecting emergency medical services within the state and to review all proposed rules and regulations promulgated by the secretary. Six service regions are created with a council of eighteen appropriate members. The secretary of DSHS is authorized to set standards for all training programs and the operation of emergency medical care services within the state, including coordination of air evacuation and poison control services.

The bill appropriates \$2,229,000 with twelve additional FTE's and at least sixty percent of the appropriated funds disbursed in grants of emergency medical care.

Senate: 46 0 Effective: Sept. 1, 1979
 House: (a) 87 7 C 261 L 79 1st ex. sess.
 S. Concur: 47 0

VETO SUMMARY:

The Governor vetoed the section creating regional advisory councils. She contended existing law

provides sufficient authority to establish such advisory bodies. (See VETO MESSAGE)

SSB 2310

SPONSORS: Committee on State Government
 (Originally Sponsored by Senators Rasmussen, Day and Lewis)
 (By State Treasurer Request)

COMMITTEE: State Government

Authorizing state treasurer to make certain payments of wages and state funded benefits directly to financial institutions.

ISSUE:

Since 1977 all state-collected money remitted to county governments has been deposited directly to county bank accounts through "electronic fund transfers" (EFT). EFT is a paperless payment system in which processing and communication are accomplished almost entirely by electronic means. The State Treasurer has concluded that EFT payments to counties have been successful and should be expanded to cover a variety of state payments to individuals who wish to be paid under the system. He believes that EFT promotes efficiency and economy by eliminating the need for issuing warrants.

SUMMARY:

The State Treasurer may expand the use of electronic fund transfers to payments of state employee salaries and wages, public employee retirement benefits, industrial insurance benefits, or public assistance benefits. Benefit recipients must first request in writing that the State Treasurer make such payments on their behalf.

A single credit shall be made directly to an "initial depository financial institution," which includes any state or federally chartered commercial bank, trust company, mutual savings bank, savings and loan association, or credit union within the state, for the total amount due participating individuals. Thereafter, payment may be credited immediately by the initial financial institution to a recipient's personal account in a financial institution located either within or outside the state.

No employer or agency may require the recipient to maintain an account in any particular financial institution. The Office of Financial Management is authorized to adopt rules and regulations to implement this act.

Senate: 45 1 Effective: June 7, 1979
 House: 97 0 C 93 L 79

SB 2311

SPONSORS: Senators Bausch, Quigg and Talley

COMMITTEE: Financial Institutions and Insurance

Authorizing supervisor of savings and loan associations to conditionally allow credit unions to exercise powers of federally chartered credit unions.

ISSUE:

Currently, credit unions doing business in this state may operate under either a state or federal charter. The powers and restrictions affecting state credit unions are frequently different from those affecting federal credit unions. A grant of authority to state credit unions to exercise powers presently enjoyed by federal credit unions is desired in order to equalize and maintain the quality of competition between them.

SUMMARY:

The supervisor of state chartered credit unions may make rules permitting them to exercise any of the powers conferred on federal credit unions as of April 1, 1979.

The exercise of such power is conditioned on a finding by the supervisor that such action serves the convenience and advantage of credit union members and maintains the quality of competition between state and federal credit unions.

Senate: (a) 44 0 Effective: Sept. 1, 1979
 House: (a) 92 0 C 98 L 79 1st ex. sess.
 S. Concur: 42 0

SB 2314

SPONSORS: Senators Bausch and Clarke
 (By Department of Licensing Request)

COMMITTEE: Financial Institutions and Insurance

Modifying the Securities Act.

ISSUE:

The Department of Licensing believes that a frequent updating of securities regulation law is necessary in order to insure that it has the powers it needs to adequately regulate securities sold in Washington State.

SUMMARY:

The following major changes are made in existing securities regulation law:

1. The threshold for requiring audited financial statements for securities registered by coordination is lowered from \$1,500,000 to \$500,000. Securities

may be registered under the simplified procedure of coordination when they have already been registered under the federal securities law.

2. The threshold for requiring one year of audited financial statements for securities registered by qualification is raised from \$100,000 to \$500,000 and for two years of audited financial statements from \$500,000 to \$750,000. Securities are registered by qualification in Washington State when there is no registration of the securities under the federal securities law.
3. The one-year time limitation on the escrowing of promoter stock is eliminated. Promoter stock may now be held in escrow at the discretion of the Director.
4. The registration exemption for stocks listed on the stock exchanges is eliminated. A "blue chip" exemption is created in its place which allows the Director to exempt investment grade securities.
5. A registration exemption for nonprofit religious, educational and charitable organizations is broadened to exempt nonprofit religious, educational or charitable organizations from registration.
6. The definition of investment contract is amended to provide that the risk capital test is valid as a basis for requiring registration. This is necessary due to a very recent Washington State Supreme Court case which held that the risk capital test could not be used to require registration. The Department believes that without this amendment it would lose its ability to regulate certain investment schemes to the detriment of the general public.
7. The initial filing fee for registration by coordination for the first 12-month period is increased from a flat rate of \$100 to \$100 for the first \$100,000 of initial issue, plus one-fortieth of one percent for any excess over \$100,000.
8. Registration fees for broker-dealers and investment advisers are raised from \$50 to \$75 and for registration as a salesperson or investment adviser salesperson from \$25 to \$35. The renewal license fee for a late license (received after March 5) is increased for a broker-dealer and investment adviser from \$100 to \$150 and for a salesperson or investment adviser salesperson from \$25 to \$30. An automatic license cancellation date of May 31 is established and there is added a fee for reinstatement. License transfer fees are also increased.
9. A registration exemption for certain real estate securities which was enacted in 1975 is repealed.

Senate: (a) 41 0 Effective: Sept. 1, 1979
 House: (a) 97 0 C 68 L 79 1st ex. sess.
 S. Concur: 44 0

SSB 2317

SPONSORS: Committee on Labor
(Originally Sponsored by Senators
Ridder, Lysen and McDermott)

COMMITTEE: Labor

Revising the law relating to reduction in workers' compensation based on receipt of federal benefits.

ISSUE:

In 1975, the Legislature passed a law providing that when persons under age sixty-two are receiving social security benefits and workers' compensation benefits simultaneously, workers' compensation benefits are reduced so that the total payments do not exceed eighty percent of the worker's pre-disability earnings.

Since passage of this law, delays in implementing this "offset" have occurred and some workers have continued to receive payments from these sources in excess of the eighty percent figure. Workers receiving overpayments must reimburse the agency or employer for the full amount. In some cases, these overpayments have occurred for many months, and workers have had no knowledge that they were being overpaid. In addition, some workers claim that the repayment requirements have caused undue hardship.

SUMMARY:

Offset benefit reductions become effective the month following the month in which the payer of benefits, the Department of Labor and Industries or a self-insuring employer, has received notice that the worker is receiving federal benefits. When the Department or a self-insurer determines overpayment has occurred, the recipient must be immediately notified of the overpayment and informed that repayment will be required. The recovery of overpayments is limited to six months prior to the date that the worker is notified of the overpayment. Recoveries must be taken from future monthly benefits not to exceed twenty-five percent of such benefits or one-sixth of the total overpayment, whichever is less. Reductions cannot be made until the month after the month the worker is notified.

In computing the offset, the worker is entitled to retain eighty percent of pre-disability earnings as computed under Social Security or the State Industrial Insurance Act, whichever is greater. Pursuant to rules, the Director of the Department of Labor and Industries is authorized to waive overpayments or provide restitution in cases of hardship.

The bill contains an emergency clause.

Senate:	48	0	Effective: May 10, 1979
House: (a)	98	0	C 151 L 79 1st ex. sess.
S. Concur:	43	0	

SB 2321

SPONSORS: Senators Peterson, Talley and Quigg

COMMITTEE: Natural Resources

Authorizing the department of game to retain fees charged for informational materials published by the department.

ISSUE:

Currently, Game Department informational materials are distributed free of charge. However, if the Department were to sell these materials, the revenue recovered from the sale must be deposited in the State General Fund, even though the costs of producing and distributing informational materials are charged to the state game fund. The Department of Game operates from a dedicated fund, the state game fund.

SUMMARY:

Revenue recovered from the sale of Game Department informational material is added to the list of moneys that must be deposited in the state game fund. The agency's authority to sell informational material is clarified.

Senate:	47	0	Effective: June 7, 1979
House:	97	0	C 56 L 79

SSB 2336

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Senators
Fleming, Jones, McDermott, Morrison,
Ridder, Day and North)
(By Senate Select Committee on
Nursing Homes of the 45th Legislature
Request)

COMMITTEE: Social and Health Services

Providing for resident care standards in nursing homes.

ISSUE:

Presently, care standards for residents in nursing homes are generally prescribed by the Department of Social and Health Services through rules and regulations. Past investigation has shown that DSHS has adopted numerous and, at times, conflicting regulations in this connection. This has resulted in numerous conflicts within the nursing home industry to the detriment of the residents. Investigation by the Senate Select Committee on

Nursing Homes discloses that there should be more uniform standards to protect patients in nursing homes.

SUMMARY:

Comprehensive standards of operation in nursing homes and resident care are mandated. Detailed provisions for patient rights, care and treatment of patients, food services, patient evaluation, and other specific standards are established to be followed in nursing homes in the state.

The use of the Administrative Procedure Act is mandated in the imposition of civil penalties which are limited to \$1,000 for each proceeding. The time for correction of non-compliance to standards is reduced to three months except for life threatening situations.

Developmental disability facilities have a separate classification system. The duties and membership of a nursing home council are expanded.

The Department's ability to waive space and occupancy requirements in nursing homes is limited to only those homes constructed prior to the effective date of this act.

The Department is required to consult with the Board of Health as well as the Nursing Home Advisory Council before adopting rules and regulations regarding licensing requirements. This section of the bill took effect May 30,1979. The remaining sections take effect January 1, 1980.

Senate: (a) 42 6 Effective: See summary
House: (a) 97 0 for dates.
S. Concur: 39 1 C 211 L 79 1st ex. sess.

SSB 2337

SPONSORS: Committee on Social and Health Services
(Originally Sponsored by Senators Fleming, Jones, North, Morrison, Buffington Ridder, Day, McDermott and Hayner)
(By Senate Select Committee on Nursing Homes of the 45th Legislature Request)

COMMITTEE: Social and Health Services

Revising laws relating to fraud in connection with medical care claims to the state.

ISSUE:

Approximately half of the rules for Medicaid regulate against fraud. The health services delivery system allows many and varied opportunities for fraudulent activity by vendors.

Because of many evidentiary problems, the state is at a disadvantage in attempting to discover and successfully prosecute Medicaid fraud cases. In recognizing this problem, the Congress passed HR 3, which among other things provides for federal funding up to 90% of the costs of certain state anti-fraud efforts.

The subject of Medicaid fraud can be approached in several different manners: such as leveling civil penalties, or the recovery of the same without civil penalties, with or without interest, or approaching the question from a straight criminal standpoint.

SUMMARY:

A vendor (not a recipient) who willfully attempts to fraudulently obtain benefits is subject to any or all of the following:

- a. Repayment of the benefits with 1% interest per month;
- b. The imposition of civil penalties in an amount not to exceed three times the excess payments;
- c. Prosecution for commission of a felony with a fine of not more than \$25,000 or five years imprisonment.

The Secretary of the Department of Social and Health Services may conduct audits and investigations, examine any necessary records on the premises, approve or deny provider participation, and approve or deny the providers benefits in Medicaid services.

Medicaid information is confidential.

Appropriate licensing and disciplinary boards must be notified of any departmental action taken.

Senate: (a) 44 4 Effective: Sept. 1, 1979
House: (a) 86 10 C 152 L 79 1st ex. sess.
S. Concur: 37 5

SB 2338

SPONSORS: Senators Fleming, Jones, North, McDermott, Ridder, Morrison and Day
(By Senate Select Committee on Nursing Homes of the 45th Legislature Request)

COMMITTEE: Social and Health Services

Revising laws relating to nursing homes.

ISSUE:

At the present time, there are no established procedures for reporting patient abuse of nursing home patients. Additionally, there are no definitions or standards as to what constitutes patient abuse or neglect, and this has resulted in unfounded claims of patient abuse.

SUMMARY:

Patient abuse and neglect are delineated, a procedure for reporting such incidents to law enforcement agencies or the Department of Social and Health Services is established, persons making good faith reports are provided immunity, and it is made a misdemeanor for certain specified persons to fail to make such reports.

Nursing home employees who file complaints are protected from dismissal. Civil penalties are limited to \$1,000 rather than \$1,000 per violation. The Department in order to assess civil penalties must reasonably fund its cost reimbursement system.

Senate: (a) 42 6 Effective: Sept. 1, 1979
 House: (a) 97 0 C 228 L 79 1st ex. sess.
 S. Concur: 40 3

SB 2339

SPONSORS: Senators Fleming, Jones, Ridder, McDermott, North, Day, Morrison and Lee
 (By Senate Select Committee on Nursing Homes of the 45th Legislature request)

COMMITTEE: Social and Health Services

Requiring certification of nursing assistants in nursing homes.

ISSUE:

Nursing assistants in nursing homes provide 80 percent of the direct patient care. These aides presently are not required to receive training and in fact receive little if any. The Select Committee was informed consistently by providers, consumer advocates, and other interested parties that requiring training for nursing assistants is essential for improving the quality of nursing home care.

SUMMARY:

After June 30, 1980, all nursing assistants must satisfactorily complete within six months of employment a training program which has been approved by the State Board of Nursing. This requirement is a condition of licensure for nursing homes.

The Board of Nursing must establish minimum curriculum and standards of instruction in specified areas. At least 25 classroom hours and 50 on-the-job training hours and a periodic review of training programs by the Board are mandated.

The Department of Social and Health Services must reimburse the nursing homes for training costs associated with this Chapter.

Senate: 47 0 Effective: June 7, 1979
 House: (a) 93 0 C 114 L 79
 S. Concur.
 (Partial): 44 5
 H. Refused
 to Recede
 H. Recon: (a) 95 0
 S. Concur: 44 0

SB 2354

SPONSORS: Senators Fleming, Guess and Ridder
 (By Department of Transportation Request)

COMMITTEE: Transportation

Modifying the requirements for publication of the call for bids for highway projects.

ISSUE:

Present law provides that when the Department of Transportation contemplates awarding a contract for the construction of a highway where the estimated cost is less than \$25,000, the call for bids needs to be published in one paper of general circulation in the county where the major portion of the work is to be performed.

SUMMARY:

Where the estimated cost of a highway project is \$50,000 or less, the call for bids must be published in at least one paper of general circulation in the county where the major portion of the work is to be performed.

Senate: 46 1 Effective: Sept. 1, 1979
 House: (a) 97 0 C 69 L 79 1st ex. sess.
 S. Concur: 46 0

SB 2355

SPONSOR: Senator Day

COMMITTEE: Social and Health Services

Revising the laws regulating osteopaths.

ISSUE:

Presently, osteopathic medicine practitioners licensed by the State of Washington do not have a disciplinary board to control their activities. This is handled by the Director of Licenses. This procedure has proved cumbersome and does not promote knowledgeable self-discipline by such licensees.

SUMMARY:

An Osteopathic Board is established and authorized to administer examinations, establish standards of learning, and police the professional activities of the

licensees under proceedings similar to those used by the medical examining and disciplinary boards. The Board is authorized to adopt rules and regulations governing advertising. The definition of unprofessional conduct governing osteopathic medicine is expanded.

Senate: (a) 47 0 Effective: June 7, 1979
 House: 97 0 C 117 L 79

SSB 2357

SPONSORS: Committee on Ways and Means
 (Originally Sponsored by Senators Donohue, McDermott, Day, Fleming, von Reichbauer, North, Jones, Lee, Bluechel, Conner, Rasmussen, Hansen, Gaspard, Vognild, Wojahn, Gallagher, Lewis and Quigg)
 (By Executive Request)

COMMITTEE: Ways and Means
 Authorizing the issuance of bonds for outdoor recreational facilities.

ISSUE:
 A bond issue for the acquisition and development of 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 \$10 million in general obligation bonds for the acquisition and development of outdoor recreational areas and facilities.
 Proceeds from the sale are to be deposited in the Outdoor Recreation Account and are to be administered by the Interagency Committee for Outdoor Recreation.
 The phrase "acquisition and development of outdoor recreational areas and facilities" is defined.
 The bill contains an emergency clause.

Senate: 45 2 Effective: June 15, 1979
 House: 88 8 C 229 L 79 1st ex. sess.

SSB 2361

SPONSORS: Committee on Ways and Means
 (Originally Sponsored by Senators Donohue, Shinpoch, Conner, Rasmussen, Peterson and Jones)
 (By Executive Request)

COMMITTEE: Ways and Means
 Authorizing a bond issue for state government projects.

ISSUE:
 A bond issue for the planning, construction and remodeling of state capital improvements is required to carry out the purposes of the capital budget.

SUMMARY:
 Issuance of \$15 million in general obligation bonds for facilities for the Legislature, elected officials and other state agencies is authorized. The bond proceeds are to be deposited in the state building construction account and are to be administered by the Department of General Administration.
 The "state general obligation bond retirement fund" is created, and is to be used for payment of principal and interest on these bonds. This same fund may be used for payment of any bonds to be paid from general state revenues, and the treasurer is directed to keep separate accounting records for each bond issue. This fund will only be used as directed by the Legislature in each statute authorizing a bond issue. No bonds payable from motor fuel taxes, vehicle licenses or interest on the permanent common school fund are payable from this fund.
 The bill contains an emergency clause.

Senate: 33 13 Effective: June 15, 1979
 House: 76 21 C 230 L 79 1st ex. sess.

SB 2362

SPONSORS: Senators Woody, Ridder, Fleming, Gould and North

COMMITTEE: Judiciary
 Requiring landlords to give increased notice of major changes in the status or policy of rented residential property.

ISSUE:
 Under the Residential Landlord-Tenant Act, a landlord must give thirty days written notice of any new rule or restriction concerning the use, occupancy, and maintenance of the dwelling unit. The rule goes into effect at the start of the next rental period which, for a month to month tenancy, is the following month. The thirty day rule applies to changes such as excluding pets or children. To terminate the tenancy of a month to month tenant, however, a landlord need only give twenty days notice of termination. Termination of the tenancy is the procedure for removing a tenant prior to a sale of the unit as a condominium.

The increase in the number of conversions of apartments to condominiums has caused concern in some areas of the state. The City of Seattle, which had a moratorium on condominium conversions, has

enacted a comprehensive ordinance on condominium conversion which requires a landlord, among other things, to give existing tenants at least one hundred twenty days notice of any intent to sell the units as condominiums. A number of other cities have contemplated enacting similar condominium conversion ordinances.

SUMMARY:

A landlord is required to give tenants at least ninety days written notice of a change from apartment rental to condominium ownership or a change to a policy excluding children. The ninety day notice is in lieu of the twenty day notice for termination of a month-to-month tenancy unless the change is delayed and the tenant has not waived the right to a twenty day notice.

Senate: (a)	41	7	Effective: Sept. 1, 1979
House: (a)	94	1	C 70 L 79 1st ex. sess.
S. Concur:	38	8	

SB 2366

SPONSORS: Senators Van Hollebeke, Bluechel, Peterson and Jones

COMMITTEE: Natural Resources

Permitting change of harbor lines in front of Lake Forest Park.

ISSUE:

The Legislature must designate specific areas where the Board of Natural Resources may change, relocate, or re-establish harbor lines. Persons along Lake Washington within one mile of the City of Lake Forest Park desire that the U.S. Army Corps of Engineers complete the design and construction of the Kenmore Navigation Channel. They contend that the Corps cannot construct or even plan the navigational channel if it crosses the harbor lines, which it presently would have to do.

SUMMARY:

The Board of Natural Resources is authorized to change harbor lines within the city limits of Lake Forest Park and outside the city limits for a distance of one mile on either side. The amendatory language contained in this bill does not dictate a particular course of action in these harbor line changes.

Senate:	48	0	Effective: June 7, 1979
House:	97	0	C 19 L 79

SSB 2374

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Odegaard, Donohue, Talley, Woody, Shinpoch, Van Hollebeke, McDermott, Wilson, von Reichbauer, Benitz, Sellar, Gallagher, North, Guess, Wanamaker, Lee, Peterson, Day, Moore, Marsh, Talmadge, Vognild, Bausch, Goltz, Williams, Scott, Quigg, Morrison, Lewis and Gaspard)
(By Executive Request)

COMMITTEE: Ways and Means

Revising the property tax treatment of retired owners.

ISSUE:

Lower income level senior citizens, many of whom are on fixed incomes, often have difficulty remaining in their homes due to property taxes.

SUMMARY:

The current senior citizen property tax exemption tables are changed. The amount of exemption for property taxes is based on the amount of income. Those eligible claimants with a combined income of \$11,000 or less would be exempt from all special levies. In addition, those claimants with an income of \$7,000 or less would be exempt from regular property tax levies on the first \$15,000 assessed valuation of the claimant's home.

An application for property tax exemption may be filed at age 61 for actual exemption of property taxes at age 62.

Confinement to a nursing home does not disqualify an individual from property tax relief. In addition, a surviving spouse of a person who is receiving the property tax exemptions will qualify if the surviving spouse is 57 years of age or older and meets the other qualifications in the program.

Senior citizens who jointly own a house and reside together may qualify for exemption of property taxes.

The Department of Revenue is given audit powers and there is a section on privacy of income information with penalties for violation by state or local employees.

The senior citizen property tax and benefit assessment deferral program is retained, but the qualifications for the program are made similar to the senior citizen exemption statute.

The bill will provide \$22.74 million in tax relief to retired property owners. It is estimated that there will be 133,000 participants in the program (53% of all seniors).

Qualifying persons have until October 1, 1979 to file for an exemption on their 1980 taxes. If a person has already applied, they need not reapply.

Senate:	47	0	Sept. 1, 1979
House: (a)	97	0	C 214 L 79 1st ex. sess.
S. Concur:	45	0	

SSB 2375

SPONSORS: Committee on Local Government
(Originally Sponsored by Senators Sellar, Talley, Lewis and Conner)

COMMITTEE: Local Government

Revising laws relating to civil service for sheriffs' offices.

ISSUE:

In 1959, the Legislature passed a civil service law to establish a merit system of employment for county sheriff personnel. Three-member commissions were set up in each county to administer the law. Each commission must appoint a chief examiner to serve as secretary, keep records and reports, including examination records. Chief examiners are chosen after competitive examinations, but there is no existing requirement that these examinations be open to all county citizens. There is no prohibition against employees of sheriffs' offices serving as chief examiners.

Among other duties, the commission must test applicants for employment and maintain a list of persons eligible for positions that become available in the county sheriff's office. When positions become vacant, the commission must give the appointing authority the name of the person highest on the list. Hiring for all classified (i.e., civil service) personnel is done from the list. The appointing authority maintains some degree of control over hiring because civil service appointees are subject to a one year probationary period. Persons deemed unfit or unsatisfactory may be terminated, and the next highest candidate on the civil service list is appointed.

Six listed personnel positions in Class A and AA counties are "unclassified" (i.e., not subject to the procedural requirements of the civil service law.) First, second and third class counties each may maintain three unclassified positions. Unclassified positions are filled by appointment of the county sheriff.

All home-rule counties may designate up to twelve unclassified positions.

SUMMARY:

County sheriffs' offices filling classified civil service positions are given more flexibility. When a position becomes vacant or an employee is terminated

during the probationary period, the commission must supply the three names highest on the list of eligible appointees, rather than the currently-mandated one name. The sheriff's office chooses among these three.

Distinctions based upon classification of counties as regards the number and positions of personnel in unclassified positions are eliminated. The number of unclassified personnel in each county sheriff's office ranges from two to six depending upon the total number of staff personnel employed.

Unclassified position appointments must be made among designated positions, i.e., undersheriff, inspector, chief criminal deputy, chief civil deputy, jail superintendent, and administrative assistant or administrative secretary. The particular positions to be filled by unclassified personnel in each office are initially designated by the sheriff, who must inform the commission of the choices. Any changes in the designation of unclassified positions can be made only on the concurrence of the sheriff and the commission, after an open meeting.

If a sheriff's initial designation of unclassified positions includes positions then occupied by classified civil service personnel, those personnel have a right to be appointed to the next highest position or a like position under the classified civil service.

Civil service personnel who accept appointments to unclassified positions in the same county have a right to return to their former civil service positions, or like positions. However, these persons must apply within thirty days of termination from unclassified employment. Commissions are permitted to provide that persons accepting voluntary demotions because of force reduction or budget constraints may be the first employees reinstated to their former positions. Examinations to select commission chief examiners must be open to all properly-qualified citizens of the county. No employee of a sheriff's office may serve either as chief examiner or as assistant to the chief examiner.

Commissions are required to adopt rules and regulations regarding "reallocations." Reallocations may result when the commission reviews existing positions to determine whether salaries are commensurate with responsibilities of the positions.

Class AA home-rule counties may continue to maintain up to twelve unclassified positions. Other home-rule counties may maintain unclassified positions based upon the number of staff personnel employed, like non-home-rule counties.

After the effective date of this act, any sheriff, within 12 months of assuming office, must have a certificate of completion of a basic law enforcement training program. This program must comply with standards adopted by the Criminal Justice Training Commission. Incumbent sheriffs are exempted from this requirement.

Senate: 46 0 Effective: Sept. 1, 1979
 House: (a) 94 3 C 153 L 79 1st ex. sess.
 S. Concur.
 (Partial)
 H. Recede: 96 1
 S. Final
 Passage: 43 0

SSB 2376

SPONSORS: Committee on Local Government
 (Originally Sponsored by Senators
 Lewis, Gaspard and Guess)

COMMITTEE: Local Government

Permitting transfers from a local improvement guaranty fund to a general fund of a city or town.

ISSUE:

Cities are permitted by law to issue bonds to finance local improvements. The principal and interest on these bonds is payable from the "local improvement fund," and if necessary from the "local improvement guaranty fund." The local improvement fund contains proceeds of assessments collected from property benefited by local improvements.

Provision for cities' maintenance of local improvement guaranty funds was made in the early part of the century to insure that local improvement bond obligations and warrants issued to pay for local improvements would be paid in view of the high number of foreclosures taking place during the Depression.

Assets of the local improvement guaranty fund include: surpluses remaining in any local improvement fund after obligations have been fully met; certificates of delinquency for general taxes on property subject to local improvement assessments guaranteed by the fund; property acquired as a result of county tax foreclosures; and any bonds that have been redeemed from the fund.

All proceeds from any transfer of assets from a local improvement guaranty fund go back into the fund. And if the guaranty fund is tapped to meet bond obligations or other obligations of a local improvement project, the city as trustee for the guaranty fund is authorized to reimburse the fund through foreclosures or other proceedings to collect delinquent assessments.

The City of Spokane has maintained a local improvement guaranty fund as required by law. Assets of the fund include properties acquired many years ago as a result of tax foreclosures. Many of these properties have increased in value considerably because of rapid inflation in the real property market. Thus, the Spokane local improvement guaranty fund now contains assets in

excess of that needed to amply guarantee bond obligations.

SUMMARY:

A city, on certification of its treasurer, is permitted to transfer funds from its local improvement guaranty fund to its general fund if the local improvement guaranty fund has sufficient assets to meet all outstanding obligations and other obligations which may reasonably be expected in the near future. However, net cash in the local improvement guaranty fund may not be reduced below ten percent of the existing net outstanding obligations of the fund.

If within five years of such a transfer, the fund is reduced below ten percent of the outstanding obligations, the city has a general obligation to pay, to the extent of the transferred amount, any claims against the fund. The city must also pay the "reasonable costs" of collecting claims against the local improvement guaranty fund to which the city has become obligated under this law.

Senate: 46 0 Effective: June 7, 1979
 House: 97 0 C 55 L 79

SB 2378

SPONSORS: Senators Wojahn, Jones, Ridder and Talmadge

COMMITTEE: Ways and Means

Authorizing the payment of certain pension benefits to spouses and ex-spouses.

ISSUE:

Current law provides that the benefits of Public Employee Retirement Systems are not subject to execution, garnishment or any other process of law. The monthly benefit is payable only to the retiree or, if he has deceased, to his designated beneficiary. The only authorized deductions are for health insurance premiums and, in certain instances, for dues to authorized associations of retired public employees.

SUMMARY:

Retirement benefits may be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sections of the retirement system which are amended are the Judicial Retirement System, the Volunteer Firemen's Relief and Pension System, the Police Relief and Pension System for first class cities, the LEOFF system, the Teachers Retirement

SB 2378

System and the Public Employees Retirement System.

The bill contains an emergency clause.

Senate: (a) 44 1 Effective: May 25, 1979
House: 92 0 C 205 L 79 1st ex. sess.

SB 2385

SPONSORS: Senators Day and Moore

COMMITTEE: Social and Health Services

Requiring funeral directors to divulge certain information to customers.

ISSUE:

Presently funeral directors are not mandated to make a complete disclosure of retail prices for funeral merchandise and services.

SUMMARY:

Licensed funeral directors must give accurate telephone information relative to funeral prices and, at the time the arrangements are completed, a written itemized statement of all charges. Additionally, funeral directors are prohibited from billing a "cash advance" item in an amount in excess of what the funeral director actually paid for the item.

Senate: 46 0 Effective: Sept. 1, 1979
House: 98 0 C 62 L 79 1st ex. sess.

SSB 2388

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators
Newschwander, Bausch and Odegaard)

COMMITTEE: Ways and Means

Modifying the privilege fees on certain producers of food fish.

ISSUE:

Under current law the privilege tax on food fish and shellfish must be paid by all processors and dealers of fish. The tax is utilized to retire salmon run enhancement bonds. Proponents believe that certain growers, processors and dealers should be exempt from this tax.

SUMMARY:

Growers, processors, and dealers of food fish which are raised from eggs or fry and are under the physical control of the grower at all times until harvested are exempted from payment of privilege taxes. The fish that this class of growers produce never enter the natural fishery. The fish are

typically marketed when they reach pan-size and compete primarily in markets outside the state.

It is estimated that revenues for the 1979-81 biennium will be reduced by \$2.3 million.

Senate: 48 0 Effective: Sept. 1, 1979
House: (a) 60 34 C 203 L 79 1st ex. sess.
S. Concur: 34 9

SSB 2393

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senators
Odegaard, Gaspard, Hansen, Peterson
and Wanamaker)

COMMITTEE: Agriculture

Establishing enforcement procedures to prevent the spread of noxious weeds.

ISSUE:

Under current law (RCW 17.10) noxious weed control boards may notify landowners that they have not properly controlled noxious weeds. If the owner does not comply with the board's notice to control the noxious weeds, the board may undertake corrective action at the landowner's expense. Persons who violate the noxious weed law are subject to fines not exceeding \$100 per violation. The board's authority to undertake corrective action, and the amount of the fines for violations, may be insufficient to control noxious weeds.

The presence of tansy ragwort and tansy ragwort seed in hay presents substantial dangers to animals and causes the spread of tansy ragwort. Knowingly selling hay containing dangerous amounts of tansy ragwort could be made a criminal violation.

SUMMARY:

In addition to ordering corrective action at the landowner's expense, the noxious weed control board may cause to be issued citations to landowners who fail to control tansy ragwort in accordance with notice of violation from the board. This citation authority allows violators to be prosecuted in district or justice court without the necessity of the county prosecutor filing initial charges. The landowner must be given at least 10 days to control the noxious weeds following notification by the board. The penalty for violation of noxious weeds laws remains at a maximum of \$100 per violation, except for failure to control tansy ragwort which is increased to a maximum fine of \$500 per violation.

Any person who knowingly sells hay containing tansy ragwort seed in sufficient amounts to create a hazard of the spread of tansy ragwort by seed, and any person who sells hay containing tansy ragwort in sufficient amounts to be hazardous to the health

of an animal, is guilty of a misdemeanor. The Director of Agriculture is directed to adopt rules and regulations to define the amount of tansy ragwort seed or tansy ragwort that constitutes a violation of this statute. The Department of Agriculture, upon request of the buyer, will inspect hay and charge fees to determine the presence of tansy ragwort.

The State Department of Agriculture is directed to actively assist local weed boards in their efforts to inform the U. S. Government of the effects of weed control. The Department must also seek federal funds to reimburse local weed boards for costs incurred in controlling tansey ragwort on federal lands.

The bill contains an emergency clause.

Senate: 47 1 Effective: March 26, 1979
House: (a) 95 1 C 118 L 79
S. Concur: 45 1

SB 2398

SPONSORS: Senators Rasmussen, Shinpoch and Newschwander
(By Office of Financial Management Request)

COMMITTEE: State Government

Modifying procedures for the replacement of lost or destroyed state warrants.

ISSUE:

Currently state employees may be paid advances for up to thirty days of anticipated travel expenses. Travel expense advances may not be made to an employee who is delinquent in repaying a prior advance. Employees are required to account for each advance before a new one may be issued, which frequently takes two to three weeks. The Office of Financial Management believes that these requirements impose an undue burden for state auditors on field assignments for long periods of time.

If a state warrant, bond, or other instrument is lost or destroyed, the state may issue a duplicate. Current law requires that the person to whom the duplicate is issued give a bond, with one or more sufficient sureties, in twice the amount of the original instrument. The Office of Financial Management believes that such a bond is unnecessary because the only payees now subject to this provision are the federal government, state agencies, political subdivisions, and vendors. There has been no known occasion when the state has had to proceed against such a bond.

SUMMARY:

State employees may be paid in advance for up to ninety, rather than thirty, days of anticipated travel expenses. The prohibition against making travel advances to employees who are delinquent in repaying prior advances is eliminated.

The requirement is eliminated that persons who receive duplicate warrants, bonds, or other instruments, due to loss or destruction of the original, post a bond in twice the amount of the original instrument. The issuing officer is made responsible for trying to recover losses resulting from both the original and duplicate being presented for payment on account of fraud or forgery. Such responsibility previously had been assigned to the Department of Social and Health Services and the Department of Employment Security.

Senate: 48 0 Effective: Sept. 1, 1979
House: (a) 97 0 C 71 L 79 1st ex. sess.
S. Concur: 44 0

SB 2399

SPONSORS: Senators Rasmussen, Shinpoch and Newschwander
(By Office of Financial Management Request)

COMMITTEE: State Government

Modifying state reimbursement for care of county prisoners.

ISSUE:

Under current law, the Director of the Department of Social and Health Services may contract with any county to furnish confinement, care, treatment and employment for county prisoners. The law further requires the Director of Budget (now the Director of the Office of Financial Management) to approve such contracts and to determine the cost of services for which the county must reimburse the state. The Office of Financial Management believes that such controls are no longer necessary.

The City-County Jails Act of 1977 created and authorized a State Jail Commission to promulgate custodial care as well as physical plant standards for local jails. The standards were to be submitted to the Legislature by December 1, 1978. The act further specified that if the Legislature did not either modify or disapprove any of the custodial care standards by April 1, 1979, such custodial care standards would become effective July 1, 1979. The Legislature concluded that more time was needed to give adequate attention to the custodial care standards than was allowed by the statute.

SUMMARY:

The language requiring the Director of the Office of Financial Management to approve state contracts and determine the amount of reimbursement to the state for custody and care of county prisoners is deleted.

The April 1 and July 1 approval and implementation dates for jail standards are eliminated. The Jail Commission is authorized to resubmit the custodial care and physical plant standards, which will become effective upon approval by the Legislature and the Governor. If the Legislature is not in session, legislative approval may be given by a joint committee established by concurrent resolution for that purpose. (SSB 2505 substituted different procedures for implementation of the jail standards.)

The bill contains an emergency clause.

Senate: (a) 48 0 Effective: March 27, 1979
House: 96 0 C 147 L 79

SB 2402

SPONSORS: Senators McDermott, Lysen, Woody and Talley

COMMITTEE: Labor

Allowing use of permanent partial disability awards in recovering overpayments in social security offset cases.

ISSUE:

SSB 2317 enacted earlier this session (C 151 L79 E1) modified the workers' compensation offset for injured workers also receiving federal benefits. Recovery of overpayments is now to be taken from future monthly benefits. Permanent partial disability payments were inadvertently excluded from those payments which might be recovered.

SUMMARY:

The Department of Labor and Industries may use permanent partial disability awards to recover overpayments from claimants who previously received simultaneous social security benefits and workers' compensation benefits in excess of eighty percent of pre-disability earnings. This new language adds to the provisions of SSB 2317 already passed by the Legislature (C 151 L 79 E 1).

The bill contains an emergency clause.

Senate: 41 7 Effective: June 15, 1979
House: (a) 91 3 C 231 L 79 1st ex. sess.
S. Concur: 40 2

SB 2403

SPONSORS: Senators Wilson and Sellar
(By State Auditor Request)

COMMITTEE: Local Government

Revising the law on billing municipal corporations for services rendered.

ISSUE:

The State Auditor is required to examine the financial affairs of cities, towns, and school districts at least once every two years. It must audit all other public offices and officers annually. In the opinion of the State Auditor annual or biennial audits of many smaller cities and taxing districts may not be necessary.

Existing law requires each entity undergoing audit to bear the expenses of audit, except the expenses of employing an entry level auditor, an "Auditor I." This exception was made to insure that employees conducting audits, especially of small cities and districts, met minimum qualifications. Thus, the State Auditor has used higher level personnel to perform these audits. Expenses to local governments and public offices have been correspondingly higher.

In the past, job qualifications for Auditor I's did not include technical training. The State Auditor indicates that this is no longer true. Entry level employees have sufficient competency to perform audits, and State Auditor practices insure sufficient supervision. The State Auditor reports that the savings to entities being audited by an entry level person, rather than an auditor at the next skill level, is \$4.35/hour.

SUMMARY:

The State Auditor is permitted to determine the "reasonable, periodic" intervals at which each taxing district will be audited. Every taxing district must be audited at least once every three years. The State Auditor must establish a schedule for conducting audits designating the classification of taxing districts, frequency of audit for each classification, and a description of events which cause more frequent audits.

The restriction upon the State Auditor's use of Auditor I personnel that local governments and public offices undergoing audit must pay all expenses of audit, including that of employing Auditor I's is removed.

Senate: 48 0 Effective: June 7, 1979
House: (a) 94 0 C 71 L 79
S. Concur: 48 0

SB 2406

SPONSORS: Senators Wojahn, Ridder, Rasmussen, Goltz, Gould, Day, Lee, North and McDermott

COMMITTEE: Social and Health Services
Establishing a pilot project for displaced homemakers.

ISSUE:
Homemakers, because of changes in their situations in their middle years, find themselves unable to adjust to and enter into the usual employment pattern and usually are not eligible for most items of social and economic assistance.

Studies indicate that this group can, with adequate training and education, become self-sufficient.

SUMMARY:
A two-year pilot project is established under which the Council for Postsecondary Education will establish centers and programs for displaced homemakers. These programs will include counseling, job training, job placement, short-term training and other related health and economic assistance.

Provisions governing the Council's activities in awarding contracts are detailed and direction is given as to its activities. A report to the Legislature is mandated at the end of two years.

Senate: (a) 44 3 Effective: June 7, 1979
House: (a) 97 0 C 73 L 79
S. Concur: 48 0

SSB 2411

SPONSORS: Committee on Local Government (Originally Sponsored by Senators Wilson, Sellar and Fleming)

COMMITTEE: Local Government
Providing for payment by a local government of judgments against employees performing official duties.

ISSUE:
Counties are not currently authorized to defend suits and pay judgments against their employees and officers who have been sued for acts or omissions performed in the course of official duties.

SUMMARY:
A county employee or officer may request the county to finance the employee's defense in a suit arising from the good faith performance of his or her official duties.

If the county legislative authority finds that the employee or officer's acts or omissions were in good faith performance of official duties, it may defend the action. It also may approve the payment of any money judgment against the employee or officer.

Senate: 41 0 Effective: Sept. 1, 1979
House: 73 23 C 72 L 79 1st ex. sess.

SSB 2415

SPONSORS: Committee on Judiciary (Originally Sponsored by Senators Talmadge, Sellar and Hayner)

COMMITTEE: Judiciary
Revising procedures relating to civil commitment.

ISSUE:
The 1973 Involuntary Treatment Act (Civil Commitment Act) establishes procedures for the involuntary commitment of persons suffering mental disorders. The minimum grounds for commitment are that the individual presents the likelihood of serious harm to self or to others or is "gravely disabled." There has for some time been a concern that the present commitment standards are unduly restrictive. The suggestion has been to expand the present definition of gravely disabled so that persons not presently within that definition but in need of treatment can be reached. There has been some interest in permitting commitment of persons with mental disorders who commit offenses against property.

On another subject, there is concern that the overlap between the Criminal Insanity Act and the Involuntary Treatment Act as to the coverage of persons committing felonious acts may present constitutional equal protection problems. The State Supreme Court in the 1975 decision *Alter v. Morris* attempted to resolve the equal protection problem by reading in a legislative intent to reserve the provisions of the Criminal Insanity Act for the more serious felons and committing less serious felons under the provisions of the Involuntary Treatment Act. The viability of that distinction is currently being litigated in the federal courts.

SUMMARY:

- a. The current definition of gravely disabled is modified to clarify that the failure to provide for essential human needs must relate to health and safety needs. The definition is also broadened to include persons manifesting severe deterioration in routine functioning in certain situations.
- b. A person may be committed as presenting a risk to property. The period of commitment would be limited to fourteen days unless substantial

property damage is inflicted, attempted or threatened during custody.

- c. There is an attempt to eliminate any equal protection problems between the Involuntary Treatment Act and the Criminal Insanity Act by permitting a commitment of a person found incompetent to stand trial on a felony charge under the Involuntary Treatment Act only after the commitment period under the Criminal Insanity Act has expired. Commitment under the Criminal Insanity Act is restricted to persons found incompetent to stand trial or acquitted by reason of insanity on a felony charge. Misdemeanor incompetents or insanity acquittals can only be committed under the provisions of the Involuntary Treatment Act.
- d. The initial seventy-two hour evaluation and treatment period is retained, but Saturdays are excluded from the computations of the seventy-two hours (Sundays and holidays are currently excluded). The seventy-two hours runs from the time of acceptance at the facility.
- e. A person under a ninety day commitment who is conditionally released may be recommitted for violation of the conditions of release.
- f. A hospital emergency room may detain a person brought there for treatment for up to six hours if the person appears to meet the conditions for commitment under the Involuntary Treatment Act. The purpose of this detention period is to enable the hospital to contact the designated mental health professional in the area to decide whether to begin Involuntary Treatment Act proceedings.
- g. By statute, one spouse cannot testify in a court proceedings involving the other spouse without that spouse's consent. That privilege is modified by permitting one spouse to testify in a proceeding under the Civil Commitment Act. That spouse, however, cannot be compelled to testify and must be informed of that fact before taking the witness stand.
- h. The prosecuting attorney may petition the court directly for a fourteen day commitment for an incompetent person charged with a misdemeanor. Under current law, only the mental health profession could file a petition. The Attorney General is to provide legal services to state hospitals after January 1, 1980 except as to proceedings seeking fourteen day commitment.
- i. The Department of Social and Health Services is to establish temporary admission programs at state mental hospitals for persons seeking voluntary admission but not meeting current admission criteria. The observation and evaluation period must be between twenty-four and forty-eight hours.

- j. The civil and criminal immunity statute is broadened to protect mental health professionals with regard to the decision to admit, release or detain a person.
- k. A person not admitted for treatment who was brought to a facility following an arrest may be detained for up to eight hours to enable law enforcement time to take the person into custody.
- l. The Department of Social and Health Services is to undertake annual studies of the impact of this 1979 Act and report its findings to the Legislature.
- m. The bill contains a general fund appropriation of \$4,523,000, of which \$275,000 is federal moneys. The funds may be used solely for the purpose of implementing the bill.

Senate: (a)	46	0	Effective: Sept. 1, 1979
House: (a)	96	0	C 215 L 79 1st ex. sess.
S. Concur:	43	2	

SB 2417

SPONSORS: Senators Gaspard, Hayner and Bottiger

COMMITTEE: Judiciary

Adding certain procedures for imposing and enforcing restitution to the victims of crimes.

ISSUE:

Under current law a court may in many cases defer or suspend the prison or jail term of a convicted criminal and impose a number of conditions, one of which may be the payment of restitution to the victim of the criminal act. Normally the court order requires the criminal to complete payment of restitution prior to the completion of the period of the suspended or deferred sentence. If the criminal fails to pay restitution within the prescribed period the court may modify the terms and conditions as long as the maximum term for the crime involved has not run.

SUMMARY:

The supervising probation and parole officer is required to monitor whether court ordered restitution has been paid and to notify the prosecuting attorney if it has not been paid three months before the end of the suspended or deferred term. An affirmative duty is placed on the prosecutor to investigate whether doubling of the fine to provide a fund for restitution to the victim is appropriate and to recommend it to the court where it is appropriate and feasible.

Senate: (a)	47	0	Effective: June 7, 1979
House:	98	0	C 29 L 79

SSB 2422

SPONSOR: Committee on Social and Health Services
(Originally Sponsored by Senator Day)

COMMITTEE: Social and Health Services

Revising laws relating to certain health care professionals.

ISSUE:

In 1976, the Legislature requested a study of the disciplinary processes in this state. That study required changes in the Medical Disciplinary Act which would improve the procedures of disciplinary boards. Additionally, in 1978, the Supreme Court ruled that the makeup of the Chiropractic Disciplinary Board was unconstitutional.

SUMMARY:

The definition of "unprofessional conduct" as it relates to both physicians and chiropractors is modified. The authority of the Disciplinary Board is clarified. The Director of Licenses is authorized to appoint an Executive Secretary for the Medical Disciplinary Board and the membership of the Chiropractic Disciplinary Board is increased to seven members. The problems of unconstitutionality in the composition of the Board are eliminated. Additionally, accounting procedures used by the Chiropractic Disciplinary Board are clarified.

Senate:	48	0	Effective: Sept. 1, 1979
House: (a)	97	0	C 111 L 79 1st ex. sess.
S. Refused to Concur			
H. Recede:	92	0	

SB 2430

SPONSORS: Senators Lysen, Moore, Vognild and Morrison

COMMITTEE: Labor

Removing transcription requirement for hearings of the Public Employment Relations Commission.

ISSUE:

The Marine Employee Collective Bargaining Law currently requires the Public Employment Relations Commission (PERC) to make available as a public record, without limitation as to time, all exhibits submitted in hearings before the Commission. It is customary in other civil proceedings to permit the parties to withdraw all exhibits following the expiration of all periods for appeal. Additionally, PERC maintains that transcripts of proceedings are unnecessary when a matter is heard by the full Commission and no appeal is taken from the Commission determination.

SUMMARY:

The statutory requirement that all evidence regarding marine employee disputes be preserved as a public record by PERC is removed. The requirement that PERC transcribe all hearings regarding marine employment is deleted.

Senate:	48	0	Effective: Sept. 1, 1979
House:	98	0	C 73 L 79 1st ex. sess.

SSB 2434

SPONSORS: Committee on Higher Education
(Originally Sponsored by Senators Goltz, Scott and Benitz)

COMMITTEE: Higher Education

Regulating certain educational institutions.

ISSUE:

Presently, except for the Proprietary School Act (RCW 18.82) due to be terminated June 30, 1979, Washington State has no mechanism for regulating the services of nonpublic educational institutions. Impetus for establishing such criteria include the following: a current lack of deterrents to the operation of "diploma mills" in Washington; the desire for greater awareness of out-of-state institutions operating in Washington; growing acceptance of the application of consumer protection attitudes to educational services; and increasing competition among institutions as enrollments decline. While such factors may indicate an extensive system of state approval, proponents prefer that the state not fully assume responsibilities traditionally performed by accrediting associations, but adapt a minimal regulation approach.

SUMMARY:

A system for the registration of certain proprietary schools and degree-granting institutions operating within Washington state is established. The bill focuses on those schools which have not as yet been subjected to review or regulation either by a public agency or private accrediting body. Hence, public institutions and many accredited private schools are exempt from the requirements of this law.

Registration requirements

Any school which is covered by the bill must register annually with the Commission for Vocational Education (CVE) if it is a proprietary school, the Council for Postsecondary Education (CPE) if it is a degree-granting institution. Registration with either agency is provided for in the case of a "dual purpose" institution. When a school registers, it must:

- 1) submit a statement of organization which provides information relating to the ownership, administration and programs of the school;
- 2) pay a registration fee set at \$200 initially and \$100 at each annual renewal; and
- 3) file a surety bond in an amount fixed by the registering agency up to a maximum of seventy-five thousand dollars.

Minimum standards

Schools covered by the bill are required to comply with a set of ten minimum standards relating to program content and quality, institutional resources, and student-consumer protection. Schools must provide students with information describing the programs offered including cancellation and refund policies. False or deceptive advertising is specifically prohibited. The administering agencies are directed to develop more detailed criteria to implement the general standards set forth in the bill. Any school which fails to comply with any of the minimum standards is in violation of the act and subject to an administrative or judicial enforcement action.

Enforcement

Enforcement proceedings may be initiated by an injured party, the CPE, CVE, the Attorney General or a county prosecutor. Failure to comply with the registration requirements or minimum standards constitutes grounds for the filing of a complaint with the agency or a court. The bill provides for a civil penalty up to \$2000 per violation and court imposed criminal penalties of one year and/or \$1000 for violation of the registration requirements. Additionally, those persons suffering monetary loss due to violation of the act may make a claim against the surety bond filed by the institution.

Violations of the Educational Services Registration Act are also deemed to be violations of the Consumer Protection Act.

The bill contains an effective date of January 1, 1980.

Senate:	47	0	Effective: Jan. 1, 1980
House: (a)	91	5	C 188 L 79 1st ex. sess.
S. Concur.			
(Partial)			
H. Recede:	87	9	
S. Final			
Passage:	41	1	

SSB 2439

SPONSORS: Committee on Natural Resources
(Originally Sponsored by Senators
Gallaghan, Newschwander and Talley)

COMMITTEE: Natural Resources

Establishing penalties for fisheries violations.

ISSUE:

The statutes providing penalties for violations of the fisheries code were enacted in 1955. Proponents of this bill believe that the current penalty provisions do not adequately discourage violations of the fisheries code.

SUMMARY:

Violations of the fisheries code, involving salmon valued in excess of \$250, are subject to a fine of up to \$5,000. All salmon involved in the violation are forfeited to the state.

The Director of Fisheries is required to deny all salmon fishing privileges and to suspend all salmon fishing licenses held by a person for a period of one year, if that person is guilty of two or more violations of time or area salmon fishing closures within a five year period. An unvacated forfeiture of bail constitutes an admission of guilt.

Senate:	36	12	Effective: Sept. 1, 1979
House: (a)	77	19	C 99 L 79 1st ex. sess.
S. Concur:	28	16	

SSB 2442

SPONSORS: Committee on Energy and Utilities
(Originally Sponsored by Senator
Bottiger)

COMMITTEE: Energy and Utilities

Extending the Governor's emergency powers relating to energy emergencies to June 30, 1981.

ISSUE:

In 1977 the Legislature extended the Governor's emergency powers during energy shortages to allow the implementation of programs, standards and controls for the production, allocation and consumption of energy. These statutory powers will expire on June 30, 1980, unless the termination date is extended.

SUMMARY:

The Governor is authorized to declare "energy supply alerts" and "energy emergencies" until the statutory expiration date of June 30, 1981. Upon declaring an energy emergency, the Governor is empowered to (1) implement programs, controls and standards for the production, allocation and

consumption of energy; (2) suspend and modify existing pollution control standards and requirements or any other standards or requirements affecting energy use, including those relating to air or water quality control; and (3) establish and implement regional programs and agreements for the purposes of coordinating energy programs and actions of the state with those of the federal government and other states and localities. During an energy supply alert, the Governor is authorized to (a) suspend or modify existing Washington Administrative Code rules regarding the consumption of energy by any state agency, or rules regarding the production of energy, and (b) direct any state or local government agency to implement programs relating to the consumption of energy by state or local governments. All actions taken by the Governor are exempt from the State Environmental Policy Act.

If the Legislature is in session, an energy emergency terminates after forty-five days unless it is: (a) extended by the Governor with prior approval of the committee; (b) extended by the Governor based on a declaration by the President of the United States of a national state of emergency in the supply of energy; or (c) extended by declaration of the Legislature, by concurrent resolution, of a continuing condition of energy emergency. Any extension shall be for a period of forty-five days. The number of extensions is unlimited.

If the Legislature is not in session when the Governor declares the emergency and the Governor fails to convene the Legislature within thirty days, the energy emergency is terminated.

An energy supply alert terminates after ninety days unless extended for additional sixty day periods under the same conditions and procedures as an energy emergency. A condition of energy supply alert or energy emergency terminates at the end of the period, or on a termination declaration by the Governor, or by concurrent resolution of the Legislature. Upon termination, all powers exercised and all actions taken by the Governor cease to be effective.

An appropriation section provides the state energy office with \$251,000, or so much as may be necessary, during the 1979-81 biennium. These monies may be expended exclusively for additional staff to handle fuel allocation requirements. If federal funds are received, an equal amount is to be placed in reserve.

Senate:	41	2	Effective: Sept. 1, 1979
House: (a)	91	2	C 158 L 79 1st ex. sess.
S. Concur:	45	2	

SSB 2451

PARTIAL VETO

SPONSORS: Committee on Higher Education
(Originally Sponsored by Senator Goltz)

COMMITTEE: Higher Education

Pertaining to tuition and fee waivers by institutions of higher education.

ISSUE:

The number of tuition and fee waivers available to specified groups of students at Washington institutions of higher education has steadily increased during the past years. Limiting the number of these waivers to a constant percentage of total tuition and fee collections will allow institutions flexibility in selecting a particular mix of students for the respective campuses.

SUMMARY:

A waiver of tuition and fees is authorized up to a maximum dollar amount not to exceed four percent of the total collection from the various fees charged to students on the respective four-year campuses or within the community college system as a whole.

The following groups of students are included within the four percent:

- a) Needy or disadvantaged students as authorized by current law (RCW 28B.15.530) (to be assisted by at least three-fourths of the dollars waived);
- b) Students seeking a high school diploma or certificate as authorized by current law (RCW 28B.15.520);
- c) Foreign students enrolled in Washington four-year institutions as authorized by statute except for those students participating in a reciprocal placement program;
- d) Students demonstrating exceptional educational ability. (Vetoed Section)
- e) Displaced homemakers as defined in Senate Bill 2406.

Senate:	43	3	Effective: Sept. 1, 1979
House: (a)	81	15	C 262 L 79 1st ex. sess.
S. Concur:	26	15	

VETO SUMMARY:

Because of the potential for abuse and unequal application of fee waivers granted to students of "exceptional educational ability," the Governor has vetoed Section 3 of SSB 2451. (See VETO MESSAGE)

SB 2462

SPONSORS: Senators Rasmussen, Clarke and
Wojahn
(By State Treasurer Request)

COMMITTEE: State Government

Extending the authorized types of investments for
state funds.

ISSUE:

Under current law, the State Treasurer does not
have authority to invest state funds in bankers'
acceptances. A bankers' acceptance is a short-term
instrument under which a bank agrees to substitute
its own credit for that of a buyer or seller of goods.
The State Treasurer reports that yields on bankers'
acceptances, which are used primarily in export -
import transactions, tend to be slightly higher than
for U. S. Treasury bills, and that these instruments
are not only backed by goods, but also supported by
both the accepting bank and one of the parties.
Bankers' acceptances have been legal instruments
for the investment of state pension and other trust
funds for some time.

SUMMARY:

The State Treasurer may invest cash balances
exceeding that needed to finance current
expenditures in bankers' acceptances purchased on
the secondary market.

Senate: 47 0 Effective: Sept. 1, 1979
House: 95 1 C 154 L 79 1st ex. sess.

SB 2466

SPONSORS: Senators Marsh, Clarke, and Bottiger

COMMITTEE: Judiciary

Pertaining to civil actions and proceedings.

ISSUE:

Construction contracts often contain "no pay for
delay" clauses which provide that the contractor,
subcontractor, or supplier is not entitled to any
additional compensation or damages as a result of
delay in the completion date of the project caused
by the owner or someone acting for the owner. The
enforceability of these clauses has been
unsuccessfully challenged in a number of recent
lawsuits where the argument was that such clauses
are void and unenforceable because they violate
public policy. The courts have held that if an
owner-caused delay in construction was
contemplated by the parties as demonstrated by a

specific contract provision on the subject then such
clauses will be enforced. The only situation in
which our courts have indicated that they would
refuse to enforce such a provision is where there
was some active interference by the owner in
causing the delay.

SUMMARY:

Any clause in a construction contract which waives,
releases or extinguishes the contractor's right to
damages for material and unreasonable delays
caused by the other party to the contract is void as
against public policy. The bill has no impact on any
contract provision which (1) requires notice of
delays; (2) provides for arbitration or other
settlement procedure; or (3) provides for reasonable
liquidated damages.

"Construction contract" is broadly defined to
include any contract relating to construction,
excavation and the like on real property.

Only contracts made after the effective date of the
bill are affected.

Senate: (a) 45 0 Effective: Sept. 1, 1979
House: (a) 65 28 C 264 L 79 1st ex. sess.
S. Concur: 35 7

SB 2467

SPONSORS: Senators Walgren, Marsh and Clarke

COMMITTEE: Judiciary

Penalizing the act of driving with a suspended or
revoked out-of-state driver's license.

ISSUE:

A person driving a motor vehicle on any public
highway in this state while his or her Washington
driver's license is suspended or revoked is guilty of a
misdemeanor. That statute, however, does not apply
to a person driving with a suspended or revoked
license from another state. If the driver involved is
a resident of the State of Washington, he or she
may be charged with driving without a valid
license, but if the driver is a nonresident there
appears to be no specific violation of motor vehicle
statutes.

SUMMARY:

It is a misdemeanor to drive a motor vehicle on any
public highway in this state when the driver's out-
of-state license is suspended or revoked.

Senate: 48 0 Effective: Sept. 1, 1979
House: 98 0 C 74 L 79 1st ex. sess.

SB 2468

SPONSORS: Senators Walgren, Clarke and Van Hollebeke

COMMITTEE: Judiciary

Penalizing attempts to elude pursuing police cars.

ISSUE:

Under current law there is no separate criminal offense for driving a motor vehicle in an attempt to elude a pursuing police car. A person engaging in such conduct will normally be charged with reckless driving or speeding or, in some cases, reckless endangerment, none of which are classified as felonies.

SUMMARY:

The crime of driving a motor vehicle to elude a pursuing police vehicle is created and classified as a class C felony. To be guilty of the offense, the driver must willfully refuse to stop his car after a visual or audible request from law enforcement and continue to drive in disregard of the lives and property of others. The law enforcement officer making the request must be in uniform and the vehicle must be marked as an official law enforcement vehicle.

Senate:	46	0	Effective: Sept. 1, 1979
House: (a)	95	0	C 75 L 79 1st ex. sess.
S. Concur:	46	0	

SB 2474

SPONSORS: Senators North and Bottiger

COMMITTEE: Energy and Utilities

Updating references to the state building codes.

ISSUE:

The existing state building code is based upon 1973 industry standards. It has been suggested that these standards are obsolete and that the code is in need of revision.

The state Department of Labor and Industries is presently required by statute to prescribe and enforce rules and regulations which protect the public by assuring that all factory built housing or commercial structures are structurally sound and that plumbing, heating, and electrical components are reasonably safe.

Currently there is no provision in the state building code for statewide thermal and lighting construction standards.

SUMMARY:

The state building code is updated from 1973 industry standards presently referred to in existing

law. The 1976 editions of the Uniform Building Code (UBC) and Related Standards, the Uniform Mechanical Code (UMC), the Uniform Fire Code (UFC), and the Uniform Plumbing Code (UPC) are adopted by reference in the State Building Code.

The State Building Code Advisory Council is required to report its recommendations to the Legislature by January 12, 1981, regarding thermal and lighting construction standards. The Council is granted the authority to promulgate rules for adopting a statewide thermal efficiency and lighting code to the extent necessary to comply with federal regulations. The code is required to take into account regional climatic conditions, and must take effect prior to June 30, 1980. The code must be presented to the Senate and House Committees on Energy and Utilities at the time it is proposed as a draft rule.

The rules and regulations of the Department of Labor and Industries must now be consistent with the standards set forth in the 1976 editions of the UBC, UPC, UMC, and the 1975 National Electrical Code.

Senate: (a)	41	3	Effective: Sept. 1, 1979
House: (a)	97	1	C 76 L 79 1st ex. sess.
S. Concur:	42	2	

SB 2479

SPONSORS: Senators Bausch, Odegaard and Van Hollebeke

(By Department of Commerce and Economic Development Request)

COMMITTEE: Financial Institutions and Insurance

Increasing amount of certain investments that banks may hold.

ISSUE:

Small business investment companies are federally created organizations which allow investors desiring to open small businesses to obtain federal aid during the initial startup period. Present law allows state chartered commercial banks to invest one percent of their paid-in capital and surplus in small business investment companies while national banks may invest up to five percent.

Because of the current limitation upon such investments, very few state chartered banks have found it profitable to invest in a small business investment company. As a result, a potentially helpful source of small business capital has not materialized.

SUMMARY:

State chartered commercial banks are allowed to invest up to five percent of their paid-in capital and

SB 2479

surplus in the stock of small business investment companies.

Senate: 47 0 Effective: June 7, 1979
House: 96 0 C 124 L 79

SSB 2482

SPONSORS: Committee on Commerce
(Originally Sponsored by Senators Van Hollebeke, Odegaard and Wanamaker)
(By Department of Commerce and Economic Development Request)

COMMITTEE: Commerce

Revising laws regulating business regulations.

ISSUE:

Under existing law, a business which operates under an assumed name must file a certificate of assumed name with the county clerk of every county in which the business is to be conducted. This is an unnecessary inconvenience.

The limited partnership law permits the certificate of limited partnership to be signed by a limited partner either in person or for him by an attorney and specifies that the signature is to be acknowledged. Under existing law, it is not clearly stated that the signing of an amendment to a certificate is to be acknowledged or that it may be signed by the limited partner's attorney.

SUMMARY:

The place of filing of certificates of assumed name is changed from the offices of the county clerks of the various counties of the state to the Department of Licensing. Rule-making power is given to the Department of Licensing regarding filing fees and the transfer of certificates of assumed name from the county to the state level.

The limited partnership laws are amended to provide that a writing to amend or cancel a certificate of limited partnership is to be signed and acknowledged by all partners and that the signing of a limited partner may be either in person or for him by an attorney.

The bill contains an emergency clause and establishes an effective date of July 1, 1979.

Senate: 48 0 Effective: July 1, 1979
House: 95 0 C 22 L 79 1st ex. sess.

SB 2486

SPONSORS: Senators Sellar, Hansen and Morrison

COMMITTEE: Agriculture

Removing the limit on assessment increases by the apple commission.

ISSUE:

The Apple Advertising Commission is charged with promoting and advertising Washington's apple industry. The costs incurred for these duties are defrayed by an assessment based on a rate per one hundred pounds of apples. Increases in these assessments must be approved by a vote of the state's apple growers. These assessment increases can never be more than two cents in any one year.

SUMMARY:

The two-cent limitation on annual assessment increases by the Apple Advertising Commission is removed.

Senate: 44 2 Effective: June 7, 1979
House: 95 0 C 20 L 79

SB 2492

SPONSORS: Senators Day, Marsh and Van Hollebeke

COMMITTEE: Social and Health Services

Requiring emergency teletypewriters to aid persons with hearing defects.

ISSUE:

Presently, deaf persons are unable to effectuate emergency communications over a telephone. Recent electronic developments have overcome this problem with the development of teletypewriters that can be used over existing telephone lines.

SUMMARY:

A telecommunication device for the receipt of emergency messages must be installed in each county 4th class or larger and city over 10,000 people. The use of a central dispatch office is authorized.

Senate: (a) 47 0 Effective: Sept. 1, 1979
House: (a) 94 0 C 63 L 79 1st ex. sess.
S. Concur: 44 0

SB 2502

SPONSORS: Senators Conner, Day and Rasmussen
(By Department of Veterans Affairs Request)

COMMITTEE: Transportation

Providing free license plates of a distinctive design for Medal of Honor winners.

ISSUE:

Present law contains no provision for recognition of Washington State residents who hold the Congressional Medal of Honor.

SUMMARY:

The Department of Licensing will issue, without charge, to residents of this state who have been awarded the Congressional Medal of Honor, one set of license plates for use on a personal passenger vehicle registered to that person. The plates are to remain with the recipient of the Medal upon transfer of ownership of the vehicle.

The Director of Licensing is to approve the design.

Senate:	47	0	Effective: Sept. 1, 1979
House: (a)	96	0	C 77 L 79 1st ex. sess.
S. Concur:	41	1	

SSB 2504

PARTIAL VETO

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senators Morrison, Gaspard, Benitz and Hansen)

COMMITTEE: Agriculture

Providing for water during drought conditions.

ISSUE:

The 1977 drought was evidence that Washington was not adequately prepared to deal with water shortages. \$18 million was appropriated in 1977 to alleviate irrigation related water shortage problems of which only \$2 million were used. These unsatisfactory conditions occur from time to time and there is a need to replace some water supply facilities and to improve other means of supplying water. A reappropriation of the remaining \$16 million is desired to allow irrigation districts to take measures which would reduce the impact of future drought conditions.

Further, the dam providing water for the Wenos Irrigation District has been declared unsafe and cannot be filled to capacity. This situation has aggravated the existing water shortage.

SUMMARY:

\$16 million from the state drought alleviation water projects revolving account is reappropriated to the Department of Ecology. The funds in this account provide capital for planning, acquiring, constructing and improving water supply facilities to alleviate drought conditions whenever they occur. From this appropriation the Department of Ecology may make loans and grants to irrigation districts.

The grant portion from state funds cannot exceed 15% except for the Wenas Irrigation District which may receive a grant not exceeding 50%. (Vetoed Item)

The following maximum appropriations are made:

1. \$100,000 to each of the Cline, Dungeness and Highland Irrigation Districts;
2. \$200,000 to the Agnew Irrigation District;
3. \$8,276,000 to the Yakima-Tieton Irrigation District;
4. \$2,446,000 to the Sunnyside Valley Irrigation District;
5. \$1,000,000 to the Wenas Irrigation District;
6. \$425,000 to the Icicle Irrigation District; and
7. \$500,000 to the federal government for a comprehensive water supply project study of the Yakima River Basin.

Irrigation districts may contract with the Department of Ecology for grants or loans to improve or replace water supply facilities.

Irrigation districts are permitted to place 5% of their revenue into a fund used to modernize, improve or upgrade irrigation facilities or to respond to emergencies. Construction and rehabilitation of irrigation facilities must include reasonable features to protect and enhance fish and wildlife.

The bill contains an emergency clause.

Senate:	46	0	Effective: June 25, 1979
House: (a)	84	10	C 263 L 79 1st ex. sess.
S. Concur:	42	0	

VETO SUMMARY:

The Governor vetoed language limiting the grants to fifteen percent of the total state funds provided for the specified irrigation district projects. The Governor believed this language caused a dramatic change from previous legislative intent regarding loans and grants for these projects. She also reasoned that this language would nullify agreements between urban and rural interests concerning these important water projects. (See VETO MESSAGE)

SSB 2505

SPONSOR: Ways and Means
 (Originally Sponsored by Senators
 Donohue, Marsh, Day, Walgren, Ridder
 and Goltz)
 (By Executive Request)

COMMITTEE: Ways and Means
 Authorizing a bond issue for jail facilities.

ISSUE:
 In order to provide safe and humane detention and
 correction facilities, it has been proposed that the
 state take action to provide for jail renovation.

SUMMARY:
 The State Finance Committee is authorized to issue
 \$106 million worth of general obligation bonds,
 which are to provide funding for jail renovation and
 are to be discharged within 30 years. The funds
 from sale of such bonds are to be placed in a new
 jail renovation account of the general fund.

The State Jail Commission reviews submitted
 projects with the Office of Financial Management,
 and administers the account subject to legislative
 appropriation. The account is to be utilized solely to
 pay for the expenses incident to renovation of jail
 buildings and facilities. The State Finance
 Committee may issue notes of indebtedness in
 anticipation of the sale of bonds.

Standards are set to determine the number of beds
 to be constructed with state funds and the amount
 of square feet to be allocated per bed. Funds are
 allocated to governmental units based on authorized
 beds and square feet. Amounts of construction bids
 accepted by the governmental units which exceed
 this amount are to be borne by the local
 governmental unit. The Jail Commission may
 adjust capacity levels of jails which fall below the
 state incarceration standard.

The bill contains an emergency clause.

Senate: (a)	45	1	Effective: June 15, 1979
House: (a)	91	3	C 232 L 79 1st ex. sess.
S. Refused to Concur (Partial)			
H. Recede:	81	1	
S. Final Passage:	38	0	

SB 2506

SPONSORS: Senators North and Shinpoch

COMMITTEE: Labor

Prohibiting the mandatory retirement of public
 employees under the age of seventy.

ISSUE:
 Washington's anti-age discrimination law extends
 protection against compulsory retirement to persons
 up to age sixty-five. Federal law extends protection
 to most employees up to age seventy, including
 state and local government employees other than
 elected officials or exempt employees. Those public
 employees not subject to state or local civil service
 laws, for example community college faculty, are
 not covered by the federal law.

SUMMARY:
 State employees, employees of political subdivisions,
 and employees of state and local government-
 supported institutions cannot be compelled to retire
 before age seventy. Law enforcement officers, fire
 fighters, and State Patrol personnel are not covered
 by the bill.

Compulsory retirement provisions relating to public
 employees may be waived by the employer for an
 employee reaching age seventy.

Senate: (a)	48	0	Effective: Sept. 1, 1979
House:	96	0	C 159 L 79 1st ex. sess.

SB 2508

SPONSORS: Senators Bottiger and Day

COMMITTEE: Ways and Means

Pertaining to insurance premium taxes.

ISSUE:
 Existing law exempts insurers from paying
 insurance premium tax on premiums received from
 federally "qualified" pension, annuity or profit
 sharing plans. A qualified plan is one which
 complies with the provisions of the U.S. Internal
 Revenue Code, such as: equality of treatment as to
 average workers and executives, eligibility, vesting,
 retirement age, control, and protection of funds.
 Tax exempt treatment for only qualified plans may
 discriminate against smaller "nonqualified" plans
 which are unable or are not required to comply
 with federal regulations. Such nonqualified plans
 consist primarily of individual insurance plans and
 deferred compensation plans purchased by
 companies for their executives.

SUMMARY:

The premium tax exemption is extended to all pension, annuity and profit sharing plans whether qualified or nonqualified.

Senate: 42 2 Effective: Sept. 1, 1979
 House: 90 0 C 233 L 79 1st ex. sess.

SB 2511

SPONSORS: Senators Van Hollebeke, Walgren, Matson, Morrison, Quigg, Wojahn and Jones

COMMITTEE: Commerce

Making the recovery and recycling of waste materials part of litter control.

ISSUE:

Under the Washington Model Litter Control Act, there are no provisions for encouraging or stimulating recycling programs as a part of litter control.

SUMMARY:

The Washington Model Litter Control Act is amended to make recycling of litter-related materials an integral part of the Litter Control Act. The Director of the Department of Ecology is ordered rather than authorized to designate employees with police powers to enforce the Washington litter control laws.

The Department of Ecology is required to establish a system of matching grants to aid cities, towns, and counties under 25,000 in population in the procuring and placing of approved litter receptacles.

The Departments of Ecology and Licensing are mandated rather than authorized to make appropriate litter bags available to owners of motor vehicles and water craft.

The Department of Ecology is directed to develop statewide programs to increase public awareness of and participation in recycling efforts.

The Department of Ecology is directed to allocate and distribute funds from the litter control account under a set formula (1) to encourage the employment of youth in the state anti-litter campaign, (2) to accomplish the litter control purposes of the bill, and (3) to accomplish the recycling purposes of the bill, including the education of the public to promote awareness of recycling efforts.

The bill contains an emergency clause.

Senate: (a) 43 3 Effective: March 23, 1979
 House: 82 15 C 94 L 79

SSB 2532

SPONSOR: Committee on Social and Health Services (Originally Sponsored by Senator Day)

COMMITTEE: Social and Health Services

Relating to hospital districts.

ISSUE:

Under existing statutes, hospital districts are limited to the use of bond issues for major capital construction. Presently certain low interest funding is available for hospital expansion through the use of mortgages.

SUMMARY:

Hospital districts may mortgage land owned by the district for the purpose of constructing a hospital or other health care facility with a vote of the residents of the district and subject only to the constitutional limitation of debt. Hospital districts may, without limitation, operate or participate in the operation of nursing homes.

Senate: (a) 45 2 Effective: Sept. 1, 1979
 House: (a) 95 0 C 155 L 79 1st ex. sess.
 S. Refused
 to Concur
 H. Recede: 96 0

SB 2562

SPONSORS: Senators Lewis, Woody and Pullen

COMMITTEE: Constitution and Elections

Permitting filing of registration transfers at the polls.

ISSUE:

Voter registration provisions of the election laws fail to provide a specific procedure for a voter to file a transfer of voter registration at the polling place during an election.

SUMMARY:

Voter registration transfer forms must be available at each polling place during an election. Accompanying such forms, posted at the precinct election official's table must be a sign informing voters of the registration transfer requirement.

A voter completing a transfer form votes at that election in the precinct at which he was previously registered. The completed forms are to be transmitted to the county auditor with the election returns. The auditor must process each transfer within ninety days.

Senate: 46 0 Effective: June 7, 1979
 House: 92 0 C 96 L 79

SB 2565

SPONSORS: Senators Day, Vognild, Talmadge, Conner, Wanamaker, Sellar and Woody

COMMITTEE: Social and Health Services

Providing for polling places accessible to handicapped persons.

ISSUE:

Presently, many polling places are not accessible to the physically handicapped.

SUMMARY:

County auditors must attempt to use locations for polling places that will be accessible to handicapped persons, including inexpensive ramps or modifications. Additionally, county auditors are to report to the Secretary of State precincts that are not accessible. The Secretary of State is mandated to adopt guidelines for accessibility. State agencies and local governments must make their buildings available for usage as polling places.

Senate: (a) 36 3 Effective: Sept. 1, 1979
House: (a) 83 13 C 64 L 79 1st ex. sess.
S. Concur: 46 0

SB 2569

SPONSORS: Senators Odegaard, Talley, Conner, Bausch, von Reichbauer and Wanamaker

COMMITTEE: Parks and Recreation

Establishing a reciprocal surcharge on overnight camping in state parks by residents of other states.

ISSUE:

Several states, including Oregon, currently levy a surcharge on out-of-state residents camping in state parks. Other states, including Idaho, impose a reciprocal surcharge on residents from states that assess a similar fee. A reciprocal camping surcharge program would provide some measure of equity for Washington residents visiting parks in states that impose nonresident surcharges.

SUMMARY:

A state park overnight camping surcharge is assessed on certain out-of-state campers. This fee equals that charged by the camper's home state. Residency may be presumed by the State Park and Recreation Commission based upon drivers' licenses or vehicle license plates.

No surcharge may be assessed against persons camping in state facilities leased from other government agencies if there is a policy against such surcharges. Private concessionaires who lease

state park facilities are exempt from having to institute a nonresident surcharge.

This act is in effect only until June 30, 1983.

Senate: 47 0 Effective: June 7, 1979
House: (a) 96 1 C 153 L 79
S. Concur: 48 0

SB 2602

SPONSORS: Senators Conner, Hansen, Bausch, Matson and Jones

COMMITTEE: Commerce

Authorizing licensed beer distributors to act as agents of manufacturers of distilled spirits.

ISSUE:

Existing law bars a manufacturer or wholesaler of distilled spirits from having financial interests or dealings with a wine or beer business. However, those wine or beer businesses licensed prior to 1969 are exempt from this restriction. More recently licensed wine or beer businesses are at a competitive disadvantage in that they may not represent distilled spirits manufacturers.

SUMMARY:

Licensed beer and wine importers and wholesalers may represent distilled spirits manufacturers in the solicitation of sales to the Washington State Liquor Control Board and in good will activities at retail licensees.

Further, representatives of distilled spirits manufacturers are authorized to be licensed as beer or wine importers and wholesalers.

Senate: (a) 37 11 Effective: Sept. 1, 1979
House: 60 35 C 23 L 79 1st ex. sess.

2SSB 2610

SPONSORS: Committee on Ways and Means (Originally Sponsored by Senators Shinpoch, Scott, Goltz, Talley, Odegaard, Gould, Morrison, Bausch, Ridder, Newschwander, Walgren, Conner and Lee)

COMMITTEE: Higher Education and Ways and Means

Authorizing certain granting of degrees at The Evergreen State College.

ISSUE:

The original enabling language establishing The Evergreen State College authorized awarding both the baccalaureate and master degree. However, the

passage of House Bill 720 during the 1975 legislative session, extending the degree granting authority of the state universities, was silent with regard to TESC, which was not then offering graduate programs. The ultimate effect of this legislation was to repeal TESC's authority to offer graduate degrees.

The college has been facing continued enrollment declines and is now seeking a reinstatement of legislative authority to award the masters degree. The recently completed Council on Postsecondary Education (CPE) study on TESC includes a recommendation for such reinstatement.

SUMMARY:

The Board of Trustees of The Evergreen State College is authorized to grant degrees through the masters degree. Review and favorable recommendation by CPE is required prior to the implementation of such degrees.

The Evergreen State College is directed to prepare and submit an annual report to the Legislature and Governor for the years 1979-1984. Each report must summarize the steps taken by the college in the past year to: (1) achieve target enrollment levels, (2) reduce costs and (3) increase service to residents of southwestern Washington.

The Council for Postsecondary Education is directed to prepare and submit to the Legislature and Governor a critique of each Evergreen annual report.

In January 1985, the Council must include in its critique a review and evaluation of the effectiveness of the steps taken by the college to achieve the three goals stated above. At that time the Council must also transmit to the Legislature a recommendation on the college's instructional program.

Senate:	45	2	Effective: Sept. 1, 1979
House: (a)	81	16	C 78 L 79 1st ex. sess.
S. Concur:	43	3	

SB 2630

SPONSORS: Senators Lysen and Morrison
(By Department of Employment Security Request)

COMMITTEE: Labor

Extending life of the Buena camp migrant housing facility, authorizing prescribed rental fees, and making an appropriation therefor.

ISSUE:

In 1974, the Legislature authorized the construction of a migrant labor housing demonstration project in Yakima County.

The Department of General Administration was authorized to operate the facility during the 1973-75 biennium. This authority was transferred to the Employment Security Department and subsequently extended through December 1, 1978.

SUMMARY:

The operation of the Buena migrant labor housing project is authorized through June 30, 1981. The statutory authority for operating the project is changed from the Department of General Administration to the Employment Security Department. The Employment Security Department is authorized to set use fees for the project consistent with those set by parks and recreation.

A supplemental appropriation of \$27,515 is provided for the biennium ending June 30, 1979, to continue the operation of the Buena housing project and to make capital improvements.

The bill contains an emergency clause.

Senate:	47	1	Effective: April 26, 1979
House:	97	1	C 79 L 79 1st ex. sess.

SSB 2639

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Donohue, Morrison, Gaspard and Hansen)
(By Department of Ecology Request)

COMMITTEE: Ways and Means

Authorizing a bond issue for public services.

ISSUE:

Estimated population increases in the state over the next several years, as well as revisions in federal water quality standards and "matching fund" policies, make it necessary that funding be provided for new construction or enlargement and improvement of existing water supply systems.

SUMMARY:

The issuance of \$125 million in general obligation bonds prior to January 1, 1988, is authorized for the construction of water supply facilities.

Proceeds from sale of the bonds are to be deposited in the state and local improvements revolving account for water supply facilities. The proceeds are to be allocated and administered as follows: \$75 million for municipal and industrial water supply facilities to be administered by the Department of Social and Health Services; \$50 million for agricultural water supply facilities to be administered by the Department of Ecology. The proceeds are administered subject to appropriation,

and direct expenditures, grants, or loans may be made to public bodies.

The State Finance Committee is authorized to issue bond anticipation notes.

A public water supply facilities bond redemption fund is created for payment of interest on and retirement of the bonds. Annual certification to the State Treasurer by the State Finance Committee of repayment amounts is required. The bonds are to be a legal investment for public funds.

Voter approval is required for enactment.

Senate:	45	2	Effective upon approval
House:	82	13	by the voters.
			C 234 L 79 1st ex. sess.

SSB 2685

SPONSORS: Committee on Constitution and Elections
(Originally Sponsored by Senator Bottiger)

COMMITTEE: Constitution and Elections

Revising Public Disclosure Commission provisions.

ISSUE:

Public Agency Lobbying

In 1977 the Legislature enacted a comprehensive law regulating lobbying by employees and elected officials of state and local agencies. Expenditures incurred for lobbying are required to be reported on a quarterly basis to the Public Disclosure Commission.

In its efforts to implement this law the Commission has encountered some difficulty in determining the kinds of activities that must be reported. The Commission as well as public agencies covered by this law seek legislative clarification of this issue.

Use of Public Facilities in Support of Ballot Propositions

Section 13 of the Open Government Act prohibits the use of public facilities in candidate and ballot measure campaigns unless such activity falls within the "normal and regular conduct" of a public office or agency. In 1977, the Public Disclosure Commission found certain members of the King County Council to be in violation of Section 13 because they voted for a council motion supporting the statewide anti-pornography initiative.

Proponents of this measure believe that public legislative bodies should not be prohibited from expressing a collective position on a ballot measure at a public meeting.

Financial Disclosure Reports

Referendum 36, approved by the voters on November 2, 1976, extended the financial

disclosure requirements of the Public Disclosure Law to certain appointed state officials. The referendum lists numerous state boards, authorities, commissions, councils and other political agencies and specifies that the members and chief executive officers of these entities are required to file financial statements. In the administration of Referendum 36 some confusion has been encountered since the specific titles of persons required to report were not included in the law.

Additionally, concern has been expressed that the January 1st to January 31st filing period for financial disclosure statements (PDC form F-1) is inadequate. It is suggested that this period be extended so that persons may file in conjunction with their income tax reports.

SUMMARY:

Public Agency Lobbying

A clear statement is provided of the types of activities which are exempt from the reporting requirements of the public agency lobbying law. These exemptions include:

1. Telephone conversations or preparation of written correspondence.
2. In person lobbying by elected officials.
3. In person lobbying on behalf of an agency of no more than four days during any three month period.
4. Reports, studies, etc. to the Legislature in response to a legislative request.
5. Communication between state agencies.
6. Preparation or adoption of policy positions.

Local agencies are given the option of either reporting quarterly in the manner provided for state agencies or reporting as a private lobbyist employer with agency employees registering and reporting as private lobbyists.

Use of Public Facilities in Support of Ballot Propositions

A legislative body may by motion, order or similar action indicate its position on a ballot measure if the following conditions are met:

1. The action is taken at an open public meeting;
2. Any required notice of the meeting includes the title and number of the ballot proposition; and
3. Members of the legislative body or the public are given an equal opportunity to express an opposing view.

An elected official may make a statement in support or opposition to a ballot measure at an open press conference or in response to a specific inquiry.

Financial Disclosure Reports

The coverage of Referendum 36 is clarified by listing the specific statutorily recognized titles of

the chief executive officers and the various entities required to file financial statements.

The bill extends the period for filing financial disclosure statements. Persons filing F-1 forms may file at any time between January 1st and April 15th.

Senate:	45	2	Effective: Sept. 1, 1979
House: (a)	96	0	C 265 L 79 1st ex. sess.
S. Concur:	41	0	

SSB 2709

PARTIAL VETO

SPONSORS: Committee on Education
(Originally Sponsored by Senator McDermott)

COMMITTEE: Education

Implementing law relating to funding for basic education.

ISSUE:

The Basic Education Act was adopted in 1977 to define Washington State's responsibility in providing a constitutionally mandated "ample provision" for the education of the state's common school age children.

Experience in administering the Act has revealed several areas which need correction, particularly in the areas of adding flexibility to program hour requirements and curricular offerings, recognizing foreign languages as a basic skill, and in accommodating parent/teacher conferences.

SUMMARY:

Miscellaneous changes in basic education program requirements:

1. Authorize parent/teacher conferences to be conducted as part of total program hour offerings and exclude time actually spent for meals;
2. Authorize foreign languages to be offered as a basic skill in grades 1 through 8 and require that foreign languages be offered as a basic skill in grades 9 through 12;
3. Remove career orientation from the definition of work skills;
4. Remove work skills requirements for grades 4-6;
5. Permit districts to include grade 9 requirements with grades 7 and 8 and authorize program hour offering requirements to be concurrently increased and decreased between grade level groupings;
6. Allow course mix percentages to deviate up to 5 percentage points above or below the required

percentages so long as total program hour requirements are met;

7. Clarify the ages of students eligible for basic education and permit school boards to use the last 5 school days of the year for instructional activities and observance of graduation for graduating seniors;
8. Require the State Board of Education to implement program approval requirements and authorize self-monitoring of compliance by school districts. A district's self-certification of compliance may be accepted as evidence of compliance;
9. Exempt handicapped education, vocational-technical institute, and state institutional and residential school programs from percentage and course requirements.

The definition of "classroom teacher" requires that such people possess a valid certificate and that their duty be the daily instruction of students. The definition of "certificated staff" is expanded to include educational staff associates and learning resource specialists.

Those districts which were out of compliance with basic education requirements in 1978-79 are deemed to be in compliance if they are presently in compliance with basic education amendments.

The distribution formula adds interdistrict cooperative programs to those factors presently recognized under the Basic Education Act.

Each annual average full-time equivalent certificated classroom teacher's direct classroom contact hours must average at least 25 hours per week. Direct classroom contact hours shall be exclusive of time spent for preparation, conferences, or any other nonclassroom instruction duties. Up to 200 minutes per week may be deducted, at the discretion of the local school board, to accommodate teacher/parent-guardian conferences, recess, passing time, and informal instruction.

School district boards of directors and staff must provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning. Districts must adopt a policy assuring parental access to classrooms and to school sponsored activities. This procedure shall be included in the descriptive guide to the common schools.

The Superintendent of Public Instruction (SPI) may grant exceptions to basic education requirements in the event of unforeseen emergencies.

SPI is directed to make every effort to reduce paperwork requirements.

\$10,000 plus such amounts as may be necessary to carry out the purposes of the act are appropriated. (Vetoed Section)

Graduation exemptions take effect May 1; compliance exemptions take effect July 1; and the remainder of the act takes effect August 15, 1979.

Senate: (a)	27	21	Effective: See summary
House: (a)	93	2	for dates.
S. Concur.			C 250 L 79 1st ex. sess.
(Partial)			
H. Recede:	97	0	
S. Final			
Passage:	43	1	

VETO SUMMARY:

The Governor vetoed the appropriation section because sufficient funding was included in the budget for the administration of the act. (See VETO MESSAGE)

SB 2727

SPONSORS: Senators Bausch, Clarke and Goltz
(By Insurance Commissioner Request)

COMMITTEE: Financial Institutions and Insurance

Granting immunity to insurance companies which provide information on possible arson fires to investigating agencies.

ISSUE:

Each year, property loss resulting from arson amounts to hundreds of millions of dollars nationwide. Unfortunately, arson is very difficult to prove, and few cases of suspected arson are successfully prosecuted. Fire loss investigators and local prosecutors believe that, at times, their efforts are made more difficult because of the reluctance of insurance companies to share information in their files relating to cases of suspected arson.

Insurers respond that there are legal restraints which expose them to possible liability if they freely provide such information, and most will release data concerning possible arson only under subpoena.

Legislation authorizing insurers to release without liability information relating to suspected cases of arson might assist investigators and prosecutors in their attempts to more successfully prevent and control property loss due to arson.

SUMMARY:

Insurers, upon written requests from an authorized fire investigation agency, are required to furnish all relevant information regarding the cause of any fire to the agency. An insurer, on its own, may report suspected cases of arson to the State Fire Marshal and may include all relevant information developed from its own inquiry into the fire loss.

An authorized agency is defined as a public agency which has authority to investigate the causes of a fire and to initiate criminal proceedings, or to initiate further investigation.

Upon request, an authorized agency is required to provide, within a reasonable time not to exceed thirty days, relevant information to an insurer, which has itself provided information to an authorized agency, relating to a particular fire loss.

Insurers and authorized agencies which release information under the provisions of the bill are granted immunity from liability in any civil or criminal action arising from the release of the information.

Any authorized agency or insurer which receives information under this bill shall not make the information public until such time as its release is required in connection with a criminal or civil proceeding.

Senate:	46	0	Effective: Sept. 1, 1979
House: (a)	97	0	C 80 L 79 1st ex. sess.
S. Concur:	43	0	

SB 2736

SPONSORS: Senators Lee, von Reichbauer and Wanamaker

COMMITTEE: Parks and Recreation

Authorizing the Interagency Committee for Outdoor Recreation to produce a state recreation guide.

ISSUE:

Presently, a comprehensive guide to state recreation lands is not available to the public. In the past, several state agencies have published guides listing facilities or lands under their jurisdiction. Currently, the Interagency Committee for Outdoor Recreation coordinates several functions for the state natural resource agencies and could coordinate the development of a comprehensive guide. A comprehensive guide might be of use to the public and aid tourism.

SUMMARY:

The Interagency Committee for Outdoor Recreation is authorized to coordinate preparation of a comprehensive guide to Washington public parks and recreation areas. All state agencies providing recreation facilities must participate in the development of the guide. The cooperation of the federal government must be sought.

The guide is to be sold at a price sufficient to cover costs of publication and distribution. The Interagency Committee for Outdoor Recreation is authorized to find reasonable means to cover initial

publication costs. The same committee is authorized to receive gifts, donations, and grants for publication of this guide and periodically is required to review and update the guide.

A plan regarding this guide must be submitted by the Interagency Committee to the Legislature by January 1, 1981.

Senate: (a) 43 2 Effective: Sept. 1, 1979
House: 94 1 C 24 L 79 1st ex. sess.

SSB 2744

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Goltz, Shinpoch and Benitz)

COMMITTEE: Higher Education and Ways and Means

Implementing law relating to state student financial aid program and making additional appropriation therefor.

ISSUE:

The federal State Student Incentive Grant (SSIG) regulations (effective fall, 1979) require states, at a minimum, to include all accredited nonprofit postsecondary institutions in their need grant programs in order to qualify for federal SSIG matching funds. In Washington State these matching funds may reach \$3.3 million for 1979-81.

Senate Resolution 1977-115 directed the Council for Postsecondary Education to examine possible changes in statute to accommodate the new federal regulations. SR 1977-115 additionally directed the Council to examine "the desirability of providing equitable access to the State Need Grant Program to students not now eligible."

SUMMARY:

The definition of institution of higher education in current law (RCW 28B.10.802) is amended to include all institutions accredited by regional and national associations recognized by CPE provided that such institutions assure their willingness and capability to properly administer state funds. This definition enables students attending private profit-making institutions as well as private nonprofit institutions to receive state need grants.

Senate: 47 1 Effective: Sept. 1, 1979
House: 90 0 C 235 L 79 1st ex. sess.

SB 2753

SPONSORS: Senators Day, Talmadge and Wanamaker

COMMITTEE: Social and Health Services

Revising the laws relating to public assistance.

ISSUE:

Providers of medical care under public assistance presently must present a billing for their services within sixty days after the completion of such services. This has created a problem with the providers. It fails to allow sufficient time for completion of necessary accounting procedures, and has resulted in many providers having to present deferred claims to the State Legislature.

SUMMARY:

The period of time allowed providers of health care to public assistance recipients to submit bills for their services to the state is extended from sixty days to one hundred twenty days.

Senate: 45 0 Effective: Sept. 1, 1979
House: 91 7 C 81 L 79 1st ex. sess.

SB 2763

SPONSORS: Senators Talley, Jones and Gallagher

COMMITTEE: Judiciary

Increasing the period for which judgments are effective and permitting revival of judgments.

ISSUE:

The party obtaining judgment in a civil action has six years to enforce the judgment. Judgments which are not voluntarily paid are normally enforced through execution on the real or personal property of the judgment debtor or by the garnishing of wages. With the exception of cases where the debtor has wrongfully obtained an injunction against enforcement, all judgments cease to be a lien or charge against the person or state of the debtor after six years and cannot be enforced. Judgments in Washington cannot be renewed or the period for their enforcement extended.

SUMMARY:

The effective life of judgments is extended from six to ten years. An obsolete revival of judgments section is repealed.

Senate: (a) 32 12 Effective: Sept. 1, 1979
House: 82 9 C 236 L 79 1st ex. sess.

SB 2765

SPONSOR: Senator Donohue

COMMITTEE: Ways and Means

Changing monthly apportionment amounts of state aid to school districts.

ISSUE:

Local school districts receive the majority of their state funds monthly based on a statutory distribution schedule. The schedule was developed in the early 1970's before the state assumed the responsibility of full funding of basic education. The schedule was developed to even out the cash flow in local districts by taking into account when districts would be receiving large amounts of special levy funds.

Since local school districts have, generally, an even monthly expenditure pattern, the reduction in special levies will create cash flow problems for local districts unless the current distribution schedule is changed.

Current law also prohibits the distribution of property taxes until received by the state.

SUMMARY:

The changes in the distribution schedule are as follows:

Month	Old %	New %
September	10	9
October	8	9
November	6.5	5.5
December	8.5	9
January	13	9
February	13	9
March	11	9
April	5	9
May	5	5.5
June	3	9
July	8.5	8.5
August	8.5	8.5

Further, in order to even out the distribution schedule, the prohibition against distribution of property taxes until received by the state has been eliminated.

The fiscal impact associated with distributing property taxes in the same manner as other state general fund monies is an approximate \$65 million savings to the state general fund.

Senate: 43 0 Effective: Sept. 1, 1979
 House: 96 0 C 237 L 79 1st ex. sess.

SSB 2768

PARTIAL VETO

SPONSORS: Committee on Judiciary
 (Originally Sponsored by Senators Odegaard, Rasmussen, Talmadge, Ridder, Woody, Bottiger and Wilson)

COMMITTEE: Judiciary

Changing the laws concerning runaway youths and families in conflict.

ISSUE:

In 1977 the Legislature enacted the first rewrite of the Juvenile Code since 1913. The Legislature anticipated a special session in 1978 to refine the legislation before it took effect on July 1, 1978, but the special session was never called.

SUMMARY:

A law enforcement officer may take custody of a juvenile when the juvenile has been reported as a runaway by his or her parents or the agency having custody. The officer may also take custody if the officer believes circumstances exist which constitute a serious danger to the juvenile's physical safety. Any person who provides shelter to a reported runaway and who, after being informed of the juvenile's status by an officer, refuses to release the juvenile is "harboring" the juvenile and is guilty of a gross misdemeanor.

Crisis residential centers are semi-secure facilities operated by the Department of Social and Health Services to receive runaways. Runaways may be detained in these centers for a total of seventy-two hours from point of intake.

Procedures for alternative residential placement petitions are established and an appropriation of \$1.1 million is made.

The Department of Social and Health Services is directed to contract with local agencies for all levels of crisis intervention services in class AA, A, and first class counties except where such services are not available at a reasonable cost.

Language in SHB 371 is clarified and technical errors are corrected.

In Chapter 13.04, Juvenile Courts, definitions are added to define parents and custodians. Jurisdiction of minor traffic offenses is returned to the appropriate courts of limited jurisdiction, as are other minor fish, boating, or game violations, with a proviso attached that jurisdiction over a minor offense by a court of limited jurisdiction does not constitute a "transfer" or "decline".

The Department of Social and Health Services is given the authority to prepare predisposition reports relating to dependency or termination of parental rights in all counties if they filed the original petition.

The fingerprinting provisions are revised to clean up ambiguities contained in SHB 371.

In Chapter 13.40, the Juvenile Justice Act, a uniform procedure for dealing with violations is established. Automatic extension of jurisdiction is authorized if a juvenile turns 18 while participating in a diversion agreement or while in an institution, unless the juvenile was sentenced to the institution on a finding of manifest injustice. In that case a court must make a specific finding that jurisdiction will be extended.

A new juvenile chapter is created within Title 13 which deals exclusively with juvenile records. The provision for sealing dependency records has been dropped since confidentiality of nonoffense records is already guaranteed. The subject of an information may have diversion records sealed.

The criminal discovery rules are utilized as an appropriate framework for allowing access to information concerning juvenile offenses.

Agencies must provide "relevant" information to persons requesting information.

A mechanism is developed to allow treatment facilities and researchers access to juvenile records. An agency must take reasonable steps to insure the security of its records and prevent tampering with them.

In addition, procedures for directing record keeping agencies to facilitate inquiries concerning records are provided. The social file must be filed separately from the official juvenile court file.

The Governor is directed to execute a compact, with any other state, amending the Interstate Compact on Juveniles. The amendatory compact would allow a court to requisition the interstate return of a runaway juvenile, regardless of whether a delinquency proceeding was pending at the time the juvenile ran away.

An adult could exercise parental rights and responsibilities as guardian without actually terminating the legal bonds between the parent and child. Expedited termination procedures are created in specified circumstances and cultural heritage may be a factor in placement decisions.

The definition of dependency is expanded to include a juvenile in circumstances where there exists a clear and present danger of substantial damage to psychological or physical development. Also the definition of a dependent juvenile who is abandoned is expanded.

Senate: (a)	48	0	Effective: June 7, 1979
House: (a)	92	4	C 155 L 79
S. Concur. (Partial)			
H. Recede:	95	0	
S. Final Passage:	43	0	

VETO SUMMARY:

The Governor vetoed sections requiring the Department of Social and Health Services to contract for all levels of crisis intervention services in Class A and AA counties. She prefers that DSHS management be allowed the option of determining the most cost-effective way of providing these services. (See VETO MESSAGE)

SSB 2791

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senator Hansen)

COMMITTEE: Agriculture

Modifying laws relating to agriculture.

ISSUE:

TV and radio stations are required to identify the sponsors of commercials by their legal names. The Washington Dairy Products Commission wants the authority to use as their descriptive name in commercials, the logogram "The Dairy Farmers of Washington."

The Washington Dairy Products Commission desires other changes which will allow Commission funds to be used for expanded research activities, allow greater use of plastic, foil and paper as containers for dairy products, and to clarify that producers who act as dealers be required to pay assessments, and to disallow the outdated procedure of using prepaid stamps as a means of collecting assessments.

Economic hardships were endured by some livestock owners when their animals were condemned after contracting brucellosis, a contagious and incurable cattle disease. Those hardships may not have been incurred had the federal and state authorities not advised cattle owners against continuing vaccination after the state was declared to be free of the disease a few years ago. To more adequately compensate owners of dairy breed females and pure bred registered bulls, an increase in the state indemnity payments is needed.

Egg dealers are not allowed under current law to combine their company name with the egg assessment seal. This results in multiple labeling and extra, unnecessary machinery.

Under current agricultural commodity warehouse law, the warehouseman is required to receive grain from all persons for storage, handling or shipment to the extent the capacity of the warehouse permits. This restricts their ability to act as temporary storage facilities and reserve sufficient storage space for accepting commodities intended for later grain shipments.

SUMMARY:

The Washington Dairy Products Commission is authorized to take actions under the name of "The Dairy Farmers of Washington." The requirement for a fidelity bond for the manager is increased from \$20,000 to \$100,000. The Commission is authorized to conduct additional research activities. Reference to Chapter 15.44 RCW is inserted to allow for possible decreases in assessment funds. Milk produced by goats is exempted from the Dairy Commission assessments and activities. Included in the definition of class II milk is any milk or milk product that is packaged in plastic, foil or paper containers in addition to metal and glass containers. It is clarified that producers who act as dealers are subject to assessments. RCW 15.44.120 is repealed which permitted the use of prepaid stamps as a means of collecting assessments.

Cattle owners must comply with the Department of Agriculture's regulations pertaining to vaccination and change of ownership testing in order to be eligible for indemnity payments for cattle ordered slaughtered because of brucellosis disease.

Retroactive indemnity payments are authorized for dairy breed females and pure bred registered bulls ordered slaughtered because of brucellosis. A maximum payment of \$150 would be allowed for animals slaughtered between June 30, 1976 and August 1, 1978 and a \$75 maximum payment for animals slaughtered between August 1, 1978 and June 8, 1979. The combined indemnity payment plus salvage value are not to exceed 80 percent of the animal's true value. \$260,000 is appropriated for these indemnity payments.

Egg dealers are permitted to print their company name together with the egg assessment seal on one label and attach the label to egg containers.

Any warehouse which received commodities from dealers rather than producers and where the commodities are held before a later shipment to a terminal warehouse is classified as a "subterminal warehouse." Subterminal warehouses must be licensed and pay a \$75 license fee. These warehouses and terminal warehouses are required to receive and hold commodities pending future shipment only if satisfactory transportation arrangements are made for the commodities.

The Department of Agriculture is required to designate inspection locations for inspection and weighing. Fees are to cover the cost of providing these services. Anyone refusing to allow the Department of Agriculture to inspect a portion of a commodity "station" located in a contiguous state may face license suspension.

The Department is required annually to publish and distribute a directory of licensed warehouses.

The applicable law regulating warehouse receipts is changed from the Uniform Warehouse Receipts Act to the Uniform Commercial Code.

Notwithstanding any other provision of this chapter, the Director is authorized to enter into agreements under the United States Grain Standards Act relating a joint program for licensing, bonding and inspection stations.

The bill contains an emergency clause.

Senate: 48 0 Effective: June 15, 1979
House: (a) 81 11 C 238 L 79 1st ex. sess.
S. Concur: 38 0

SSB 2794

SPONSORS: Committee on Agriculture
(Originally Sponsored by Senator Hansen)

COMMITTEE: Agriculture

Modifying the law on water and water rights.

ISSUE:

The Department of Ecology is authorized to enter into water rights adjudications to resolve conflicts regarding the use of water in Washington. The current law on this subject dates back to 1917 and the Department of Ecology believes changes are needed to modernize and clarify these procedures.

Claims filed under the Claims Registration Act are one source used to determine which individuals are entitled to be heard in future adjudication proceedings. Some landowners failed to file claims for registration believing they had water rights superior to those registered under the state law. Questions have arisen as to the existence of water rights under those circumstances.

Under current law, when a water right is determined not to have been beneficially used for five years, that water right reverts to the next junior water right holder. When minimum stream flows are established on streams, the reverted water is not applied to meet these minimum requirements. The question arises whether minimum flow should be met or whether junior water right holders should get these reversionary rights.

Current state law permits reserving water for future beneficial uses. Clarification of the date of priority for these water rights is needed to establish an early priority date for reserving water in the Columbia River system for the future use in the State of Washington.

President Carter's water policy requires that the states be committed to water conservation and the reduction of wasteful practices. Washington's reaffirmation of these principles is necessary to receive federal money for water projects.

SUMMARY:

All water rights, including diversionary and in-stream rights and water rights claimed by the federal government, are subject to the Department of Ecology's determination proceedings. These proceedings do not establish or create new water rights. They only confirm previously established or created water rights.

Mail service is authorized as an alternative to personal services of summons in adjudication actions. Any person authorized to accept service or a defendant may sign the return receipt for a summons made by certified mail. Where summons is made by publication, the defendant must make statements of claim within 20 days of the last publication or before the return date for the summons whichever is later.

The defendant's fee for filing a statement of facts is raised from \$1 to \$25. One-half of the cost of determination proceedings is assumed by the state. The remaining costs are apportioned among the successful claimants.

December 31, 1979, is established as the new deadline for filing water rights claims under the Claims Registration Act. Those who mistakenly failed to file their claims may petition the Pollution Control Hearings Board. The Board is authorized to certify that petitioners' water has been used continuously since June 7, 1917, for surface waters and since June 7, 1945, for ground waters, except ground waters resulting from reclamation projects. This certification leads to a possible determination by the Department of Ecology that a water right exists.

If a water right is used after June 30, 1979, and is relinquished because of five years of nonuse and minimum stream flows have been established by the Department of Ecology for the affected streams, then the water right must be applied to meet those minimum flow requirements. If no minimum flow has been established or if the nonuse occurred before June 30, 1979, then the water right reverts to the next junior water right holder. The date of the preliminary permit for a reverted water right will be considered the priority date when such water is to be used to establish or maintain minimum flows.

The procedures established in current law (Chapter 90.14 RCW) for determining water right relinquishment are declared not exclusive. General adjudication procedures and other litigation procedures are authorized.

The establishment of reservations of water for specified beneficial uses or minimum flows is declared an appropriation. The priority date of

permits to use this reserved water is the effective date of the establishment of the reservation.

The promotion of in-stream and diversionary uses of water is declared a state policy. The state is to support the development of facilities for those purposes. The Department of Ecology is authorized to reduce wasteful water practices.

The Department of Ecology is required to cooperate with the federal government, Indian tribes and other public entities for planning, developing and operating future water projects in Washington.

An appropriation of \$40,000 is made to carry out the purposes of the bill.

\$59,000 are appropriated to the State Conservation Commission for the next biennium for studies and pilot projects relating to the water resource aspects of the Conservation Commission.

The bill contains an emergency clause.

Senate: (a)	45	1	Effective: June 4, 1979
House: (a)	96	1	C 216 L 79 1st ex. sess.
S. Concur:	35	10	

SSB 2798

SPONSOR: Committee on Commerce
(Originally Sponsored by Senator Van Hollebeke)

COMMITTEE: Commerce

Deleting the employment agency advisory board from the termination schedule of the sunset law.

ISSUE:

The Employment Agency Advisory Board was established in 1969 to provide comprehensive regulation of the activities of employment agencies. As a result of the sunset process, the Board currently is scheduled to be terminated on June 30, 1979, unless extended by the Legislature. The Legislative Budget Committee, after a performance audit of the purposes and activities of the Employment Agency Advisory Board, has determined that the Board merits continuation beyond its scheduled termination date.

SUMMARY:

The Employment Agency Advisory Board is deleted from the list of those agencies scheduled for termination on June 30, 1979, thereby extending the activities of the Board indefinitely.

Senate:	46	0	Effective: Sept. 1, 1979
House:	95	1	C 82 L 79 1st ex. sess.

SB 2852

SPONSORS: Senators Lysen and Morrison

COMMITTEE: Labor

Establishing procedures for mediation and arbitration in collective bargaining by uniformed personnel.

ISSUE:

The Public Employees' Collective Bargaining Act (Chapter 41.56 RCW) provides for specific dispute settlement procedures of mediation, fact-finding and binding arbitration for uniformed personnel (law enforcement officers and fire fighters). Coverage for these procedures is limited to uniformed personnel in King County and cities over 15,000 population. They are the only public employees for which binding arbitration, if needed, is mandatory.

The Public Employment Relations Commission (PERC), which administers the act, maintains that the set timetables for impasse procedures are too inflexible and that fact-finding becomes an unnecessary and costly process when binding arbitration is provided as the final step in dispute resolution. Additionally, PERC favors having the parties share the costs of arbitration in all instances. Under present law, the costs of the chairman of a tripartite arbitration panel and other costs of the arbitration proceedings are borne by the state if the parties cannot agree on the choice of the neutral chairman.

SUMMARY:

Initial negotiations are extended from forty-five to sixty days and PERC is allowed to decide when the parties move from mediation to arbitration. Additionally, fact-finding is removed as an impasse procedure for uniformed personnel negotiations and if mediation efforts have failed, procedures for the creation of an arbitration panel are provided. The parties each name one member to the panel, and they attempt to choose a neutral chairman. If they are unable to do so they may jointly agree to go to the Commission who will provide a list of five names for the selection of a neutral chairman. In this case, each party pays the cost of its member and the cost of the chairman and the proceedings is borne by the Commission. If the parties are unable to agree to go to the Commission, either party may unilaterally apply to the Commission, the American Arbitration Association or the Federal Mediation and Conciliation Service for the selection of a neutral chairman. In this instance, the parties share all the costs equally.

The arbitration panel conducts a hearing where each side is allowed to present evidence and make arguments. No member of the panel may present arguments for either side. The hearing of the panel

must be completed within twenty-five days after the selection of the panel chairman, unless the parties agree to a longer period.

The chairman is directed to consult with other panel members and within thirty days after the conclusion of the hearing shall issue written findings of fact along with a determination of the issues in dispute. This determination is final and binding upon both parties subject to review by the Superior Court upon the application of either party. The question of whether the panel's decision was arbitrary or capricious is the sole criterion for review by the court.

The bill contains an emergency clause.

Senate: (a)	45	3	Effective: May 14, 1979
House:	95	0	C 184 L 79 1st ex. sess.

SB 2905

SPONSORS: Senators Morrison and Ridder

COMMITTEE: Commerce

Modifying the licensing of electricians.

ISSUE:

Present law dealing with qualifications for obtaining certification as a journeyman or specialty electrician is ambiguous and difficult to enforce. For example, the law currently states that an applicant must demonstrate "sufficient experience" and "general competency." Conflict between interpretations by the Department of Labor and Industries and the courts has added to the enforceability problem.

SUMMARY:

Certification requirements for journeymen and specialty electricians are revised and clarified. To be eligible to take the examination for a journeyman's certificate, an applicant must have either:

1. Worked under the supervision of a certified journeyman electrician for four years;
2. Completed a two-year technical school program approved by the Commission for Vocational Education along with two years work experience under the supervision of a certified journeyman electrician, as long as the work experience runs prior to or after the school program;
3. Completed an approved apprentice program; or
4. Received training in the electrical construction trade in the Armed Services.

An applicant for a specialty electrician certificate, to be eligible to take the exam, must have worked under the supervision of an appropriate specialty electrician for at least two years, or have

successfully completed an approved apprenticeship program in the applicant's specialty.

An electrical training certificate is established for those persons working in an approved apprentice program or otherwise learning the electrical construction trade, and such persons may maintain or install electrical equipment if supervised by a certified journeyman or specialty electrician. The electrical training certificate is renewable yearly upon the payment of a five dollar renewal fee.

Persons who have been issued an electrical training certificate may work only if under the supervision of a certified journeyman or specialty electrician. From the effective date of the bill through December 31, 1982, not more than three noncertified electricians must be supervised by one journeyman or specialty electrician. Beginning in 1983, the number of noncertified electricians for each specialty electrician is reduced to two; and the number of noncertified electricians for each journeyman electrician is reduced to one. If the noncertified person has completed or is enrolled in an approved apprentice or technical school program, he may work without direct on-site supervision during the last six months of meeting the practical experience requirements for certification. A person who has failed an examination may continue to work under a ninety-day temporary permit if he is enrolled and is attending a refresher course.

The language which establishes penalties for violations of the chapter is made more specific. Each day of violation is punishable by a fine of not less than fifty dollars.

Senate: (a)	43	3	Effective: Sept. 1, 1979
House: (a)	96	0	C 156 L 79 1st ex. sess.
S. Concur:	39	1	

SB 2923

SPONSORS: Senators Goltz, Lewis, Rasmussen and Sellar
(By Department of Veterans Affairs Request)

COMMITTEE: Higher Education

Exempting veterans of the Vietnam conflict from increases in tuition and fees at institutions of higher education.

ISSUE:

Current statute limits a tuition and fee waiver to Vietnam veterans enrolled in higher education programs on or before June 30, 1977. The level of tuition and fees is adjusted at the same dollar amount as that of resident undergraduate students.

SUMMARY:

Veterans of the Vietnam conflict are exempted from the payment of any increase in tuition and fees above the total amount of charges paid by Vietnam veterans on October 1, 1977. The section includes Vietnam veterans enrolled in state institutions of higher education on or before May 7, 1983.

The Vietnam veterans' exemption is deleted from the list of entities scheduled for termination through the Sunset process, thereby extending the exemption indefinitely.

Senate:	42	3	Effective: Sept. 1, 1979
House:	87	6	C 83 L 79 1st ex. sess.

SB 2925

SPONSORS: Senators Keefe, Guess, Day and Lewis

COMMITTEE: State Government

Transferring title to the Expo '74 site and facilities to the city of Spokane.

ISSUE:

In 1971 the state authorized the Department of General Administration to construct an opera house and convention center in the city of Spokane for EXPO '74. This construction was financed in part through a surcharge of twenty-five percent on the state corporation business license filing fee. These facilities have been maintained and operated by the city of Spokane. It is now proposed that the EXPO '74 site and facilities be transferred from the state to the city of Spokane.

SUMMARY:

The Department of General Administration is directed to transfer ownership of the EXPO '74 site and facilities to the city of Spokane. The property transferred consists of an opera house, convention center, and grounds, built and acquired by the state for EXPO '74. Payment for the transfer is not required from the city of Spokane, which assumes full liability for maintenance and operation of the transferred property.

Senate:	45	0	Effective: Sept. 1, 1979
House:	94	1	C 25 L 79 1st ex. sess.

SSB 2929

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Odegard, Bausch, Donohue, Bottiger and Shinpoch)

COMMITTEE: Ways and Means

Revising laws relating to taxation of mobile homes.

ISSUE:

The sale of mobile homes is, under present law, subject to retail sales and use tax. Since in many cases the mobile home is used as a home and is affixed to the land upon which it rests, the sale of such mobile home could fall under the real property sales excise tax.

SUMMARY:

The real estate excise tax is extended to include a used mobile home which has substantially lost its identity as a mobile unit due to its being affixed in location, placed on a foundation, and connected to sewer, water and other utilities.

Sale of a used mobile home is exempted from the retail sales and use tax. Instead the sale of these mobile homes is subject to the real estate excise tax.

The county treasurer will, in the case of a used mobile home sale, affix a stamp to the excise tax affidavit to evidence payment of the tax. Taxes must be paid up-to-date for the purchaser of a used mobile home to receive his certificate of ownership from the Department of Licensing.

Cities, counties, towns, library districts, and school districts are exempt from the B&O tax on materials printed and used solely by these entities.

The sales of ferries to local units of government are exempt from the sales and use tax.

Senate: (a)	43	2	Effective: Sept. 1, 1979
House: (a)	96	1	C 266 L 79 1st ex. sess.
S. Concur.			
(Partial)			
H. Insisted on			
its Position			
S. Insisted			
H. Recede:	87	0	
S. Final			
Passage:	32	0	

2SSB 2944

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senator Rasmussen)
(By Office of Financial Management Request)

COMMITTEE: State Government and Ways and Means

Modifying allocation of certain funds under the 1977 appropriations act.

ISSUE:

Two distinct problems have arisen concerning supplemental appropriations for expenditures needed in the remainder of the current biennium:

(1) The 1977 operating budget included several provisos under which state expenditures depended upon continued receipt of federal Countercyclical Revenue Sharing funds. The federal program expired on September 30, 1978, leaving a shortfall of approximately \$10 million in special correctional programs and \$2.5 million in the Teachers' Retirement System. Although the Governor's budget had provided for state general funds to cover these shortfalls, inadvertently they were not included in the supplemental budget adopted in the regular session.

(2) In the 1977 appropriation for school district salaries, a limit of \$11 million was placed on the amount which could be expended for salaries in certain categorical programs under the formula provided in the budget. A shortfall occurred in the state appropriation, partly because the actual number of employees in these programs exceeded estimates, and partly because the allowance of special levy funds for salary increases in the second year had not been anticipated.

SUMMARY:

State sources must support the balance of the general fund appropriation to the correctional programs and the Teachers' Retirement System after federal funds have been expended to the limit of actual receipts.

The Superintendent of Public Instruction is authorized to expend funds from the general salary appropriation as needed to cover any shortfall for certificated and classified staff in state-funded programs for vocational-technical institutes.

The bill contains an emergency clause.

Senate:	46	0	Effective: May 25, 1979
House:	79	9	C 206 L 79 1st ex. sess.

SSB 2952

SPONSORS: Committee on Transportation
(Originally Sponsored by Senator Henry)

COMMITTEE: Transportation

Revising pilotage laws.

ISSUE:

The Board of Pilotage Commissioners propose substantive changes in existing law governing pilotage of vessels on waters of the state. Vacancies in the appointed positions on the Board of Pilotage Commissioners are presently filled by the Governor for four-year terms. Existing law requires that five commissioners be present for a quorum, sets the annual license fee for pilots at \$250, and mandates that the Board establish five examinations and grading sheets for pilots.

SUMMARY:

The appointee to a vacant position on the Board of Pilotage Commissioners serves for the remainder of that unexpired term. The number of commissioners necessary for a quorum is reduced to four. At least one pilot, one shipping representative, and one public member must be present. The Board of Pilotage Commissioners is allowed to set the license fee for pilots up to \$1,000 subject to provisions of publication notice and hearing as required by the Administrative Procedures Act. There must be five examinations for the Puget Sound Pilotage District and two examinations for each other pilotage district.

The license of a pilot terminates when the pilot reaches the age of 70. Pilots who hold a license on the effective date of this bill may continue to hold that license until May 1, 1982, regardless of the age of the pilot.

Senate: 44 4 Effective: Sept. 1, 1979
House: 91 5 C 207 L 79 1st ex. sess.

SSB 2957

SPONSORS: Committee on Transportation
(Originally Sponsored by Senator Henry)

COMMITTEE: Transportation

Modifying procedures for disposing of Department of Transportation property.

ISSUE:

Present law provides various methods for disposal of state property determined to be surplus. In 1977 the Department of Transportation acquired jurisdiction over property previously managed by the Highway Commission or by the Washington Toll Bridge Authority.

SUMMARY:

Uniform procedures are established for the disposition of surplus property owned by the state and under the jurisdiction of the Department of Transportation. The Department may sell the property to any other governmental entity for fair market value.

The Department may sell the property on the open market at public auction. If the Department determines to sell the property at public auction notice must be given in a legal newspaper of general circulation in the area where the property is located for two consecutive weeks. The first notice must be at least two weeks prior to the date of the auction. The sale will then be to the highest and best bidder if the best bid is equal to or in excess of the fair market value.

If no bids are received or all bids rejected, the Department may then negotiate a sale through a licensed real estate broker but not for less than the fair market value.

Where any private sale through a real estate broker is agreed to and the value of the property is in excess of \$10,000 then the Department must publish notice of the sale. This notice must be published in a newspaper of general circulation in the area where the property is located, must contain a description of the property and the terms of the sale and must notify the public that offers may be submitted which shall be in excess of ten percent of the agreed sale price. Subsequent offers must be accompanied by a cash deposit of twenty percent of the sale price. If subsequent offers are received, the original purchaser is notified and has ten days to submit a higher offer.

The Department of Transportation is given authority to enter into agreements to exchange property so long as the property acquired is needed for highway purposes.

The Secretary of Transportation has the authority to execute deeds on behalf of the state. All funds received from property sold under this bill are to be deposited in the motor vehicle fund.

The Department is given further authority to dispose of property originally acquired for toll facility purposes or for property originally acquired for the ferry system under the aforementioned terms and conditions and the proceeds of these sales are to be paid into separate trust funds of the state treasury.

Senate: 43 0 Effective: July 1, 1979
House: (a) 94 3 C 189 L 79 1st ex. sess.
S. Concur.
(Partial)
H. Refused
to Recede
S. Refused
to Concur
H. Recede: 95 1

SSB 2958

SPONSORS: Committee on Transportation
(Originally Sponsored by Senator Henry)

COMMITTEE: Transportation

Facilitating the restoration of transportation services disrupted by the sinking of the Hood Canal Bridge.

ISSUE:

Under existing law, plans for the restoration of interim transportation services to and from the Olympic Peninsula must include the filing of an

environmental impact statement and compliance with the Shorelines Management Act. This could result in an inordinate delay in restoring transportation service.

SUMMARY:

Plans for the restoration of interim transportation services to or from the Olympic Peninsula are exempted from the requirements of filing an environmental impact statement and complying with the provisions of the Shorelines Management Act. These plans are to be reported to the Director of Ecology.

In order to qualify for the exemption from provisions of the Shorelines Management Act and the Environmental Protection Act, the restoration of interim transportation services must be commenced prior to February 13, 1981.

The Department of Transportation and/or the affected property owner may apply prior to July 1, 1981, for a substantial development permit for any facilities constructed for the interim transportation service. That permit is to be processed in accordance with applicable rules and if denied, the structures are to be removed. If the permit is granted, the structures may remain.

This bill contains an emergency clause.

Senate: (a) 47 0 Effective: April 26, 1979
 House: (a) 98 0 C 84 L 79 1st ex. sess.
 S. Concur: 46 0

SSB 2964

SPONSORS: Committee on Ways and Means
 (Originally Sponsored by Senator Donohue)

COMMITTEE: Ways and Means

Relating to higher education and making an appropriation.

ISSUE:

A bond issue for the institutions of higher education for capital improvements is required to carry out the purposes of the capital budget.

SUMMARY:

Issuance of \$46 million in general obligation bonds for the institutions of higher education is authorized. When interest and principal payment is due each year, the amounts attributable to each institution of higher education shall be deposited in the general fund from that institution's building or capital projects account.

The higher education construction account is established in the general fund, to be administered by each institution as directed by the Legislature.

The higher education bond retirement fund of 1979 is created for payment of principal and interest.

Assuming sale of approximately \$14 million in bonds in fiscal year 1980 and \$32 million in fiscal year 1981, the 1979-81 cost of principal and interest for bond retirement is \$1,054,019.

The bill contains an emergency clause.

Senate: 46 1 Effective: June 21, 1979
 House: 88 9 C 253 L 79 1st ex. sess.

SSB 2967

SPONSORS: Committee on Ways and Means
 (Originally Sponsored by Senator Donohue)

COMMITTEE: Ways and Means

Transferring moneys to the forest development account and the resource management cost account.

ISSUE:

Forest fire protection on trust lands has been historically funded from both the general fund and two dedicated accounts: the forest development account, and the resource management cost account. For the 1977-79 biennium, forest fire protection on trust lands was funded solely from the two dedicated accounts.

SUMMARY:

Forest fire protection may be funded as in past years. The following transfers are made: (1) \$435,000 from the general fund to the forest development account; and (2) \$1,353,000 from the general fund to the resource management cost account.

The bill contains an emergency clause.

Senate: 39 1 Effective: May 25, 1979
 House: 85 0 C 208 L 79 1st ex. sess.

SSB 2976

SPONSORS: Committee on Energy and Utilities
 (Originally Sponsored by Senator Bottiger)

COMMITTEE: Energy and Utilities

Permitting local governments to use public funds to promote conservation of energy.

ISSUE:

Substitute Senate Joint Resolution (SSJR) 120 is a proposed amendment to the Washington State Constitution which, if ratified by the voters, would allow various governmental entities to use public

moneys or credit, as authorized by the Legislature, to finance energy conservation programs. Existing constitutional language does not allow the use of public moneys or credit for such programs, and it is suggested that this impedes the efforts of public utilities to broaden energy conservation and energy efficiency programs.

SUMMARY:

This bill provides the implementing language for SSJR 120 by authorizing any city, town or public utility district to assist owners of residential structures in financing the acquisition and installation of materials and equipment for energy efficiency and conservation. Such assistance must be pursuant to an adopted energy conservation plan and may be granted only if the unit cost of the energy saved is less than the unit cost of new energy alternatives.

Unless otherwise authorized, the assistance is limited to: (1) providing and inspection of the residence, the estimated cost of obtaining energy conservation materials and equipment, and the projected savings; (2) providing a list of at least two licensed contractors who provide such materials in the area and who meet acceptable performance standards; (3) arranging for installation of the materials and equipment at a bid price acceptable to the residence owner; and (4) arranging for the financing to purchase and install the materials and equipment.

The Legislature declares its intent to establish an effective statewide program for energy conservation, and that all municipal corporations, quasi-municipal corporations, or other political subdivisions of the state engaged in energy generation, sale, or distribution should be granted the authority to carry out such programs.

To reduce the possibility for utility discrimination among businesses who sell and/or install conservation materials criteria are established for the participation of such businesses in the utility conservation programs.

In order to qualify for a conservation loan, a home owner need not buy the conservation materials from a contractor who would also install them but could buy the materials from a retail business and do the installation himself.

Loan repayment must be in the form of additions to the utility bill; and the loan period may not exceed 120 months.

These provisions take effect on the same date that SSJR 120 is ratified by the voters, and is null and void if ratification is not obtained.

Senate: (a)	35	10	Effective: See summary
House: (a)	92	6	for date.
S. Concur:	37	10	C 239 L 79 1st ex. sess.

SSB 2979

SPONSORS: Committee on Energy and Utilities
(Originally Sponsored by Senator Bottiger)

COMMITTEE: Energy and Utilities

Revising laws relating to energy facility siting permits.

ISSUE:

In order to promote widespread water pollution control, the federal government allowed states to issue and administer National Pollutant Discharge Elimination System (NPDES) permits within their respective jurisdictions. Similar authority was granted for the issuance of permits under the federal Clean Air Act. Until its replacement by the Washington State Energy Facilities Site Evaluation Council (EFSEC), the Thermal Power Plant Site Evaluation Council administered the issuance of such NPDES permits pursuant to guidelines established by the federal Environmental Protection Agency (EPA).

Due to the assignment of additional energy facilities to EFSEC and the expansion of federal law, it is contended that EFSEC's permitting and enforcement authority should be extended. It is further contended that unless such extension is allowed, the federal government will withdraw EFSEC's permitting authority for NPDES and federal Clean Air Act permits, thereby forcing permit applicants to apply directly to the EPA. This would create significant delays in the construction and operation of energy facilities in Washington State.

SUMMARY:

The power to issue permits pursuant to the federal Clean Air Act and the federally approved state implementation plan is added to EFSEC's statutory authority. Courts are authorized to grant injunctive relief and assess civil penalties where either NPDES or federal Clean Air Act permit violations occur. The Council may impose penalties for each day a person violates permit or certificate provisions, provided that written notice from the Council is given to alleged violators. An appellate procedure is established for challenging any penalty and for remitting or mitigating the amount imposed.

Knowingly making false statements in permit documents and the willful or criminally negligent violation of permit provisions are deemed criminal acts and are punishable by the payment of both fines and litigation costs.

The bill contains an emergency clause.

SSB 2979

Senate: (a) 42 5 Effective: June 21, 1979
House: (a) 72 2 C 254 L 79 1st ex. sess.
S. Concur: 34 0

SSB 2993

SPONSORS: Committee on Energy and Utilities
(Originally Sponsored by Senators
Bottiger, Hayner, Lewis and Bausch)

COMMITTEE: Energy and Utilities

Revising laws relating to public utility districts.

ISSUE:

It has been suggested that the petitioning process for creation of new public utility districts (PUDs) and for activation of dormant PUDs should be identical to the state procedure for bringing initiative measures to the Legislature.

SUMMARY:

On petition of 10% of the qualified voters of a county, a proposition to create a PUD must be submitted to the voters in that county at any general election in even-numbered years. The county legislative authority may continue to submit to the voters by its own resolution a proposition to create a public utility district.

A proposal to activate an existing PUD may be submitted to the district's voters by resolution of the public utility district commission. If 10% of the voters in a district petition to activate an existing PUD, the proposal must be submitted to the voters of the district at any general election held in an even-numbered year.

The form of the petition must be submitted to the county auditor within ten months of the general election, and the petition itself must subsequently be submitted within four months of that election. The county auditor is required to review the petition within fifteen days to determine its sufficiency, and must return it to the petitioners for a ten day period to make corrections. The auditor then has an additional thirty days to review the corrected petition before transmitting the petition to the county legislative authority. The county legislative authority must submit the petition proposals to the voters at least 45 days prior to the next general election in an even-numbered year. Each signature appearing on the petition must be dated and that date must fall within the six month period between submission of the form and submission of the petition itself to the county auditor.

The possibility of overlapping public utility districts is eliminated and the confusion of existing law to allow submission of the proposal to voters either by resolution of the PUD commission or by resolution of the county commission is corrected.

Districts may sue in any court of competent jurisdiction, and may be sued in the county where its principle office is located or where it owns or operates facilities.

Senate: (a) 33 14 Effective: Sept. 1, 1979
House: (a) 85 6 C 240 L 79 1st ex. sess.
S. Concur: 32 9

SSB 3008

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senator
Walgren)

COMMITTEE: Ways and Means

Relating to salaries of elected officials.

ISSUE:

The State Committee on Salaries and the Governor have recommended that salaries of certain public officials be increased.

SUMMARY:

These state officials will receive the following salaries, first in 1979, then in 1981:

	<u>1979</u>	<u>1981</u>
Governor	\$58,900	\$63,000
Lieutenant Governor	26,800	28,600
Secretary of State	28,900	31,000
Treasurer	34,800	37,200
Auditor	34,800	37,200
Attorney General	44,000	47,100
Superintendent of Public Instruction	40,000	42,800
Commissioner of Public Lands	40,000	42,800
Insurance Commissioner	34,800	37,200
Supreme Court Justices	48,200	51,500
Appellate Court Judges	44,900	48,100
Superior Court Judges	41,700	44,700
District Court Judges	35,300	37,800
Administrator for the Courts .	37,500	40,200

Legislators elected for a term beginning January 12, 1981, receive \$11,200 in 1981, \$12,000 in 1982, \$12,850 in 1983, and \$13,750 in 1984. Holdover legislators receive the present \$9,800.

Legislators receive \$44 per diem during the legislative session and, when not in session, an amount fixed by the Secretary of the Senate and Chief Clerk of the House. The amount of per diem fixed by the Secretary of the Senate and Chief Clerk of the House cannot exceed \$44 per day or the maximum daily amount determined by OFM for high cost areas.

There is an appropriation of \$2 million for the 1979-81 biennium.

The bill takes effect July 1, 1979.

Senate: (a) 31 15 Effective: July 1, 1979
 House: (a) 51 41 C 255 L 79 1st ex. sess.
 S. Concur: 27 7

SSB 3022

SPONSORS: Committee on Local Government
 (Originally Sponsored by Senators Lee,
 Talley and North)

COMMITTEE: Local Government

Establishing new procedures for local government disposition of found and unclaimed personal property.

ISSUE:

There are several existing statutes dealing with found and unclaimed personal property in the possession of finders, local governments, and law-enforcement authorities. These statutes set out a variety of procedural requirements for attempting to locate owners and disposing of property unclaimed after given statutory periods.

SUMMARY:

Provisions in two RCW chapters dealing with the disposition of found and unclaimed personal property in the possession of finders and local government are repealed.

Persons wishing to claim personal property or money they have found must execute specified duties. Within seven days of a finding, finders must obtain an appraisal of the property. Also within seven days, finders must report the finding to the chief law enforcement officer of the governmental entity where the property was found, and, if requested, must surrender the property to such officer. Finders may not assert claim to property they may not legally possess. A finder must also serve written notice of his or her intent to claim the property if the owner does not appear. If the property is valued under \$25, finders may retain possession if there is no reason for the officer to retain possession.

Within thirty days of the finding, a finder must insure that newspaper notice of the finding has been published. When sixty days have passed, a finder may claim the property if the owner has not appeared; if duties described above have been executed; and, in the event that the property is valued at more than \$25, payment of a small fee is made to the governmental entity handling the property. Monies received by an entity are deposited in its general fund. Within ninety days, if the finder has not executed these duties or has stated in writing that he or she asserts no claim, property is auctioned and proceeds are disposed of as provided in other laws.

Any finder who does not perform these duties forfeits the property and is liable to the owner for its full value. Responsibilities of the chief law enforcement officer are also set out in the bill.

Governmental entities acquiring property must attempt to find owners. If these attempts are unsuccessful within specified time limits, property must be forwarded to the county chief law enforcement officer or, if found within city limits, to the city chief law enforcement officer. Alternatively, cities may elect to dispose of found property under other existing statutes.

Employees or officers of governmental entities finding property in the course of their official duties may not claim possession unless local governing bodies permit such claims.

This bill does not apply to motor vehicles, property in the hands of bailees, or funds apparently abandoned in financial institutions.

Senate: 46 0 Effective: Sept. 1, 1979
 House: (a) 98 0 C 85 L 79 1st ex. sess.
 S. Concur: 45 0

2SSB 3033

SPONSORS: Committee on Agriculture
 (Originally Sponsored by Senators
 Gaspard, Benitz and Hansen)

COMMITTEE: Agriculture

Changing the laws concerning irrigation districts.

ISSUE:

The generation of electricity from water flowing through irrigation canals and dams is planned by irrigation districts in the Columbia Basin. Six sites have a combined potential to generate 100 megawatts. Irrigation districts presently have authority to construct electric generation facilities and to sell electricity which is surplus to the needs of the district. Clarification of authority is needed to construct electric generation facilities on irrigation works which are outside of the district's boundaries.

Irrigation districts have difficulty in marketing revenue bonds, and, therefore, must pay unusually high interest rates. Modernization of the revenue bonding authority for irrigation districts would facilitate the districts' needs in the bond markets.

The "quasi-municipal" classification also makes it unclear whether directors of irrigation districts are governed by the recall provisions of the statutes as are other political subdivisions.

SUMMARY:

Irrigation districts operating and maintaining irrigation systems are authorized to construct,

maintain and operate hydroelectric facilities alone or jointly with other governmental entities. These districts are permitted to acquire property and facilities within or outside their boundaries for this purpose. However, districts are not allowed to acquire electric company property or facilities through eminent domain procedures.

Energy generated by irrigation district hydroelectric facilities may be sold to and districts may enter into contracts with listed entities. Irrigation districts are allowed to sell electricity only to quasi-municipal and municipal corporations which are presently authorized to engage in the distribution of electricity. The maximum term for electricity sales contracts made by the board of directors without voter approval is extended from ten years to forty years. A district may sell any electricity it produces. The electricity sold no longer needs to be surplus to district needs.

Irrigation districts may provide water to cities and towns for residents' domestic use. Districts are also permitted to enter into contracts with listed entities to acquire and construct water, electric, drainage and sewerage works.

Special meetings of irrigation district boards of directors must be conducted in accordance with the Open Public Meetings Act. Members of irrigation district boards of directors are subject to voter recall.

As an alternative to making assessments, irrigation districts may make rates, tolls or charges for services and may make graduated charges for additional quantities of services. A penalty of not more than ten percent, and an interest charge of not more than twelve percent as determined by the board may be levied for delinquent payments. Charges, including penalties and interest, are liens against the property and have priority over other liens except over liens for general taxes. If payments are delinquent for over one year, the district may bring suit for foreclosure.

Irrigation districts may issue interest-bearing warrants to provide financing pending issuance of revenue bonds. Irrigation district boards of directors may, where necessary, covenant to secure payment of revenue bond obligations, which may include establishing reserve funds, providing for disposition of proceeds of bond sales, or providing for use of revenues. Boards of directors may, by resolution, provide for refunding of revenue bonds if they are subject to call for prior redemption or if all bond holders assent. When bonds or contracts payable from assessments have been refunded, all remaining assessments must be paid into the revenue bond redemption fund. Cash balances in reserve and guarantee funds may be transferred in whole or in part to other district funds. If there are any outstanding warrants at the time of refunding, the new bond issue must be sufficient to cover such warrants.

When landowners representing one-quarter of the acreage in an area file a petition for a special construction or improvement, a hearing is scheduled and notice is now required to be sent to the landowners benefiting from the improvement. Similar notice requirements are added for improvement proposals initiated by the board of directors.

Authority is granted to establish a utility local improvement district and only the revenues from assessments on the utility local improvement district are pledged to pay the revenue bonds and thereby do not obligate other lands. Existing local improvement districts may be converted to utility local improvement districts by the board of directors.

The bill contains an emergency clause.

Senate: (a)	47	0	Effective: May 14, 1979
House: (a)	94	3	C 185 L 79 1st ex. sess.
S. Concur:	45	0	

SSB 3034

SPONSORS: Committee on Transportation
(Originally Sponsored by Senators Benitz and Morrison)

COMMITTEE: Transportation

Giving the Department of Transportation authority to construct a third bridge across the Columbia in the Tri-Cities area.

ISSUE:

Because of the recent rapid growth in the Tri-Cities area, existing bridges and road facilities are inadequate to meet the demands of traffic.

SUMMARY:

The Department of Transportation is authorized to design and construct a toll bridge across the Columbia River in the vicinity of Horn Rapids Road at North Richland. This authorization is conditioned upon the following:

1. The construction of the bridge and approaches must be economically feasible.
2. Before the Department of Transportation requests the issuance of any bonds for construction, Richland and/or Benton County must:
 - a. Agree to improve the Horn Rapids Road in accordance with standards prescribed by the Department;
 - b. Agree to maintain Horn Rapids Road in accordance with standards prescribed by the Department of Transportation so long as any bonds issued remain outstanding;

c. Agree to take whatever other action deemed by the Department of Transportation necessary to assure adequate access to the toll bridge so long as any bonds are outstanding.

3. Franklin County must agree to reconstruct by 1990 the easterly approaches to standards prescribed by the Department of Transportation. These approaches must be maintained in accordance with the Department of Transportation specifications so long as any bonds remain outstanding.
4. The Department of Transportation may not request the issuance of any bonds until Richland and Benton and Franklin Counties have adopted acceptable plans for financing the projects required of them.

The issuance of up to \$75 million worth of general obligation bonds is authorized for the design, acquisition of rights of way, and construction of the bridge. When it has been determined that general obligation bonds will be issued, the State Finance Committee may issue temporary notes, designated bond anticipation notes, for temporary financing. The State Finance Committee may issue additional bond anticipation notes to redeem prior bond anticipation notes if they become due before the general obligation bonds are issued.

The Department of Transportation is directed to operate and control the bridge and to maintain tolls so that they will produce revenue sufficient to operate and maintain the bridge. When all bonds issued for the construction of the bridge have been redeemed, the toll shall be removed and title to the bridge and its approaches are to be transferred to the appropriate city or county.

Further authorization is given to construct an additional bridge across the Columbia River in the vicinity of Columbia Point.

An appropriation from the motor vehicle fund to the Department of Transportation of up to \$1 million for preliminary work is authorized. This sum is considered to be a loan and is to be repaid from the sale of the bonds.

The bill contains an emergency clause.

Senate: (a)	41	1	Effective: May 30, 1979
House: (a)	97	0	C 212 L 79 1st ex. sess.
S. Concur:	42	0	

SSB 3066

SPONSORS: Committee on State Government
(Originally Sponsored by Senators
Rasmussen, Gould and Day)
(By State Auditor's Request)

COMMITTEE: State Government

Revising laws relating to state auditor and office of financial management.

ISSUE:

The State Auditor has concluded that a number of documentary requirements in current law do not conform to current practice, or are not required as a basis for an adequate audit. These include approval of payments under the Interstate Compact on Juveniles, certification of the return to a city or town of a local street no longer considered a state highway route, and settlements by county auditors with respect to taxes due the state.

The Department of Revenue classifies real and personal property in the counties to equalize its value for the purpose of establishing the amount of tax due the state from each county. Current law requires the Director of the Department to certify the record of these proceedings to the State Auditor. The Office of Financial Management believes that certification of the record to the State Auditor is unnecessary.

With respect to collection of real property taxes, the Office of Financial Management presently performs various statutory duties which it believes should be transferred to the Department of Revenue.

SUMMARY:

The Director of the Office of Financial Management, instead of the State Auditor, must approve payments necessary under the Interstate Compact on Juveniles. The requirement of sending a certificate to the State Auditor when the Transportation Commission determines that a local street is no longer a part of a state highway route is deleted. In settlements for property taxes due the state, or reduced or canceled property taxes, the county auditor shall report to the Department of Revenue instead of to the State Auditor.

Records of the Department of Revenue's proceedings in determining property valuations in the counties need no longer be certified to the State Auditor. The Director of the Department will make the certification, which is available for public inspection.

The Department of Revenue, rather than the Office of Financial Management, is required to: (1) transmit to each county assessor a record of the proceedings of the state board of equalization (Department of Revenue); (2) certify to each assessor the amounts due each state fund which are unpaid from the county for the seventh preceding year, and (3) close the account of each county for the seventh preceding year and charge the amount of such delinquency to the tax levy of the current year.

SSB 3066

Senate: (a) 45 0 Effective: Sept. 1, 1979
House: (a) 98 0 C 86 L 79 1st ex. sess.
S. Concur: 45 0

SB 3077

SPONSORS: Senators Odegaard and Henry

COMMITTEE: Transportation

Providing photo identification during the drivers' license renewal process.

ISSUE:

When a resident of this state presently renews his or her driver's license, the old license bearing the photograph of the licensee is retained by the Department. This form of identification is sometimes the only piece of identification accepted for credit and other purposes.

SUMMARY:

The Department of Licensing is directed to adopt a license renewal procedure which does not deprive the licensee of the license bearing the licensee's picture. The identification issued is to be accepted by liquor vendors as proper identification.

Senate: 43 0 Effective: Sept. 1, 1979
House: 97 0 C 87 L 79 1st ex. sess.

SSB 3100

SPONSORS: Committee on Transportation
(Originally Sponsored by Senator Henry)

COMMITTEE: Transportation

Regulating vessels.

ISSUE:

The 1977 Sunset Act abolished authority of Department of Labor and Industries to inspect vessels which carry passengers for hire if these vessels are inspected by the federal government. The effective date of the Sunset Act is June 30, 1979.

SUMMARY:

The Department of Labor and Industries is directed to inspect all for-hire passenger vessels not subject to inspection under federal law. Operators of for-hire vessels must hold a Coast Guard license.

The fees for inspection and all rules and regulations and licensing are to be set by the Department under the provisions of the Administrative Procedures Act.

Senate: 47 0 Effective: June 7, 1979
House: 95 0 C 74 L 79

SSB 3101

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Donohue and Newschwander)
(By Superintendent of Public Instruction Request)

COMMITTEE: Ways and Means

Authorizing insurance of bonds for common school plant facilities.

ISSUE:

A bond issue for the construction of common school plant facilities is needed to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue two separate general obligation bonds for common school plant facilities. The first authorization is in the amount of \$30 million. No bonds from this authorization are to be issued until the Superintendent of Public Instruction certifies that interest from the permanent common school fund is sufficient to pay the necessary principal and interest. The second issuance may not amount to more than \$74 million.

Proceeds of the bond sale are to be deposited in the common school building construction account.

The bill contains an emergency clause.

Senate: 45 2 Effective: June 15, 1979
House: (a) 87 10 C 241 L 79 1st ex. sess.

S. Refused to Concur
H. Insisted on its Position
S. Insisted
House: (a) 81 7
S. Concur: 25 7
S. Recon.
S. Final
Passage: 30 5

SB 3115

SPONSOR: Senator Goltz

COMMITTEE: Higher Education

Reenacting prior double amendment relating to types of insurance boards of regents or trustees may provide as one of its 1973 versions.

ISSUE:

In 1973, the Legislature inadvertently amended RCW 28B.10.660 twice. That section of law specifies the kinds of insurance regents or trustees can make available to students and employees. The Attorney General's Office has recommended that the later of the two 1973 amendments be reenacted to bring the code into conformity with other changes to the State Employee Insurance and Health Care System passed during that session.

SUMMARY:

A technical correction is made to the 1973 double amendment. Enactment of the later amendment results in no change to the existing law since by rules of statutory construction the later amendment is controlling.

Senate: 43 0 Effective: Sept. 1, 1979
House: 98 0 C 88 L 79 1st ex. sess.

SB 3117

SPONSORS: Senators Senators Odegaard, Morrison and Gaspard
(By Superintendent of Public Instruction Request)

COMMITTEE: Education

Providing for programs of education for residents in certain institutions under jurisdiction of Department of Social and Health Services.

ISSUE:

Under current law, school districts are required to provide instruction to residents of institutions operated by the Department of Social and Health Services (DSHS) if DSHS does not opt to provide the educational program. The lack of a statutorily fixed duty on the part of a school district to educate institutional residents, difficulties and time delays in negotiating contracts which would specifically delineate such duties, and program transfers which have resulted in an abridgement of employee benefits and rights may be costly and disruptive of the administration of institutional educational programs.

SUMMARY:

School districts are required to conduct a program of education for residents of residential schools within its boundaries.

The duties and authority of a school district are enumerated. Such duties include providing staff and materials, developing and implementing curriculum and expending those funds appropriated by the Legislature and received from federal and private grants for the purpose of maintaining and operating residential school education programs.

The duties of DSHS and each residential school superintendent or chief administrator are established. The Department is required to provide transportation, buildings, playground space, equipment, other support services and clinical and medical evaluation services for residential school education programs conducted by a school district.

School district and DSHS must enter into annual contracts which delineate their respective duties. Such contracts may provide for the assumption of program duties by a district in addition to those duties that are statutorily prescribed.

DSHS must give prior written notice to a school district (on or before April 15th) of reasonably foreseeable causes for residential school closure or reduction of school district staff. Failure to comply with this requirement would impose a one-year liability on DSHS to pay the salary and employment related cost of each school district employee whose contract the district would not have renewed but for the failure of DSHS to provide notice.

Residential schools are defined and the list of residential schools and youth camps that are operated by DSHS and served by school districts is updated.

DSHS retains the option of providing education to children in the state schools for the deaf and blind or contracting with the school districts containing the schools.

Senate: (a) 46 0 Effective: Sept. 1, 1979
House: (a) 89 0 C 217 L 79 1st ex. sess.
S. Concur: 44 0

SSB 3126

SPONSORS: Committee on Commerce
(Originally Sponsored by Senators Talley, Wojahn and Woody)

COMMITTEE: Commerce

Permitting manicurists to operate manicure shops.

ISSUE:

Under the existing cosmetology law, persons may be licensed to practice manicuring only, as opposed to hair cutting and the other practices which are included in the practice of cosmetology. However, presently a manicurist must work under the direction of a cosmetology manager/operator, and may not operate a shop solely offering manicuring services. The shop must be managed by a cosmetologist.

SUMMARY:

A manicurist manager/operator may manage a manicurist shop. A manicurist manager/operator is

SSB 3126

a person who has practiced as a manicurist under a cosmetology manager/operator for six months.

Operation of a manicurist shop requires a manicurist shop license, which is established by the bill. A manicure shop is defined to include any structure where only the practice of manicuring is conducted.

Senate: 42 0 Effective: Sept. 1, 1979
House: 87 3 C 242 L 79 1st ex. sess.

SSB 3129

SPONSORS: Committee on Ways and Means
(Originally Sponsored by Senators Bausch, Conner, Rasmussen and Wojahn)

COMMITTEE: Ways and Means

Providing for the issuance of bonds for two recreational performing arts facilities.

ISSUE:

A bond issue to fund two recreational performing arts facilities is required to carry out the purposes of the capital budget.

SUMMARY:

The State Finance Committee is authorized to issue \$3 million in general obligation bonds; \$1.5 million is to be allocated for the Washington Center for the Performing Arts facility in Olympia, and \$1.5 million is to be allocated for the renovation and restoration of the Pantages Theatre in Tacoma.

No bonds may be issued for the Washington Center for the Performing Arts unless \$1.5 million in matching funds is secured and the city of Olympia provides real estate for the site of the facility.

No bonds may be issued for the Pantages Theatre unless \$1.5 million in matching funds is secured.

Proceeds from the bonds are to be deposited in the cultural facilities construction account.

The cultural facilities bond redemption fund of 1979 is created.

For the 1979-81 biennium the debt service will be \$115,000 on the bonds.

The bill contains an emergency clause.

Senate: 32 13 Effective: June 25, 1979
House: 71 24 C 260 L 79 1st ex. sess.

SJM 107

SPONSOR: Senator Bottiger

COMMITTEE: Energy and Utilities

Requesting that the Bonneville Power Administration be authorized to support pilot developmental plants.

ISSUE:

Increasing energy demands in the Pacific Northwest have created the need for the development of alternative energy sources which are both renewable and indigenous to this area. It is contended that the study and evaluation of these alternatives will promote energy self-sufficiency in the Pacific Northwest.

SUMMARY:

This memorial requests that Congress expressly authorize the Bonneville Power Administrator to develop or purchase energy from pilot developmental plants, and in the alternative, that the Administration make every effort to encourage such development or purchases. This memorial expresses that although the requested pilot developmental plants may not be cost-competitive at this time, they are expected to be economically desirable in the future and their costs should therefore be borne by Northwest electricity users.

Senate: 41 2
House: 96 0

SSJR 110

SPONSORS: Committee on Constitution and Elections
(Originally Sponsored by Senators Walgren, Odegaard, Newschwander, Matson and Clarke)

COMMITTEE: Constitution and Elections

Authorizing annual legislative sessions.

ISSUE:

The Washington State Constitution, Article 2, Section 12, provides that regular sessions of the Legislature shall be held biennially. These sessions held in odd-numbered years are limited to a maximum of 60 days. The Governor is empowered to convene special sessions which may be adjourned only by the Legislature, Article 3, Section 7.

It is believed that the current 60 day limitation on regular sessions is unrealistic, given the expanding scope of legislative concerns. Proponents believe that in order to promote continuity of legislative operations, as well as to preserve the special session

concept, the Constitution should be amended to allow for annual sessions.

SUMMARY:

The bill submits to the vote of the people a constitutional amendment providing for regular and special sessions as follows:

Regular Sessions: Regular sessions will be convened annually for a maximum of 105 days in odd-numbered years and maximum of 60 days in even-numbered years.

Special Sessions: (a) Called by the Governor — the current provisions authorizing the Governor to call special sessions are retained. However, the session is limited to 30 days and the Governor's statement of the purpose of the session is not binding on the Legislature.

(b) Called by Legislature — the Legislature may convene special sessions for a maximum of 30 days by resolution approved by two-thirds of the members of each house. The resolution must specify the purposes of the special session. The Legislature is restricted to considering only measures germane to the expressed purposes, although the Legislature may express additional purposes by resolution, if approved by two-thirds of the members of each house.

Senate:	43	1
House: (a)	85	11
S. Concur.		
(Partial):	44	4
H. Recede:	89	7
S. Concur:	40	4

SJR 112

SPONSORS: Senators Pullen, Day, Rasmussen, Hayner, Van Hollebeke, Vognild, Moore, Benitz, Bottiger, von Reichbauer, Fleming, Guess, Odegaard, Morrison, Bausch, Wojahn, Lewis, Talmadge, Wilson, Henry, Goltz, Peterson, Conner, Matson, Wanamaker, Sellar, Shinpoch, Lee, Jones, Quigg, Gaspard, North, Talley and Woody

COMMITTEE: Constitution and Elections

Amending the constitution to permit a legislator to hold a civil office, the salary of which was increased so long as he does not receive the increase.

ISSUE:

Article II, Section 13 of the Washington Constitution prohibits a legislator from holding a civil office during the term for which he was elected if the office was created or the emoluments of the civil office were increased during that term.

SUMMARY:

Senate Joint Resolution 112 submits to a vote of the people a constitutional amendment which modifies the prohibitions of Article II, Section 13. A legislator may hold a civil office during the term for which he or she was elected, if the emoluments of the office were raised during the legislator's term. However, the legislator's compensation for the initial term of the civil office would remain at the level prior to the increase.

Senate: (a)	45	0
House:	98	0

SSJR 120

SPONSORS: Committee on Energy and Utilities (Originally Sponsored by Senators Bottiger and Lewis)

COMMITTEE: Energy and Utilities

Authorizing government utilities to loan money for energy conservation purposes.

ISSUE:

Under existing provisions of Article 8, Section 7 of the Washington State Constitution, no county, city, town or other municipal corporation can lend its credit or give public moneys to any individual, association, company or corporation. This constitutional prohibition impedes efforts by public utilities to implement programs of energy conservation.

SUMMARY:

The voters are presented a proposed amendment to Article 8, Section 7 of the Washington State Constitution. Any county, city, town, quasi-municipal corporation, municipal corporation, or political subdivision engaged in the sale or distribution of energy is allowed to use public moneys or credit, as authorized by the Legislature, to finance residential energy conservation programs. A charge-back is made for the extension of credit which becomes a lien against the residential structure benefited.

Public moneys or credit derived from the sale of energy may be used, until January 1, 1990, to assist the owners of residential structures in financing the acquisition or installation of materials for energy conservation and efficiency. Except as to contracts entered into prior to January 1, 1990, this amendment becomes null and void as of that date.

Senate: (a)	35	13
House: (a)	70	25
S. Concur:	36	11

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Vetoos



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HOUSE BILLS VETOED OR PARTIALLY VETOED

SHB 29	Joint leg. com. agency rules	Vetoed
HB 191	School district bonds	C 257 L 79 E1PV
SHB 194	Budgets/programs/schools	Vetoed
HB 335	New comm. coll. district	Vetoed
HB 433	Ecology dept. powers updated	C 267 L 79 E1PV
HB 516	Omnibus budget	C 270 L 79 E1PV
HB 704	DWI, regulations revised	Vetoed
HB 735	Inst. contracts, nonforfeiture	C 157 L 79 PV
SHB 791	Retirement, public service	C 249 L 79 E1PV
HB 848	OFM, statutory references	C 151 L 79 PV
HB 849	Licensing dept., statutory ref.	C 158 L 79 PV
HB 923	Public emp. relations comm.	C 146 L 79 E1PV
SHB 1075	WPSS audit	C 220 L 79 E1PV
SHB 1121	Insurance revisions	C 199 L 79 E1PV
SHB 1281	Snowmobiles regulated	C 182 L 79 E1PV
SHB 1308	Mobile home parks L/T	C 186 L 79 E1PV

SENATE BILLS VETOED OR PARTIALLY VETOED

SSB 2095	Superior Ct. judges	C 202 L 79 E1PV
SSB 2161	Small public works projects	C 89 L 79 E1PV
SB 2179	Law enforcement, parks	Vetoed
SSB 2254	Agriculture laws update	C 154 L 79 PV
SSB 2308	Emergency medical services	C 261 L 79 E1PV
SSB 2451	Tuition, fee waivers high ed	C 262 L 79 E1PV
SSB 2504	Water during drought condit.	C 263 L 79 E1PV
SSB 2709	Basic ed., pupil transportat.	C 250 L 79 E1PV
SSB 2768	Procedures families conflict	C 155 L 79 PV



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

April 30, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 29
entitled:

"AN ACT Relating to state government".

This bill would establish two new legislative review committees, and provide the necessary procedures to review any rule promulgated by a state agency. The purpose of this review would be: 1) to determine if agency rules and/or amendments to rules are within the intent of the statute which the rule implements; or 2) to determine if agency rules have been adopted in accordance with all applicable provisions of the law. If the review committees determine that there has been a violation, their objections are filed with the Washington State Code Reviser who must publish the committee's notice of objection in the Washington State Register and the Washington Administrative Code.

The authority to promulgate administrative rules comes from the legislature. There is no question that the legislature, as a body, can review administrative rules that have been previously used and thereby determine whether to draft new laws to restrict or more specifically define the overall rule making authority. However, a Separation of Powers problem arises when the legislature reviews each individual rule as the executive agency promulgates it.

Substitute House Bill No. 29 violates the Separation of Powers Doctrine in two ways. It interferes with the ability of the executive branch to perform its constitutional function, and it duplicates the role of the judiciary.

It is the constitutional duty of the executive branch to implement the law, i.e., to apply the legislature's general laws to specific situations as they occur. This is day to day management which the executive branch performs within the authority granted to it. The executive branch needs stable authority to be effective and cannot function if each management decision must be continually defended against the legislature's after the fact determinations.

To the Honorable, the House of
Representatives of the
State of Washington

April 30, 1979

Page 2

There is also a real question of the necessity for a formal legislative review of all administrative rules. Indeed, few specific examples have been cited in defense of the proposed legislation. Also, there are a variety of problems that can arise when 147 members of the legislature and two separate houses attempt to ascertain and interpret a concept of what constitutes legislative intent.

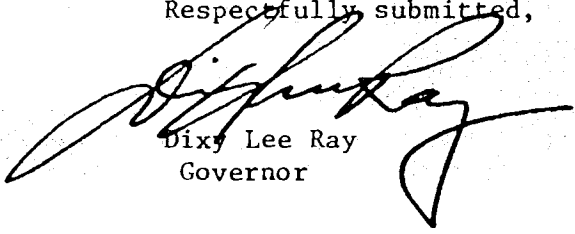
In addition, Substitute House Bill No. 29 infringes on the authority granted to the judiciary. Whether the executive branch is acting within its authority is a question that the state's constitution gives to the judiciary department to decide not the legislature. Yet this bill would give that function to a legislative review committee by allowing them to determine, in retrospect, what their legislative intent was and consequently what the authority granted was.

Since this bill would be interfering with effective executive services to the public and duplicating the job of the judiciary, both of which do not serve the best interest of this state's taxpayers, I cannot support it. Particularly, when there are currently adequate safeguards available to ensure proper administrative rule making that do not violate the constitution's Separation of Powers.

If there is a problem with administrative rule making, the legislature can alleviate it by more clearly setting forth its intent in statute or other formal methods. In this way, the executive department can look to and rely on recorded tangible evidence for guidance. This allows the executive department to function within explicit authority and provides the judiciary adequate evidence to review the executive's authority. This is the relationship set out in the state constitution and it should not be weakened. In addition, the legislature has available to it a variety of informal mechanisms that can operate effectively to mitigate against administrative departures from intent.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 29.

Respectfully submitted,


Dix Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 21, 1979

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. 191 entitled:

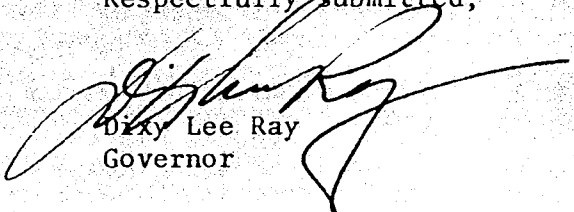
"AN ACT Relating to school district bonds;"

Section 2 of this bill would reduce the state's matching ratio for school district capital construction. Buildings are an integral part of an educational program and to reduce the state matching ratio for capital at the same time the state has increased its commitment to 100 percent of basic education operating costs would be inconsistent. In addition, decreasing the state's matching ratio for capital construction would increase property tax levies at a time when the Legislature has approved, and I have signed, several measures designed to decrease property taxes.

A major thrust of my administration has been to place the common schools on a sound financial basis and reduce property taxes as a primary source of support. To reduce the state's funding for school construction would be in conflict with my basic commitment to both goals. While I do not endorse buildings that are unnecessary, I believe the voters of the individual school districts are best able to judge the necessity for construction of school buildings when they cast their special levy votes.

With the exception of Section 2, which I have vetoed, the remainder of House Bill No. 191 is approved.

Respectfully submitted,


Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 14, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill
No. 194 entitled:

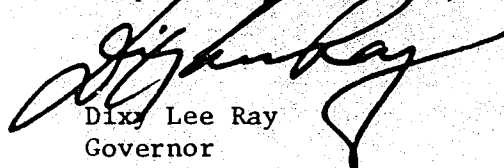
"AN ACT Relating to institutions of higher
education."

I strongly support the position that students should have the
responsibility and authority to allocate their service and
activity fee revenue among the various student programs. Since
the institutions of higher education do indeed have procedures
in place which in effect comply with the spirit and intent of
this position legislation is not necessary. Substitute House
Bill No. 194 duplicates administrative procedures which are
already working satisfactorily, given the requirement for the
institution to serve as fiduciary agent for student fee money.

Moreover, this bill requires that all programs receiving any
service and activity fee support shall be evaluated by the
student committee as part of the annual budget process. This
requirement extends the scope of the bill beyond its original
intent and expands student involvement in budgeting beyond a
role that is appropriate.

For these reasons, I have vetoed Substitute House Bill No. 194.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 10, 1979

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. 335
entitled:

"AN ACT Relating to community college districts."

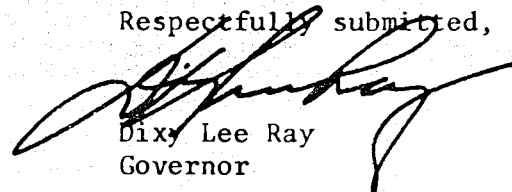
This bill would split the existing Community College District #5 into two autonomous districts, the fifth centered around Everett and the twenty-third centered around Edmonds. A review of this bill's history indicates considerable uncertainty over the wisdom of making this change at this time. It is an uncertainty that I share.

The Community College system was formed in 1967 to bring coordination and efficiency to this state's educational programs at the community college level. It is now time to examine how that system has performed compared with the goals originally laid out for it, and to examine whether the system needs to be altered to meet current needs. This should include a review of all the multicampus districts. I am pleased that the House and Senate intend to sponsor such a study in the coming year.

Moreover, the acrimonious situation that has given rise to this bill appears to have resulted from a centralized district organization that impedes the responsible functioning of each of the two colleges. This is the problem that must be resolved in the 5th district. It is my intention to ask the State Board for Community College Education to undertake an immediate review of the need for a district office. Such review should also consider reducing the size and limiting the activities of such unit to proper service and coordination functions only, thus eliminating all unnecessary overlap and bureaucratic overview.

For this reason, I have determined to veto House Bill No. 335.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 25, 1979

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 two last sentences in Subsection (3) Section 1 of House Bill 433 entitled:

"AN ACT Relating to water pollution control; amending section 24, Chapter 13, Laws of 1967 as amended by section 4, Chapter 155, Laws of 1973 and RCW 90.48.260."

House Bill 433 was and is for the single purpose of authorizing the department of ecology to participate in the Federal Water Pollution Control Act as "amended"; this single word, plus an added "or her" in line 23, is all that was deemed necessary to allow the state to carry out the dictates of the federal law. The addition of your two sentences:

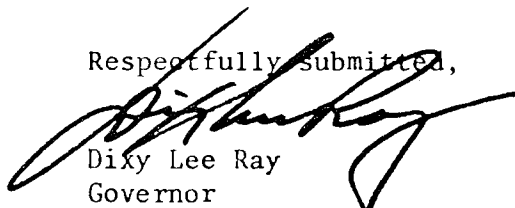
"The enactment of this 1979 act does not extend the eligibility for or increase the amount of exemptions or credits available under chapter 82.34 RCW: PROVIDED, That this amendatory provision relating to tax exemptions or credits shall not apply to any facility eligible for a certificate as described in RCW 82.34.010 (5).",

do nothing to further this authorization and in fact involves an entirely different subject. The inclusion of these sentences may also be construed to amend a separate law by reference, clearly which is prohibited by the state's constitution.

I veto this part not because I'm not in sympathy with the legislature in what your intentions were but simply because I feel these provisions introduce separate subjects that are inconsistent with the purpose of the bill and that if allowed to become law will surely lead to much misinterpretation and possible litigation.

With the exception of the last two sentences of Subsection (3) of Section 1, which I have vetoed, the remainder of House Bill 433 is approved.

Respectfully Submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 25, 1979

To the Honorable, the House of
Representatives of the State
of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to certain sections and items House Bill No. 516 entitled:

"AN ACT Adopting the budget; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981; making appropriations and authorizing expenditures for capital improvements; authorizing certain projects; designating effective dates for certain appropriations; providing an effective date; and declaring an emergency."

The specific items and sections which I have vetoed are as follows:

1. Insurance Contributions

On pages 7 and 8, I have vetoed the proviso contained in subsection (14)(2)(g) which provides "that the funds contained in this subsection (2)(g) and (e) shall be expended exclusively for the maintenance of the level of health benefits being provided on the effective date of this act." This limit on employee benefits is inconsistent and possibly in direct conflict with the provisions of subsection (1). Subsection (1) was added to provide a means whereby benefits could be improved if funds were available. It would be impossible to distinguish between the funds referenced in subsections 14(2)(g) and (2)(e) and those in other sections of the bill. Therefore, any refunds or dividends used to improve benefits could well be in conflict with the proviso.

2. Military Department

On page 22, Section 50, I have vetoed subsection (1) which reads "No general fund moneys shall be expended for administration, operation or maintenance of the Washington State Guard."

I am vetoing this subsection because I believe that the State Guard is an important element of the total Military Department operations. It is essential that continuity exist in the State Guard if it is to be effective in time of emergency. The prohibition on using general fund money might very well impair the operation of the Washington State Guard.

3. Department of Social and Health Services -- Developmental Disabilities

On page 28, Section 56 I have vetoed subsection (5) which directs that "\$120,000 shall be used to provide protection and advocacy services for the handicapped."

The budget already contains \$100,000 in federal funds for a protection and advocacy system for the developmentally disabled. An additional \$78,000 in state funds is included for legal services. It is inappropriate to divert state funding from direct services to establish a separate and duplicative advocacy function.

If there is truly a need for increased client advocacy, it should be funded from the private sector. An advocacy system ideally operates as an intermediary between the individual client and the service provider. It creates an inherent conflict of interest to expect the state, as primary service provider, also to fund significant advocacy activities.

4. Department of Social and Health Services -- Income Maintenance Grants Program

On page 32, Section 59, I have vetoed subsection (4) which provides that

"\$6,646,000 from state funds shall be expended for noncontinuing general assistance except that after the recipient has been determined eligible for such assistance for six consecutive weeks, the recipient's grant will be equivalent to two times the food only standard plus twenty dollars."

The General Assistance-noncontinuing program is designed to provide temporary assistance to those individuals who will become employed or who will be found eligible for other state or federal assistance programs. I am therefore requesting the Secretary, DSHS to review the General Assistance-Unemployable portion of the caseload to see if these persons can be provided help and needed services.

5. Department of Social and Health Services -- Community Social Health Services Grants

On pages 33, 34, and 35, I have vetoed subsections one through three of Section 60. The stricken language provides that specified amounts shall be expended for vendor rate increases, child day care payments, and adult chore services. Given my commitment to improve conditions for senior citizens, and the difficulty associated with a precise determination of need and cost at this early time, I find it necessary to veto provisions that impose both upper and lower spending limits on a major portion of the funding for the Community Social Services program. It should be understood, however, that I strongly support the intent conveyed in these sections and as a consequence, will direct the DSHS to develop a spending plan that will reflect the purpose of the legislature and my own concerns regarding the provision of services to the elderly.

6. Department of Social and Health Services -- Public Health Program

On page 36, Section 62, I have vetoed subsection (3):

"Not less than \$674,000 (of which \$506,000 shall be from federal funds) and 42 FTE staff years shall be spent for administration of the early periodic screening, testing, diagnosis, and treatment program (EPSDT)."

- "(a) Local offices are to provide outreach for the EPSDT program.
- (b) The department shall develop a screening/billing form to be used by EPSDT providers as a requirement for payment.
- (c) The department shall develop a reporting system which will enable follow-up to the EPSDT diagnosis and treatment process.
- (d) 2 FTE's shall be used by the department for the coordination and management of the EPSDT program."

In this subsection the legislature is setting forth detailed instructions in how to manage the early, periodic, screening, diagnosis, and treatment program. This unduly intrudes upon the role of the Executive Branch.

7. Department of Social and Health Services--Community Services Administration

On page 38, Section 65, I have vetoed subsection (3) which directs that "...not more than 306 FTE staff years and \$13,844,000 (of which \$8,901,000 shall be from federal funds) shall be utilized in the medical assistance administration program." One of the major initiatives in the Medical Assistance program is to contain costs through expanded surveillance and utilization review activities; this may require added staff within the available funds. The proviso unnecessarily restricts the department in this area since it does not allow for full implementation of cost -- containment initiatives in this program.

8. Donations of Real Estate

I have vetoed Section 85(2) on page 46, Section 90(3) on pages 48 and 49, and Section 221 on page 166. In each of these instances, agencies are restricted from receiving or making contractual agreements to receive any donation of real property which commits the agency to future operating, development, or acquisition costs without prior approval of the Legislative Budget and/or House Appropriations and Senate Ways and Means Committees.

I believe that this language is excessively restrictive, will generate serious delays in the acquisition and management of public lands, and may discourage future donations. On the other hand the provisos reflect a legitimate legislative concern in an area that needs improved control. Accordingly, I have directed the Office of Financial Management to conduct a thorough review of real property acquisition policies by state agencies, and to propose statutory language changes, where appropriate, to the next legislative session.

9. Board of Education -- Superintendent of Public Instruction

On page 156, Section 196, I have vetoed all of the language starting on line 25 and concluding on line 54. This language would restrict the application of state Board of Education rules governing the K-12 capital program. The unprecedented level of construction demand, and erratic nature of the dedicated fund source, make retention of state board administrative prerogatives essential. In addition, the proviso language improperly modifies a substantive statute, RCW 28 A.47.802, that provides the board members necessary authority to accommodate changing conditions.

10. Northern State Hospital Transfer

I have vetoed Section 199 on page 159 which reads as follows: "The director of general administration shall transfer to the department of social and health services the facility known as Northern State Hospital, along with all attached real estate under the jurisdiction of the department of general administration."

At present, several agencies are housed in the facilities at Northern State Hospital, including the Department of Social and Health Services. I believe that it is in the best interest of the state for the Department of General Administration to manage multi-purpose real estate.

11. Federal Funds Loss

I have vetoed Section 205, page 161. This section requires that no additional state funds be provided to programs supported in whole or in part by federal funds, in the event that the program's anticipated federal funds are reduced or eliminated. This kind of provision is appropriate for programs that are wholly dependent upon federal funding, but many worthy activities do not fall into this category.

The state continually looks for ways to use available federal monies for expenses that would otherwise be funded from state sources. If anticipated federal funds do not materialize, there must be the capability to provide for essential programs from state funds.

12. Capitol Facilities

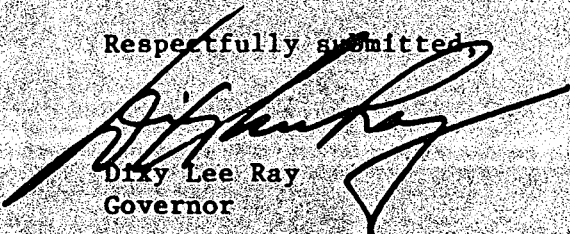
I have vetoed Section 224 on pages 168 and 169 which reads as follows:

"Expenditure of moneys appropriated by Section 174 of this act shall be made in consultation with the prior approval [sic] of the state capitol committee in accordance with the provisions of Chapter 79.24 RCW. In addition, the department of general administration shall consult with and obtain the approval of the joint legislative committee on capitol facilities prior to expenditure of moneys appropriated by this section on projects involving capitol buildings occupied wholly or in part by the legislature.

Cooperation with the Capitol Committee and the Joint Legislative Committee on Capitol Facilities is appropriate and I will direct General Administration to consult with these committees. However, the section if allowed to stand, would unduly restrict the executive branch in its responsibility to complete the capitol projects in an efficient and timely manner.

With the exception of the foregoing sections and items which I have vetoed for the reasons stated, the remainder of House Bill No. 516 is approved.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Dixy Lee Ray', is written over the typed name and title.

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 30, 1979

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House
Bill No. 704 entitled:

"AN ACT Relating to implied consent; and amending
section 1, chapter 1, Laws of 1969 as amended by
section 4, chapter 287, Laws of 1975 1st ex. sess.
and RCW 46.20.308."

I am aware that the original implied consent law in the state
emanated from Initiative 242 as passed by an overwhelming
majority of the electorate. The current statutory provisions
of the law were codified from this initiative. I do not sub-
scribe to any dilution of the law and perceive Substitute
House Bill No. 704 to be a potential weakening.

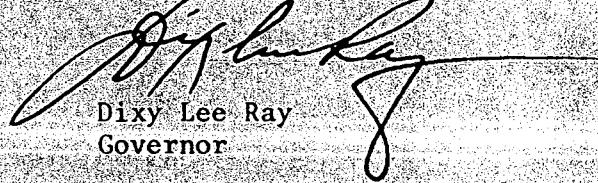
RCW 46.20.308 requires that people submit to a breathalyzer
test if they are arrested on either physical control or driving
while intoxicated. The sanction used to gain cooperation with
the test is the threat of an automatic six months suspension of
the individual's driver's license should they refuse. Substitute
House Bill No. 704, if enacted, would preclude the license suspen-
sion if the person having refused to take the test later enters a
plea of guilty. One of the problems with the bill is that it
allows a person to keep his license only if he pleads guilty to
driving while intoxicated and it does not state at what stage of
the criminal proceedings such plea must be entered. Also, there
is no provision to allow a person to keep his license if he pleads
guilty to physical control. The effect is that a person who has
committed a physical control violation may be persuaded into
pleading guilty to driving while intoxicated in order to keep his
driving privilege. Handing this kind of leverage to the local
prosecuting attorney's office is a potentially dangerous practice
and could infringe greatly on individual rights.

Page 2 - SHB 704

I must again observe that the passage of Substitute House Bill No. 704 is untimely when the preponderance of automobile accidents indicate that alcohol affected drivers are playing a major role in our growing fatality problem.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 704.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dixy Lee Ray", with a long horizontal flourish extending to the right.

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 30, 1979

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. 735 entitled:

"AN ACT Relating to insurance; amending section .12.15,
chapter 79, Laws of 1947 as last amended by section 4,
chapter 162, Laws of 1973 1st ex. sess. and RCW 48.12.150;
amending section 5, chapter 104, Laws of 1969 as amended
by section 6, chapter 163, Laws of 1973 1st ex. sess. and
RCW 48.18A.050; amending section .23.20, chapter 79,
Laws of 1947 and RCW 48.23.200; amending section .23.35,
chapter 79, Laws of 1947 as last amended by section 5,
chapter 162, Laws of 1973 1st ex. sess. and RCW 48.23.350;
and adding a new section to chapter 48.23 RCW."

Section 5 of this bill would establish the "Standard Nonforfeiture
Law for Individual Deferred Annuities" by enacting a model law
adopted by the National Association of Insurance Commissioners. I
agree that our current nonforfeiture statutes are in need of some
revision. I also realize that there is real value in the adoption
of identical laws in many states because the economies achieved
thereby can benefit both insurance companies and consumers. However,
Section 5 would allow nonforfeiture amounts to be far too low relative
to the premiums paid and appears to treat the consumer less favorably
than our present statute.

For these reasons, I have vetoed Section 5 of House Bill No. 735.

With the exception of Section 5 which I have vetoed, the remainder
of House Bill No. 735 is approved.

Respectfully submitted

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 15, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to twelve
sections Substitute House Bill No. 791, as amended, entitled:

"AN ACT Relating to retirement from public service;"

Sections 12 through 23 of Substitute House Bill No. 791, which
were added by floor amendment, are identical to sections 1
through 12 of Senate Bill No. 2378. Senate Bill No. 2378,
having already passed the legislature and been approved by
me, became chapter 205, Laws of 1979 1st ex. sess. and took
effect on May 25, 1979. As a result, sections 12 through
23 of Substitute House Bill No. 791, as amended, are
unnecessary and have been vetoed.

With the exception of these twelve sections which I have
vetoed, the remainder of Substitute House Bill No. 791,
as amended, is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dixy Lee Ray".

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 29, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

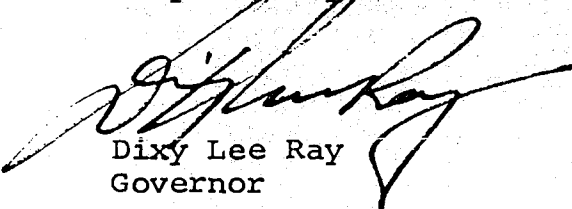
I am returning herewith without my approval as to one section
House Bill No. 848 entitled:

"AN ACT Relating to state government;"

Section 118 of the bill amends RCW 43.41.130 to change refer-
ence to "The director of the office of program planning and
fiscal management" to "The director of financial management."
Because section 12 of Substitute House Bill No. 96, chapter
111, Laws of 1979, approved by me on March 26, 1979, made
that same change in reference and made other substantive
changes in RCW 43.41.130, section 118 of House Bill No. 848
is therefore unnecessary.

With the exception of section 118 which I have vetoed, the
remainder of House Bill No. 848 is approved.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 30, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to fourteen
sections House Bill No. 849 entitled:

"AN ACT Relating to state government;"

The purpose of the bill is to change statutory references to
the "department of motor vehicles" and its predecessors to
the "department of licensing." Several sections of the bill
amend RCW sections which have been amended in other bills
which made various substantive changes in the law and also
make the same name change as House Bill No. 849. The table
below sets forth the section of HB 849 vetoed, the RCW sec-
tion affected, the other bill and its section number also
making the name change, the date it was approved by me, and
its 1979 session law chapter number.

HB 849	RCW affected	Other bill-§ no.	Chapter no.	Date approved
§ 6	13.04.278	SSB 2768-§13	155	Mar. 29, 1979
§ 85	21.20.005	HB 795-§ 3	130	Mar. 26, 1979
§ 176	46.65.020	SB 2068-§ 1	62	Mar. 21, 1979
§ 177	46.65.030	SB 2068-§ 2	62	Mar. 21, 1979
§ 179	46.65.060	SB 2068-§ 3	62	Mar. 21, 1979
§ 180	46.65.070	SB 2068-§ 4	62	Mar. 21, 1979
§ 183	46.68.010	SB 2069-§ 1	120	Mar. 26, 1979
§ 226	82.38.020	SSB 2304-§ 2	40	Mar. 16, 1979
§ 227	82.38.075	HB 288-§ 1	48	Mar. 19, 1979
§ 228	82.38.170	SSB 2304-§13	40	Mar. 16, 1979
§ 236	82.44.120	SB 2069-§ 2	120	Mar. 26, 1979
§ 241	82.50.400	SB 2066-§ 1	123	Mar. 26, 1979

The foregoing sections of House Bill No. 849 are therefore
unnecessary and have been vetoed.

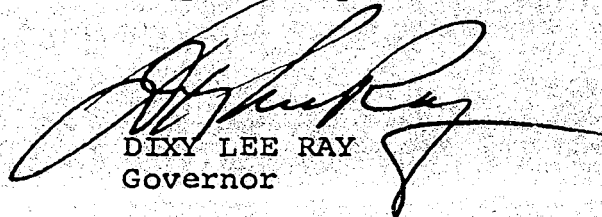
Sections 178 and 243 of the bill amend RCW 46.65.050 and

Page Two

82.50.471, respectively. Because section 9(2) of Senate Bill No. 2068, chapter 62, Laws of 1979, approved by me on March 21, 1979, and section 5(3) of Senate Bill No. 2066, chapter 123, Laws of 1979, approved by me on March 26, 1979, repealed those sections of the RCW, sections 178 and 243 of House Bill No. 849 are therefore unnecessary.

With the exception of these fourteen sections which I have vetoed, the remainder of House Bill No. 849 is approved.

Respectfully submitted,



DIXY LEE RAY
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 8, 1979

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
Number 923 entitled:

"AN ACT Relating to public employee's collective bargaining;"

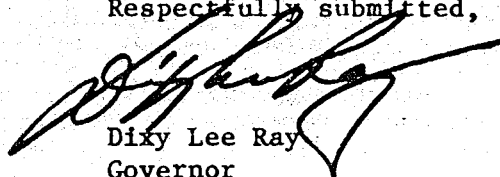
Section 1 contains a proviso that will allow the Senate to reject gubernatorial
appointments to the commission by inaction.

When making an appointment the Governor is committed publicly. If the
law is to require confirmation by the Senate, then its members should
also go on record as either confirming or rejecting the appointment. To
permit the Senate to refuse an appointment by neglect is not in the
interest of the public, the appointee, or the Governor. Open government
requires that the public have the right to know who is opposed to an
appointment and their reasons. The appointment proviso in Section 1 is
contrary to this objective.

Additional compelling reasons are of a pragmatic nature. The Public
Employment Relations Commission is a quasi-judicial administrative
agency which is involved in the timely response to labor disputes. The
state cannot afford the possibility that this crisis-responsive agency
be incapacitated by Senate inaction on two or more members of the Commission.
Under such circumstances it would increase the difficulty of finding
qualified and acceptable persons willing to have their names submitted.

With the exception of Section 1, which I have vetoed, the remainder of
House Bill Number 923 is approved.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 4, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section
Substitute House Bill No. 1075 entitled:

"AN ACT Relating to operating agencies;"

The obvious intent of this bill as contained in Section 1 is to assure the opportunity for review of thermal power plant construction and management by both qualified auditors and the general public. This is a reasonable practice in the management of public services. Section 2 makes the construction and management of thermal power plants subject to the "disclosure" and "public meeting" laws. It does so by citing both of these statutes. The problem arises in Section 2 where the definition of scope is set out. The terms "participating agency or other internal organization thereof" are not consistent with the scope of either of the two cited statutes, nor do the terms have any more exact definition by statutes or in common usage. Therefore, the limits of application for this section are unclear. It could be interpreted to demand public meetings for contractors who are supplying pencils to the power plant. The mandate is unreasonable and it would be impossible to comply. Further, since thermal power plants are now subject to the disclosure and public meeting statutes, a more certain application of these laws should be used.

For these reasons, I have vetoed Section 2 of Substitute House Bill No. 1075.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 24, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to two sections
Substitute House Bill No. 1121 entitled:

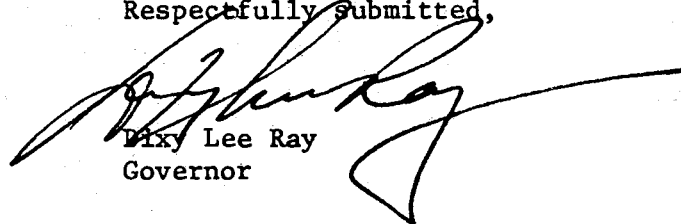
"AN ACT Relating to insurance."

Sections 1 and 2 of this bill would allow the members of six
occupations -- attorneys, medical doctors, osteopaths, chiropractors,
podiatrists, and dentists -- to form mutual corporations under certain
circumstances for the purpose of insuring against professional
malpractice claims.

Although these sections specify some rather stringent limitations
on the formation of such corporations, they do not provide the
full protection of the public which the insurance laws are designed
to provide. If these professional groups desire to establish such
corporations this can be done under existing statutes and be subject
to the normal procedures of the insurance commissioner which protect
the public welfare.

With the exception of Sections 1 and 2, which I have vetoed, the
remainder of Substitute House Bill No. 1121 is approved.

Respectfully Submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 14, 1979

To The Honorable, The House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, Substitute House Bill 1281 entitled:

"An Act Relating to Snowmobiles; amending section 1, chapter 29, Laws of 1971, Ex. Session, as amended by section 131, chapter . . . (HB 849), Laws of 1971 and RCW 46.10.010; . . ."

Section 7 creates the "Snowmobile Account" within the General Fund and Section 9 provides that the unused money shall be "invested in a manner as provided by law" and that all interest earnings "shall be considered moneys in the snowmobile account." At present, there are 71 accounts in the State General Fund, only eight of which receive interest earnings on their balances. In all other instances, account earnings are credited to the State's basic General Fund. To credit interest to the newly-created snowmobile account would be to directly contradict past policy concerning funds administered by the State Treasurer and would encourage other encroachments on the revenue derived from these sources to the State General Fund.

With the exception of Section 9 which I have vetoed, the remainder of Substitute House Bill 1281 is approved.

Sincerely,

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 15, 1979

To the Honorable, the House of
Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to several sections
Substitute House Bill No. 1308 entitled:

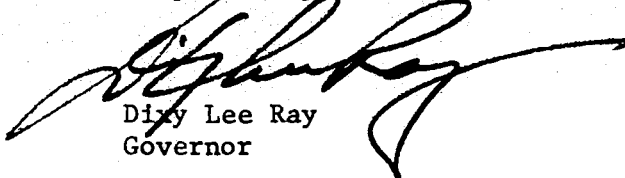
"AN ACT Relating to landlords and tenants;"

I am in support of Sections 1-15 of this act that consist of revisions
and additions to the mobile home landlord-tenant act.

Sections 16-29 of Substitute House Bill No. 1308 would establish a
floating home landlord-tenant act and is modeled after the 1977 mobile
home act. Nearly all of the floating homes covered by the act are in
Seattle. There, the demand for moorage sites and the difficulties in
obtaining new sites have created a situation that Seattle brought under
control by ordinance in 1977. Two major objectives of that ordinance
are to protect tenants from exorbitant rent increases and arbitrary
evictions. The floating home act portion of Substitute House Bill
No. 1308 would preempt certain portions of the Seattle ordinance and
would remove the controls on evictions. As a result, tenants with
no alternative sites for their homes could be evicted at the termination
or conclusion of a rental agreement; this is specifically contrary to
the intent of the Seattle ordinance and inappropriate in an act whose
purpose is to refine and clarify the rights of both landlords and
tenants of mobile homes. Consequently, I think a decision to decontrol
this uniquely local situation is an inappropriate action for the state
to take. It may be that some redress for the landlord is in order,
but if changes need to be made in the Seattle ordinance, they should
be undertaken by the City of Seattle.

For the foregoing reasons, I have chosen to veto Sections 16-29 of
Substitute House Bill No. 1308. The remainder of the bill is approved.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

May 24, 1979

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 6, Substitute Senate Bill No. 2095 entitled:

"AN ACT Relating to superior court judges."

Substitute Senate Bill No. 2095 creates a number of additional superior court judgeships throughout the state. Section 6 of the bill was added as a House amendment to the original Senate bill and provides an elective procedure for the selection of judges in several of the newly created positions. I cannot support the provision of Section 6 for several reasons but principally for the reason that such procedure destroys the Governor's historic constitutional and statutory right to appoint judges to the newly created positions. Those appointed must then stand for election as provided by the election laws.

The provisions of Article 4, Section 5 of the constitution provide the framework within which newly created judgeships must be filled. The applicable provision provides:

If a vacancy occurs in the office of judge of the superior court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election...

This constitutional principle was tested just two years ago in the supreme court case of Fain v. Chapman, 89 Wn.2d 48 and I recommend that decision to the readers of this message.

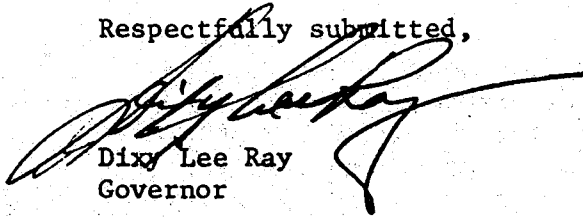
RCW 2.08.069 Judges--Filling vacancies resulting from creation of additional judgeships. Unless otherwise provided, upon the taking effect of any act providing for additional judges of the superior court and thereby creating a vacancy, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.

To the Honorable, the Senate
of the State of Washington
May 24, 1979
Page 2

As far as I am able to determine, the elective procedure as set forth in Substitute Senate Bill No. 2095 on newly created judgeships is the first departure from the long-established constitutional and statutory right of the executive to fill those judgeships by appointment. If the Legislature is truly serious about relieving all Governors of this long-established right, then I suggest a change in the constitution would be required.

For these reasons, I have determined to veto Section 6 of Substitute Senate Bill No. 2095.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dix Lee Ray", written over the typed name and title.

Dix Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

April 26, 1979

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to two sections of Substitute Senate Bill No. 2161 entitled:

"AN ACT Relating to public works contracts for cities and towns."

This bill provides cities and towns the needed flexibility to award low valued contracts. It provides for the establishment of small public works contractor rosters, and for second and third class cities and towns it increases from five to fifteen thousand dollars the value of a contract that may be let for public works projects and maintenance without competitive bids.

Sections 4 and 5 would permit the combining of municipal work forces with those of private contractors. These two sections fail to define the "dollar value of the city's or town's share" except in amount. This may create substantial confusion in the future with regard to labor and material costs, and equipment and overhead charges. Although the dollar amount is limited and places a significant constraint on this activity, there is a potential for future problems. There may be difficulties in finding fault, with possible protracted litigation, in the event of an accident during construction or finding of error upon completion of the project. Problems in employee relations could easily develop by having both public and private sector employees working side by side on the same job, because the wages, working hours, holiday schedules and working conditions are considerably different in the two sectors. My intention is to preclude such problems.

With the exceptions of Sections 4 and 5, which I have vetoed, the remainder of Substitute Senate Bill No. 2161 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dixy Lee Ray".

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 29, 1979

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Senate Bill No. 2179
entitled:

"AN ACT Relating to state parks and recreation
commission law enforcement and training; adding
a new section to chapter 43.51 RCW; prescribing
penalties; and making an appropriation."

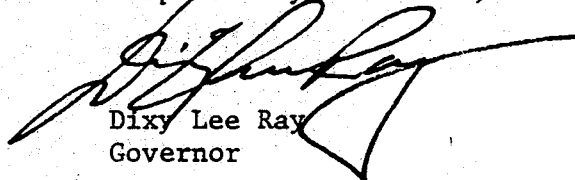
The problem this bill addresses, that of protection of our outdoor
recreational resources, can be met by the regular budget process.

Further, dedicated funds do not provide sufficient public accountability
for the expenditure of public money.

Another problem with this bill is that the relationship between
justice and fines must be related to the crime, not to the need
for public revenue. Our criminal justice system is presently
overloaded with this type of assessment.

For these reasons, I have vetoed Senate Bill No. 2179.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 29, 1979

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. 2254 entitled:

"AN ACT Relating to agriculture;"

I am aware of the problems concerning the necessary and adequate control of brucellosis. I am also cognizant of the differences of opinion expressed by some members of the legislature trying to determine how best to assure effective control of this disease. Additionally two vital industries are involved, both the dairy and beef cattle interests. This administration recognizes their different and legitimate concerns.

Even so, I have reservations about the need to include Section 23 in this comprehensive omnibus agricultural bill, Substitute Senate Bill No. 2254. The language of this section could be construed to require the Director of Agriculture to establish a mandatory test for infections, contagious, communicable, and dangerous diseases at each change of ownership of all eligible animals in intrastate commerce. This section originated as an amendment in the House of Representatives, and I understand that it was developed in an effort to address the current problem of brucellosis.

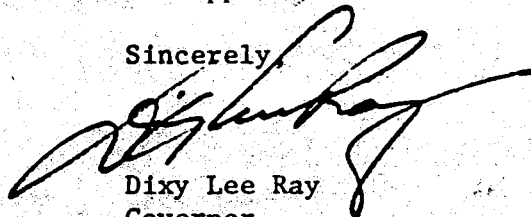
There are two points I wish to make here. First, the amendment failed to recognize the ongoing brucellosis control program of the Department, and the importance of vaccination as the cornerstone of that program. Second, Section 23 could be construed as eliminating departmental discretion and causing the perpetuation of an expensive and difficult program of full testing for brucellosis and other diseases whether necessary or not and beyond the time when the current brucellosis outbreak is brought under control.

I believe that powers conferred upon the Director of the Department of Agriculture as set forth in RCW 16.36.040, RCW 16.40.010 and RCW 16.65.340, properly exercised and with sufficient resources of personnel and funding are adequate to assure that the state will be free of this serious disease.

Page 2

With the exception of Section 23, which I have vetoed, the remainder of Substitute Senate Bill No. 2254 is approved.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dixy Lee Ray". The signature is written in dark ink and is positioned above the printed name and title.

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 25, 1979

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to two sections
Substitute Senate Bill No. 2308 entitled:

"AN ACT Relating to emergency medical services;"

I have vetoed Sections 4 and 7 of Substitute Senate Bill No. 2308 which would have established regional Emergency Medical Services governing councils and delegated to them certain administrative duties. Existing state law already gives the Secretary of the Department of Social and Health Services sufficient authority to establish program advisory bodies where necessary to fulfill programmatic or federal funding requirements. Since federal funding for emergency medical services will be exhausted during the ensuing 1979/81 biennium, it is inadvisable to saddle the state with a bureaucracy of regional Emergency Medical Services governing councils with delegated responsibilities to establish patient care guidelines, disburse grant funds and submit regional budget requests. It is more appropriate for the state agency (i.e. DSHS) to be responsible for producing statewide plans for Emergency Medical Services training and equipment after consultation with appropriate advisory bodies, including locally elected public officials.

With the exception of Sections 4 and 7, which I have vetoed, the remainder of Substitute Senate Bill No. 2308 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dixy Lee Ray".

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 25, 1979

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. 2451 entitled:

"AN ACT Relating to institutions of
higher education."

Section 3 allows fee waivers for students of exceptional educational ability or potential. This is a laudable idea, and one which I support in concept, but without a limiting clause it is subject to both abuse and unequal application. Therefore I feel that the only prudent course is to veto the section.

With the exception of Section 3, which I have vetoed, the remainder of SSB 2451 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dixy Lee Ray".

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 25, 1979

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to an item contained in Section 2, Substitute Senate Bill No. 2504 entitled:

"AN ACT relating to agricultural water supply facilities; amending Section 1, Chapter 1, Laws of 1977 ex. sess., and RCW 43.8313.300; making an appropriation; creating new sections; adding a new section to Chapter 87.03 RCW; and declaring an emergency."

Section 2 of this bill delineates certain sums of money to be expended for loans and grants to various agencies. A proviso, however, added to the bill by House amendment adopted 5/12/79 and being part of line 7 and continuing through line 12 of page 3, Section 2 is a dramatic change from the legislative intent of the 1977 Act which stated "the grant portion for any single project shall not exceed fifteen percent of the total single project cost."

Changing the maximum grants amount to fifteen percent of "the total state funds" is a dramatic change in policy and appears to nullify earlier commitments arrived at between urban and agricultural interests.

Consequently, I have determined to veto the language contained in the last sentence of Section 2, page 3 of the bill.

With the exception of that portion of the bill that I have vetoed, the remainder of Substitute Senate Bill 2504 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dixy Lee Ray".

Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

June 15, 1979

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. 2709 entitled:

"AN ACT Relating to education;"

I have vetoed Section 9 of Substitute Senate Bill No. 2709
which amends the Basic Education Act. Section 9 contains an
appropriation of \$10,000. Sufficient funding was included
in the biennial appropriation for the administration of this
bill.

With the exception of Section 9, which I have vetoed, the
remainder of Substitute Senate Bill No. 2709 is approved.

Respectfully submitted,



Dixy Lee Ray
Governor



STATE OF
WASHINGTON

Dixy Lee Ray
Governor

OFFICE OF THE GOVERNOR

Legislative Building, Olympia, Washington 98504

March 29, 1979

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Subsections 3 and 4 of
Section 77 of Substitute Senate Bill 2768 entitled:

"An Act Relating to juveniles; amending section 9A.76.010, chapter 260, Laws of 1975 1st ex. sess. as amended by section 53, chapter 291, Laws of 1977 ex. sess. and RCW 9A.76.010; amending section 2, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.011; amending section 3, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.021; amending section 2, chapter 160, Laws of 1913 as last amended by section 4, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.030; amending section 5, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.033; amending section 6, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.035; amending section 3, chapter 160, Laws of 1913 as last amended by section 8, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.040; amending section 2, chapter 132, Laws of 1945 and RCW 13.04.130; amending section 14, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.278; amending section 31, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.030; amending section 33, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.050; amending section 34, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.060; amending section 6, chapter 160, Laws of 1913 as amended by section 35, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.070; amending section 7, chapter 160, Laws of 1913 as last amended by section 36, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.080; amending section 37, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.090; amending section 38, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.100; amending section 5, chapter 302, Laws of 1961 as amended by section 39, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.110; amending section 40, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.120; amending section 41, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.130; amending section 46, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.180; amending section 47, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.190; amending section 49, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.210; amending section 56, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.020; amending section 57, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.030; amending section 58, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.040; amending section 59, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.050; amending section 60, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.060; amending section 61, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.070; amending section 62, chapter

291, Laws of 1977 ex. sess. and RCW 13.40.080; amending section 64, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.100; amending section 65, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.110; amending section 66, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.120; amending section 67, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.130; amending section 68, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.140; amending section 69, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.150; amending section 70, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.160; amending section 73, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.190; amending section 74, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.200; amending section 75, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.210; amending section 77, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.230; amending section 1, chapter 170, Laws of 1975 1st ex. sess. and RCW 13.40.300; amending section 17, chapter 172, Laws of 1967 as last amended by section 22, chapter 291, Laws of 1977 ex. sess. and RCW 74.13.031; amending section 9, chapter 291, Laws of 1955 as amended by section 1, chapter 172, Laws of 1971 ex. sess. and RCW 26.32.090; amending section 3, chapter 30, Laws of 1965 as last amended by section 21, chapter 291, Laws of 1977 ex. sess. and RCW 74.13.020; amending section 2, chapter 172, Laws of 1967 as amended by section 71, chapter 80, Laws of 1977 ex. sess. and RCW 74.15.020; adding a new section to chapter 291, Laws of 1977 ex. sess. and to chapter 13.04 RCW; adding a new section to chapter 13.24 RCW; adding new sections to chapter 13.34 RCW; adding new sections to chapter 291, Laws of 1977 ex. sess. and to chapter 13.40 RCW; adding new chapters to Title 13 RCW; adding new sections to chapter 74.13 RCW; adding a new section to chapter 74.15 RCW; creating new sections; repealing section 10, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.270; repealing section 11, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.272; repealing section 12, chapter 291, Laws of 1977 ex. sess. and RCW 13.04.274; repealing section 16, chapter 291, Laws of 1977 ex. sess. and RCW 13.30.010; repealing section 17, chapter 291, Laws of 1977 ex. sess. and RCW 13.30.020; repealing section 18, chapter 291, Laws of 1977 ex. sess. and RCW 13.30.030; repealing section 19, chapter 291, Laws of 1977 ex. sess. and RCW 13.30.040; repealing section 23, chapter 291, Laws of 1977 ex. sess. and RCW 13.32.010; repealing section 24, chapter 291, Laws of 1977 ex. sess. and RCW 13.32.020; repealing section 25, chapter 291, Laws of 1977 ex. sess. and RCW 13.32.030; repealing section 26, chapter 291, Laws of 1977 ex. sess. and RCW 13.32.040; repealing section 27, chapter 291, Laws of 1977 ex. sess. and RCW 13.32.050; repealing section 42, chapter 291, Laws of 1977 ex. sess. and RCW 13.34.140; repealing section 71, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.170; repealing section 54, chapter 291, Laws of 1977 ex. sess. and RCW 26.09.400; making an appropriation; prescribing penalties; and declaring an emergency."

Substitute Senate Bill 2768 represents many long hours of work aimed at improving the Juvenile Justice Act of 1977. Individuals and groups representing all aspects of the State's juvenile system participated in the development of this legislation. State agencies, prosecutors offices, public defenders, law enforcement officers, juvenile court directors, judges, and local youth service agencies, all helped address the problems that have arisen since the implementation of the 1977 law.

Passage of Substitute Senate Bill 2768 will help the State to maintain control over the problem of runaways by allowing police to pick up runaway juveniles and transport them to semi-secure Crisis Residential Centers until the family can be successfully reunited. This law will also improve the day to day performance of the juvenile system by more clearly defining roles and responsibilities of those agencies involved with juveniles. The law will also put Washington in conformance with the Interstate Compact on Runaways.

Subsections (3) and (4) of Section 77 of the Act require the Department of Social and Health Services to contract for Crisis Intervention Services, I would prefer that the Department of Social and Health Services management be allowed the option of determining the most cost-effective way of providing these services. This would assure the best use of taxpayer funds. This is a far better policy than is the establishment of rigid rules that inhibit management efficiency. Allowing the Department of Social and Health Services the authority to provide the intake portion of Crisis Intervention Services means that the Department of Social and Health Services can be held fully accountable for the performance of the program. For these reasons I have vetoed Subsections (3) and (4) of Section 77 of Substitute Senate Bill 2768.

I will expect the Department of Social and Health Services to test the cost-effectiveness of the contracting concept by carefully evaluating the benefits and costs of the different modes of service delivery

In making the decision to veto Subsections of Substitute Senate Bill 2768 I am fully aware that Amendment 62 of the Washington State Constitution provides that the Governor "may not object to less than an entire section." The combined subsections I am vetoing do comprise a "section" as defined in Apartment Associations vs. Evans 88 W2d 553, 564 P. 2d 788 (1977). Although Apartment Associations interpreted the meaning of "section" as it existed before Amendment 62, the definition is still applicable. Amendment 62 abrogated the Governor's power to veto an "item". The intent of the Legislature and the people was to prohibit the Governor from vetoing a word, a comma, or other integrated segment of a proposal by the Legislature. The Legislature did not address the definition of the word "section." Therefore the definition set out in Apartment Associations (supra) appears valid.

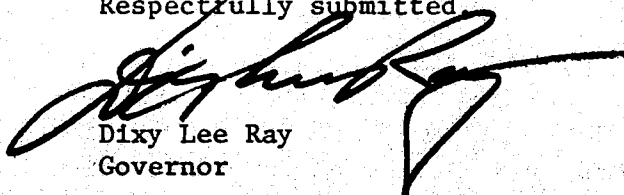
The court, in testing several vetoes, reveals that a section is determined by its severability from other parts of the bill, and its ability to stand alone as a complete concept. In the present situation, Section 77 of Substitute Senate Bill 2768 delegates duties to the Department of Social and Health Services. The subsections within section 77 set out individual duties. Subsections (3) and (4) embody one duty separate and distinct from the other duties, clearly this duty is severable from the others and is a complete "section" as defined in Apartment Associations.

Page 4

It is not my intent to change the remainder of the bill. My objection is toward the single concept of mandating contracts for services.

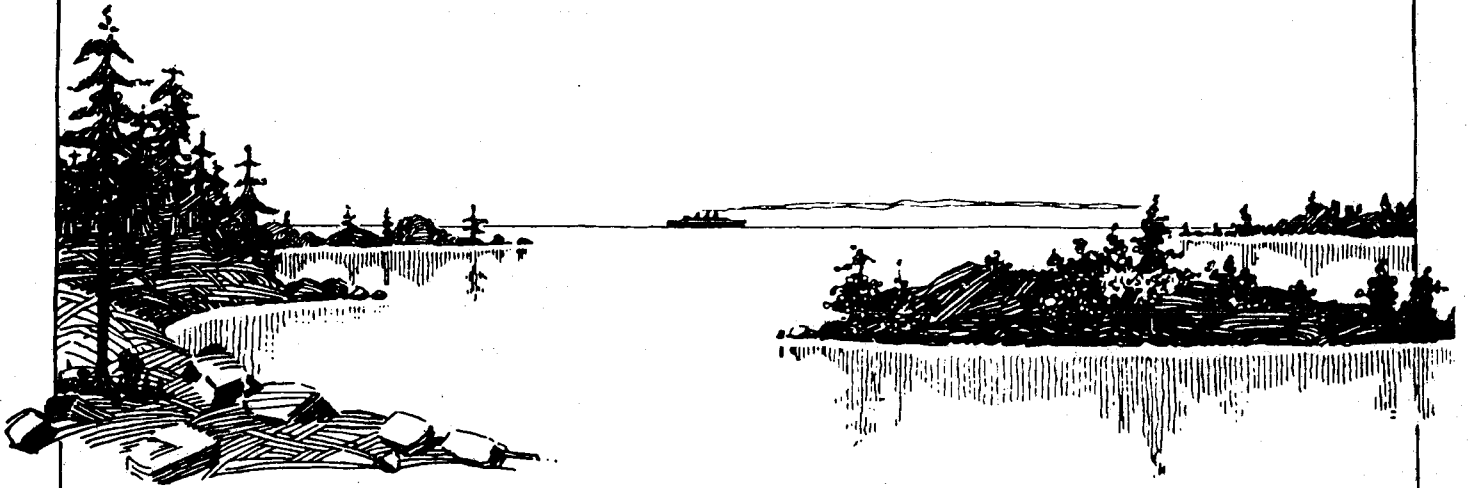
With the exception of Subsection (3) and (4) of Section 77, which I have vetoed, the remainder of Substitute Senate Bill 2768 is approved.

Respectfully submitted

A large, stylized handwritten signature in black ink, appearing to read "Dixy Lee Ray". The signature is written over the typed name and title.

Dixy Lee Ray
Governor

Sunset Process



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SUNSET PROCESS

The Washington Sunset Act of 1977 requires that the Legislative Budget Committee (LBC) and the Office of Financial Management (OFM) conduct program and fiscal reviews of all programs or entities scheduled for termination. Designated standing committees in the House of Representatives and the Senate must hold joint public hearings to consider these final audit reports. Continuation or modification of the programs or agencies requires passage of new legislation. Failure to enact legislation allows the termination schedule to take effect.

As a result of the hearings held on the nine programs terminated in 1978 and 1979, the standing committees recommended that three be terminated and that the remaining six be continued.

Recommended for Continuation

(In some cases with modification)

Final Status

- | | |
|---|-------------------------------------|
| - The practice of debt adjusting (HB 86); | Continued
C 156 L 79 |
| - The Driving Instructors Examining Committee (SSB 2032); | Continued
C 51 L 79 E1 |
| - The Employment Agency Advisory Board (SSB 2798); | Continued
C 82 L 79 E1 |
| - The Forest Fire Advisory Board (HB 874); | Continued
C 49 L 79 |
| - The regulation of vessels (SSB 3100); | Continued
C 74 L 79 |
| - The Water Well Construction Operators Examining Board (SSB 2830); | Terminated
Defeated in the House |

Recommended for Termination:

- | | |
|--|------------|
| - The Escrow Commission | Terminated |
| - The licensing of proprietary schools | Terminated |
| - The regulation of grist mills | Terminated |

Revision of Sunset Act

During the 1979 regular legislative session, HB 127 (C 22 L 79) made several housekeeping modifications to the Washington Sunset Act of 1977. The deadline for LBC program and fiscal review was changed from September 30 to June 30 prior to the year of termination. OFM termination reports may then be completed and sent to LBC by September 30 of the same year rather than December 31 as in the original act.

The termination date for previously scheduled agencies and programs was changed from June 30, 1979 to June 30, 1981. The period of review was reduced from six to four years and the expiration date of the 1977 act was extended from June 30, 1983 to June 30, 1984.

New Sunset Review and Termination Schedule

As required by the 1977 Sunset Act, Substitute House Bill 112 (C 99 L 79) provides a new schedule of state agencies and programs subject to sunset review. In order of their appearance in the Revised Code of Washington, the following state agencies and programs are subject to the sunset process and are scheduled to terminate:

June 30, 1981

- | | |
|--|---|
| 1. Comic book screening | 14. Risk Management Office within the Department of General Administration |
| 2. Forest Practices Appeals Board | 15. State Energy Office |
| 3. Basic Science Law | 16. Foreign student scholarship program |
| 4. Antifreeze vending regulation | 17. Board of Registered Sanitarians |
| 5. Criminal Justice Training Commission | 18. Interagency Committee for Outdoor Recreation |
| 6. State Planning Advisory Council | 19. Cemetery Board |
| 7. Cascara bark peeling regulation | 20. Adult Services Advisory Committee to the Department of Social and Health Services |
| 8. Furniture and bedding industry regulation | 21. Consumer Advisory Committee to the Department of Social and Health Services |
| 9. Regulation of the sale or use of shoddy | 22. State Voting Machine Committee |
| 10. State Athletic Commission | |
| 11. State Board of Geographic Names | |
| 12. State Board of Funeral Directors and Embalmers | |
| 13. Youth Services Corps Act of 1977 | |

June 30, 1983

- | | |
|--|--|
| 1. Planning and Community Affairs Agency | 12. Washington State Commission on Asian-American Affairs |
| 2. State Capitol Historical Assn. | 13. Traffic Safety Commission |
| 3. Eastern Washington Historical Society | 14. State regulation of cosmetology |
| 4. Washington State Historical Society | 15. State Advisory Committee to the Department of Social and Health Services |
| 5. Washington Archaeological Research Center | 16. State regulation of barbering and men's hair styling |
| 6. Office of Archaeology and Historic Preservation | 17. Washington State Commission for the Blind |
| 7. Economic Assistance Authority | 18. State Veterans' Affairs Advisory Committee |
| 8. Washington State School Directors' Association | 19. Department of General Administration's Automotive Policy Board |
| 9. State Jail Commission | 20. Department of Labor & Industries' contractor registration program |
| 10. Municipal Research Council | |
| 11. Powers and duties of the State Board of Health | |

The Legislative Budget Committee is to conduct a program and fiscal review of the Department of Ecology's Air Quality Program and the Department of General Administration's Banking and Small Loan Program. Final reports on these two reviews are to be completed and sent to the proper legislative standing committees by September 30, 1980.

In addition to SHB 112, several other bills containing termination dates and Sunset review requirements passed the Legislature during the 1979 Sessions. Four of those specifically require Sunset review. Six others, although not automatically subjecting a board or program to the Sunset process, provide for termination of a particular entity. These bills provide possible candidates for a review similar to that provided in the Sunset Act.

<u>Entities Scheduled For Termination and Sunset Review:</u>	<u>Termination Date</u>
Washington State Veterinary Board of Governors (SHB 163; C 31 L 79 1st ex. sess.)	6/30/83
Criminal Justice Planning Agency and Council on Criminal Justice (2SHB 204; C 79 L 79)	6/30/83
Program for Victims of Sexual Assault (2SHB 418; C 219 L 79 1st ex. sess.)	6/30/85
Snowmobile Advisory Committee (SHB 1281; C 182 L 79 1st ex. sess. PV)	6/30/83

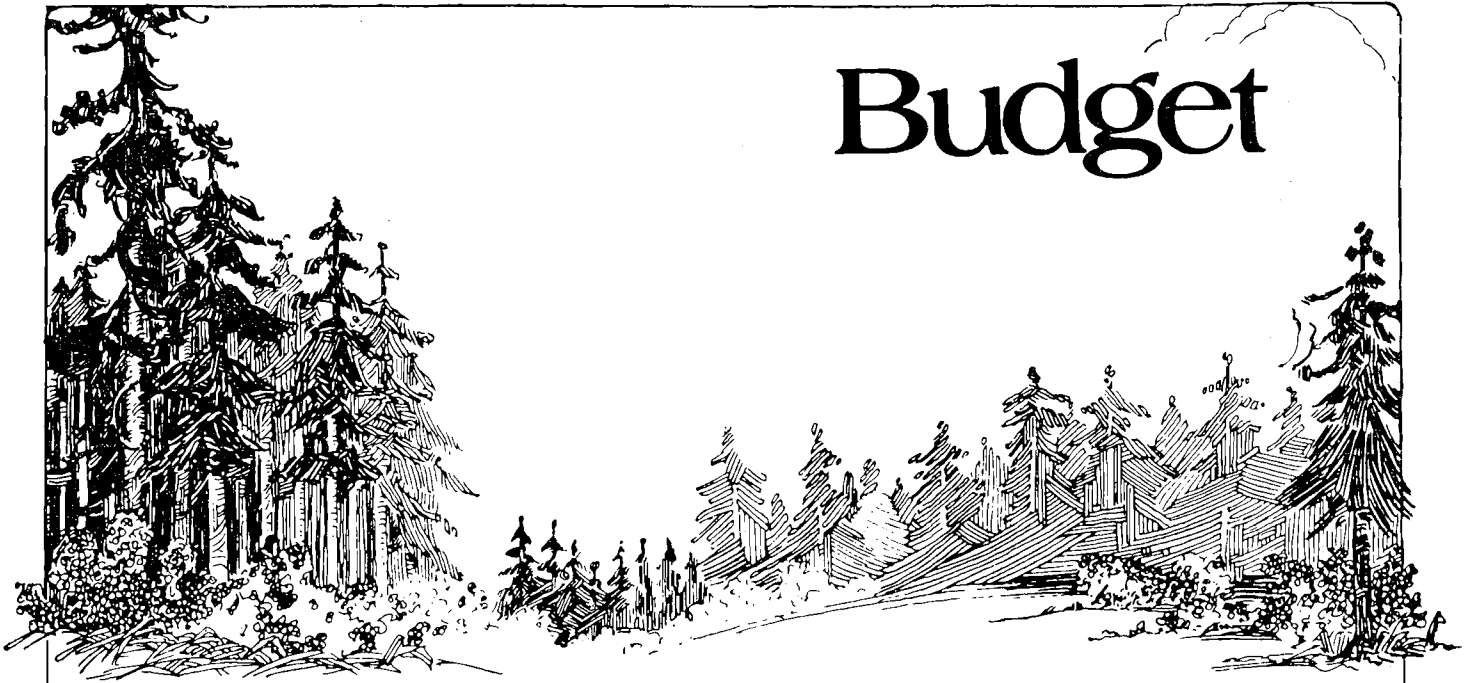
Entities Scheduled For Termination:

Institutional Resident Labor Program (SHB 80; C 160 L 79 1st ex. sess.)	1/1/84
Vehicle Emission Inspection Program (SHB 298; C 163 L 79 1st ex. sess.)	1/2/90
Nurses Education Requirements (HB 450; C 106 L 79 1st ex. sess.)	1/1/86
Special Fuel Tax (SHB 1034; C 181 L 79 1st ex. sess.)	6/30/85
Salmon Advisory Council (SB 2045; C 60 L 79)	12/31/89
State Park Overnight Camping Surcharge (SB 2569; C 153 L 79)	6/30/83

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Budget



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TABLE OF CONTENTS

	<u>PAGE</u>
Revenue Reconciliation as Affected by Appropriation Bills	238
Capital Budget Summary	246
Authorized Expenditures	247
Operating Budget Highlights	253
Operating Budget Detail	293
Capital Budget Detail	303
Salary Increase Information	350
Veto Summary	353
Supplemental Budget (SSB 2148)	357
Transportation Budget	359

Washington State Senate
 Senate Committee on Ways and Means
 June 4, 1979

REVENUE RECONCILIATION AS AFFECTED BY APPROPRIATION BILLS

GENERAL FUND

Adjusted General Fund Balance 1977-79

		(Millions)
1977-79 Ending Balance-Budget Document		\$ 332.2
*1. A. Adjustment - Fund Expended 1977-79		(2.4)
B. Adjustments for Supplementals		<u>(6.4)</u>
2. Revised Revenue -- February 1979		\$ 323.4
A. Revenue Sharing	\$(1.5)	
B. Department of Revenue	52.4	
C. Motor Vehicle Excise	4.2	
D. Trust Land Purchase	3.2	
E. Treasurer Int. Earnings	<u>4.0</u>	
	\$62.3	<u>62.3</u>
1977-79 Estimated Ending Balance - June 30, 1979		\$ 385.7

*Item Numbers Refer to Notes Following

1979-81 Projected Revenues

(Millions)

3. Printed Budget Document Less Tax Increases \$6,625.4

Adjustments to Revenue

4. Revised Revenue Estimate -- February 1979

A. Revenue Sharing \$ (6.5)

B. Department of Revenue 123.3

C. Motor Vehicle Excise 15.8

D. Tuition Base 7.3

E. Trust Land Transfer 1.8

F. DSHS Mental Health .8

G. Higher Education
Reimbursement Bonds (.6)

H. Treasurer's Interest Earnings 12.3

5. Additional Federal Revenue 32.9

\$187.1 187.1

Total General Fund-State Revenues \$7,198.2

Plus Revenues Resulting from Legislation

(Millions)

6. Legislation Affecting Revenues (73.1)

Total General Fund-State Revenues Available \$7,125.1

1979-81 - General Fund-State Appropriations

SHB 516 - Basic Operating Budget
(Including Capital Budget) \$7,075.9

7. All Other Legislation with Appropriations
Or Necessary Funding 44.11

Total General Fund Appropriations \$7,120.01

Balance 1979-81 Biennium \$ 5.09

Notes

1. A. Funds Expended During 1977-79 Biennium:

Special Appropriation to Governor	\$ (.75) Million
Belated Claims	(1.14) Million
Sundry Claims	(.54) Million
	<u>\$ (2.4) Million</u>

B. Supplemental Appropriations:

SSB 2148 -- General Supplemental as Passed by Legislature Minus Governor Set Aside Amount (\$55.3 million minus \$48.9 million = \$-6.6 million) --	\$ 6.4 Million
SSB 2252 -- Transportation Supplemental These funds are reimbursable and therefore not counted in totals	\$.2 Million

2. Revenue Sharing:

- A. Estimates in the Governor's budget assumed a 4% annual growth in receipts for 1979, 1980 and 1981. More recent information indicates no growth and Washington State is estimated to receive no more than in 1978 for each year. This results in \$67.5 million in 1977-79 (down \$1.5 from \$69 million) and the same for 1979-81 (down \$6.5 from \$74 million). Total reduction for the three years is \$8 million. Letter - OFM 2/5/79.
- B. Department of Revenue Revised Estimates - Letter 2/23/79 - Fiscal 1979:

(Millions)

Retail Sales and Use	\$45.2
Business and Occupation	9.0
Public Utility	(3.0)
All Other	<u>1.2</u>
	\$52.4

- C. Motor Vehicle Excise Increase of \$4.2 - OFM Letter 2/27/79.
- D. Trust Land Purchase Transfer:

The 1977-79 Appropriation Act - SSB 3109 provided for the transfer of excess funds up to \$3.2 million (from charges and fees to the public) as determined by OFM. An additional \$1.8 million is estimated to be excess of the land purchase costs in 1979-81. OFM 2/26/79.

E. Treasurer's Interest Earnings on the 1977-79 Ending Balance -
Treasurer's Letter 3/15/79.

3. Printed Budget Document Less Required Legislation:

(Millions)

A. Printed Budget Total General Fund Revenues	\$6,654.6
B. Less General Fund-Local Funds	(8.2)
C. Less Tuition Increases Proposed by Governor Ray but Not Adopted	(21.0)
	<u>\$6,625.4</u>

4. A. Revenue Sharing Estimates for the Biennium Were Decreased \$6.5 Million.
(See Comment Under Note 2(A).)

B. Department of Revenue Revised Estimates for 1979-81 Biennium -
Letter 2/23/79:

(Millions)

Retail Sales and Use	\$103.7
Business and Occupation	23.0
Public Utility	(7.0)
All Other	<u>3.6</u>
	\$123.3

C. Motor Vehicle Excise Tax Increase of \$15.8 - OFM Letter of 2/27/79.

D. Tuition and Fee Base Increase of \$7.3 Million.

New LEAP revenue model for tuition and fees provides a base estimate
of \$109,452,000.

Amount Allowed in Governor's Budget	\$123,148,000
Less Tuition and Fee Increase	<u>21,000,000</u>
Base in Budget	\$102,148,000

Subtracted from New Base Above	\$ 7,304,000
	Additional Base

E. Transfers to General Fund Appropriation Required. See Note 2(D).

F. DSHS - Mental Health - Increased Revenue by OFM Letter of 2/5/79.

G. Higher Education Reimbursement Bonds Reduction Is to Correct Error in
Governor's Budget Amount - OFM Letter 2/5/79.

H. Interest Earnings Which Can Be Transferred to the General Fund.
Treasurer's Letter of 3/15/79.

5. Additional Federal Revenue to Be Received Due to Funding of Certain Programs
in SHB 518.

6. Legislation Affecting Revenues - General Fund Only:

EHB 320	106% State School Levy	\$(32.0)
SB 2181	Inheritance Tax	(37.2)
ESHB 302	B&O Tax Modifications	(13.7)
SHB 200	Mobile Home Taxation	(2.2)
	Variety of other tax bills (See Below)	<u>12.0</u>
		\$(73.1)

VARIETY OF OTHER TAX BILLS

Explanation

<u>Senate</u>	<u>Title</u>	<u>Revenue</u>
S2032	Commercial Driver Training	\$ 21,558
2066	Travel Trailers	(4,000)
2069	Vehicle License Fees/Refund	(15,924)
S2097	Mopeds as Motor Vehicles	(21,070)
2124	Food Fish, Shell Fish	(5,033)
2136	Multistate Dental License	24,405
S2141	Practice of Pharmacy	220,508
S2197	Uranium/Thorium Milling	305,490
RS2275	Horse Racing	(351,750)
2314	Securities Act Modified	146,015
S2336	Nursing Home Resident Care	513,571
S2337	Medical Care Claims Fraud	595,900
2339	Nursing Home Assistants	1,824,713
2355	Osteopaths Regs	56,123
S2388	Food Fish Producer Fees	(2,300,000)
RS2415	Civil Commitment Revisions	275,000
S2434	Education Services Registration Act	89,800
S2451	Tuition, Fee Waivers	(387,738)
2462	Investments State Funds	520,000
S2482	Partnership Registration	180,548
2502	Medal of Honor License Plate	(835)
2508	Insurance Premiums Taxes	(1,220,000)
2S2610	TESC Degree Granting Authority	13,050
2630	Buena Camp Migrant Housing	1,000
2753	Public Assistance Revisions	1,111,000
S2768	Procedures, Family Conflict	875,630
2923	Viet Nam Veterans Tuition	(162,053)
S3100	Vessels	2,092
<u>House</u>	<u>Title</u>	<u>Revenue</u>
33	Secretary of State Corporate Fees	\$ (7,227)
S 80	Institutional Industries	22,400
S 125	Dependent Children	(397,135)
S 163	Vet. Bd., Lay Member	1,530

S 219	Basic Science Examination	10,000
R 226	Tuition/Fees Reciprocity	(375,732)
308	Unclaimed Property Modified	5,500,000
S 319	Higher Education, Employees Tuition	321,058
S 328	Energy Site Locations	4,300
358	Community College Certificate Fees Abolish	(529,872)
R 450	Nurses Continuing Education	301,212
781	Geoducks, Clams, Licenses	40,000
845	Insurance - Licensing	2,286,000
S1281	Snowmobiles Regulated	156,100
		<u>\$11,955,366</u>

Millions

7. Other Appropriations Passed by Legis.

HB 845	Insurance-Licensing	\$.13
SB 2131	Food Commodities Fund	.08
SSB 2768	Handicapped	1.1
SHB 88	Scoliosis	.03
HB 1114	Statute Law	.11
SSB 2254	Agricultural Laws Update	.16
SHB 1281	Snowmobiles Regulated	.30
RSSB 2415	Civil Commitment Revisions	4.5
ESHB 480	Handicapped	.2
SHB 841	Transportation Budget	2.7
SSB 2967	Forest Development	1.8
SB 3008	Elected Officials	2.0
HB 491	Senior Citizens	13.6
SHB 500	Retirements PERS, TRS, WSP	12.5
RHB 502	Immunization of Children	.4
HB 1064	Sick Leave	2.5
Miscellaneous Bills		<u>2.0</u>
	TOTAL	<u>\$44.11</u>

JVG:sw:gs

REVENUE SUMMARY

Total revenues from all funds for the 1979-81 biennium are estimated at \$9.95 billion, reflecting an increase of \$1.7 billion, or 20% over revenues currently estimated for the 1977-79 biennium. Of total revenues, state taxes for the 1979-81 biennium are estimated at \$5.85 billion, or 59%; federal grants \$2.3 billion, or 23%; and all other revenue sources \$1.8 billion, or 18%.

Revenues to the state general fund for the 1979-81 biennium are estimated at \$6.75 billion, reflecting a net growth of \$1.1 billion, or 20% over the total estimated for the 1977-79 biennium. General fund revenue for the 1979-81 biennium consists of \$5.1 billion, or 76% from taxes; \$1.45 billion, or 21% from federal grants; and \$200 million, or 3% from all other sources.

Total revenues assumed in the budget bills (general operating and capital and highways) reflects a reduction of over \$200 million in general fund revenue from legislation affecting revenues which has been passed by both Houses of the Legislature, and from allowing the temporary increases in sales and B & O taxes to expire, as follows:

Expiration of sales and B&O increase-----	\$116 million
Inheritance and gift tax reductions and exemptions-----	38 million
B & O Tax exemptions-----	14 million
106% Limit on State levy for schools and senior citizen tax relief-----	32 million
Other Tax legislation-----	3 million

1979-81
 CAPITAL BUDGET SUMMARY
 (\$ in Millions)*

Section	Agency	Re- Appropriation	Agency New Appropriation	Governor New Appropriation	House New Appropriation	Senate Proposed New Appropriation
174	General Administration	\$ 7.2	\$ 72.2	\$ 28.7	\$ 16.7	\$ 17.8
175	Military Department	.4	.6	.3	.3	.5
176+	Department of Social and Health Services	27.7	115.9	116.6	116.2	108.0
181	Veteran Affairs	2.7	3.0 ^{1/}	3.1	1.8	3.1
182	Jail Commission	.0	106.0 ^{1/}	106.0 ^{1/}	106.0 ^{1/}	106.0
183	Department of Ecology	3.4	.4	.6	.6	.6
184	Parks and Recreation	5.4	32.7	7.9	10.3	9.9
185	Department of Commerce & Economic Development	-0-	-0-	-0-	8.0	8.0
186	Department of Fisheries	29.5	23.6	12.8	11.5	12.1
187	Department of Game	1.7	4.4	2.7	3.0	2.4
188	Department of Natural Resources	9.0	18.9	16.0	16.0	15.6
189	University of Washington	14.4	64.7	28.9	50.0	49.8
190	Washington State University	9.8	30.4	19.7	30.9	24.0
191	Eastern Washington University	1.1	13.9	8.4	11.7	8.7
192	Central Washington University	1.3	11.8	6.7	10.4	7.8
193	The Evergreen State College	.2	5.4	.6	1.3	1.2
194	Western Washington University	.5	21.6	6.9	10.8	9.9
195	Community Colleges	5.3	83.8 ^{2/}	32.0 ^{3/}	50.9	34.5
196	Superintendent of Public Instruction	76.1	310.0 ^{2/}	310.0 ^{3/}	324.9	318.0
197	Washington State Patrol	.2	3.3	1.2	1.2 ^{4/}	.3 ^{4/}
	504 Handicapped Access	-0-	39.2	39.2	-0-	-0-
	Commission for Vocational Education	-0-	4.3	4.3	4.3	-0-
	State Library	-0-	2.3	2.3	.3	-0-
	Art Commission	-0-	-0-	-0-	20.2	-0-
	TOTAL	\$195.9	\$968.4	\$754.9	\$807.3	\$738.7

-246-

* Appropriation level, except as noted, reconcile to Senate Capital LEAP run 5/29/79
^{1/} Assumes \$106M for jail facilities funding
^{2/} Assumes common school construction funding above the original agency request totaling \$ 60M
^{3/} Assumes common school construction funding above the original agency request totaling \$146M
^{4/} Access funding is incorporated in agency appropriations

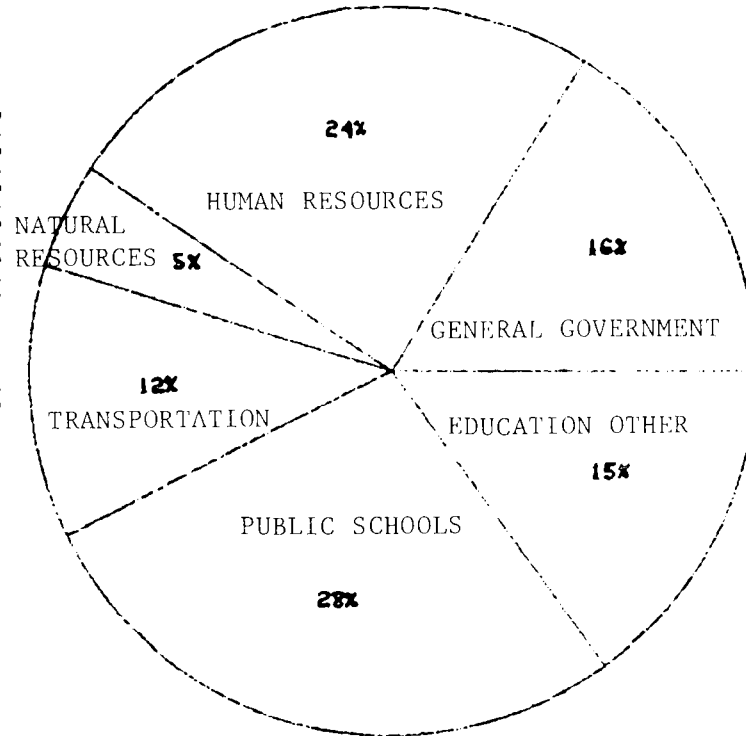
OPERATING AND CAPITAL BUDGETS
TOTAL ALL FUNDS

AUTHORIZED EXPENDITURES

DOLLARS IN THOUSANDS - FOR 1979-81 BIENNIUM

GENERAL GOVERNMENT	1,815,129	16%
HUMAN RESOURCES	2,750,589	24%
NATURAL RESOURCES	526,137	5%
TRANSPORTATION	1,350,111	12%
PUBLIC SCHOOLS	3,106,687	28%
EDUCATION OTHER	1,684,714	15%

TOTAL	11,233,367	100%



1979-81 BIENNIUM
 AUTHORIZED EXPENDITURES
 (\$ in thousands)

BILL NO.	SUBJECT	AGENCY	GENERAL FUND STATE	GENERAL FUND FEDERAL	GENERAL FUND LOCAL	GENERAL FUND TOTAL	ALL OTHER FUNDS*	TOTAL ALL FUNDS
SHB 1	Razor Clams License	Fisheries	\$ 730	\$ --	\$ --	\$ 730	\$ --	\$ 730
SHB 88	Scoliosis Screening	SPI	27	--	--	27	--	27
2SHB 418	Victims of Crime	DSHS	350	--	--	350	--	350
SHB 480	Discrimination	Hum.Rts. Commis.	202	--	--	202	--	202
HB 491	Senior Citizen Services	DSHS	13,600	--	--	13,600	--	13,600
SHB 500	Retirement Systems	Dept.of Ret.Systems & Universities	11,882	598	--	12,480	50	12,530
SHB 502	Immunization	SPI/DSHS	340	--	--	340	--	340
HB 516	Omnibus Budget	State Agencies	5,631,620	1,435,167	8,134	7,074,920	2,843,048	9,917,968
2SHB 527	Emergency Services	Dept.of Em. Serv.	55	--	--	55	--	55
SHB 554	Shelters-Victims of Domestic Violence	DSHS	1,000	--	--	1,000	--	1,000
SHB 574	Water Supply Facil.Bonds	DSHS	--	--	--	--	10,000	10,000
SHB 665	Alcohol Abuse Study	DSHS	10	--	--	10	--	10
SHB 706	Belated Claims	OFM	5	--	--	5	--	5
SHB 749	Spokane River Toll Bridge	DOT	--	--	--	--	15	15
SHB 871	Transportation Budget	DOT	769	7,280	2,003	10,052	892,203	902,255
SHB 872	Transportation Budget	DOT	--	--	--	--	224,369	224,369
SHB 1031	Transportation Studies	Leg.Trans.Com.	185	--	--	185	--	185
SHB 1032	I-90 Bonds	DOT	--	--	--	--	10,000	10,000
SHB 1033	Hood Canal Bridge	DOT	--	--	--	--	66,000	66,000
SHB 1064	Sick Leave	OFM/SPI	873	--	--	873	40,000	40,873
HB 1114	Session Laws-Printing	Stat. Law Com.	112	--	--	112	--	112
HB 1207	Day Care	DSHS	250	--	--	250	--	250
SHB 1281	Snowmobiles	Dept.of Licensing	--	--	--	--	495	495
SSB 2249	Fire Serv. Train.Center	CVE	--	--	--	--	4,371	4,371
SSB 2254	Brucellosis Testing	Dept. of Ag.	163	--	--	163	--	163
SSB 2308	Emergency Medical Serv.	DSHS	2,229	--	--	2,229	--	2,229
SSB 2415	Civil Commitmt.Revisions	DSHS	4,248	275	--	4,523	--	4,523
SSB 2442	Emergency Energy Supply	St.Energy Office	251	--	--	251	--	251
SSB 2504	Agriculture Water Supply	DOE	--	--	--	--	16,000	16,000
SSB 2768	Juveniles/Families in Conflict	DSHS	1,100	--	--	1,100	--	1,100
SSB 2791	Cattle Brand Inspections	Dept. of Ag.	260	--	--	260	--	260
SSB 2794	Water Rights	DOE/St.Consv.Commis.	99	--	--	99	--	99
SSB 3008	Elected Offls, Salaries	OFM	2,000	--	--	2,000	--	2,000
SSB 3034	Tri-Cities Bridge Bonds	DOT	--	--	--	--	1,000	1,000
GRAND TOTAL			<u>\$5,672,360</u>	<u>\$1,443,320</u>	<u>\$ 10,137</u>	<u>\$7,125,817</u>	<u>\$4,107,550</u>	<u>\$11,233,367</u>
TOTAL OPERATING			\$5,671,725	\$1,438,694	\$ 10,137	\$7,120,556	\$2,159,893	\$ 9,280,449
TOTAL CAPITAL			635	4,626	--	5,261	1,947,657	1,952,918
GRAND TOTAL			<u>\$5,672,360</u>	<u>\$1,443,320</u>	<u>\$ 10,137</u>	<u>\$7,125,817</u>	<u>\$4,107,550</u>	<u>\$11,233,367</u>

*Includes Local Funds

NOTE: This report includes all legislation containing appropriations for state operations, capital improvements, and transportation. Also included for both operating and capital are estimates for non-appropriated local funds and reappropriations.

-247-



WASHINGTON STATE
1979-81 BIENNIUM

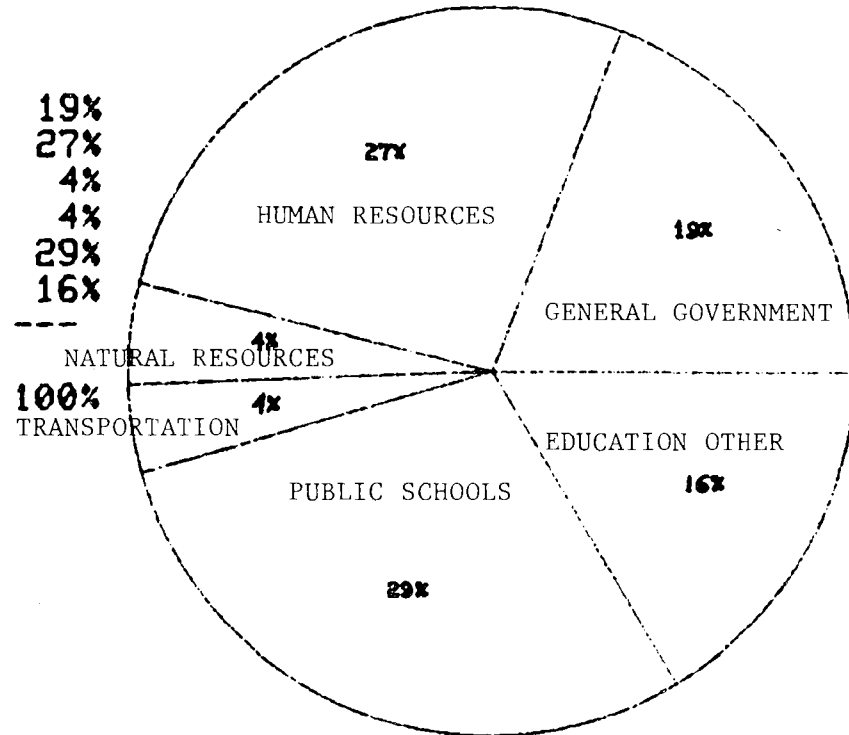
DATE 06/26/79
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OPERATING BUDGET
TOTAL ALL FUNDS

AUTHORIZED EXPENDITURES

DOLLARS IN THOUSANDS - FOR 1979-81 BIENNIUM

GENERAL GOVERNMENT	1,789,188	19%
HUMAN RESOURCES	2,493,097	27%
NATURAL RESOURCES	412,575	4%
TRANSPORTATION	360,975	4%
PUBLIC SCHOOLS	2,712,564	29%
EDUCATION OTHER	1,512,050	16%
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TOTAL	9,280,449	100%





WASHINGTON STATE
1979-81 BIENNIUM

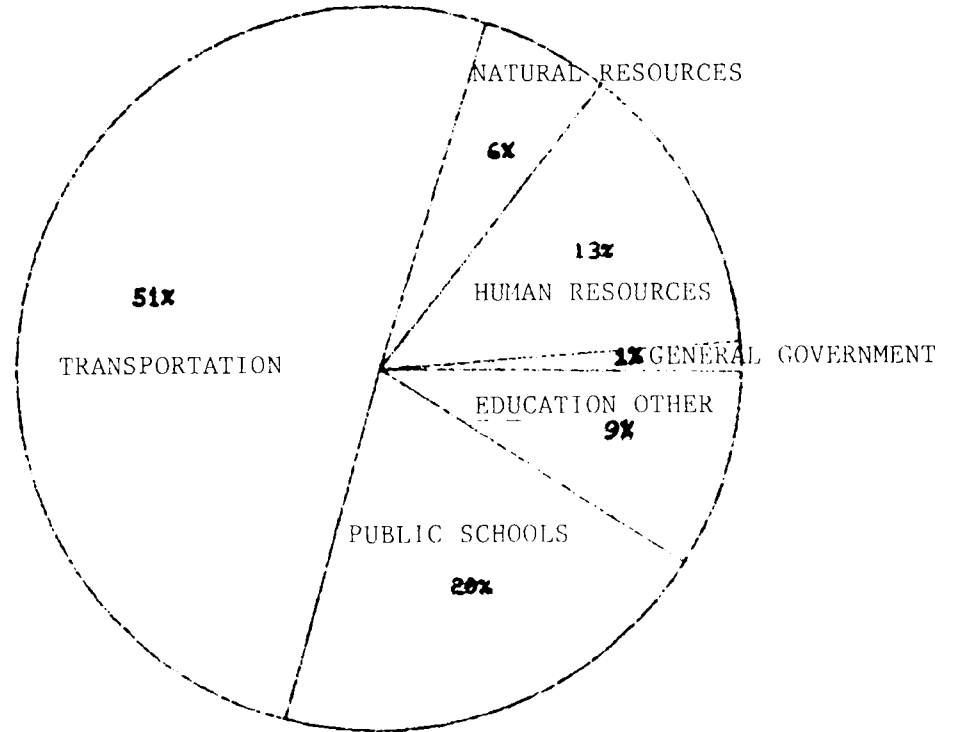
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CAPITAL BUDGET
TOTAL ALL FUNDS

AUTHORIZED EXPENDITURES

DOLLARS IN THOUSANDS - FOR 1979-81 BIENNIUM

GENERAL GOVERNMENT	25,941	1%
HUMAN RESOURCES	257,492	13%
NATURAL RESOURCES	113,562	6%
TRANSPORTATION	989,136	51%
PUBLIC SCHOOLS	394,123	20%
EDUCATION OTHER	172,664	9%
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TOTAL	1,952,918	100%

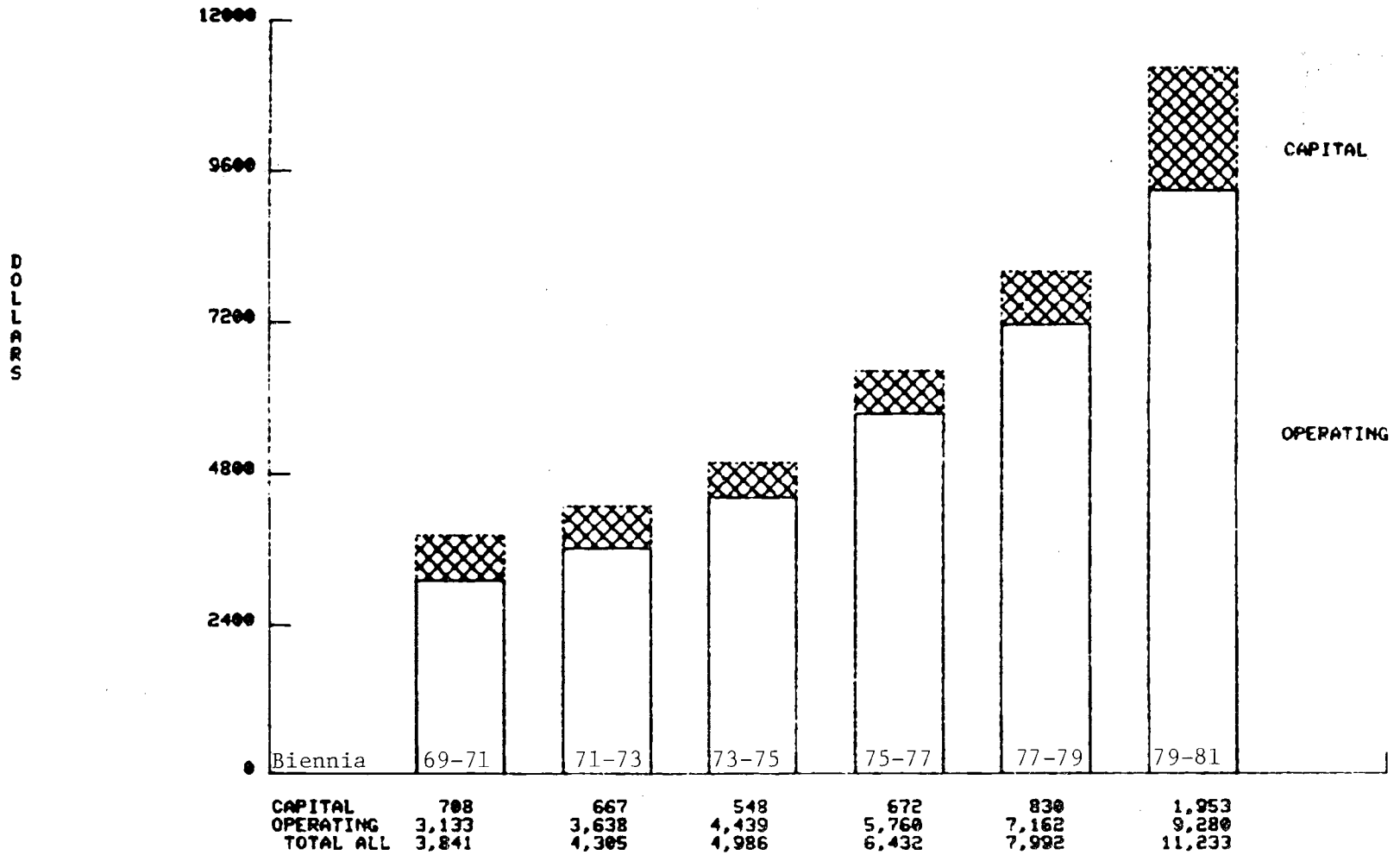




WASHINGTON STATE TOTAL BUDGET OPERATING AND CAPITAL

DATE 06/02/79
TIME 16:45

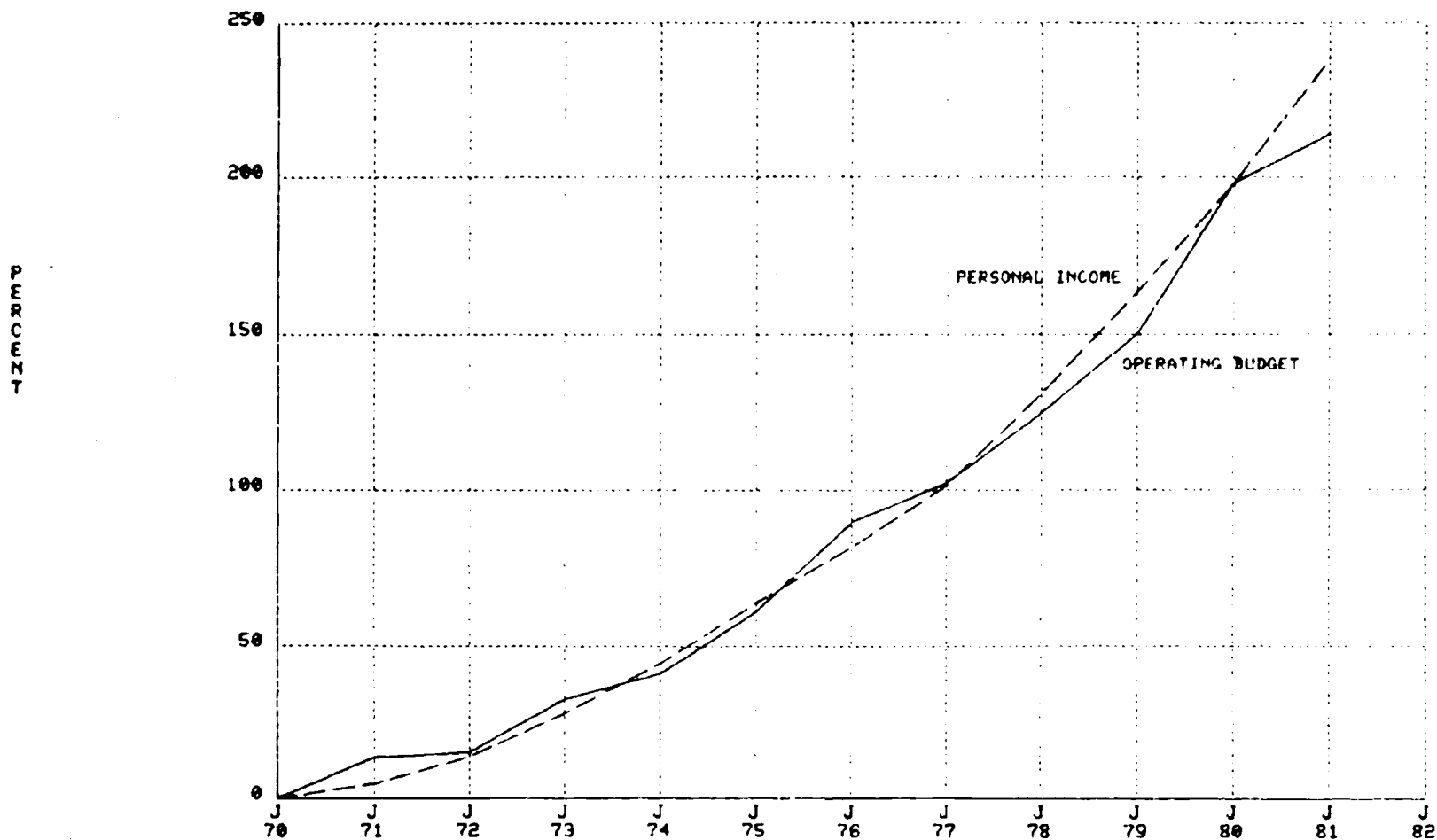
(DOLLARS IN MILLIONS)



WASHINGTON BUDGET COMPARISON OPERATING BUDGET VERSUS PERSONAL INCOME

DATE 06/08/79
TIME 17:33

PERCENTAGE GROWTH SINCE 1970



-252-

OPERATING BUDGET

Highlights

Sec. 2 HOUSE OF REPRESENTATIVES

General Fund-State ----- \$ 16,728,000

Recommended level.

Sec. 3 SENATE

General Fund-State ----- \$ 14,300,000

Recommended level.

Sec. 4 LEGISLATIVE BUDGET COMMITTEE

General Fund-State ----- \$ 1,247,000

The budget recommendation enables LBC to maintain current operations as well as undertake a new project to conduct a management survey and/or a performance audit of the Washington Public Power Supply System. Includes 9% salary increase amount per year.

Sec. 5 LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM

General Fund-State ----- \$ 1,295,000

Recommended level with inclusion of 9% salary increase amount per year.

Sec. 6 STATE ACTUARY

General Fund-State ----- \$ 301,000

Provides funds for operation and continued enhancement of data analyzing capability. Also included is 9% salary increase amount per year.

Sec. 7 STATUTE LAW COMMITTEE

General Fund-State ----- \$ 3,626,000

Statute Law Committee Publication Account ----- 195,000

TOTAL APPROPRIATION ----- \$ 3,821,000

Sec. 8 SUPREME COURT

General Fund-State ----- \$ 5,306,000

Reduced \$194,000 from Governor's recommendation. Added twelve (12) FTE's: three positions in Clerk's office; one position in Law Reports office; and two positions in Commissioner's office.

Added \$7,800 for terminal/editing typewriter for reports and Commissioner's office.

Provided \$1,400 per case for indigent appeals.

Sec. 9 LAW LIBRARY

General Fund-State ----- \$ 1,386,000

Reduced \$19,000 from Governor's recommendation. Budget recommendation reflects current level with appropriate inflation in goods and services and increment increases in salaries. A substantial increase in equipment reflects large increases in costs of on-going publications and subscriptions that the library receives.

Sec. 10 COURT OF APPEALS

General Fund-State ----- \$ 6,130,000

Reduced \$163,000 from Governor's recommendation. Budget recommendation added nineteen (19) FTE's: five law clerks, three clerk steno II's, and one and one-half interns.

Budget reflects current level with appropriate inflation, salary increment and employee benefit increases. Goods and services and equipment increased to reflect new positions.

Substantial increases in rentals/leases due to new facilities and moving expenses for Division I in Seattle, Division II in Tacoma and Division III in Spokane.

Sec. 11 ADMINISTRATOR FOR THE COURTS

General Fund-State ----- \$10,313,000

Reduced \$972,000 from Governor's recommendation. No new position requests approved. Reduced one computer operator (2 FTE's) position that was added during the 1977-79 biennium; reduced personal services contracts by \$89,000 requested for a cost-benefit analysis of the Judicial Information System; concur with House on slowing the expansion of JIS; major increases are for computer time charges by Washington State University (\$1,700,000) for existing and planned users.

The Data Processing Authority's recommended cost projections for the continuation of the JIS project during the ensuing biennium were taken into consideration in the calculation of this proposed recommendation.

Concur with Governor's recommendation for Superior Court Judges and judges pro tempore.

Sec. 12 JUDICIAL COUNCIL

General Fund-State ----- \$ 225,000

Concur with Governor's recommendation.

Sec. 13 OFFICE OF THE GOVERNOR

General Fund-State ----- \$ 2,704,000

Concur with Governor's recommendation.

Sec. 14 OFFICE OF THE GOVERNOR - SPECIAL APPROPRIATIONS

General Fund Appropriation-State -----	\$ 176,404,000
General Fund Appropriation-Federal -----	24,060,000
Special Compensation Revolving Fund Appropriation -----	61,265,000
TOTAL APPROPRIATION -----	<u>\$ 261,729,000</u>

Salary Compensation Plan:

Salary increases averaging 17.4% over the course of the biennium are proposed for classified and exempt employees of the State Personnel Board. Five percent applies over the full biennium, an additional 6.4% takes effect in October, 1979 and the remaining 6% takes effect in October, 1980.

Salary increases averaging 20% over the course of the biennium are proposed for classified employees of the Higher Education Personnel Board. Five percent applies over the full biennium, an additional 9% takes effect in October, 1979 and the remaining 6% takes effect in October, 1980.

Salary increases averaging 16.6% over the course of the biennium are proposed for faculty and administrative exempt employees in the higher education community. Five percent will take effect at the beginning of the 1979-80 contract year. An additional 5.6% will apply to the 1979-80 contract and the remaining 6% will apply to the 1980-81 contract. Additionally, the respective higher education institutions could provide increments for these employees in each year of the biennium up to 1 1/2% of their prior year's average salaries. Funding for these increments would come from other budgeted funds within the institutions.

Salary increases averaging 17% over the course of the biennium are proposed for commissioned officers of the Washington State Patrol. Five percent applies over the full biennium, an additional 6% takes effect in October, 1979 and the remaining 6% takes effect in October, 1980.

Health, life and disability insurance benefits are increased for all eligible state employees including higher education employees from the current \$72.50 per month to \$85 per month for fiscal 1980 and to \$95 per month in fiscal 1981.

Sec. 15 LIEUTENANT GOVERNOR

General Fund-State ----- \$ 204,000

Replaced equipment which was used to attain Office of Financial Management's target level.

Sec. 16 SECRETARY OF STATE

General Fund-State ----- \$ 3,705,000

The budget recommendation provides for two additional clerical positions to address increased workload in the licensing program. Provided are funds for a design programmer to reprogram corporate licensing computer files. It also provides \$157,000 for a one-time precinct/census mapping project required by statute; in addition, \$624,000 is provided for the state's estimated share of the 1979 primary and general election costs.

Sec. 17 GOVERNOR'S INDIAN ADVISORY COUNCIL

General Fund-State ----- \$ 147,000

Budget level reflects reduction of one staff person which makes this council's staffing the same as the other minority commissioners. Senate reduction also reflects adjustment of fringe benefit level.

Sec. 18 COMMISSION ON ASIAN-AMERICAN AFFAIRS

General Fund-State ----- \$ 121,000

Budget level allows commission to maintain current level of activity. Senate recommendation restores goods and services to current level and reverses Governor's travel cut.

Sec. 19 COMMISSION ON MEXICAN-AMERICAN AFFAIRS

General Fund-State ----- \$ 124,000

Budget level maintains agency at current level of operation. Reduction from Governor's level reflects reduction of fringe benefit amount to standard.

Sec. 20 TREASURER

General Fund-State ----- \$ 10,000
Motor Vehicle Fund-State ----- 31,000
State Treasurer's Service Fund ----- 3,807,000
TOTAL APPROPRIATION ----- \$ 3,848,000

Amount includes current level plus \$224,000 new computer hardware; Senate added \$10,000 general fund for cost of tax deferral program.

Sec. 21 OFFICE OF STATE AUDITOR

General Fund-State ----- \$ 6,041,000
General Fund-Federal ----- 300,000
Motor Vehicle Fund ----- 232,000
TOTAL APPROPRIATION ----- \$ 6,573,000

The budget recommendation provides for continuation of current operations. In addition, four new positions are created to handle the statistics of local governments, a personnel officer and three new computer auditors. Seven request positions needed to conduct annual audits of state agencies are not recommended.

Sec. 22 ATTORNEY GENERAL

General Fund-State ----- \$ 3,355,000
General Fund-Federal ----- 15,034,000
TOTAL APPROPRIATION ----- \$ 18,389,000

A current level budget is provided with reductions in travel and goods and services. Funds are provided for the utilization of two state auditors to carry out audits of charitable trust funds.

Sec. 23 OFFICE OF FINANCIAL MANAGEMENT

General Fund-State -----	\$ 10,949,000
General Fund-Federal -----	24,081,000
TOTAL APPROPRIATION -----	<u>\$ 35,030,000</u>

The budget recommendation provides for several items above the current level of operations. During the current biennium, the law and justice activity was transferred to the Office of Financial Management. The budget recommendation includes \$24,938,000 of which \$1,006,000 is state general fund for this activity. Also included is \$1,000,000 for budget and accounting systems development, \$1,174,000 for continued development of a higher education personnel/payroll system, and \$30,000 to acquire census materials. Reduced from the Governor's budget is \$413,000 for the higher education personnel/payroll system, \$30,000 for quarterly economic forecasting and \$20,000 contingency funds for supplementary budget functions.

Sec. 24 DEPARTMENT OF PERSONNEL

General Fund-State -----	\$ 263,000
DPO Service Fund -----	7,136,000
State Employees' Insurance Fund -----	1,229,000
TOTAL APPROPRIATION -----	<u>\$ 8,628,000</u>

Technical Personnel Services - \$7,361,000: budget level provides for four positions for the review of positions which have become vacant due to retirement; 3 positions for small agency assistance, deletes one position from Governor's add to audit staff. Budget level also includes \$225,000 in working capital for the personnel payroll system. This budget provides that up to \$50,000 is provided for the department to conduct a comparable worth study of all the employee classifications under the jurisdiction of the State Personnel Board and the Higher Education Personnel Board. \$288,000 over Governor's level.

Insurance Benefits Administration - \$1,267,000: maintains current level of operation plus the addition of \$38,000 for the study of inclusion of common school employees within the jurisdiction of the board.

Sec. 25 STATE CAPITOL COMMITTEE

Capitol Building Construction Account -----	\$ 20,000
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The budget recommendation of \$20,000 provides for continuation of current operations. This recommendation is the same as the 1977-79 appropriation level.

Sec. 26 DATA PROCESSING AUTHORITY

General Fund-State ----- \$ 1,023,000

This budget provides for continuation of current level of operations.

Sec. 27 DEFERRED COMPENSATION COMMITTEE

General Fund-State ----- \$ 35,000

This amount will allow the Deferred Compensation Committee to develop terms and conditions for the program; establish administrative mechanisms for the program; hold meetings to describe the program to state employees; and establish an ongoing oversight program.

Sec. 28 STATE FINANCE COMMITTEE

General Fund-Investment Reserve Account ----- \$ 991,000

Current level same as Governor, plus \$200,000 for Phase II of computerized investment accounting and reporting system which was originally proposed for 1979 supplemental budget instead of 1979-81 budget.

Sec. 29 DEPARTMENT OF REVENUE

General Fund-State ----- \$ 29,298,000

General Fund-Timber Reserve Account ----- 2,343,000

Motor Vehicle Fund ----- 93,000

TOTAL APPROPRIATION ----- \$ 31,734,000

Current level same as Governor plus two positions in property tax division to maintain current program of advisory appraisals for counties proposed to be discontinued, and plus \$400,000 from timber reserve fund for local costs in implementing forest land grading system.

Sec. 30 BOARD OF TAX APPEALS

General Fund-State ----- \$ 718,000

Current level same as Governor.

Sec. 31 DEPARTMENT OF GENERAL ADMINISTRATION

General Fund-State -----	\$ 9,526,000
Motor Transport Account -----	3,653,000
Facilities and Services Revolving Fund -----	10,996,000
TOTAL APPROPRIATION -----	\$ 24,175,000

The budget recommendation provides for continuation of current operations. In addition, the recommendation provides \$639,000 for ten capital project-related positions in the Engineering and Architecture Division. All costs of these positions will be charged to the capital projects upon which the employees work. Also recommended is \$871,000 general fund-state to replace 380 vehicles that were turned over to the Motor Transport Division from general fund agencies. The recommendation specifically does not allow any further vehicle transfers to General Administration during the 1979-81 biennium.

Reductions to Governor's budget: (1) \$320,000 general fund-state, agency revised amount needed for vehicle replacement; (2) \$581,000 motor transport account, no contingency funds are provided for vehicle transfers. (See proviso in budget bill.)

\$300,000, or so much as may be necessary, of the appropriation contained in Section 174(12) shall be used for scheduled repairs and modifications of elevators in the Legislative Building, the House Office Building, and the Public Lands Building.

Sec. 32 PRESIDENTIAL ELECTORS

General Fund-State -----	\$ 1,000
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The budget recommendation provides for payment of mileage and per diem expenses for electors related to the 1980 presidential election.

Sec. 33 INSURANCE COMMISSIONER

General Fund-State -----	\$ 6,023,000
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General Administration - \$1,426,000: current level budget reduced \$25,000 from the Governor's level to reflect adjustment to fringes and goods and services.

Company Supervision - \$1,425,000: Senate recommendation reflects addition of 2 FTE's and \$43,000 over Governor's level for one insurance examiner to reduce backlog in examination of domestic companies. Governor's level also added an insurance rehabilitator, a rate analyst and an examiner for out-of-state companies.

Consumer Protection - \$1,719,000: Senate budget adds \$88,000 to Governor's level to provide an insurance agent investigator to investigate complaints against agents and an insurance complaints advisor to address the growing level of citizen complaints in this area.

Fire Safety and Regulation - \$1,282,000: same as Governor's budget level and provides for continuation of present functions.

Supervision of Health Care Contractors - \$171,000: same as Governor's level and provides for current level of activities.

Sec. 34 STATE TREASURER - STATE REVENUES FOR DISTRIBUTION
 TOTAL APPROPRIATION ----- \$436,979,000

Sec. 35 STATE TREASURER - FEDERAL REVENUES FOR DISTRIBUTION
 TOTAL APPROPRIATION ----- \$ 64,574,000

Sec. 36 STATE TREASURER - BOND RETIREMENT AND INTEREST
 TOTAL APPROPRIATION ----- \$249,856,000

Sec. 37 PUBLIC DISCLOSURE COMMISSION
 General Fund-State ----- \$ 892,000

Governor's budget provides for continuation of current operations. The Senate concurs with the Governor's budget and adds \$5,000 for pictorial directory of lobbyists.

Sec. 38 DEPARTMENT OF RETIREMENT SYSTEMS
 General Fund-State ----- \$409,353,000
 Motor Vehicle Fund ----- 27,000
 Retirement System Expense Fund ----- 4,694,000
 Teachers' Retirement Fund ----- 1,889,000
 TOTAL APPROPRIATION ----- \$415,963,000

The budget for this agency reflects the required contribution levels to the various systems as recommended by the actuary plus operating funds for the department to administer the systems. Included in the administration program are funds for the implementation of an integrated retirement information system. Contribution levels for the various systems are: (1) Teachers Retirement System - \$243,600,000; (2) Law Enforcement Officers and Fire Fighters - \$164,700,000; (3) Judicial Retirement - \$493,000; and (4) Judges Retirement - \$554,000.

Sec. 39 MUNICIPAL RESEARCH COUNCIL

General Fund-State ----- \$ 880,000

The budget recommendation provides for continuation of current operations. The Council does not retain any staff, but functions as a contractor for services from the Municipal Research and Services Center of Washington.

Sec. 40 UNIFORM LEGISLATION COMMISSION

General Fund-State ----- \$ 21,000

Funding is recommended to continue the state's participation in the National Conference of Commissioners on uniform state laws. The objective of the Commission is to assist in the preparation of uniform statutes for adoption in all states.

Sec. 41 BOARD OF ACCOUNTANCY

General Fund-State ----- \$ 517,000

The budget recommendation provides for continuation of current operations. In addition, the recommendation includes \$3,000 for a fee dispute arbitration service to respond to accounting fee complaints referred to the Board. Also included is \$75,000 for the positive enforcement auditing program. Estimated revenue from licenses and fees for the 1979-81 biennium is \$706,000.

Sec. 42 ATHLETIC COMMISSION

General Fund-State ----- \$ 56,000

The budget recommendation provides for continuation of current operations. Operations of the Commission are supported entirely by license fees from officials and participants, and by a 5% tax on the gross receipts of events under its jurisdiction. Revenues for the 1979-81 biennium are estimated at \$77,000.

Sec. 43 CEMETERY BOARD

Cemetery Account-State ----- \$ 68,000

The budget recommendation provides for increased auditing of the cemeteries regulated. Revenues are expected to equal the appropriation.

Sec. 44 HORSE RACING COMMISSION

Horse Racing Commission Fund-Private/Local ----- \$ 1,752,000

The budget recommendation provides for current operations. In addition, funds are provided for 45 additional racing days for a total of 567 and a new camera position at Longacres Race Track. Anticipated parimutuel tax revenues for the ensuing biennium exceed \$14,000,000.

Reduction to Governor's request -- (\$34,000) and 1.6 FTE's for a test barn supervisor to oversee veterinary assistants. Presently these duties are performed by existing security personnel.

Sec. 45 LIQUOR CONTROL BOARD

Liquor Revolving Fund-State ----- \$ 58,425,000

The budget recommendation provides for continuation of current operations. In addition, the recommendation includes: (1) increased enforcement capabilities in existing enforcement districts, i.e. one new officer per district and two new officers for the Seattle district; (2) access to the Criminal History Records Information System; and (3) three new stores per year, conversion of five agencies to stores each year, and six new agencies per year.

Reductions to Governor's request include \$4,118,000 for the point-of-sales system, \$162,000 for a new Bellevue enforcement district, and \$431,000 for six new stores and associated costs.

Sec. 46 PHARMACY BOARD

General Fund-State ----- \$ 828,000

The budget recommendation provides for continuation of current operations. In addition, funds are provided for one clerical position to address the workload increases over the current level of operations in licensing. Also included is \$28,000 to provide all registered pharmacists with copies of the Board's rules and regulations.

Addition to Governor's request: \$83,000 is provided for the controlled substances therapeutic research program. These monies will provide necessary staffing, equipment and laboratory testing for this program.

Sec. 47 UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund-State -----	\$ 11,939,000
Public Service Revolving Fund-Federal -----	338,000
Grade Crossing Protective Fund -----	1,457,000
TOTAL APPROPRIATION -----	\$ 13,734,000

Provides 3 of 5 requested accounting analysts at \$91,000, \$37,000 for additional utilities service examiner, \$146,000 for increased port of entry staffing, 3 of 5 requested transportation inspectors at \$145,000, \$135,000 for 2 railroad inspectors. Deletes \$66,000 for natural gas engineer.

Sec. 48 BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund ----- \$ 102,000

Budget level provides for operation at the current level, identical to the Governor's budget.

Sec. 49 DEPARTMENT OF EMERGENCY SERVICES

General Fund-State ----- \$ 651,000
General Fund-Federal ----- 2,048,000
TOTAL APPROPRIATION ----- \$ 2,699,000

The budget recommendation provides for current operations. It also includes \$89,000 for repayments to the federal government.

Sec. 50 MILITARY DEPARTMENT

General Fund-State ----- \$ 5,485,000
General Fund-Federal ----- 605,000
TOTAL APPROPRIATION ----- \$ 6,090,000

The budget recommendation enables the Department to maintain the force structure as currently authorized. Further, the budget includes sufficient staff and funding to meet the state obligation under terms of joint federal-state agreements. The request also includes 3 1/2 additional positions in maintenance activities to provide ongoing caretaker/custodial services at all armories. \$206,000 general fund-state has been added to the recommendation contingent to adoption of SSB 2212 or SHB 295 for National Guard Educational Assistance Grants. The budget does not include funding for the Washington State Guard.

Reductions to Governor's budget: \$87,000 2 FTE's for Washington State Guard.

Additions to Governor's budget: \$206,000 general fund-state for National Guard Education Assistance Grants.

Sec. 51 PUBLIC EMPLOYEES RELATIONS COMMISSION

General Fund-State ----- \$ 1,174,000

Budget level is \$9,000 below Governor's level reflecting travel adjustment. Budget includes Governor's addition of 3 new mediators and one clerical position to reduce backlog.

Sec. 52 DEPARTMENT OF SOCIAL AND HEALTH SERVICES

State Funding Sources ----- \$1,239,677,000
Federal Funding Sources ----- 848,298,000
Other Funding Sources ----- 13,433,000
TOTAL OF ALL FUNDING SOURCES ----- \$2,101,408,000
TOTAL FTE STAFF YEARS ----- 28,435

It is intended that the new boiler at the Washington State Reformatory (Sec. 170(9)) be capable of burning wood or wood waste.

Sec. 53 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - ADULT CORRECTIONS

General Fund-State -----	\$ 114,004,000
TOTAL FTE STAFF YEARS -----	4,299

- \$3.4 million to provide increased diversion from the present 180 to 540 persons.
- \$15.7 million to maintain present probation and parole caseload and increase it by 4,000 persons.
- \$7.0 million to maintain present work/training release caseload plus increase an additional 183 cases.
- \$1.4 million provided to assure adequate custody staffing at all major penal institutions.
- \$945,000 provided to initiate and evaluate the corporate task force's proposal to train 180 second admissions offenders.

Sec. 54 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - JUVENILE REHABILITATION

General Fund-State -----	\$ 53,665,000
General Fund-Federal -----	747,000
TOTAL APPROPRIATION -----	\$ 54,812,000
TOTAL FTE STAFF YEARS -----	1,966

- Provided \$600,000 contingency for potential increase in institutional populations due to uncertainty still of "371."
- Prohibits use of funds to lease back Cascadia with the assumption that it would remain in state hands.

Sec. 55 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - MENTAL HEALTH

General Fund-State -----	\$ 98,559,000
General Fund-Federal -----	17,184,000
General Fund-Local -----	2,119,000
TOTAL APPROPRIATION -----	\$ 117,862,000
TOTAL FTE STAFF YEARS -----	3,110

- Provided \$4.3 million to the general community health grants bringing them to \$31.8 million.
- Provided an additional \$5.5 million to be distributed to nonprofit community mental health centers as staffing grant-in-aids to ensure retentions of primary mental health professionals.
- Provided 100% of grandfathering funds with the provision that this funding assistance would terminate next biennium.
- Provided \$2.2 million to initiate a 20-bed unit to treat the long-term mentally ill child. Also, provided \$1.4 million to continue the community treatment of acute short-term mentally ill children.
- Provided a contingency fund of \$984,000 in the event DSHS under estimated the state hospital daily populations. This will assist in the assurance of JCAH accreditation.
- Provided \$730,000 for heating of Northern State Hospital.

- Provided for the following special projects:
 - \$302,000 for chronically mentally ill patients in Eastern Washington to be treated in the community.
 - \$400,000 for a four-county demonstration project of case.
 - \$500,000 for the initiation of a program for the seriously mentally ill child who is violent.
 - \$76,000 for continuation of Harborview low-income study.
 - \$250,000 for demonstration project in Region 5 for acute mentally ill children.

Sec. 56 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - DEVELOPMENTAL DISABILITIES

General Fund-State -----	\$ 99,439,000
General Fund-Federal -----	61,900,000
TOTAL APPROPRIATION -----	<u>\$ 161,339,000</u>
TOTAL FTE STAFF YEARS -----	6,821

- Provided 90% prevailing wage for Developmental Disabilities group home employees.
- Home aide caseload was increased to help parents to retain their children at home rather than institutionalizing them.
- Provided funding for the continuation of the protection and advocacy program.
- 7.0% per year vendor rate increase.
- \$344,000 treatment program for disturbed youth.

Sec. 57 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - NURSING HOMES

General Fund-State -----	\$ 126,830,000
General Fund-Federal -----	126,152,000
TOTAL APPROPRIATION -----	<u>\$ 252,982,000</u>

Regardless of the passage of ESSB 2335 (cost reimbursement), provision has been made for the 90% parity with prevailing wage for all but the top administrative personnel of the nursing homes. Also, provisions made for the payment of food generally at 23% above the present rate. The personal needs allowance for the patients is increased from \$25 per month to \$32.50 per month.

If ESSB 2335 fails to pass, the nursing homes will be reimbursed at an equitable but more stringent property reimbursement. Allowance is made for the payment of a return on net equity pursuant to the Medicare regulations.

Sec. 58 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - NURSING HOMES

General Fund-State -----	\$ 122,273,000
General Fund-Federal -----	121,595,000
TOTAL APPROPRIATION -----	<u>\$ 243,868,000</u>

See comments for Section 57.

Sec. 59 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - INCOME MAINTENANCE

General Fund-State -----	\$ 314,749,000
General Fund-Federal -----	205,932,000
TOTAL APPROPRIATION -----	<u>\$ 520,681,000</u>

- Provided 90% prevailing wage for congregate care employees.
- All maintenance grants will receive a 10.0% per year increase.
- GAN recipients who are determined eligible after six consecutive weeks will receive a grant at approximately \$140 per month for a single person.
- All vendors will receive a 7.0% per year inflationary increase.
- Inclusion of Kitsap County in Area I.
- \$288,000 to increase the rental portion of adult family home reimbursement.
- Personal needs allowance for all qualified recipients to increase from \$25/month to \$32.50/month.

Sec. 60 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - COMMUNITY SOCIAL SERVICES

General Fund-State -----	\$ 79,755,000
General Fund-Federal -----	65,624,000
General Fund-Local -----	100,000
TOTAL APPROPRIATION -----	<u>\$ 145,479,000</u>

- Vendors will receive a 7.0% per year inflationary increase.
- Grant standards are increased 7.0% and 6.5% for FY80 and FY81 respectively.
- The foster care program is enhanced to provide a fund to reimburse foster parents for damaged or destroyed property, increased clothing allowance and provide a child needs assessment.
- \$28.8 million is provided for adult chore services.
- \$2.0 million provided to fully fund the crisis residential centers pursuant to ESSB 2768.
- \$1.5 million for general rate increase for group foster care.

Sec. 61 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - MEDICAL ASSISTANCE

General Fund-State -----	\$ 201,114,000
General Fund-Federal -----	148,435,000
TOTAL APPROPRIATION -----	<u>\$ 349,549,000</u>

- \$23.7 million is provided for hospital inflationary increases.
- \$23.2 million is provided for medical vendors other than hospitals.

Sec. 62 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - PUBLIC HEALTH

General Fund-State -----	\$ 20,556,000
General Fund-Federal -----	49,745,000
General Fund-Local -----	400,000
General Fund Appropriation - State and Local Improvements Revolving Account - Water Supply Facilities: appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27) Reappropriation -----	10,814,000
TOTAL APPROPRIATION -----	<u>\$ 81,515,000</u>
TOTAL FTE STAFF YEARS -----	838

- Title XX family planning funds have been increased by \$2.5 million. Up to 6.0 FTE may be expended in the Title XX family planning program.
- \$1.3 million is provided for full coverage of kidney centers which provide dialysis services.
- \$400,000 is provided for cancer research at the Fred Hutchison Cancer Center.
- Office of Environmental Programs to make maximum use of commercial laboratories for chemical testing of water required by EPA.

Sec. 63 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - VOCATIONAL REHABILITATION

General Fund-State -----	\$	7,196,000
General Fund-Federal -----		35,741,000
TOTAL APPROPRIATION -----	\$	42,937,000
TOTAL FTE STAFF YEARS -----		658

The extended sheltered employment program has been reinstated.

Sec. 64 DEPARTMENT OF SOCIAL AND HEALTH SERVICES -
ADMINISTRATION AND SUPPORTING SERVICES

General Fund-State -----	\$	52,875,000
General Fund-Federal -----		33,837,000
TOTAL APPROPRIATION -----	\$	86,712,000
TOTAL FTE STAFF YEARS -----		2,951

- \$15,000/year to be expended to continue welfare hotline.

Sec. 65 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - COMMUNITY SERVICES

General Fund-State -----	\$	70,935,000
General Fund-Federal -----		103,001,000
TOTAL APPROPRIATION -----	\$	173,936,000
TOTAL FTE STAFF YEARS -----		7,792

- 52 FTE's are retained to continue the delinquency prevention program at its current level.

Sec. 66 DEPARTMENT OF SOCIAL AND HEALTH SERVICES - REAPPROPRIATIONS

General Fund-State -----	\$	21,357,000
General Fund-Federal -----		15,343,000
TOTAL APPROPRIATION -----	\$	36,700,000

Sec. 67 DEPARTMENT OF VETERANS AFFAIRS

General Fund-State -----	\$ 13,386,000
General Fund-Local -----	1,593,000
TOTAL APPROPRIATION -----	\$ 14,979,000

Concur with the Governor's budget request which is a current level position. The \$222,000 reduction reflects adjustments to certain objects of expenditures which indicated too great an increase from 1977-79 to 1979-81.

Sec. 68 PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund-State -----	\$ 3,976,000
General Fund-Federal -----	10,024,000
TOTAL APPROPRIATION -----	\$ 14,000,000

The budget recommendation enables PCAA to continue its current operations and meet the needs of local communities and local human service organizations.

Reductions from Governor's budget: several new request and existing programs and positions which were very low on the agency program priority list.

Additions to Governor's budget: (1) Added \$134,000 (1.0 FTE) for the legal services sub-program. Also added \$200,000 for towns near the Canadian border on the basis of border traffic. (2) \$110,000 to the city of Port Angeles to design and equip a marine laboratory. (3) \$83,000 for the city of Dayton to renovate the historic railroad depot. (4) \$250,000 for the Pierce County Special Prosecutor. (5) \$140,000 for Washington Association of Sheriffs and Police Chiefs.

None of the appropriation contained in this section shall be expended by the Planning and Community Affairs Agency or the State Building Code Advisory Council to prepare, adopt or implement a thermal efficiency and lighting code.

Sec. 69 HUMAN RIGHTS COMMISSION

General Fund-State -----	\$ 2,967,000
General Fund-Federal -----	340,000
TOTAL APPROPRIATION -----	\$ 3,307,000

Budget maintains current operational level and adds two FTE's to assist employers in understanding the law and regulations with regard to the handicapped. The goal of this program is to reduce the necessity for filings with the commission.

Sec. 70 BOARD OF INDUSTRIAL INSURANCE APPEALS

General Fund-State -----	\$	82,000
Accident Fund Appropriation -----		1,526,000
Medical Aid Fund Appropriation -----		1,525,000
TOTAL APPROPRIATION -----	\$	<u>3,133,000</u>

The Senate budget position is that of the Governor.

Sec. 71 WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund-Criminal Justice Training Account -----	\$	3,783,000
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The Senate budget position is that of the Governor. This represents the replacement of previously provided federal funds and an increase in the payment of per diem and wage replacement for police officers of small communities who are receiving training.

Sec. 72 DEPARTMENT OF LABOR AND INDUSTRIES

General Fund-State -----	\$	7,778,000
General Fund-Federal -----		110,000
General Fund-Crime Victim's Compensation Account -----		10,000
Accident Fund-State -----		28,276,000
Accident Fund-Federal -----		366,000
Electrical License Fund -----		5,888,000
Medical Aid Fund -----		24,647,000
Plumbing Certificate Fund -----		199,000
Pressure Systems Safety Fund -----		499,000
TOTAL APPROPRIATION -----	\$	<u>67,773,000</u>

The Senate budget for this agency reflects the Governor's budget request except for the following programs:

Industrial Insurance -- \$560,000 included to implement the Claims Cost Reduction program. \$200,000 reflecting a non-appropriated fund was erroneously included in appropriated amount in Governor's budget request.

Safety Inspection and Education -- increased 12 positions and associated funds for additional inspection activities.

Building and Construction Safety -- authorized an additional 30 FTE to handle increased electrical licensing and regulatory activity.

Industrial Insurance Appeals -- provided for an additional 3 A.G.'s to handle increased appeals from adverse claim decisions.

Sec. 73 BOARD OF PRISON TERMS AND PAROLES

General Fund-State -----	\$	1,984,000
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Senate budget reflects the executive budget request which provides for increased workload, legal representation for indigents (parole violations), and operation of the sentencing simulation computer model developed under federal funding.

Sec. 74 HOSPITAL COMMISSION

General Fund-State -----	\$	326,000
General Fund-Federal -----		528,000
General Fund-Hospital Commission Account -----		557,000
TOTAL APPROPRIATION -----	\$	<u>1,411,000</u>

Other than the addition of 0.8 FTE to handle peak workloads, the Senate position reflects the current level position requested by the Governor. Assumes that the Commission will cooperate with the State Energy Office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

Sec. 75 EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation-State -----	\$	3,083,000
General Fund Appropriation-Federal -----		173,441,000
General Fund Appropriation-Local -----		684,000
Administrative Contingency Fund Appropriation-Federal --		428,000
Unemployment Compensation Administration		
Fund Appropriation -----		81,180,000
TOTAL APPROPRIATION -----	\$	<u>258,816,000</u>

The Senate budget reflects the executive request except for \$1.9 million reduction in excessive funding for employee benefits and goods and services. The Washington Occupational Information System (WOIC) was funded at the requested level.

Sec. 76 COMMISSION FOR THE BLIND

General Fund Appropriation-State -----	\$	2,463,000
General Fund Appropriation-Federal -----		5,090,000
TOTAL APPROPRIATION -----	\$	<u>7,553,000</u>

Authorization and funding is provided for a staffing level of 148.6 FTE's for the 1979-81 biennium.

Sec. 77 JAIL COMMISSION

General Fund-State -----	\$	360,000
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The Senate budget provides for the continued operation of the commission at current level for a full biennium.

Sec. 78 STATE ENERGY OFFICE

General Fund-State -----	\$	1,021,000
General Fund-Federal -----		5,140,000
TOTAL APPROPRIATION -----	\$	6,161,000

The budget recommendation provides for increased federally funded activities in the areas of Conservation and Resource Management. \$312,000 of the general fund-state monies is for matching federal grants. The remainder of the state money is for a base staff and statutory duties. No new state funded positions are recommended.

Addition to Governor's request: \$149,000 general fund-federal reflects revised estimates on available federal funds.

Reductions to Governor's request: (1) \$10,000 general fund-state reflects revised matching requirements; (2) \$56,000 general fund-state for a nuclear specialist position. No new state funded positions are recommended at the present time. Up to \$262,000 from the state general fund and necessary personnel may be transferred from other programs to assist the fuel allocation program.

Sec. 79 OCEANOGRAPHIC COMMISSION

General Fund-State -----	\$	384,000
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Senate adds \$168,000 to Governor's current level for rent increase, continuation of Compendium of Current Marine Studies, and study of clam and mussel harvesting.

Sec. 80 COLUMBIA RIVER GORGE

General Fund-State -----	\$	5,000
General Fund-Federal -----		26,000
TOTAL APPROPRIATION -----	\$	31,000

The budget recommendation provides for current operations. During the 1979-81 biennium, the Columbia River Gorge plan will be implemented. The commission has been preparing this plan since 1959. This is a cooperative endeavor with Oregon.

Sec. 81 DEPARTMENT OF ECOLOGY

General Fund-State -----	\$	18,212,000
General Fund-Federal -----		8,907,000
General Fund-Litter Control-State -----		3,344,000
Stream Gaging Basic Data Fund -----		197,000
General Fund-Special Grass Seed Burning Research-State -		15,000
General Fund-Reclamation Revolving Fund-State -----		874,000
General Fund-Water Pollution Control Facilities-State --		50,000
General Fund-Local Improvements Revolving Account-		
Water Supply Facilities -----		14,146,000
General Fund-Local Improvements Revolving Account-		
Waste Disposal Facilities -----		100,918,000
General Fund-Emergency Water Project Revolving Account -		200,000
TOTAL APPROPRIATION -----	\$	146,863,000
Coastal Protective Revolving Account-Non-Appropriated --		109,000
TOTAL FUNDS -----	\$	146,972,000

Provides \$500,000 for auto emission inspection program, \$440,000 for increased adjudication of water rights. Provides for continuation of program for construction of water supply and waste disposal facilities, primarily to complete projects started previously. Assumed reduction of 2 FTE's in administration.

Sec. 82 POLLUTION CONTROL HEARINGS BOARD

General Fund-State -----	\$	542,000
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Provides \$59,000 for increased caseload.

Sec. 83 ENERGY FACILITY SITE EVALUATION COUNCIL

General Fund-State -----	\$	505,000
General Fund-P/L -----		863,000
TOTAL APPROPRIATION -----	\$	1,368,000

The budget recommendation provides for continuation of current operations. The private/local fund recommendation for the site evaluation program is predicated upon the expectation that two potential site studies will be received in the 1979-81 biennium, and current processing of one application will be continued. The site evaluation program is totally self-supporting.

Reduction from Governor's budget: (\$50,000) and 1.5 FTE's for a nuclear engineer position. Presently a council projects engineer performs the duties that would be assigned to the requested nuclear specialist.

Sec. 84 SHORELINES HEARING BOARD

General Fund-State ----- \$ 41,000

Provides \$19,000 to meet court reporter requirements.

Sec. 85 PARKS AND RECREATION COMMISSION

General Fund-State -----	\$ 24,749,000
General Fund-Federal -----	100,000
General Fund-Trust Land Purchase-State -----	2,522,000
Motor Vehicle Fund -----	800,000
Outdoor Recreation Account -----	70,000
General Fund-Private/Local Unanticipated -----	258,000
General Fund-Winter Recreation Parking Account -----	64,000
TOTAL APPROPRIATION -----	<u>\$ 28,563,000</u>

Provides \$260,000 expansion in snowmobile program (dedicated funds), \$54,000 boater safety, \$155,000 beach patrol enforcement, \$228,000 camp-site reservation system. Deletes \$200,000 from unjustified 46% requested increase in goods and services.

The commission is authorized to transfer up to \$100,000 of the trust land purchase account appropriation to the Department of Natural Resources to acquire replacement forest lands in Cowlitz county. These lands shall replace approximately 147 acres of state forest lands, including timber, adjacent to Sequest state park which shall be transferred to the commission.

Sec. 86 OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund-State -----	\$	100,000
General Fund-Federal -----		2,340,000
General Fund-State and Local Improvements		
Revolving Account -----		432,000
TOTAL APPROPRIATION -----	\$	<u>2,872,000</u>

Concur with the Governor's budget and an additional \$165,000 in Referendum 28 monies appropriated in 1977-79 which will not be expended prior to 1979-81.

Sec. 87 INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

General Fund-Outdoor Recreation Account -----	\$	27,997,000
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Provides \$17,005,000 for new local grant projects and \$9,898,000 in reappropriated funds. Includes \$2,364,000 of outdoor recreation bond issue.

Sec. 88 DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund-State -----	\$	3,777,000
General Fund-Federal -----		213,000
Motor Vehicle Fund-State -----		380,000
TOTAL APPROPRIATION -----	\$	<u>4,370,000</u>
State Trade Fair Fund-Non-Appropriated -----		50,000
TOTAL FUNDS -----	\$	<u>4,420,000</u>

Provides \$40,000 increased support to visitor information centers, and \$103,000 for enhancement of physical distribution section. Deletes additional tax specialist position. Maintains current level in all other areas.

Sec. 89 DEPARTMENT OF FISHERIES

General Fund-State -----	\$	35,288,000
General Fund-Federal -----		4,154,000
General Fund-P/L -----		1,241,000
Lewis River Hatchery-P/L -----		28,000
Vessel Gear License and Permit Reduction Fund-State ----		756,000
TOTAL APPROPRIATION -----	\$	<u>41,467,000</u>

Provides \$342,000 increased enhancement of herring and ling cod stocks, \$109,000 for monitoring recreational fisheries in conjunction with artificial reefs and fishing piers, \$145,000 for federal/state shellfish enhancement project, \$1,773,000 increase to operate facilities approved in salmon enhancement bill, \$79,000 to deal with increased licensing requirements, and \$300,000 for two new patrol boats. Of the \$300,000 provided for the Volunteer Cooperative Salmon Enhancement Program, not more than \$50,000 shall be expended by Sea Resources, Inc.

Sec. 90 DEPARTMENT OF GAME

General Fund-State -----	\$	29,000
General Fund-Off Road Vehicle-State -----		101,000
State Game Fund -----		27,151,000
Game Fund-Federal -----		6,483,000
State Game Fund-P/L -----		686,000
Game Special Wildlife Account-State -----		163,000
TOTAL APPROPRIATION -----	\$	<u>34,613,000</u>

Provides appropriation equal to estimated revenue from license and fee receipts. Provides new time-accounting system, \$489,000 increase in funding for non-consumptive activities financed through sale of personalized license plates, \$138,000 federally funded fire arm safety program.

Sec. 91 DEPARTMENT OF NATURAL RESOURCES

General Fund-State -----	\$	21,652,000
General Fund-Federal -----		452,000
General Fund-Off Road Vehicle -----		2,583,000
Forest Development Account -----		10,016,000
State Timber Reserve -----		2,338,000
Landowner's Contingency Forest Fire Suppression -----		1,000,000
Resource Management Cost Account -----		36,994,000
Outdoor Recreation Account -----		1,201,000
TOTAL APPROPRIATION -----	\$	<u>76,236,000</u>
Forest Insect and Disease Control-Non-Appropriated -----		175,000
Clark-McNary Fund-Non-Appropriated -----		1,884,000
Forest Assessment Fund-Non-Appropriated -----		3,084,000
Log Patrol Revolving Fund-Non-Appropriated -----		112,000
State Forest Nursery Fund-Non-Appropriated -----		3,575,000
Slash Clearance Fund-Non-Appropriated -----		16,000
Forest Access Road Revolving Fund-Non-Appropriated -----		4,748,000
TOTAL FUNDS -----	\$	<u>89,830,000</u>

Deletes \$314,000 resource planning project, \$280,000 for increased monitoring of Forest Practices Act, \$122,000 increased timber cruising for land exchange, \$270,000 for soil survey, \$169,000 for seaweed development and aquatic land inventory, \$900,000 for schedule delay in opening Skagit Adult Camp. Provides \$559,000 replacement aircraft, \$250,000 Yellowstar Thistle eradication, \$139,000 increased reforestation checks, \$464,000 for continuation of Clearwater River studies project, \$379,000 increased site preparation for agricultural and electronic site leasing, \$183,000 increased marine lease administration, \$398,000 to open Skagit Adult Camp, \$254,000 for mineral fuel inventory, \$1,010,000 for ORV related construction (from dedicated funds), \$1,246,000 increased road construction and maintenance. Funds fire protection on trust lands approximately two-thirds from the general fund.

Sec. 92 FOREST PRACTICES APPEALS BOARD

General Fund-State -----	\$	68,000
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Maintains current level.

Sec. 93 DEPARTMENT OF AGRICULTURE

General Fund-State -----	\$ 7,989,000
General Fund-Federal -----	498,000
Feed/Fertilizer-State -----	22,000
Fertilizer, Agricultural, Mineral and Lime-State -----	324,000
Commercial Feed Fund-State -----	314,000
Commercial Feed Fund-Federal -----	24,000
Seed Fund-State -----	763,000
Nursery Inspection Fund-State -----	266,000
Grain and Hay Inspection Fund-State -----	7,352,000
TOTAL APPROPRIATION -----	\$ 17,552,000
Horticultural District Fund-Non-Appropriated -----	5,523,000
Agricultural Local Funds-Non-Appropriated -----	2,668,000
TOTAL FUNDS -----	\$ 25,743,000

The budget recommendation provides for continuation of current operations. In addition, funds are provided for an assistant to the director position, a veterinarian position in the Brucellosis control program, starling control and Tansey Ragwort control. The budget also reflects additional federal funding for the following ongoing programs: consumer product safety project, dairy and food inspections, pesticide use regulation, medication and feeds report, and the direct marketing project. \$500,000 has been added for a Brucellosis vaccination program.

Additions to Governor's request: (1) \$70,000 - assistant to the director; (2) \$75,000 - veterinarian for Brucellosis control; (3) \$10,000 - starling control; (4) \$180,000 - Tansey Ragwort control and WSU Tansey studies; (5) \$500,000 - Brucellosis vaccination program.

Sec. 94 STATE PATROL

General Fund-State -----	\$ 9,994,000
Motor Vehicle Fund -----	69,897,000
TOTAL APPROPRIATION -----	\$ 79,891,000

Provides 10 of 55 requested troopers, 6 of 28 requested weight control officers, 3 communications technicians, \$3,012,000 to purchase radio equipment, \$1,048,000 for actuarial increases to retirement system. Deletes additional beach and mountain patrol, \$94,000 for auto theft detectives, \$395,000 overtime, \$1,323,000 for law enforcement assistance services such as drug enforcement, crime lab, etc..

Sec. 95 VEHICLE EQUIPMENT SAFETY COMMISSION

Highway Safety Fund -----	\$ 8,000
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Maintains current level.

Sec. 96 TRAFFIC SAFETY COMMISSION

Highway Safety Fund-State -----	\$	169,000
Highway Safety Fund-Federal -----		7,980,000
TOTAL APPROPRIATION -----	\$	<u>8,149,000</u>

Provides \$4,068,000 estimated increase in federal grant money available.

Sec. 97 DEPARTMENT OF LICENSING

General Fund-State -----	\$	8,132,000
State Game Fund -----		85,000
Motor Vehicle Fund -----		21,058,000
Vehicle Title Guarantee Account -----		12,000
Highway Safety Fund -----		24,508,000
General Fund-Commercial Automotive Driver's Training School-State -----		4,000
General Fund-Architect's License-State -----		149,000
General Fund-Optician's-State -----		28,000
General Fund-Optometry-State -----		74,000
General Fund-Professional Engineers-State -----		418,000
General Fund-Sanitarian's Licensing-State -----		16,000
General Fund-State Board of Psychological Examiners- State -----		36,000
General Fund-Real Estate Commission-State -----		2,312,000
TOTAL APPROPRIATION -----	\$	<u>56,832,000</u>

Provides \$1,237,000 increased staffing, data processing and postage to deal with increased workload resulting from increased license issuance, registrations, business, professions, tax, security and real estate control; \$723,000 to implement legislation passed by the 45th legislature. Establishes 4 new driver licensing examination centers at cost of \$842,000. Includes \$1,698,000 for Business Licensing Center.

Sec. 98 COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund -----	\$	190,000
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Eliminates additional position requested to gather additional information concerning revenues, expenditures, and programs of county road departments.

Sec. 99 SUPERINTENDENT OF PUBLIC INSTRUCTION - ADMINISTRATION

General Fund-State -----	\$	11,906,000
General Fund-Federal -----		6,288,000
General Fund-Traffic Safety Education -----		378,000
TOTAL APPROPRIATION -----	\$	<u>18,572,000</u>

Maintains current level of operations plus inflation. Additional positions funded with state funds are two fiscal auditors, two financial research and development specialists. The remaining new positions are funded with federal funds. Includes \$1,300,000 for private educational services for dropouts. Assumes that the common school system will cooperate with the State Energy Office and participate in the programs established by Title III of the National Energy Conservation Policy Act.

Sec. 100 SUPERINTENDENT OF PUBLIC INSTRUCTION - BASIC EDUCATION ALLOCATION

General Fund-State ----- \$2,063,520,000

Assumes 100% funding of basic education both years of the biennium. Continues staff/student ratio formula implemented in the 1978-79 school year. Continues recognition of small school factor and 50% of previous year's enrollment decline. Includes funds for non-high schools to offset the provisions of the levy lid law, five days of substitute teacher time for each classroom teacher, and \$6.1 million for extra curricular activities.

Local school district certificated employees will receive salary increases averaging 7.07% in the first year and 7.24% in the second year of the biennium. Classified employees will receive increases averaging 8% in the first year and 6% in the second year. Local school districts with base salaries for certificated staff below the statewide average could provide additional increases up to 1 1/2% in each school year. Funding for those increases will come from cash balances and/or special levies.

The state is not currently funding health, life and disability benefits for local school district employees. This proposal will begin funding those benefits at \$85 per month in the 1979-80 school year. Funding will increase to \$95 per month in the 1980-81 school year.

Sec. 105 SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund-State ----- \$ 34,852,000

Salary increases and benefits for state funded categoricals.

Sec. 108 SUPERINTENDENT OF PUBLIC INSTRUCTION - TRANSPORTATION

General Fund-State ----- \$ 145,847,000

Anticipates funding of program at a 100% reimbursement level each year of the biennium for basic student transportation.

Sec. 109 SUPERINTENDENT OF PUBLIC INSTRUCTION - VOCATIONAL TECHNICAL INSTITUTES AND ADULT EDUCATION IN VOCATIONAL TECHNICAL INSTITUTES

General Fund-State ----- \$ 34,706,000

Recommended budget increases FTE's by 400 in FY 80 and 800 in FY 81. Recommendation also implements a new funding formula that will allow for an equitable distribution of funds between institutions. The new formula increase per pupil cost as compared to the Governor's recommendation from \$1,689 in FY 80 to \$1,707 and from \$1,728 in FY 81 to \$1,756.

Sec. 110 SUPERINTENDENT OF PUBLIC INSTRUCTION - SCHOOL FOOD SERVICES

General Fund-State ----- \$ 6,497,000

General Fund-Federal ----- 60,893,000

TOTAL APPROPRIATION ----- \$ 67,390,000

Sec. 111 SUPERINTENDENT OF PUBLIC INSTRUCTION - HANDICAPPED EXCESS COSTS

General Fund-State -----	\$ 124,545,000
General Fund-Federal -----	26,521,000
TOTAL APPROPRIATION -----	<u>\$ 151,066,000</u>

Reduces the Governor's federal revenue estimate by \$9,507,000. Increases state funds by \$16,385,000 to implement a new distribution formula in 1980-81 based on the severity of a child's educational deficiency after he/she has been determined to have a handicapping condition. The budget also allows for expansion of the learning language disabled and pre-school handicapped programs to serve the anticipated number of children needing services in these areas.

Sec. 112 SUPERINTENDENT OF PUBLIC INSTRUCTION - TRAFFIC SAFETY EDUCATION

General Fund-Traffic Safety Education -----	\$ 13,614,000
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This reflects the estimated revenue for this fund. Also included in appropriation are sufficient funds to continue the traffic safety coordinators in the E.S.D.'s.

Sec. 113 SUPERINTENDENT OF PUBLIC INSTRUCTION - EDUCATIONAL SERVICE DISTRICTS

General Fund-State -----	\$ 9,386,000
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Includes \$843,000 to complete the statutory phase-out of county funding, includes \$1,692,000 to fund in-kind services previously provided by the counties. Adjusts the current operating budget by a reduction of 5% to be consistent with similar reductions made in other state programs during the current biennium. Recognizes inflation for 1979-81 and \$152,000 program improvement for data processing to help local school districts.

Sec. 114 SUPERINTENDENT OF PUBLIC INSTRUCTION - SPECIAL NEEDS PROGRAM

General Fund-State -----	\$ 26,300,000
General Fund-Federal -----	6,000,000
TOTAL APPROPRIATION -----	<u>\$ 32,300,000</u>

Consolidates the urban, rural, racial disadvantaged program (\$7.3 million), gifted program (\$2.5 million), remediation program (\$18.0 million), and bilingual program (\$4.5 million) into a consolidated program to meet student special needs.

Sec. 115 SUPERINTENDENT OF PUBLIC INSTRUCTION - INSTITUTIONAL EDUCATION

General Fund-State -----	\$ 13,330,000
General Fund-Federal -----	3,316,000
TOTAL APPROPRIATION -----	<u>\$ 16,646,000</u>

Maintains the education program in state institutions and allows for substitute pay enrollment increases at Interlake institution and recognizes the indirect costs experienced by school districts.

- Sec. 116 SUPERINTENDENT OF PUBLIC INSTRUCTION - CULTURAL ENRICHMENT
 General Fund-State ----- \$ 1,501,000
 Restores budget to agency request level.
- Sec. 117 SUPERINTENDENT OF PUBLIC INSTRUCTION - PACIFIC SCIENCE CENTER
 General Fund-State ----- \$ 300,000
 This budget assumes the gradual assumption of the education program offered by the Science Center to local school districts plus continuation of current level.
- Sec. 118 SUPERINTENDENT OF PUBLIC INSTRUCTION - COMPREHENSIVE PLANNING & DEVELOPMENT
 General Fund-State ----- \$ 144,000
 This will allow for the purchasing of multiplexors. These telecommunication devices will facilitate participation by small and remote school districts in the data processing cooperatives.
- Sec. 119 SUPERINTENDENT OF PUBLIC INSTRUCTION - ENUMERATED PURPOSES
 General Fund-Federal ----- \$ 97,443,000
 Elementary Secondary Education Act -- Reflects estimated federal revenue for this program (\$93,338,000).
 Indian Education -- Reflects estimated federal revenue for this program (\$1,025,000).
 Adult Basic Education -- Reflects anticipated federal revenue for this program (\$2,480,000).
- Sec. 120 SUPERINTENDENT OF PUBLIC INSTRUCTION - ENVIRONMENTAL EDUCATION
 General Fund-State ----- \$ 576,000
 Supports operations at Cispus Environmental Center at the level recommended in the mandated Governor's 1977 report to the legislature. Allows Cispus to keep their local funds and includes state funds for needed repairs and maintenance at the facility. Of this budget \$80,000 is for the Northwest Environmental Center at Whidbey Island.
- Sec. 121 SUPERINTENDENT OF PUBLIC INSTRUCTION - ENCUMBRANCE OF FEDERAL FUNDS
 General Fund-Federal ----- \$ 24,221,000
 Reflects the amount of unexpended but encumbered federal funds from the 1977-79 biennium.

Sec. 122 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund-State -----	\$ 321,722,000
General Local Fund-P/L -----	10,590,000
Grants and Contracts Fund-P/L -----	23,486,000
CC Capital Projects Account -----	9,800,000
TOTAL APPROPRIATION -----	\$ 365,598,000

Formula levels:

Instruction	
Faculty	72.0%
Support	51.5%
Libraries (New)	
Staffing	50.0%
Binding	100.0%
Resources	60.0%
Student Services	55.8%
Plant	
Variable	60.0%
Fixed	100.0%

Enrollments:

	<u>Senate</u> <u>(OFM 11/15)</u>	<u>Governor</u>	<u>Difference</u>
1979-80			
Academic	45,115	44,919	196
Vocational	44,986	44,739	247
Total	90,101	89,658	443
1980-81			
Academic	45,565	44,915	650
Vocational	46,338	45,639	699
Total	91,903	90,554	1,349
1979-81 Total	182,004	180,212	1,792

Eliminates the tuition and fee increase proposed by the Governor (approximate revenue loss \$7,100,000).

Provides a 1% system-wide tolerance band on the contract enrollment.

Sec. 123 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - ADMINISTRATIVE AND
GENERAL EXPENSE

General Fund-State ----- \$ 2,428,000

Reflects the elimination of two new positions - \$103,620.

Sec. 124 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - INSTRUCTIONAL SERVICES

General Fund-State ----- \$ 197,098,000

General Local Fund-P/L ----- 6,354,000

TOTAL APPROPRIATION ----- \$ 203,452,000

Provides \$7,763,722 for instructional equipment replacement (reflects the 1977-79 line item appropriation plus inflation plus enrollment growth).

Provides \$2,148,319 for small school adjustment -- Peninsula, Grays Harbor, Centralia, OTCC, Lower Columbia, Wenatchee Valley, Big Bend and Whatcom.

Sec. 125 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - LIBRARY SERVICES

General Fund-State ----- \$ 15,962,000

General Local Fund-P/L ----- 402,000

TOTAL APPROPRIATION ----- \$ 16,364,000

A new library formula is adopted implementing the September 1978 CPE recommendations. Formula is simplified and allows for a uniform resource formula percentage -- 60%.

Sec. 126 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - STUDENT SERVICES

General Fund-State ----- \$ 31,284,000

General Local Fund-P/L ----- 804,000

TOTAL APPROPRIATION ----- \$ 32,088,000

The EOP program is funded within the formula as in previous biennia.

Sec. 127 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - INSTITUTIONAL SUPPORT

General Fund-State ----- \$ 45,792,000

General Local Fund-P/L ----- 1,145,000

TOTAL APPROPRIATION ----- \$ 46,937,000

Concur with Governor's budget which provides \$1,457,000 in additional funds for the purchase of a new computer. Operating, maintenance and replacement costs will be funded through the establishment of a local revolving fund.

Sec. 128 STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - PLANT OPERATIONS AND MAINTENANCE

General Fund-State -----	\$ 29,159,000
General Local Fund-P/L -----	727,000
CC Capital Projects Account -----	9,800,000
TOTAL APPROPRIATION -----	<u>\$ 39,686,000</u>

STATE BOARD FOR COMMUNITY COLLEGE EDUCATION - SPONSORED RESEARCH

General Local Fund-P/L -----	\$ 1,158,000
Grants and Contracts Fund-P/L -----	23,486,000
TOTAL APPROPRIATION -----	<u>\$ 24,644,000</u>

Concur with Governor's budget.

Sec. 129 FOUR YEAR INSTITUTIONS OF HIGHER EDUCATION

Enrollments (same as proposed by Governor):

	1978-79 Contract Total FTE's	1979-80 Contract Total FTE's	1980-81 Contract Total FTE's
UW	31,210	31,210	31,210
WSU	16,500	16,500	16,500
CWU	5,852	5,868	5,895
EWU	6,400	6,475	6,575
TESC	2,400	2,300	2,350
WWU	8,500	8,984	9,120

Senate budget includes additional funds for equipment replacement as follows:

	Assumed in Formula	Non- Comparable	Total
UW	\$ 677,090	\$2,046,769	\$2,723,859
WSU	349,746	1,836,550	2,186,296
CWU	127,230	933,116	1,060,346
EWU	142,213	980,195	1,122,408
TESC	48,885	372,339	421,224
WWU	186,751	466,252	653,003
TOTAL	\$1,531,915	\$6,635,221	\$8,167,136

The student services programs fund the equal opportunity categories as a formula item as in prior biennia.

The funded fringe benefit rates include the cost of supplemental TIAA-CREF payments (approximately \$3,114,000).

The contract enrollment methodology employs a tolerance band of 1% for UW and WSU, 2% for CWU, EWU, and WWU and 3% for TESC and also provides review of TESC's enrollment funding level if substantial enrollment increases occur.

A new library formula is adopted implementing the September 1978 CPE recommendations. The formula is simplified and allows a uniform resource formula percentage of 60%.

UW and WSU budgets recognize indirect cost recoveries on the expenditure as well as the revenue side. UW currently expends indirect cost recovery monies, therefore only the incremental dollar increase is funded. At WSU, expenditure of indirect cost recovery monies has not been permitted. Therefore, to treat WSU in the same manner as UW a one-time phased in add of \$2,482,794 in indirect cost recovery monies is included. (In the future only incremental costs will need to be recognized at the universities.)

Local general fund balances except for WSU reflect the balances assumed in the 1977-79 appropriations.

Eliminates funds for former student placement activities funded through the student services formula.

Eliminates the tuition and fee increase proposed by the Governor (approximate revenue loss \$13,900,000).

Assumes funding of the Joint Washington Energy Research Center between the University of Washington and Washington State University.

Sec. 130 UNIVERSITY OF WASHINGTON - INSTRUCTIONAL SERVICES

General Fund-State -----	\$ 185,247,000
Accident Fund -----	839,000
Medical Aid Fund -----	839,000
General Local Fund-P/L -----	52,570,000
TOTAL APPROPRIATION -----	\$ 239,495,000

Sec. 131 UNIVERSITY OF WASHINGTON - LIBRARIES

General Fund-State -----	\$ 19,050,000
General Local Fund-P/L -----	2,561,000
TOTAL APPROPRIATION -----	\$ 21,611,000

Sec. 132 UNIVERSITY OF WASHINGTON - STUDENT SERVICES

General Fund-State -----	\$ 12,114,000
General Local Fund-P/L -----	1,256,000
TOTAL APPROPRIATION -----	\$ 13,370,000

Sec. 133 UNIVERSITY OF WASHINGTON - UNIVERSITY HOSPITAL

General Fund-State -----	\$ 18,645,000
General Local Fund-P/L -----	64,894,000
TOTAL APPROPRIATION -----	<u>\$ 83,539,000</u>

Sec. 134 UNIVERSITY OF WASHINGTON - INSTITUTIONAL SUPPORT

General Fund-State -----	\$ 23,533,000
General Local Fund-P/L -----	12,919,000
TOTAL APPROPRIATION -----	<u>\$ 36,452,000</u>

Sec. 135 UNIVERSITY OF WASHINGTON - PLANT MAINTENANCE AND OPERATION

General Fund-State -----	\$ 14,653,000
General Local Fund-P/L -----	9,301,000
University of Washington Building Account -----	18,000,000
TOTAL APPROPRIATION -----	<u>\$ 41,954,000</u>

UNIVERSITY OF WASHINGTON - SPONSORED RESEARCH

Grants and Contracts Fund-P/L -----	\$ 223,320,000
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Concur with Governor's budget.

Sec. 136 WASHINGTON STATE UNIVERSITY - INSTRUCTIONAL SERVICES

General Fund-State -----	\$ 114,502,000
Federal Appropriation -----	11,106,000
General Local Fund-P/L -----	7,750,000
TOTAL APPROPRIATION -----	<u>\$ 133,358,000</u>

Funding for the animal diagnostic laboratory reflects \$500,000 carry-forward costs plus a \$150,000 program improvement. Includes \$300,000 program improvement and equipment for S.W. Washington Agricultural Research Unit.

Sec. 137 WASHINGTON STATE UNIVERSITY - LIBRARIES

General Fund-State -----	\$ 9,344,000
General Local Fund-P/L -----	732,000
TOTAL APPROPRIATION -----	<u>\$ 10,076,000</u>

Sec. 138 WASHINGTON STATE UNIVERSITY - STUDENT SERVICES

General Fund-State -----	\$ 7,626,000
General Local Fund-P/L -----	362,000
TOTAL APPROPRIATION -----	<u>\$ 7,988,000</u>

Sec. 139 WASHINGTON STATE UNIVERSITY - INSTITUTIONAL SUPPORT

General Fund-State -----	\$	14,461,000
General Local Fund-P/L -----		1,980,000
TOTAL APPROPRIATION -----	\$	<u>16,441,000</u>

Sec. 140 WASHINGTON STATE UNIVERSITY - PLANT OPERATIONS AND MAINTENANCE

General Fund-State -----	\$	19,099,000
Washington State University - Building Account -----		3,500,000
General Local Fund-P/L -----		1,130,000
TOTAL APPROPRIATION -----	\$	<u>23,729,000</u>

WASHINGTON STATE UNIVERSITY - SPONSORED RESEARCH

Grants and Contracts Fund-P/L -----	\$	43,050,000
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Concur with Governor's budget.

Sec. 141 EASTERN WASHINGTON UNIVERSITY - INSTRUCTIONAL SERVICES

General Fund-State -----	\$	28,134,000
General Local Fund-P/L -----		540,000
TOTAL APPROPRIATION -----	\$	<u>28,674,000</u>

Sec. 142 EASTERN WASHINGTON UNIVERSITY - LIBRARIES

General Fund-State -----	\$	2,715,000
General Local Fund-P/L -----		69,000
TOTAL APPROPRIATION -----	\$	<u>2,784,000</u>

Sec. 143 EASTERN WASHINGTON UNIVERSITY - STUDENT SERVICES

General Fund-State -----	\$	2,929,000
General Local Fund-P/L -----		66,000
TOTAL APPROPRIATION -----	\$	<u>2,995,000</u>

Sec. 144 EASTERN WASHINGTON UNIVERSITY - INSTITUTIONAL SUPPORT

General Fund-State -----	\$	5,198,000
General Local Fund-P/L -----		271,000
TOTAL APPROPRIATION -----	\$	<u>5,469,000</u>

Sec. 145 EASTERN WASHINGTON UNIVERSITY - PLANT OPERATIONS AND MAINTENANCE

General Fund-State -----	\$	8,358,000
Eastern Washington University - Capital Projects Account -----		700,000
General Local Fund-P/L -----		112,000
TOTAL APPROPRIATION -----	\$	<u>9,170,000</u>

SPONSORED RESEARCH

Grants and Contracts Fund-P/L ----- \$ 4,300,000

Concur with Governor's budget.

Sec. 146 CENTRAL WASHINGTON UNIVERSITY - INSTRUCTIONAL SERVICES

General Fund-State ----- \$ 24,730,000
General Local Fund-P/L ----- 1,138,000
TOTAL APPROPRIATION ----- \$ 25,868,000

Sec. 147 CENTRAL WASHINGTON UNIVERSITY - LIBRARIES

General Fund-State ----- \$ 3,398,000
General Local Fund-P/L ----- 160,000
TOTAL APPROPRIATION ----- \$ 3,558,000

Sec. 148 CENTRAL WASHINGTON UNIVERSITY - STUDENT SERVICES

General Fund-State ----- \$ 2,902,000
General Local Fund-P/L ----- 130,000
TOTAL APPROPRIATION ----- \$ 3,032,000

Sec. 149 CENTRAL WASHINGTON UNIVERSITY - INSTITUTIONAL SUPPORT

General Fund-State ----- \$ 5,555,000
General Local Fund-P/L ----- 250,000
TOTAL APPROPRIATION ----- \$ 5,805,000

Sec. 150 CENTRAL WASHINGTON UNIVERSITY - PLANT OPERATIONS AND MAINTENANCE

General Fund-State ----- \$ 6,964,000
General Local Fund-P/L ----- 320,000
TOTAL APPROPRIATION ----- \$ 7,284,000

SPONSORED RESEARCH

Grants and Contracts Fund-P/L ----- \$ 4,448,000

Concur with Governor's budget.

Sec. 151 THE EVERGREEN STATE COLLEGE - INSTRUCTIONAL SERVICES

General Fund-State ----- \$ 8,487,000
General Local Fund-P/L ----- 115,000
TOTAL APPROPRIATION ----- \$ 8,602,000

Sec. 152 THE EVERGREEN STATE COLLEGE - LIBRARIES

General Fund-State -----	\$	2,385,000
General Local Fund-P/L -----		21,000
TOTAL APPROPRIATION -----	\$	<u>2,406,000</u>

Sec. 153 THE EVERGREEN STATE COLLEGE - STUDENT SERVICES

General Fund-State -----	\$	1,360,000
General Local Fund-P/L -----		11,000
TOTAL APPROPRIATION -----	\$	<u>1,371,000</u>

The budget reflects carry-forward costs of current expenditures, as enrollments are below the levels designed for the student services formula with the addition of two new positions for recruitment.

Sec. 154 THE EVERGREEN STATE COLLEGE - INSTITUTIONAL SUPPORT

General Fund-State -----	\$	3,367,000
General Local Fund-P/L -----		31,000
TOTAL APPROPRIATION -----	\$	<u>3,398,000</u>

Sec. 155 THE EVERGREEN STATE COLLEGE - PLANT OPERATIONS AND MAINTENANCE

General Fund-State -----	\$	4,535,000
General Local Fund-P/L -----		36,000
TOTAL APPROPRIATION -----	\$	<u>4,571,000</u>

SPONSORED RESEARCH

Grants and Contract Fund-P/L -----	\$	1,079,000
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Concur with Governor's budget.

Sec. 156 THE EVERGREEN STATE COLLEGE - MASTER'S DEGREE

General Fund-State -----	\$	296,000
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Also assumes that the program and expenditures shall be approved by the Council for Postsecondary Education.

Sec. 157 WESTERN WASHINGTON UNIVERSITY - INSTRUCTIONAL SERVICES

General Fund-State -----	\$	33,105,000
General Local Fund-P/L -----		844,000
TOTAL APPROPRIATIONS -----	\$	<u>33,949,000</u>

\$30,000 or as much as may be necessary of the appropriations contained in Section 194 may be expended for the comprehensive plan update.

Sec. 158 WESTERN WASHINGTON UNIVERSITY - LIBRARIES

General Fund-State -----	\$	4,221,000
General Local Fund-P/L -----		163,000
TOTAL APPROPRIATION -----	\$	<u>4,384,000</u>

Sec. 159 WESTERN WASHINGTON UNIVERSITY - STUDENT SERVICES

General Fund-State -----	\$	4,173,000
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Sec. 160 WESTERN WASHINGTON UNIVERSITY - INSTITUTIONAL SUPPORT

General Fund-State -----	\$	6,727,000
General Local Fund-P/L -----		436,000
TOTAL APPROPRIATION -----	\$	<u>7,163,000</u>

Sec. 161 WESTERN WASHINGTON UNIVERSITY - PLANT OPERATIONS AND MAINTENANCE

General Fund-State -----	\$	5,835,000
Western Washington University-Capital Projects Account -		1,400,000
General Local Fund-P/L -----		273,000
TOTAL APPROPRIATION -----	\$	<u>7,508,000</u>

WESTERN WASHINGTON UNIVERSITY - SPONSORED RESEARCH

Grants and Contracts Fund-P/L -----	\$	5,400,000
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Concur with Governor's budget.

Sec. 162 COMPACT FOR EDUCATION

General Fund-State -----	\$	53,000
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Concur with Governor's budget.

Sec. 163 COUNCIL FOR POSTSECONDARY EDUCATION

General Fund-State -----	\$	13,836,000
General Fund-Federal -----		3,515,000
TOTAL APPROPRIATION -----	\$	<u>17,351,000</u>

Senate budget reflects the Governor's recommendation for the extension of current services with adjustments for updated federal revenues, elimination of financial aid dollars related to the proposed tuition and fee increase and the addition of \$350,000 to implement SB 2406 -- displaced homemakers.

Sec. 164 COMMISSION FOR VOCATIONAL EDUCATION

General Fund-State -----	\$	3,243,000
General Fund-Federal -----		21,416,000
TOTAL APPROPRIATION -----	\$	<u>24,659,000</u>

Budget maintains current level plus increases state funds by \$871,000 to meet new federal requirement for 50% state match on state level administration. In addition is 2.0 additional staff years for fire service training and 4.0 additional clerical staff years.

Sec. 165 HIGHER EDUCATION PERSONNEL BOARD

Higher Education Personnel Board Services Fund -----	\$	1,151,000
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Provides current level budget plus the addition of two FTE's over the Governor's level for field support in the areas of salary survey evaluation and job classification analysis.

Sec. 166 STATE LIBRARY

General Fund-State -----	\$	6,343,000
General Fund-Federal -----		2,057,000
General Fund-P/L -----		876,000
Washington Library Network Computer System		
Revolving Fund-P/L -----		7,460,000
TOTAL APPROPRIATION -----	\$	<u>16,736,000</u>

Concur with Governor's budget.

Sec. 167 WASHINGTON STATE ARTS COMMISSION

General Fund-State -----	\$	1,218,000
General Fund-Federal -----		907,000
General Fund-Indian Cultural Center		
Construction Account-State -----		1,000,000
TOTAL APPROPRIATION -----	\$	<u>3,125,000</u>

Restores budget to agency request level with \$10,000 included for official portrait of former Governor Evans.

Sec. 168 WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State -----	\$	531,000
Local Museum Fund -----		33,000
TOTAL APPROPRIATION -----	\$	<u>564,000</u>

Concur with Governor's budget. Budget provides for the extension of current service levels.

Sec. 169 EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund-State -----	\$	495,000
Local Museum Fund -----		75,000
TOTAL APPROPRIATION -----	\$	<u>560,000</u>

Concur with Governor's budget as amended.

Sec. 170 STATE CAPITOL HISTORICAL ASSOCIATION

General Fund-State -----	\$	436,000
General Fund-State Capitol Historical Association Museum Account -----		49,000
TOTAL APPROPRIATION -----	\$	<u>485,000</u>

Concur with Governor's budget.

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME 15:21 PAGE 1 OF 10 TOTAL STATE BUDGET DATE 06/05/79

--OPERATING BUDGET-- -PAG	---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
2 LEGISLAT & JUDICA	47,689	60,857	13,168				169	195	26	47,858	61,052	13,194
LEGISLATIVE	30,470	37,497	7,027				43	195	152	30,513	37,692	7,179
JUDICIAL	17,219	23,360	6,141				127		-127	17,346	23,360	6,014
3 EXECUTIVE	63,782	250,651	186,869	272	48,441	48,169	43,781	110,057	66,275	107,835	409,149	301,313
4 GEN GOV OTHER	348,041	486,649	138,608	71,524	70,229	-1,295	628,317	697,732	69,415	1047,881	1254,609	206,728
5 HUMAN RESOURCES	1041,333	1271,524	230,191	836,640	1033,274	196,634	253,298	164,795	-88,504	2131,271	2469,591	338,320
DSHS	1009,066	1235,119	226,053	716,987	843,741	126,754	43,887	13,434	-30,453	1769,939	2092,293	322,354
VETERANS AFFAIR	11,574	13,386	1,812				1,333	1,593	260	12,907	14,979	2,072
HUMN RESOUR OTH	20,693	23,019	2,326	119,653	189,533	69,880	208,079	149,768	-58,311	348,425	362,319	13,894
6 NAT RESOUR & TRAN	106,324	132,488	26,164	15,074	21,830	6,756	294,854	401,823	106,970	416,252	556,142	139,889
NATURAL RESOURC	91,779	114,362	22,582	14,906	21,830	6,924	184,775	274,880	90,105	291,460	411,072	119,612
TRANSPORTATION	14,545	18,126	3,581	168		-168	110,079	126,944	16,865	124,792	145,070	20,278
TOTAL EDUCATION	2557,243	3423,561	866,318	140,883	252,577	111,694	487,562	546,923	59,361	3185,688	4223,061	1037,373
7 SUP PUBLIC INST	1673,851	2473,410	799,559	117,451	224,682	107,231	16,036	13,992	-2,044	1807,337	2712,083	904,746
8 COMM COLLEGES	287,621	321,723	34,102				46,480	43,876	-2,604	334,101	365,599	31,498
9 FOUR YR INST HE	573,164	602,274	29,110				416,426	478,421	61,994	989,591	1080,695	91,105
10 EDUCATION OTHER	22,608	26,155	3,547	23,432	27,895	4,463	8,619	10,634	2,015	54,659	64,684	10,025
1 TOT STATE BUDGET	4164,411	5625,729	1461,317	1064,392	1426,350	361,958	1707,981	1921,523	213,542	6936,784	8973,598	2036,813
10 SUNY/BLTD CLAIMS	1,650	5,342	3,692	33	4,100	4,067	2	598	597	1,685	10,040	8,356
T-BUD/SUNY/BLTD	4166,062	5631,070	1465,008	1064,424	1430,449	366,025	1707,983	1922,121	214,139	6938,468	8983,638	2045,169

-293-

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME 10:36 PAGE 2 OF 10 LEGISLATIVE AND JUDICIAL DATE 06/05/79

--OPERATING BUDGET-- -SEC	----GENERAL FUND STATE----			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
* TOTAL LEGISLATI	30,470	37,497	7,027				43	195	152	30,513	37,692	7,179
002 HOUSE OF REP	13,548	16,728	3,180							13,548	16,728	3,180
003 SENATE	11,473	14,300	2,827							11,473	14,300	2,827
004 LEGIS BUDGET CO	913	1,247	334							913	1,247	334
005 LEAP COMMITTEE	834	1,295	461							834	1,295	461
006 STATE ACTUARY	249	301	52							249	301	52
007 STATUTE LAW COM	3,453	3,626	173				43	195	152	3,496	3,821	325
* TOTAL JUDICIAL	17,219	23,360	6,141				127		-127	17,346	23,360	6,014
008 SUPREME COURT	4,116	5,306	1,190							4,116	5,306	1,190
009 LAW LIBRARY	1,103	1,386	283							1,103	1,386	283
010 COURT OF APPEAL	4,657	6,130	1,473							4,657	6,130	1,473
011 COURT ADMR	7,136	10,313	3,177				127		-127	7,263	10,313	3,050
012 JUDICIAL COUNCI	207	225	18							207	225	18
* TOTAL LEG & JUD	47,689	60,857	13,168				169	195	26	47,858	61,052	13,194

-706-

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME	GENERAL GOVERNMENT EXECUTIVE											DATE	
10:39	PAGE 3 OF 10											06/05/79	

--OPERATING BUDGET--	---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----			
-SEC	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	
.....													
013	OFF OF GOV	2,487	2,704	217	41	-41	522		-522	3,050	2,704	-346	
014	SPEC APP TO GOV	748	176,404	175,656		24,060	24,060		61,265	61,265	748	261,729	260,981
015	LT GOVERNOR	170	204	34						170	204	34	
016	SECRETARY OF ST	3,236	3,705	469						3,236	3,705	469	
017	INDIAN ADVISORY	152	147	-5			23		-23	175	147	-28	
018	ASIAN-AM ADV CN	95	121	26						95	121	26	
019	MEXICAN-AM AFFA	108	124	16						108	124	16	
020	STATE TREASURER	33	10	-23			3,252	3,838	586	3,285	3,848	563	
021	STATE AUDITOR	5,207	6,041	834	231	300	69	200	232	32	5,638	6,573	935
295- 21A	GAMBLING COMM							2,359	2,840	481	2,359	2,840	481
022	ATTORNEY GENERA	2,355	3,355	1,000				13,114	15,034	1,920	15,469	18,389	2,920
023	OFF FINANCIAL M	6,727	10,949	4,222		24,081	24,081				6,727	35,030	28,303
024	DEPT OF PERSONN		263	263				7,536	8,365	829	7,536	8,628	1,092
025	STATE CAPITOL C							20	20		20	20	
026	DATA PROCESS AU	1,009	1,023	14							1,009	1,023	14
027	DEFERRED COMP C		35	35								35	35
028	ST FINANCE COM							832	991	159	832	991	159
029	DEPT OF REVENUE	27,138	29,298	2,160				2,214	2,560	346	29,352	31,858	2,506
030	TAX APPEALS BRD	668	718	50							668	718	50
031	DEPT OF GEN ADM	8,515	9,526	1,011				13,460	14,649	1,189	21,975	24,175	2,200
032	PRESIDENTIAL EL		1	1								1	1
033	INSURANCE COMMR	5,133	6,023	890				249	263	14	5,382	6,286	904
* TO EXECUTIVE		63,782	250,651	186,869	272	48,441	48,169	43,781	110,057	66,275	107,835	409,149	301,313

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME 10:41 PAGE 4 OF 10 GENERAL GOVERNMENT OTHER DATE 06/05/79

---OPERATING BUDGET--- -SEC	----GENERAL FUND STATE----			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
034 STATE REVS FOR	103,863	134,292	30,429				274,145	302,687	28,542	378,008	436,979	58,971
035 FEDERAL REVS FO				82	76	-6	59,572	64,498	4,926	59,654	64,574	4,920
036 BOND RETIRE & I							222,664	249,856	27,192	222,664	249,856	27,192
037 PUB DISCLOSURE	763	892	129							763	892	129
038 DEPT RETIREMENT	235,636	341,853	106,217	69,000	67,500	-1,500	4,863	6,610	1,747	309,498	415,963	106,465
039 MUN RESEARCH CN	792	880	88							792	880	88
040 UNIFORM LEG COM	20	21	1							20	21	1
041 ST BRD OF ACCTN	392	517	125							392	517	125
042 ATHLETIC COMM	50	56	6							50	56	6
043 CEMETERY BOARD							42	68	26	42	68	26
044 HORSE RACING CO							1,521	1,752	231	1,521	1,752	231
045 LIQUOR CONTROL							49,388	58,425	9,037	49,388	58,425	9,037
046 PHARMACY BOARD	655	828	173							655	828	173
047 UTILITY & TRANS							10,822	13,734	2,912	10,822	13,734	2,912
048 VOL FIREMEN BOA							91	102	11	91	102	11
049 DEPT EMERGENCY	483	651	168	1,913	2,048	135	5,210		-5,210	7,606	2,699	-4,907
050 MILITARY DEPT	4,500	5,485	985	529	605	76				5,029	6,090	1,061
051 PUB EMPL REL CO	888	1,174	286							888	1,174	286
* TOT GEN GOV OTH	348,041	486,649	138,608	71,524	70,229	-1,295	628,317	697,732	69,415	1047,881	1254,609	206,728

196

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME	HUMAN RESOURCES										DATE	
10:43	PAGE 5 OF 10										06/05/79	

--OPERATING BUDGET--	----GENERAL FUND STATE----			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
-SEC	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
.....												
52 * TOTAL DSHS	1009,066	1235,119	226,053	716,987	843,741	126,754	43,887	13,434	-30,453	1769,939	2092,293	322,354
053 ADULT CORRECTIO	91,738	114,004	22,266							91,738	114,004	22,266
054 JUVENILE REHABI	48,134	53,665	5,531	747	747					48,881	54,412	5,531
055 MENTAL HEALTH	71,723	98,559	26,836	9,698	17,184	7,486	1,174	2,119	945	82,595	117,862	35,267
056 DEVELOPMENTAL D	84,822	99,439	14,617	30,995	61,900	30,905	15,027		-15,027	130,844	161,339	30,495
058 NURSING HOMES	89,098	122,273	33,175	94,673	121,595	26,922				183,771	243,868	60,097
059 INCOME MAINTENA	247,001	314,749	67,748	175,705	205,932	30,227	3,934		-3,934	426,641	520,681	94,040
060 COMMUNITY SOCIA	60,532	79,755	19,223	56,371	65,624	9,253	2,911	100	-2,811	119,814	145,479	25,665
061 MEDICAL ASSISTA	180,730	201,114	20,384	140,231	148,435	8,204	1,095		-1,095	322,056	349,549	27,492
062 PUBLIC HEALTH	22,731	20,556	-2,175	55,756	49,745	-6,011	15,446	11,214	-4,232	93,933	81,515	-12,418
063 VOCATIONAL REHA	5,640	7,196	1,556	31,549	35,741	4,192	11		-11	37,200	42,937	5,737
064 ADMIN/SUPPORTIN	44,834	52,875	8,041	33,432	33,837	405	439		-439	78,705	86,712	8,007
065 COMMUNITY SERVI	62,085	70,935	8,850	87,828	103,001	15,173	3,849		-3,849	153,762	173,936	20,174
67 * VETERANS AFFAIR	11,574	13,386	1,812				1,333	1,593	260	12,907	14,979	2,072
* TOT HUM RES OTH	20,693	23,019	2,326	119,653	189,533	69,880	208,079	149,768	-58,311	348,425	362,319	13,894
068 PLAN & COMM AFFAI	3,808	3,976	169	112,986	10,024	-102,962	1,768		-1,768	118,561	14,000	-104,561
069 HUMAN RIGHTS COMM	2,255	2,967	712	107	340	233	269		-269	2,631	3,307	676
070 IND INS APPEALS B		82	82				2,533	3,051	518	2,533	3,133	600
071 CRIM JUST TRNG CM	110		-110				2,330	3,783	1,453	2,440	3,783	1,343
072 DEPT L & I	7,117	7,778	661	71	110	39	51,675	60,085	8,410	58,863	67,973	9,110
073 PRISON TERMS & PA	1,649	1,984	336							1,649	1,984	336
074 HOSPITAL COMM		326	326	646	528	-118	688	557	-131	1,334	1,411	77
075 DEPT EMPLOY SECUR	3,623	3,083	-540	332	173,441	173,109	148,814	82,292	-66,522	152,770	258,816	106,046
076 COMM FOR BLIND	1,968	2,463	495	5,512	5,090	-422				7,480	7,553	73
077 JAIL COMMISSION	164	360	196							164	360	196
* TOTAL HUM RESOU	1041,333	1271,524	230,191	836,640	1033,274	196,634	253,298	164,795	-88,504	2131,271	2469,591	338,320

-297-

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME		NATURAL RESOURCES & TRANSPORTATION										DATE	
10:44		PAGE 6 OF 10										06/05/79	

--OPERATING BUDGET--		---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
-SEC		CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
.....													
* TOTAL NAT RESOU		91,779	114,362	22,582	14,906	21,830	6,924	184,775	274,880	90,105	291,460	411,072	119,612
078 STATE ENERGY OF		805	1,021	216	1,542	5,140	3,598	2,055		-2,055	4,402	6,161	1,759
079 OCEANOGRAPHIC C		308	384	77							308	384	77
080 COL RIV GORGE C		4	5	1		26	26	41		-41	45	31	-14
081 DEPT OF ECOLOGY		16,679	18,212	1,533	8,395	8,907	512	53,382	119,853	66,471	78,456	146,972	68,516
082 POLLUTION CONT		477	542	65							477	542	65
083 ENERGY FAC SITE		432	505	73				593	863	270	1,025	1,368	343
084 SHORELINES HRNG		22	41	19							22	41	19
085 PARKS & RECREAT		21,142	24,749	3,607	216	100	-116	3,670	3,714	44	25,028	28,563	3,535
086 ARCH/HIST PRESE			100	100	94	2,340	2,246	1,977	432	-1,545	2,071	2,872	801
087 OUTDR RECREATIO								10,320	27,997	17,677	10,320	27,997	17,677
088 COMM & EC DEVEL		3,338	3,777	439	105	213	108	635	430	-205	4,078	4,420	342
089 DEPT OF FISHERI		24,568	35,288	10,720	2,736	4,154	1,418	3,968	2,025	-1,943	31,272	41,467	10,195
090 DEPT OF GAME		21	29	8				31,839	34,584	2,745	31,860	34,613	2,753
091 NATURAL RESOURC		17,308	21,652	4,344	1,818	452	-1,366	60,576	67,726	7,150	79,702	89,830	10,128
092 FOREST PRACT AP		63	68	5							63	68	5
093 DEPT OF AGRICUL		6,613	7,989	1,376		498	498	15,719	17,256	1,537	22,332	25,743	3,411
* TOTAL TRANSPORT		14,545	18,126	3,581	168		-168	110,079	126,944	16,865	124,792	145,070	20,278
094 STATE PATROL		8,508	9,994	1,486	168		-168	62,456	69,897	7,441	71,132	79,891	8,759
095 VEH EQUIP SAFET								7	8	1	7	8	1
096 TRAFFIC SAFETY								4,081	8,149	4,068	4,081	8,149	4,068
097 DEPT OF LICENSI		6,037	8,132	2,095				43,356	48,700	5,344	49,393	56,832	7,439
098 CNTY ROAD ADMIN								179	190	11	179	190	11
* TOTAL NR & TRAN		106,324	132,488	26,164	15,074	21,830	6,756	294,854	401,823	106,970	416,252	556,142	139,889

-298-

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME 15:22 PAGE 7 OF 10 SUPERINTENDENT OF PUBLIC INSTRUCTION DATE 06/05/79

--OPERATING BUDGET--		---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
-SEC		CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
099	SPI ADMIN	10,445	11,906	1,461	5,333	6,288	955	3,124	378	-2,746	18,902	18,572	-330
100	GEN APPORTIONME	1394,345	2098,372	704,027							1394,345	2098,372	704,027
108	TRANSPORTATION	105,992	145,847	39,855							105,992	145,847	39,855
109	VOC-TECH INSTIT	30,031	34,706	4,675							30,031	34,706	4,675
110	FOOD SERVICES	7,820	6,497	-1,323	49,184	60,893	11,709				57,003	67,390	10,387
111	HANDICAPPED	92,481	124,545	32,064	12,453	26,521	14,068	145		-145	105,079	151,066	45,987
112	TRAFFIC SAFETY							12,766	13,614	848	12,766	13,614	848
113	EDUC SERVICE DI	6,800	9,386	2,586							6,800	9,386	2,586
114	SPEC NEEDS PROG	11,662	26,300	14,638		6,000	6,000				11,662	32,300	20,638
115	INST EDUCATION	12,003	13,330	1,327	2,169	3,316	1,147				14,172	16,646	2,474
116	CULTURAL ENRICH	989	1,501	512							989	1,501	512
117	PACIFIC SCIENCE	261	300	39							261	300	39
118	CONP PLAN & EVA	668	144	-524							668	144	-524
119	FEDERAL EDUCAT				72,533	97,443	24,910	1		-1	72,535	97,443	24,908
120	ENVIR EDUCATION	354	576	222							354	576	222
121	ENCUMB FED GRAN				-24,221	24,221	48,442				-24,221	24,221	48,442
	* TOTAL SPI	1673,851	2473,410	799,559	117,451	224,682	107,231	16,036	13,992	-2,044	1807,337	2712,083	904,746

-299-

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME 10:48 PAGE 8 OF 10 COMMUNITY COLLEGE EDUCATION DATE 06/05/79 *****

Table with columns: --OPERATING BUDGET-- -SEC, ---GENERAL FUND STATE--- CURRENT LEG DIFF, ---GENERAL FUND FEDERAL--- CURRENT LEG DIFF, -----ALL OTHER FUNDS----- CURRENT LEG DIFF, -----TOTAL ALL FUNDS----- CURRENT LEG DIFF. Rows include 123 OFF ADMIN, 124 INSTRUCT SERV, 125 LIBRARIES, 126 STUDENT SERVI, 127 INSTITUTIONAL, 128 PLANT OPERATI, SPONSORED RES, and *TOTAL CC COLL.

SENATE WAYS AND MEANS

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME	HIGHER EDUCATION											DATE
10:58	PAGE 9 OF 10											06/05/79

--OPERATING BUDGET--	---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----		
-SEC	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF
.....												
* TOTAL UW	279,057	273,242	-5,816				334,865	386,499	51,633	613,922	659,740	45,818
130 INSTRUCT SERV	171,814	185,247	13,433				51,131	54,248	3,117	222,946	239,495	16,549
131 LIBRARIES	17,565	19,050	1,485				3,493	2,561	-932	21,058	21,611	553
132 STUDENT SERVI	10,097	12,114	2,017				1,246	1,256	-690	12,043	13,370	1,327
133 HOSPITALS	17,596	18,645	1,049				58,819	64,894	6,075	76,414	83,539	7,125
134 INSTITUTIONAL	27,162	23,533	-3,629				8,507	12,919	4,412	35,669	36,452	783
135 PLANT OPERATI	34,823	14,653	-20,170				7,060	27,301	20,240	41,684	41,954	70
SPONSORED RES							203,910	223,320	19,410	203,910	223,320	19,410
* TOTAL WS	146,210	163,659	17,449				60,792	69,610	8,818	207,002	233,269	26,267
136 INSTRUCT SERV	100,325	113,786	13,461				18,850	18,856	6	119,175	132,642	13,467
137 LIBRARIES	8,116	9,344	1,228				867	732	-135	8,983	10,076	1,093
138 STUDENT SERVI	6,262	6,969	707				551	362	-189	6,812	7,331	519
139 INSTITUTIONAL	12,261	14,461	2,200				1,538	1,980	442	13,799	16,441	2,642
140 PLANT OPERATI	19,247	19,099	-148				872	4,630	3,758	20,119	23,729	3,610
SPONSORED RES							38,114	43,050	4,936	38,114	43,050	4,936
* TOTAL EW	41,488	47,334	5,846				5,515	6,058	543	47,003	53,392	6,389
141 INSTRUCT SERV	24,231	28,134	3,903				461	340	-79	24,693	28,674	3,981
142 LIBRARIES	2,437	2,715	278				72	69	-3	2,509	2,784	275
143 STUDENT SERVI	2,576	2,929	353				146	66	-80	2,721	2,995	274
144 INSTITUTIONAL	4,710	5,198	488				249	271	22	4,959	5,469	510
145 PLANT OPERATI	7,534	8,358	824				87	812	725	7,620	9,170	1,550
SPONSORED RES							4,500	4,300	-200	4,500	4,300	-200
* TOTAL CW	38,407	43,549	5,142				6,639	6,446	-193	45,046	49,995	4,949
146 INSTRUCT SERV	22,398	24,739	2,341				789	1,138	349	23,187	25,869	2,681
147 LIBRARIES	2,953	3,398	445				116	160	44	3,069	3,552	483
148 STUDENT SERVI	2,560	2,992	432				142	130	-12	2,802	3,032	230
149 INSTITUTIONAL	4,558	5,558	999				131	250	119	4,689	5,805	1,116
150 PLANT OPERATI	5,839	6,923	1,084				230	320	90	6,070	7,284	1,214
SPONSORED RES							5,230	4,448	-782	5,230	4,448	-782
* TOTAL ES	18,794	20,430	1,636				1,709	1,293	-416	20,503	21,721	1,218
151 INSTRUCT SERV	8,381	8,487	106				121	115	-6	8,502	8,602	100
152 LIBRARIES	2,487	2,585	98				58	21	-38	2,546	2,406	-140
153 STUDENT SERVI	1,141	1,358	217				77	11	-66	1,235	1,371	136
154 INSTITUTIONAL	3,063	3,307	307				77	31	-46	3,137	3,398	261
155 PLANT OPERATI	4,025	4,835	810				26	36	10	4,051	4,571	520
SPONSORED RES							1,332	1,079	-253	1,332	1,079	-253
156 MASTERS PROG		296	296								296	296
* TOTAL WW	49,208	54,061	4,853				6,907	8,516	1,609	56,116	62,577	6,461
157 INSTRUCT SERV	29,710	33,105	3,395				1,189	844	-345	30,898	33,949	3,051
158 LIBRARIES	3,432	4,221	789				147	163	76	3,579	4,384	805
159 STUDENT SERVI	3,465	4,173	708				140		-140	3,605	4,173	568
160 INSTITUTIONAL	6,147	6,727	580				389	436	47	6,536	7,163	627
161 PLANT OPERATI	6,454	5,835	-619				224	1,673	1,449	6,679	7,508	829
SPONSORED RES							4,818	5,400	582	4,818	5,400	582
	573,164	602,274	29,110				416,426	478,421	61,994	989,591	1080,695	91,105

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME	GENERAL EDUCATION OTHER											DATE	
11:01	PAGE 10 OF 10											06/05/79	

--OPERATING BUDGET--	---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			-----ALL OTHER FUNDS-----			-----TOTAL ALL FUNDS-----			
-SEC	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	CURRENT	LEG	DIFF	
.....													
162	COMPACT FOR EDU	34	53	19						34	53	19	
163	CNCL POSTSEC ED	12,589	13,836	1,247	2,289	3,515	1,226	151		-151	15,029	17,351	2,322
164	COMM FOR VOC ED	2,151	3,243	1,092	18,077	21,416	3,339	2,869		-2,869	23,097	24,659	1,562
165	HE PERSONNEL BR							991	1,151	160	991	1,151	160
166	STATE LIBRARY	5,789	6,343	554	2,255	2,057	-198	4,431	8,336	3,905	12,475	16,736	4,261
167	STATE ARTS COMM	702	1,218	516	811	907	96	35	1,000	965	1,548	3,125	1,577
168	ST HIST SOCIETY	496	531	35				37	33	-4	533	564	31
169	E WA ST HIST SO	437	495	58				59	65	6	496	560	64
170	ST CAPITOL HIST	410	436	26				46	49	3	456	485	29
	* TOT EDUCAT OTHE	22,608	26,155	3,547	23,432	27,895	4,463	8,619	10,634	2,015	54,659	64,684	10,025
	SUNY/BLTD CLAIMS	1,650	5,342	3,692	33	4,100	4,067	2	598	597	1,685	10,040	8,356

-302-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

150

GENERAL ADMINISTRATN

DATE 06/07/79

PAGE 1

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
REMODEL INSURANCE BLDG PHASE II	986,000	
AIR COND WEST CAMPUS BLDGS	687,000	
CAPITOL CAMPUS CEN CONT MONITERING	300,000	
COMPLETE CONST OFF BLDG NO 2	35,000	
REHABILITATE CAPITOL LAKE	176,000	
REMODEL LEGISLATIVE FACILITIES	12,000	
REMODEL CAMPUS BLDG ACESS HANDICAP	60,000	
MODULAR OFFICE SPACE		7,000,000
OLD CAPITOL BUILDING REPAIRS	3,558,000	713,000
INSURANCE BLDG RENOVATION	554,000	834,000
CAP CAMPUS SAF/CIR/MASTER PLAN IMPL	532,000	277,000
OFF BLDG #2, CONTR CLAIM DEFENSE		250,000
OMNIBUS REQ (20) MISC PROJECTS	300,000	885,000
CLEAN, SEAL LEGISLATIVE BLDG		357,000
OMNIBUS REQ MECH & ELEC (14) PROJ		951,000
MAJOR ELECTRICAL REWIRE OLD BLDGS		2,722,000
ELEVATOR & ESCALTOR REPRS & MODIF		506,000
OFF BLDG #2, COMPUTER AREA REQUIRE		
REPLACE POWER HOUSE EQUIPMENT		126,000
REPLACE AIR COND UNITS IN ARCHIVES		
CORR GARAGE & PLAZA LEAKS PHASE I		590,000
CAPITOL LAKE RECREATION AREA		60,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

150

GENERAL ADMINISTRATN

DATE 06/07/79

PAGE 2

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
REDUCE LIGHTING LEVELS - ENERGY SAV		
EXEC OFF BLDG - OFF/PARKING		
GENERAL OFFICE BUILDING		1,800,000
SPOKANE STATE OFFICE BLDG		
STUDY - SEATTLE OFFICE BLDG		
STATE LIBRARY ADDITION - PHASE I		
CAPITOL VISITOR CENTER		266,000
DEVEL OF CAPITOL CAMPUS MASTER PLAN		
SECTION 504 HANDICAP COMPLIANCE		290,000
LEGISLATIVE CHAMBERS ART WORK		200,000
*TOTAL PROJECTS	7,200,000	17,827,000

-304-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

225

WASH STATE PATROL

DATE 06/07/79

PAGE 3

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
DIST V HEADQUARTERS-VANCOUVER	150,000	56,000
MULTI-PURPOSE BLDG - SHELTON		
PORT ENTRY WEIGH STA, I-82 PLYMOTH		320,000
VIN INSPECTION BLDG - KENNEWICK		102,000
DIST VI HEADQUARTERS-WENATCHEE		
THIRD DORMITORY - SHELTON		
MINOR CAPITAL IMPROVEMENTS		165,000
MOB RADIO RELAY-REPAIR, MAINTAIN EXI		
MOB RADIO RELAY SITES-NEW		3,000
MOB RADIO RELAY-GARD, PULL, BL. MTN.		2,000
MOB RAD RELAY-IMPROVEMENTS		27,000
WEIGH STAT RELOCAT - MT. VERNON		82,000
FIRING RANGE - TRAINING ACADAMEY		
DETACHMENT OFFICE - PORT ANGELES		
DETACHMENT OFFICE - MT. VERNON		
GAS DISPENS, LANDSCAP, PAV-MOSES LAKE		
WEIGH STAT RELOCAT - BUCKLEY		
PURSUIT DRIV TRNG CRSE-ACADEMY		
*TOTAL PROJECTS	150,000	757,000

(HB516)

245

MILITARY DEPARTMENT

DATE 06/07/79

PAGE 4

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
PRE-CONSTR FED FUNDED PROJECTS	10,000	
CONST CAMP MURRAY ARMORY, TACOMA	225,000	
LAND ACQUISTION VANCOUVER ARMORY	100,000	
MINOR REHABILITATION OF FACILITIES	92,000	70,000
SCHEMATIC PLANNING		20,000
REPLACE FURNACE BURNERS (ARMORIES)		59,000
NEW ADD HDQ BLDG AT CAMP MURRAY		
ACQUISTION SITE WALLA-WALLA ARMORY		138,000
HEATING/REPAIRS TACOMA ARMORY		200,000
*TOTAL PROJECTS	427,000	467,000

-306-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 300XX DSHS-HEADQUARTERS

DATE 06/07/79
PAGE 5

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CONSTR,EQUIP COMM SOC & HEALTH FACL	4,200,000	
CONTIG EXPRNSES DSHS CONSTR PROJECT	5,000	
ENERGY CONSERV & SOLAR HEATING	130,000	
CONVERT EXISTING NOTHERN ST HOSP	1,000,000	
UTILITIES & FACILITIES OMNIBUS	300,000	2,458,000
CONTINGENCIES		
PREPLANN FUNDS FUTURE CONSTR PROJ	103,000	750,000
MEDICAL LAKE NEW WELL & TRANSM LINE		520,000
SECTION 504 HANDICAP COMPLIANCE		562,000
*TOTAL PROJECTS	5,738,000	4,290,000

(HB516) 30010 DSHS-ADULT CORRECTION

DATE 06/07/79

PAGE 6

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CONST,EQUIP 500-BED MED SEC FAC		5,429,000
CONST,EQUIP ONE 100-BED HONOR CAMP	3,260,000	
WORK TRAINING FACIL GEIGER FIELD	600,000	
FOOD SERV & KITCHEN AREAS (WSP)	1,993,000	
REMODEL DENTAL AREAS (W.S.P)	145,000	
IMPRV SEC/FAC/UTIL (WSP)		5,924,000
MED.CUSTODY CONVERS 300 BEDS (WSP)	100,000	5,275,000
CONVERT TO MIN.CUSTODY 100BEDS(WSP)	321,000	1,073,000
CORR FIRE & SAFETY DEFIC II (WSP)	23,000	749,000
RENOVATE & EXPAND INDUST BLDG (WSP)		719,000
REMODEL SHOWERS WINGS 6 & 8 (WSP)		402,000
MAX SECURITY FACILITY (WSR)	8,342,000	1,654,000
CORR FIRE & SAFETY DEFIC II (WSR)	350,000	1,304,000
RENOVATE VIST/DINE/RECREATION (WSR)		1,524,000
RESTORATION PERIMETER WALLS (WSR)		617,000
PURCHASE PRE-FABRICATED BLDG (WSR)		386,000
ELECTR PERIMETER SECURITY SYS WCC	300,000	
CONST,EQUIP 120-BED MED CUST (WCC)	42,000	3,361,000
REROOFING AT WCC & PTC (WCC & PTC)	528,000	458,000
CONST,EQUIP MULTIPURP BLDG (PLCC)		248,000
*TOTAL PROJECTS	16,004,000	29,123,000

-308-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

30020 DSHS-JUVENILE REHABIL

DATE 06/07/79

PAGE 7

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CONST,EQUIP TWO GROU'P HOMES		423,000
EXPAND & UPGRADE WATER SYSTEM(MCYC)	44,000	
REMODEL DORMITORY (MCYC)	13,000	293,000
RENV STEAM PLANT,REPLC BOILER(MLS)	24,000	2,965,000
MULTI-SERVICE BLDG (MLS)		2,640,000
REPAIR ROOF, MAPLE LANE SCHOOL		321,000
PIPE & SAFETY IMPROV MAPLE LANE SCH		318,000
SECURITY WINDOWS, MAPLE LANE SCHOOL		231,000
REPAIR ROOF, GREEN HILL SCHOOL		502,000
ACADEMIC/VOCAT/GYM BLDG (NYC)		1,851,000
*TOTAL PROJECTS	81,000	9,544,000

(HB516) 30030 DSHS-MENTAL HEALTH

DATE 06/07/79

PAGE 8

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CONSTR,EQUIP MH WING C.O. HOSPITAL	466,000	
IMPRV SEC MENTALLY ILL FACIL (ESH)	50,000	
CNSTR,EQUIP 130-NON-OFFNDRS BED(ESH)	100,000	12,035,000
RENOVATE FOR ACCREDITATION (ESH)		487,000
RENOVATE FOR ACCREDITATION (WSH)	1,200,000	
PREL DESGN ELEVATED WATER TWR (WSH)	40,000	
CONSTR FUEL STOR & CONVEYER (WSH)	350,000	230,000
CNSTR,EQUIP 225-NON-OFFNDRS BED(WSH)	372,000	21,293,000
REPAIR ROOFS (WSH)		1,031,000
*TOTAL PROJECTS	2,578,000	35,076,000

-310-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

30040 DSHS-DEVEL DISABILIT

DATE 06/07/79

PAGE 9

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
REPR & UPGR UTILITIES PHASE III(FS)	1,075,000	2,415,000
ENCLOSE COURTYARDS (FS)	10,000	136,000
RENOVATE LAUNDRY, FIRCREST SCHOOL		422,000
RENOVATE HEATING & VENTL INTERLAKE		527,000
UPGRADE UTIL & COMPLETE PHASE I(RS)	1,400,000	
PHASE II, RAINIER SCHOOL		10,344,000
REPAIR ROOF, RAINIER SCHOOL		564,000
REPR ROOF CEREBRAL PALSY CENTER(RS)		379,000
SUPPL PHASE I (LV)	500,000	1,412,000
PHASE II, LAKELAND VILLAGE		9,421,000
DESIGN FUNDS, YAKIMA VALLEY SCHOOL		1,546,000
DESIGN/CONSTRUCT ONE COTTAGE(FHMCC)		1,167,000
RENV FACILITIES & UTIL SYSTEM (SB)	219,000	
RENV KITCHN, PRIM AREA, ADM BLDG (SB)	1,000	
RENOVATE PRIMARY & ADMIN BLDGS (SB)		619,000
NEW WATER SERVICE (SB)		139,000
SAFETY IMP & SEC POWER SOURCE (SD)	79,000	381,000
SITE DEV, COMM DD TRAINING CENTER		500,000
*TOTAL PROJECTS	3,284,000	29,972,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

305

VETERANS AFFAIRS

DATE 06/07/79

PAGE 10

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
FIRE, SAFETY & HEALTH IMPROVEMENTS	2,557,000	
SOLDIERS HOME, REPL COAL BOILERS	119,000	758,000
PREPLAN GARFIELD BARRACKS, SH		
SOLDIERS HOME SPRINKLER SYSTEM		222,000
VETERANS HOME LAUNDRY FACILITY		1,094,000
ACTIVITIES THERAPY FACILITIES, VH		347,000
REPAIR & IMPRV FACILITIES OMNIBUS		705,000
*TOTAL PROJECTS	2,676,000	3,126,000

- 212 -

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

317

JAIL COMMISSION

DATE 06/07/79

PAGE 11

PROJECT NAME & LOCATION

RE-APPROP
1979-81

NEW-APPROP
1979-81

CONSTRUCT & RENOVATE JAILS

106,000,000

*TOTAL PROJECTS

106,000,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

345

STATE BOARD OF EDUC

DATE 06/07/79

PAGE 12

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
PUBLIC SCH BLDG 1975 CONSTRUCTION	6,000,000	
PUBLIC SCH BLDG 1977 CONSTRUCTION	70,000,000	
SCHOOL COST STABILIZATION 1977 PROG	123,000	
PUBLIC SCHOOL BUILDING		310,000,000
SECTION 504 HANDICAP COMPLIANCE		8,000,000
*TOTAL PROJECTS	76,123,000	318,000,000

-21A-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 352 ST BD COMM COLL EDUC

DATE 06/07/79

PAGE 13

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CONTINUING COMM COLL PROJECTS	5,290,000	
ROOF REPAIR/RECONSTRUCT (6)		2,083,000
COMPLETION 1977 PROJECTS (3)		2,209,000
REPAIR/MINOR IMPROVEMENT FUND		1,949,000
EMERG CAP REPAIR FUND		500,000
EMERGEN ROOF REPAIR FUND		800,000
CAMPUS MASTER PLANNING FUND		200,000
ADMINISTER RELOCATABLE POOL FUND		
FACILITY QUALITY SURVEY		
SAFETY PROJECTS (3)		538,000
MINOR PROJECTS (18)		2,305,000
MINOR UTILITY PROJECTS (4)		250,000
MAJOR UTILITY PROJECTS (5)		2,005,000
FEASIBILITY STUDIES (3)		104,000
TECH-SCIENCE COMPLEX-SHORELINE CC		2,043,000
INDUSTRIAL ELECTRON LAB-PENINSULA C		500,000
PHASE I ADDITION-OTCC		652,000
PE FACILITY-N SEATTLE CC		267,000
DUWAMISH VOC - SO SEATTLE		3,070,000
VOC/MAINT FACILITY-CENTRALIA COLL		3,528,000
VOC/OFFICE COMPLEX-LOW COLUMB COLL		4,331,000
BUSINESS/OCCUPATIONS-SPOKANE		

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 352 ST BD COMM COLL EDUC

DATE 06/07/79

PAGE 14

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
AG TECH/CROPLAND-WALLA WALLA CC		
PURCHASE/REMODEL DORM-OLYMPIC COLL		
ALLIED HLTH/SCIENCE WENATCHEE V		
PE FACILITY-SEATTLE CENTRAL CC		
CLASSROOM/LAB ADDITION-FT STEILACOO		
ADMIN ADDITION/REMODEL-EVERETT CC		
PE/ADDITORIUM-COLUMBIA BASIN COLLEG		
WAREHOUSE/MAINT FACILITY-BELLEVUE C		
SAFETY/CODE COMPLIANC-SPOKANE FALLS		
AUDITORIUM/OFFICES-YAKIMA VALLEY CO		
STUDENT CENTER-TACOMA CC		
PURCHASE INSTRUC T FACIL-WALLA WALLA		
PERFORMING ARTS-EDMONDS CC		
PE ADDITION-SKAGIT VALLEY COLLEGE		
MUSIC/OFFICE BLDG-GREEN RIVER CC		
BUSINESS OCCUP BLDG-CLARK COLLEGE		
APPRENTICE FACILITY-COLUMBIA BASIN		
VOCATIONAL FACILITIES-S SEATTLE CC		
FOOD SERVICE FACILITIES-HIGHLINE CC		
PE ADDITION-TACOMA COMMUNITY COLLEG		
LRC ADDITION/REMODEL-SKAGIT VALLEY		
SCIENCE ADDITION-SPOKANE FALLS CC		

916

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 352 ST BD COMM COLL EDUC

DATE 06/07/79

PAGE 15

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
STUDENT CENTER ADDIT/REMODEL-OLYMPI		
MAINT/STORAGE BLDG-TACOMA CC		
PURCHASE DORM-YAKIMA VALLEY COLLEGE		
PREPLANN 1981 PROJECTS		
PE FACILITY - BIG BEND		2,500,000
MINOR PROJECTS - OLYMPIC		375,000
SECTION 504 HANDICAP COMPLIANCE		4,329,000
*TOTAL PROJECTS	5,290,000	34,538,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

354

COMM FOR VOCATIONAL

DATE 06/07/79

PAGE 16

PROJECT NAME & LOCATION

RE-APPROP
1979-81

NEW-APPROP
1979-81

PLAN/DESIGN FIRE SERV TRAIN CENTER

*TOTAL PROJECTS

-318-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

360

UNIVERSITY OF WASH

DATE 06/07/79

PAGE 17

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
BAGLEY HALL RENOVATION PHASE III	4,350,000	
HEALTH SCIENCES BLDG RENV PHASE V	2,800,000	
EDMUNDSON PAVILION EXPANSION	395,000	
SOCIAL WORK/SPEECH & HEARING SC BLD	5,200,000	
UTILITIES/SERV/REPR & IMPROVEMENTS	1,450,000	
UNIVERSITY HOSPITAL EXPANSION	180,000	
REPAIRS & IMPROVEMENTS		9,934,000
DECENTRALIZATION & TRAFFIC IMPRVMT		
UTILITIES & SERVICE MISC		2,248,000
EAGLESON HALL REMODEL		537,000
RAITT HALL RENOVATION & REMODEL		3,024,000
DRAMA THEATERS IMPROVEMENTS		300,000
MEDICINE HSB WING D RENOVATIONS		1,806,000
DENTISTRY INTRAMURAL CLINC REMODEL		437,000
STAFF PERSONNEL OFFICE RENOVATION		646,000
HUTCHINSON HALL RENOVATION & REMODL		153,000
MEDICINE HSB WINGS E & F RENOVATION		360,000
FRIDAY HARBOR HOUSING REPLACEMENT		717,000
PACK FOREST LABORATORY & HOUSING		544,000
JOINT CENTER FOR GRAD STUDY ADDITN		
BIG BEEF CREEK LABORATORY IMPROVMNT		200,000
BIOLOGICAL SCIENCES FACILITIES		10,978,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 360 UNIVERSITY OF WASH

DATE 06/07/79
PAGE 18

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
MARINE STUDIES FACILITY		
PHYSICAL PLANT OFF BLDG ADDITION		434,000
PURCHASING & ACCTNG BLDG ADDITION		1,003,000
HSB WING E MECHANICAL ROOM & CRT AD		1,580,000
NEW ART BUILDING		
AUXILIARY STACKS/SERVICE FACILITY		
ROBERTS HALL ADDITION		
PUBLIC HEALTH/PHARMACY/ EH & S BLDG		
PHYSICS AUDITORIUM ADDITION		
CONTINUING EDUCATION BUILDING		483,000
MEDICINE RR/CDMR TOWER COMPLETION		
CANOEHOUSE RESTORATION		
JOHNSON ANNEX B RESTORATION		250,000
IMA LOCKER ROOM ADDITION		
UNION BAY VILLAGE REPLACEMENT		
HOUSING & FOOD SERVICE SYSTEM REHAB		5,953,000
UNIVERSITY HOSPITAL REPAIRS & IMPRV		1,625,000
ACCELERATOR		
EQUIPMENT		5,000,000
SECTION 504 HANDICAP COMPLIANCE		1,538,000
*TOTAL PROJECTS	14,375,000	49,750,000

-320-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

365

WASHINGTON STATE UNI

DATE 06/07/79

PAGE 19

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
NURSING CENTER	3,031,000	
UTILITIES EXTENSIONS & EXPANSION	2,830,000	
COMPUTER SCIENCES/MATH BLDG PHASE 1	1,812,000	
BUILD/EQUIP ROOM FOR VETER.SCIENCE	193,000	
MINOR CAPITAL IMPROVEMENT	1,905,000	6,531,000
WEGNER HALL REMODELING & ADDITION		8,728,000
CHEMICAL PHYSICS LABORATORY		
MORRILL HALL REMODELING		1,952,000
MULTIPURPOSE ANIMAL HOLDING FACILIT		2,018,000
FULMER HALL REMODELING PHASE II		
GENERAL SERV PHASE III RECV/DELV		653,000
ARCHITECTURE FACILITIES		
COLLEGE HALL REMODELING		
FARM SRV SHOP & STORAGE FACILITY		
ARCHEOLOGY PRESERVATION/RESR CENTER		
SCIENCE HALL REMODELING PHASE 1		
POWER & ENGINE LABORATORY		
WHITE HALL REMODELING & ADDITION		
FOOD PROCESSING & NUTRITIONAL FACIL		
KIMBROUGH MUSIC BUILDING ADDITION		
REGENTS DINING HALL REMODELING		840,000
RECREATION BUILDING		300,000

(HB516)

370

EAST WASH UNIVERSITY

DATE 06/07/79

PAGE 21

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
HPERA PHASE IV FIELDHOUSE	365,000	
HEALTH, SAFETY, HANDICAP IMPROVEMENTS	178,000	
BUILDING ALTERATIONS	360,000	
UTILITY LOOP SYSTEM	163,000	
RADIO TV EQUIPMENT		
MARTIN HALL REMODELING		3,100,000
AQUATICS BUILDING		1,765,000
SCIENCE BLDG-REPLACE HVAC SYSTEMS		
KENNEDY/SCIENCE TUNNEL EXTENSION		
MINOR CAPITAL IMPROVEMENTS		3,247,000
MAINTENANCE/WAREHOUSE BUILDING		
REPLACE WINDOWS, CASEMENTS		
CENTRAL PROCESS UNIT		
LIFE CYCLE REPLACEMENT		
ELECTRIC PRIMARY CHANGE 4KV TO 12KV		
PENCE UNION ADDITION		110,000
SECTION 504 HANDICAP COMPLIANCE		441,000
*TOTAL PROJECTS	1,066,000	8,663,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

375

CENTRAL WASH UNIV

DATE 06/07/79

PAGE 22

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
MODIFICATION FOR HANDICAPPED	120,000	
MINOR ALTERATIONS	40,000	
REMODEL BOUILLON	450,000	
MAJOR RENOVATIONS	160,000	
UTILITIES EXTENSION	230,000	
SAFETY CORRECTIONS-RANDALL	70,000	
WISHA SAFETY CORRECTIONS	100,000	
REMODEL MCCONNELL HALL/WILDCAT SHOP	40,000	3,499,000
NICHOLSON ADDITION & REMODEL		
BARGE HALL RENOVATION	10,000	
REMODEL FOR POWER TECH LABORATORY		
MINOR CAPITAL IMPROVEMENTS		2,217,000
CONSTRUCT BOTANY GREENHOUSE		481,000
UTILITIES IMPROVEMENT		1,026,000
CAPITAL PLANNING		
ENERGY SAVINGS - BOILER HOUSE		
ENERGY SAVINGS - SUPRV CONTL SYSTE		
FIRE PUMPER TRUCK		40,000
DEAN SCIENCE - BIOLOGY ANNEX		
STEAM LINE-BOILER HOUSE TO CHESTNUT		
HOUSING ALTERATIONS & IMPROVEMENTS	66,000	
SECTION 504 HANDICAP COMPLIANCE		532,000

-324-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 375 CENT WASH UNIVERSITY

DATE 06/07/79

PAGE 23

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
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*TOTAL PROJECTS	1,286,000	7,795,000
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SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

376

EVERGREEN ST COLLEGE

DATE 06/07/79

PAGE 24

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
COMMUNICATIONS LABORATORY	150,000	
EMERGENCY RENOVATION & REPAIR		111,000
COLL RECR CENTER PHASE II (GYM)		
COMPLETE OUTDOOR RECREATION FIELD		328,000
MINOR CAPITAL PROJECTS		
GROUNDS EQUIP STORAGE BUILDING		
COLL ACTV BLDG PHASE II		650,000
SECTION 504 HANDICAP COMPLIANCE		136,000
*TOTAL PROJECTS	150,000	1,225,000

-326-

(HB516)

380

WESTERN WASH UNIV

DATE 06/07/79

PAGE 25

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
OLD MAIN PHASE II	103,000	
APPLIED ARTS & SCIENCES	25,000	
ART ACQUISITION FUND	17,000	
SOUTH CAMPUS FLDS & GROUNDS IMPRV		2,300,000
BUSINESS & ECON BLDG		4,500,000
MILLER HALL PARTIAL REMOD & ADDITN		
PHY ED/RECR/ATH BLDG & CARVER GYM		
INITIAL CAP EQUIP/ACADEM & SERV CEN		
COMPL SURGE SPACE ENV STUD CENTER		
MINOR CAPITAL IMPROVEMENTS BLDGS	100,000	214,000
MAJ CAP IMPRV BLDG, ARTS/TECHNOLOGY		
CONSL RECEV, WAREH & HAZARD MAT STOR	21,000	
MINOR CAPITAL IMPROVEMENTS GROUNDS	35,000	217,000
COMPREHENSIVE PLAN UPDATE		
LAND ACQUISITION		30,000
MAJ IMPRV BLDGS & HAGGARD HALL		
ENERGY CONSERVATION		81,000
SECURITY IMPROVEMENTS		72,000
FIRE & PHYSICAL SAFETY IMPROVEMENTS	100,000	186,000
MINOR CAPITAL IMPROVEMENTS UTILITIE	104,000	193,000
FIRE STAT WITH CITY OF BELLINGHAM		808,000
SHANNON POINT MARINE CENTER HOUSING		

207

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

380

WESTERN WASH UNIV

DATE 06/07/79

PAGE 26

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
SOLID WASTE INCINERATION		
CAP IMPRV, HOUS/DINING/STUDENT FACI		924,000
TRANSPORTATION/PARKING IMPROVEMENTS		40,000
SECTION 504 HANDICAP COMPLIANCE		327,000
*TOTAL PROJECTS	505,000	9,892,000

-328-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

385

STATE LIBRARY

DATE 06/07/79

PAGE 27

PROJECT NAME & LOCATION

RE-APPROP
1979-81

NEW-APPROP
1979-81

COOPERATIVE LIBR STORAGE LEND CNTR

*TOTAL PROJECTS

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

387

ARTS COMMISSION

DATE 06/07/79

PAGE 28

PROJECT NAME & LOCATION

RE-APPROP
1979-81

NEW-APPROP
1979-81

VISUAL & PERFORMING ARTS & MUSEUM

HOUSE OF REP TAPESTRY/MURALS

*TOTAL PROJECTS

-330-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

461

DEPT OF ECOLOGY

DATE 06/07/79

PAGE 29

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
WATER SUPPLY FACILITIES STATE PARKS	490,000	
WASTE TREATMENT FACILITIES	2,928,000	181,000
ALTA LAKE SEWER SYSTEM IMPROVEMENT		
FORT SIMCOE SEPTIC TANK/DRAINFIELD		
ILLAHEE NEW PUMP/DRAINFIELD		
LAKE CHELAN SEPTIC TANK/DRAINFIELD		
FORT COLUMBIA STORM SEWER/SEWER SYS		
FIELDS SPRING SEPTIC TANK/DRAIN SYS		
DISPOSAL SITE		
FOUR TEST OBSERVATION WELLS		400,000
*TOTAL PROJECTS	3,418,000	581,000

100

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

465

PARKS & RECREATION

DATE 06/07/79

PAGE 30

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
MODERNIZE & IMPRHNT PARKS STATEWIDE	2,290,000	
ACQUIS AND DEV REC SITES	2,691,000	
EMERGENCY CONTINGENCY		300,000
DASH POINT ACQUISITION	375,000	235,000
OCEAN BEACH CONSERVATION AREA ACQU		
MERCER SLOUGH STAGED ACQUISITION		
MOUNT SI STAGED ACQUISITION		
HORSEHEAD BAY ACQUISITION		
SEATTLE URBAN AREA ACQUISITION		
STATEWIDE RESIDENCE INSULATION		150,000
CORNET BAY ELECTRIC KITCHEN RENV		
MILLERSYLVANIA RESTOR CCC KITCHEN		
DECEPTION PASS LOW WATER FIXTURES		
BAY VIEW LOW WATER FIXTURES		
BIRCH BAY RELOCATE 25 CAMPSITES		
CAMP WOOTEN RECREA HALL ADDITION		
FORT COLUMBIA BLDGS RENOVATION		
MILLERSYLVANIA CCC BLDG RESTORAT		
WENBERG DAY USE RENOVATION		
KITSAP MEMORIAL RENOV 43 CAMPSITES		
BIRCH BAY CONSTR 6 CAMPSITES		
LAKE SAMMAMISH PRODUCTS SHOP		

-332-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 465 PARKS & RECREATION

DATE 06/07/79

PAGE 31

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
WENBERG COMPLETE SHOP BLDG		
FORT CASEY INTERPRETIVE CENTER		
STATEWIDE TEMP EMPLOYEE HOUSING		
STATEWIDE PERM EMPLOYEE HOUSING		
REGION III HEADQUARTERS AQUISITION		
MOUNT PILCHUCK SHOP BLDG		
ALTA LAKE LIFT STATION		
ALTA LAKE SEWER SYSTEM IMPROVEMENT		
SEQUIM BAY RENOVATE TRAILER AREA		
FORT SIMCOE SEPTIC TANK/DRAINFIELD		
ILLAHEE NEW PUMP/DRAINFIELD		
TWIN HARBORS RENOVATE TRLR CAMPSITE		
LAKE CHELAN SEPTIC TANK/DRAINFIELD		
FORT COLUMBIA STORM SEWER/SEWER SYS		
BLAKE ISLAND SHOP BLDG		
FIELDS SPRING SEPTIC TANK/DRAIN SYS		
WESTHAVEN MUNICIPAL WATER SYSTEM		
MOUNT SPOKANE SHOP 4 BAY		
DECEPTION PASS MARINE MAINT SHOP		
PALOUSE FALLS COMFORT STAT		
BEACON ROCK RENV CAMP/BOAT AREAS		
FORT CASEY RENV OLD BOAT LAUNCH ARE		

222

(HB516) 465 PARKS & RECREATION

DATE 06/07/79
PAGE 32

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
BLAKE ISLAND HIKING TRAILS		
LAKE CHELAN FACILITIES RENOVATION		
LAKE CHELAN ACCESS POINT		
CAMP WOOTEN ACTV AREA & DAY USE REN		109,000
POTHOLES COMFORT STATION (BS 105)		
CONCONULLY BATHHOUSE & SWIM AREA		
CONCONULLY COMFORT STATION		
LEWIS & CLARK TRAIL COMF STATION		
LAKE EASTON COMFORT STATION		
ANDERSON LAKE WATER SYS & ELECTRIC		
JARREL COVE RELOC ENTRANCE ROAD		
BEACON ROCK MOORAGE BREAKWATER		
LAKE SAMMAMISH ENT ROAD & DAY USE		
WENBERG CAMPGROUNDS RENOVATION		
SALTWATER SHOP BUILDING		
BRIDLE TRAILS SHOP BUILDING		
LARRABEE SHOP BUILDING		
LARRABEE CAMPGROUNDS RENOVATION		
LAKE WENATCHEE VEH BRIDGE & ACCESS		
LAKE EASTON SNOW SHOP		
YAKIMA SPORTSMAN EXTEND DOM WATER		
CAMP DELANEY ELC INFIRMARY		

-334-

(HB516)

465

PARKS & RECREATION

DATE 06/07/79

PAGE 34

-336-

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
LEWIS & CLARK INTERPRETIVE CENTER		
MOUNT SPOKANE ACQUISITION CHAINUP		
MOUNT SPOKANE DEVELOPMENT CHAINUP		
MOUNT SPOKANE PARKING LOT DEVELOPMT		
RIVERSIDE HORSE RIDING COMPLEX		
OLMSTEAD PLACE INTERP AREA DEVELOP		
OCEAN BEACH ACCESS		373,000
OLALLIE DAY USE DEVELOPMENT		
GREEN RIVER GORGE PALMER INIT DEVEL		1,000,000
STEAMBOAT ROCK (NORTHRUP CANYON)		
GREEN RIVER GORGE (FLAMING GEYSER)		
GREEN RIVER GORGE (JELLUM SITE)		
BATTLE GROUND LAKE PARKING AREA		41,000
SACAJAWEA SWIM /BATHHOUSE AREAS		
MAGNUSON PARK DAY USE DEVELOPMENT		
ELBOW LAKE INITIAL DEVELOPMENT		
ANDERSON LAKE INITIAL DEVELOPMENT		
COLUMBIA/SNAKE RIVER (BOAT DEST ST)		
MANCHESTER CAMPGRD & ADMIN COMPLEX		415,000
CLALLAM BAY SPIT INITIAL DEVELOPMNT		179,000
HARPER BOAT LAUNCH DEVELOPMENT		
FORT CANBY BOAT LAUNCH ADDITION		88,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

465

PARKS & RECREATION

DATE 06/07/79

PAGE 35

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
SPENCER SPIT CAMPGROUND DAY USE		638,000
WOLFE PROPERTY INITIAL DEVELOPMENT		
HORSEHEAD BAY SIX MOORAGE BUOYS		
LOWER COLUMBIA DEVELOPMENT		
SADDLE BAG ISLAND DEVELOPMENT		
UNDERWATER PARKS IDENTIFY PARK SITE		
DISCOVERY PARK DEV NATURE TRAIL		
SQUAK MOUNTAIN STAGED ACQUISITION		78,000
SQUAK MOUNTAIN DEVELOPMENT		
SEAQUEST CONSTR FIRE & HIKING TRAIL		
STATEWIDE TRAILS ACQUISITION		
STATEWIDE TRAILS DEVELOPMENT		
SCENIC & RECR HGHWY (YAKIMA CANYON)		
BRADLEY ACQUISITION		1,200,000
SCENIC BEACH ACQUISITION		350,000
PENROSE POINT ACQUISITION		350,000
MATELICH ACQUISITION		300,000
GOLDENDALE OBSERVATORY ACQUISITION		100,000
SALTWATER STATE PARK EQUIPMENT		
FORT WARDEN INTERP CENTER		32,000
CHIEF TIMOTHY INTERPRETIVE CENTER		160,000
KUBOTA GARDENS ACQUISITION		250,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516) 465 PARKS & RECREATION

DATE 06/07/79

PAGE 36

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
GREEN RIVER ACQUISITION		750,000
BEARDS HOLLOW PROPERTY ACQUISITION		800,000
*TOTAL PROJECTS	5,356,000	9,920,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

470

COMM & ECON DEVELOP

DATE 06/07/79

PAGE 37

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
PACIFIC NW FESTIVAL FACILITY		5,000,000
WASHINGTON CENTER/PANTAGES THEATRE		3,000,000
*TOTAL PROJECTS		8,000,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

480

DEPARTMENT FISHERIES

DATE 06/07/79

PAGE 38

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
MEET SAFETY & HEALTH	455,000	2,440,000
REPL & ALTERN MAINT CURR PRODUCTION	1,271,000	
LOWER KALAMA PIPELINE REPLACEMENT		203,000
JORDAN CREEK FLOOD CONTROL		216,000
WATER SUPPLY MANIFOLDS		50,000
FACILITY REPLACEMENT & ALTERATION		1,011,000
EQUIPMENT SECURITY AREA		22,000
EROSION PROTECTION SKYKOM HATCHERY		
HOOD CANAL HATCHERY CREEK POND		133,000
DESCHUTES FISHWAY REVISIONS		
IMPRV OPER & PRODUCTION EFFICIENCY	743,000	
PNT WHITNEY LAB REMODELLING		141,000
SKYKOMISH TRAPPING/HOLDING POND		
TOUTLE HATCHERY PUMPS POND		550,000
STORAGE BUILDINGS		322,000
FRESHWATER SALMON PROD EVALUATION		305,000
HATCHERY AUXILIARY GENERATORS		178,000
SKAGIT POND SEPARATOR		
HINTER CREEK GROUND WATER DELIVERY		20,000
SOLEDUCK ADULT POND SCREEN		
COMPL VAR ENHANCEMNTS PROJ	25,084,000	
COWLITZ REARING PONDS		2,179,000

-340-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

480

DEPARTMENT FISHERIES

DATE 06/07/79

PAGE 39

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CEDAR RIVER GRAVEL INCUBATORS		2,012,000
RECREATION PROJECTS (IAC)	1,869,000	
COMPLETE SEATTLE & TACOMA PIER		490,000
SHELLFISH PROJECTS (RESEARCH)	103,000	
FOX ISLAND REARING PENS ADDITION		71,000
ARTIFICIAL REEFS PUGET SOUND		410,000
WESTHAVEN SHORE FISHING ACCESS		124,000
NAHCOTTA FISHING PIER		121,000
LAND PURCHASEE FOR FUTURE SITES		
EXPLORE/SURVEY/DESIGN FOR NEW PROD		
RAZOR CLAM HATCHERY		
SHELLFISH HATCHERY		
CLAM BEACH ENHANCEMENT		
LITTLE QUILCENE SALMON FACILITY		
NASELLE HATCHERY PHASE II		
SPAWNING HABITAT IMPROVEMENTS		
CENTRAL SHOP/STORES/WAREHOUSE		
HUMPTULIPS ADULT COLLECTION SYSTEM		
SURF SMELT BEACH ACQUISITION		
ELWHA SPAWNING FACILITY		
ELWHA EGG INCUBATION BUILDING		
RESURV EXIST HATCHERY TIDELND PROP		

110

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

480

DEPARTMENT FISHERIES

DATE 06/07/79

PAGE 40

PROJECT NAME & LOCATION

RE-APPROP
1979-81

NEW-APPROP
1979-81

SEATTLE SCUBA REEF

SKOKOMISH VALLEY HATCHERY CREEK PON

CASE INLET PHASE II

SKYKOMISH GROUNDWATER DEVELOPEMENT

ABBOT SPRINGS DESIGN

MEGLER POND DESIGN

HATCHERY SUPPORT LAB DESIGN

SOLEDUCK HATCHERY ROAD IMPROVEMENT

HOOD CANAL BRIDGE FISHING ACCESS

380,000

PT. WHITNEY TIDELAND ACQUISITION

SNOW CREEK ACCESS DEVELP

645,000

SALTWTR SHORELND ACQU DIST 1

EDMONDS FISHING PIER PARKING

27,000

SALTWTR SHORLND ACQ ISL CNTY

RIDGEFIELD BOAT LAUNCH

CEDAR RIVER INTERP FACILITIES

*TOTAL PROJECTS

29,525,000

12,050,000

-342-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

485

DEPARTMENT OF GAME

DATE 06/07/79

PAGE 41

CVC

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
CRITICAL RESOURCE ACQUISITION	70,000	
CRITICAL RESOURCE DEVELOPMENT	186,000	
FRESHWATER SHORELANDS DEVELOPMENT	121,000	
NACHES HATCHERY WATER SUPPLY DEV	107,000	
BEAVER CREEK POLLUTION ABATEMENT	561,000	
WELLS W R A CONT EQUIP/STORAGE SHOP	14,000	
MENARY W R A CONT SEED STORAGE FAC	1,000	
WRA BOUNDARY FENCING	139,000	
CONST SHOP/STORAGE AREA MENARY	9,000	
REMODEL OLYMPIA WAREHOUSE	100,000	
SELL AUBURN GAME FARM FACILITIES	235,000	
RELOCATE AUBURN SHOP ACTIVITIES	200,000	
MAJOR REPAIR OR REPLACEMENT		100,000
ACCESS AREA TOILET REPLACEMENT		163,000
HATCHERY POLLUTION ABATEMENT		240,000
TOKUL CREEK HATCHERY/BROODSTOCK PND		11,000
LAND ACQUISITION WELLS DAM FISH MIGR		69,000
SHERMAN CREEK WRA IRRIG SYS PHASE I		
WELLS WRA HEADQUARTERS DEVELOP		108,000
BELLINGHAM HATCHERY WATER INTAKE		36,000
BOUNDARY SURVEY & FENCING STATEWIDE		195,000
LAKE WHATCOM HATCHERY - TROUGH REPL		38,000

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

485

DEPARTMENT OF GAME

DATE 06/07/79

PAGE 42

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
FISH SCREEN REPAIR & REPL STATEWIDE		71,000
GAME FARM IMPRV PEN & FENCE REPLMNT		195,000
SOUTH TACOMA HATCHERY RACEWAY REPLC		67,000
ARLINGTON HATCHERY PND/RACEWAY REPR		49,000
SKAMANIA HATCHERY REROOFING		18,000
LAND ACQUISITION ADMIN COST		
ENGIN CAPITAL BUDGET PRE-PLANNING		25,000
ENGIN CAPITAL PROJECT DESIGN		25,000
SCATTER CREEK WILDLIFE/RECR AREA		22,000
SNAKE RIVER HELLER BASIN PUBLIC ACC		
SHOQUALMIE VALLEY WRA ACQU		
OKANOGAN COUNTY WILDLIFE RECR AREA		
OAK CREEK WILDLIFE RECR & ELK VIEW		
LAKE KI PARKING AREA/LAUNCH RAMP		72,000
YAKIMA VALLEY FLOOD PLAIN LANDS		
LAKE TERRELL & TENNANT LAKE WRA		
YAKIMA/KITTITAS COUNTY WRA'S		
SKYKOMISH RIVER REITER REARING POND		
POTHOLES RESERVOIR GLEN WILLIAMS		79,000
CAMPBELL LAKE - PUBLIC ACCESS FAC		68,000
FAZON LAKE - PUBLIC ACCESS FAC		38,000
GRANT COUNTY WILDLIFE RECR AREA		

-344-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

485

DEPARTMENT OF GAME

DATE 06/07/79

PAGE 43

PROJECT NAME & LOCATION

RE-APPROP
1979-81

NEW-APPROP
1979-81

BURKE LAKE - PUBLIC ACCESS FAC

30,000

BADGER LAKE - PUBLIC ACCESS FAC

72,000

DEEP LAKE - PUBLIC ACCESS FAC

LOON LAKE - PUBLIC ACCESS FAC

47,000

SNOHOMISH RIVER/SNOHOMISH CITY

HUMPTULIPS RIVER - MORLEY BOAT LNCH

74,000

CHAMBERS LAKE - PUBLIC ACCESS FAC

50,000

TOKUL CREEK CONSTR PARKING AREA

24,000

ALTOONA PIGEON AREA

FRWATER SHORELANDS ACQUISITH REG 1

FRWATER SHORELANDS ACQUISITH REG 2

FRWATER SHORELANDS ACQUISITH REG 3

FRWATER SHORELANDS ACQUISITH REG 4

FRWATER SHORELANDS ACQUISITH REG 5

FRWATER SHORELANDS ACQUISITH REG 6

FRWATER SHORELANDS ACQUISITH REG 7

FRWATER SHORELANDS ACQUISITH REG 8

FRWATER SHORELANDS ACQUISITH REG 9

FRWATER SHORELANDS ACQUISITH REG 13

CLEAR LAKE INSTALL FLOAT THURSTON

DOLLOFF LAKE INSTALL FLOAT KING CTY

SNOWMOBILERS WARMING HUT

33,000

-345-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

485

DEPARTMENT OF GAME

DATE 06/07/79

PAGE 44

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
SNOWMOBILE PARKING WOOTEN WPA		14,000
SNOWMOBILE PARKING SHERMAN CREEK		19,000
DELFELD PROPERTY ACQUISITION		318,000
*TOTAL PROJECTS	1,743,000	2,370,000

-346-

(HB516) 490 DEPT NAT RESOURCES

DATE 06/07/79

PAGE 45

PROJECT NAME & LOCATI JN	RE-APPROP 1979-81	NEW-APPROP 1979-81
LAND RECLAMATION WEBSTER NURS	50,000	
CONSTRUCT LATH HOUSE FOR SEEDLINGS	30,000	
WATER SYSTEMS RENOVATION UPGRADE		78,000
OLYMPIC AREA HEADQUARTERS BASMNT EX		6,000
MARINE RESERVE SITE ACQUISITION		228,000
NAT RESOURCES LAND BANK		1,000,000
MANAGEMENT ROADS CONSTR & IMPRV	2,240,000	1,466,000
IRRIGATION DEVELOPMENT	3,770,000	1,940,000
BLOCK 26 TURNKEY UNITS IRRIGATION		
CRAZY RAPIDS TURNKEY UNITS IRRIGATI		
RIGHTS OF WAY ACQUISITION		866,000
SHOP FACILITIES ALDER CREEK		536,000
LOOKOUT REPLACEMENT		15,000
CHEHALIS COMPOUND IMPROVEMENTS		17,000
AIR CONDITIONING SOUTHWEST AREA HDQ		7,000
CAVANAUGH BLOCK ACCESS CONSTR		475,000
LARCH MOUNTAIN WAREHOUSE		47,000
LAND DEVELOPMENT FOR COMMERCIAL LS	1,570,000	2,449,000
BEAVER & SEKIU FIRE CREWQUARTERS		46,000
RECREATION PROJECTS		1,800,000
RECREATION PROJECTS	1,351,000	2,037,000
BLACK ROCK IRRIGATION PROJECT		290,000

247

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

490

DEPT NAT RESOURCES

DATE 06/07/79

PAGE 46

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
MULE SPUR RECONSTRUCT		300,000
ELBE HILLS ROAD BETTERMENT		540,000
HONOR CAMP RD & BRIDGE MATERIAL		20,000
LITTLE SUMMIT RADIO REPEATER		7,000
COMPOUND IMPRV NORTHWEST HDGRS		33,000
ORCAS ISLAND EQUIPMENT STORAGE		16,000
SECURITY FENCING TWO HDGRS SITES		33,000
GREENHOUSE FREEZER STOR WEBSTER NUR		70,000
SMITH IRRIGATION PROJECT		275,000
BAREROOT COLD STORAGE		500,000
GROWING HOUSES TREES & SEED ORCHARD		97,000
MARCKWORTH BLOCK ACCESS ROADS		244,000
DEMOLISHING DERELICT DOCKS		150,000
SPRUCE CANYON CAMP DIESEL PUMP/TANK		
AUTO SHOP EXPAN CLEARWATER CORR CNT		
*TOTAL PROJECTS	9,011,000	15,588,000

-348-

SENATE WAYS AND MEANS

WASHINGTON STATE
CAPITAL BUDGET

(HB516)

DATE 06/07/79

PAGE 47

PROJECT NAME & LOCATION	RE-APPROP 1979-81	NEW-APPROP 1979-81
**GRAND TOTAL	195,757,000	738,561,000

Washington State Senate
 Senate Committee on Ways and Means
 July 5, 1979

SALARY INCREASES (1979-81)

Fiscal Impact (000)

<u>Jurisdictions</u>	<u>GENERAL FUND - STATE</u> <u>%</u>	<u>\$ Impact</u>	<u>ALL FUNDS</u> <u>%</u>	<u>\$ Impact</u>
State Personnel Board	5/6.4/6	\$ 61,079	5/6.4/6	\$133,887
Higher Education Personnel Board	5/9/6	36,924	5/9/6	37,093
Faculty & Higher Education Exempt	5/5.6/6	63,194	5/5.6/6	63,347
Washington State Patrol	5/6/6	229	5/6/6	5,151
Students & Graduate Assistants	-0-	-0-	-0-	-0-
Other	-0-	-0-	-0-	-0-
		<u>\$161,426</u>		<u>\$239,478</u>
SUBTOTAL				
Public School Employees	7.1/7.2	<u>197,329</u>	7.1/7.2	<u>197,327</u>
TOTAL		<u>\$358,755</u>		<u>\$436,805</u>

<u>Health Life & Disability Benefits</u>	<u>GENERAL FUND - STATE</u> <u>Monthly</u> <u>Increase</u>	<u>\$ Impact</u>	<u>ALL FUNDS</u> <u>Monthly</u> <u>Increase</u>	<u>\$ Impact</u>
All Jurisdictions-Excluding K-12	12.5/10	\$ 13,178	12.50/10	\$ 20,460
K-12 Certificated & Classified	85/10	<u>111,333</u>	85/10	<u>111,333</u>
TOTAL BENEFITS		<u>\$124,511</u>		<u>\$131,793</u>
TOTAL SALARY & BENEFITS		<u>\$483,266</u>		<u>\$568,598</u>

LJ:mmm

K12
SALARY SCHEDULE

DATE: 05/09/79
TIME: 09:14

*** EDUCATION EXPERIENCE **

YEARS OF SERVICE	BA	BA+15	BA+30	BA+45	BA+60	BA+135	MA	MA+15	MA+30	PHD	PHD+15
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	1.835	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

Table is referenced in Sec. 101 for salary distribution purposes.

Washington State Senate
 Senate Committee on Ways and Means
 May 8, 1979

SALARY THREE STEP PROPOSAL AS ADOPTED

	<u>7-1-79</u>	<u>9-1-79</u>	<u>10-1-79</u>	<u>10-1-80</u>	<u>Biennial Increase</u>
DOP	5.0%	--	6.4%	6.0%	17.4%
HEPB	5.0%	--	9.0%	6.0%	20.0%
FACULTY					
U of W	--	5.0%	5.6%	6.0%	16.6%
WSU	--	5.0%	5.6%	6.0%	16.6%
EWU	--	5.0%	5.6%	6.0%	16.6%
CWU	--	5.0%	5.6%	6.0%	16.6%
WWU	--	5.0%	5.6%	6.0%	16.6%
TESC	--	5.0%	5.6%	6.0%	16.6%
CC	--	5.0%	5.6%	6.0%	16.6%
WSP	5.0%	--	6.0%	6.0%	17.0%

VETO SUMMARY

In order to understand the impact of the Governor's veto message regarding Engrossed Substitute House Bill No. 516 (Omnibus Operating and Capital Budget), the following information is provided. The remaining paragraphs are numbered and titled in accordance to the veto message. (See Gubernatorial Vetoes)

1. Insurance Contributions

Section 14(e) and (g) contained the provisions which limited the maximum monthly employee insurance contribution to \$85 in FY 80 and \$95 in FY 81. Section 14(g) contained a proviso which, in effect, limited Section 14(i) to using dividends and refunds generated from the State Employees' Insurance Revolving Fund to the reduction of employee contribution amounts. It removed the option to increase benefits at no cost in the 79-81 biennium but would, of course, increase the necessary appropriation for contribution levels in subsequent biennia.

The Governor's veto eliminated the proviso in Section 14(g). Therefore, the generated income from the revolving fund may be used to increase the benefits.

2. Military Department

Section 50(1) expressly prohibited any state funds from being expended for the Washington State Guard. The Governor vetoed this prohibition in part based on the need of the State Guard in an emergency.

3. Department of Social and Health Services -- Developmental Disabilities

Section 56(5) reduces the funds appropriated for the federally-mandated protection and advocacy services to the handicapped. For the ensuing biennium the amount of federal dollars estimated by the department will be about \$100,000, depending upon action by Congress. The vetoed \$120,000 (gf-s) is expected to be spent for other purposes within the Developmental Disabilities program.

It should be noted that the \$78,000 for legal services mentioned in the Governor's veto message bears little relationship to the protection and advocacy function. The legal services appropriation is used to provide attorneys and other legal services for institutional residents on civil legal matters. Protection and advocacy funds are used by the receiving agency, which is designated by the Governor, and acts as an advocate for handicapped people in a wide range of areas, including, but in no way limited to, legal matters.

4. Department of Social and Health Services -- Insurance Maintenance Grants Program

Section 59(4) accomplishes two things:

- (a) It deletes legislative direction as to the level of funding for the General Assistance-Noncontinuing (GA-N) program.
- (b) It deletes the provision for expanding the level of the program for those persons who have been determined eligible for the program for six consecutive weeks; thereby ignoring the effect of the low grant standard over a long period of time.

The intent of the Governor, as expressed in her veto message, is to retain the GA-N program at a food-only level, and perhaps to further review the issue.

5. Department of Social and Health Services -- Community Social Health Services Grants

The veto of Section 60(1), (2) and (3) removes all legislative direction with regard to the spending levels of various activities within the Community Social Services program, with the exception of three small items totalling \$1.2 million. The Governor, through OFM, has the authority to allocate over \$144 million among eligible social service programs while disapproving the specific concerns addressed by the Legislature in developing this portion of the budget.

Subsection (1) reflected legislative concern that vendors currently providing services in this program be given inflation increases rather than having inflation increase funds be used by the department to provide expanded services. With the veto, the Legislature has no assurance in this matter.

The funding levels expressed in subsections (2) and (3) reflect legislative intent with regard to the necessary level of this program in relation to funding required for other legislative priorities (i.e., family planning and extended sheltered employment). Since all the involved programs are Title XX programs, reductions were made in child day care and in adult chore services to provide funding for the family planning and extended sheltered employment provisions contained in other programs.

With regard to the adult chore services program, one other issue is involved. This program has grown dramatically since its beginning. With the imposition by the Legislature of an upper spending limit on this program, both the Legislature and the Department would have had a chance to evaluate and to set policy with regard to the future direction of this program and the role it should play in the overall service delivery system of the Department. The veto has removed this upper spending limit with the possible result of allowing the program to continue to grow, to develop an even larger constituency, and make it more difficult for either the Legislature or the Department to develop an overall policy for it.

6. Department of Social and Health Services -- Public Health Program

The language in Section 62(3) reflects correction of deficiencies noted in the federal audit of this state's Early Periodic Screening, Diagnosis and Treatment (EPSDT) program. This program is under a mandate to perform, subject to sanctions. Based on this mandate and the noted deficiencies, the Legislature, particularly the Senate which initiated the language, expressed specific direction to the program. This direction was viewed as unduly intruding upon the role of the Executive Branch.

7. Department of Social and Health Services -- Community Services Administration

The veto of Section 65(3) is somewhat of an enigma in that it reflects the executive intent as well as the requested appropriation. The subsection provided the staffing and funding for the administration of the Medical Assistance program. The veto message states the subsection will restrict the implementation of cost-containment initiatives in this program. Since the vetoed language reflected the previous executive intent and the legislative intent, the resultant effect is totally unclear.

8. Donations of Real Estate

Section 85(2), Section 90(3) and Section 221 prohibited the Parks Commission, the Department of Game and all other state agencies, respectively, from entering into contractual agreements or receiving donations dealing with real property which commits the agency "to either assuming on a current basis or to requesting funds at a future time for operating, development, or acquisition costs without prior approval" of the legislative fiscal committees. Therefore, the effect of the veto is to allow state agencies to make agreements for donations of property which could lead to higher operating costs at a later date without prior legislative consideration. This has occurred in the past, particularly with the Parks Commission, and can occur in the future.

The veto message acknowledges this language as a legitimate legislative concern and states that specific legislation will be introduced next session. However, it acknowledges the willingness to receive such donations, etc.

9. Board of Education -- Superintendent of Public Instruction

This veto removes all the language portion of the Capital Budget appropriation to the State Board of Education. This language would have restricted the Board's administrative powers pertaining to the priority methodology to be utilized for the capital projects to be funded this biennium. The proviso would have mandated the Board to retain the priority listing in effect prior to changes authorized during the spring of 1979.

The veto message states the Board must retain its administrative prerogatives. Further, the message alleges a portion of the vetoed language improperly modifies a substantive statute.

10. Northern State Hospital

Section 199 provided for the transfer of the Northern State Hospital facility and all attached real estate from the Department of Labor and Industries to DSHS. The veto message states that since Northern State is being utilized for multi-purposes, the best interest of the state would be retention of the facility by GA.

11. Federal Funds Loss

Section 205 expressed the intent that state funds would not be expended to supplant federal dollars for those program where federal funds were reduced or eliminated. The veto message expresses concern for programs not wholly dependent on federal funding as the basis for veto.

12. Capitol Facilities

The vetoed section 224 directed the capital appropriations for the Department of General Administration receive prior approval of the State Capitol Committee pursuant to statute. More importantly, it directed GA to obtain approval of the Joint Legislature Committee on Capitol Facilities prior to expenditure of funds on any project involving capitol building occupied wholly or in part by the Legislature. The executive expressed this section as unduly restricting the executive branch in completing capitol projects in an efficient and timely manner.

Washington State Senate
Senate Committee on Ways and Means
March 9, 1979

SUPPLEMENTAL BUDGET

(SSB 2148)

The Governor requested \$63 million to provide supplemental funding for state agencies for the remainder of the current 1977-79 biennium. The legislature basically concurred and appropriated \$64.6 million to respond to the identified needs.

The major items included funding for K-12 transportation program at 90% -- \$15.5 million, \$4.7 million for handicapped education costs, \$50,000 to continue operation of the Jail Commission, \$413,000 to begin development of a personnel payroll system for higher education, \$300,000 to assist local government in hiring a special prosecutor to investigate indictments linking local government officials to criminal operations, \$552,000 to the Department of Game for critical operational needs, and \$1.6 million for the Department of Licensing for unfunded legislation.

The Department of Social and Health Services was appropriated \$31.9 million. The major areas provided for included: Adult Corrections -- \$893,000 for improved security at the Washington Correction Center and sufficient funding and authority to begin work on the important capital projects which address the overcrowding problem within the prisons. Mental Health -- \$1 million for funding required to strengthen the institutional staffing at all levels to regain accreditation at Western State Hospital and strengthen staffing at Eastern State Hospital. Community Social Services -- funding to implement the new rate system for private child caring agencies. Medical Assistance -- \$23.5 million for additional hospital costs associated with increased lengths of stay and increases in the unit cost of services provided.

LJ:sw

 SENATE WAYS AND MEANS

WASHINGTON STATE 1979-81 BIENNIAL OPERATING BUDGET

(DOLLARS IN THOUSANDS)

TIME 10:29 PAGE 1 OF 10 TOTAL STATE BUDGET DATE 03/09/79

--OPERATING BUDGET-- PAG	---GENERAL FUND STATE---			---GENERAL FUND FEDERAL---			---ALL OTHER FUNDS---			---TOTAL ALL FUNDS---		
	GOV-S	LEG-S	DIFF	GOV-S	LEG-S	DIFF	GOV-S	LEG-S	DIFF	GOV-S	LEG-S	DIFF
2 LEGISLAT & JUDICA	40		-40							40		-40
LEGISLATIVE												
JUDICIAL	40		-40							40		-40
3 EXECUTIVE	1,345	1,335	-10				5,445	6,184	739	6,790	7,519	729
4 GEN GOV OTHER												
5 HUMAN RESOURCES	24,420	21,342	-3,078	10,498	10,514	16	3,609	1,123	-2,486	38,526	32,979	-5,547
DSHS	24,055	20,472	-2,583	10,498	10,514	16	3,005	893	-2,192	37,638	31,879	-5,759
VETERANS AFFAIR												
HUMAN RESOUR OTH	365	870	505				524	230	-294	888	1,100	212
6 NAT RESOUR & TRAN	1,689	1,658	-31	162	163	1	1,997	1,961	-36	3,848	3,782	-66
NATURAL RESOURC	875	845	-30	162	163	1	1,143	1,144	1	2,179	2,152	-27
TRANSPORTATION	814	813	-1				855	817	-38	1,669	1,630	-39
TOTAL EDUCATION	13,760	20,306	6,546							13,760	20,306	6,546
7 SUP PUBLIC INST	13,760	20,306	6,546							13,760	20,306	6,546
8 COMM COLLEGES												
9 FOUR YR INST HE												
10 EDUCATION OTHER												
1 TOT STATE BUDGET	41,253	44,641	3,388	10,660	10,677	17	11,051	9,268	-1,783	62,964	64,586	1,622
10 SUNDRY CLAIMS												
T-BUD/SUNDRY	41,253	44,641	3,388	10,660	10,677	17	11,051	9,268	-1,783	62,964	64,586	1,622

-358-

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SUMMARY OF SUBSTITUTE HOUSE BILL 871

6/14/79

IC.

<u>AGENCY</u>	<u>AMOUNT</u>	<u>FUND/ ACCOUNT</u>	<u>PURPOSE</u>	<u>FEDERAL/ LOCAL</u>
Department of Transportation	\$177,939,300	MVF	Prog. "A" - Resurfacing, Rehabilitation and Reconstruction	(\$96,275,700)
	290,937,000	MVF	Prog. "B" - Interstate Construction	(270,063,300)
	75,520,000	MVF	Prog. "C" - Major Non-Interstate Construction	(2,775,300)
	14,699,500	MVF	Prog. "D" - Construction Management & Support	None
	1,370,800	Various	Prog. "F" - Aeronautics: Airport Aid \$1,293,800 (AC) Search & Rescue \$77,000 (SRA)	None
	121,613,000	MVF	Prog. "M" - Highway Maintenance & Operations	(2,931,000)
	6,652,000	MVF	Prog. "P" - Highway Management & Support	None
	20,295,400	Various	Prog. "T" - Public Transportation & Planning: Public Trans. \$9,012,400 (GF) Planning \$11,283,000 (MVF)	(8,308,600) (5,583,000)
	112,073,000	Various	Prog. "W" - Marine Transportation: Debt Service \$4,037,000 (PSRA) Construction \$82,216,000 (PSCCA) Operations \$4,545,000 (MVF) Operations \$21,275,000 (PSFOA)	None (2,000,000) None None
	15,400,000	Various	Prog. "S" - Executive, Management Services & & "Z" Support: \$10,000 (AC) \$65,000 (GF) \$641,000 (PSCCA) \$302,000 (PSFOA) \$14,382,000 (MVF)	None
	<u>900,000</u>	MVF	Guarantee of Spokane River Bridge Bond debt service payments	<u>None</u>
Totals	\$837,400,000			(\$387,936,900)

<u>SEC.</u>	<u>AGENCY</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>LOCAL</u>
2	Department of Transportation	975,000	GF	Supportive services for the off-the-job- training programs for minority highway construction workers and minority contractors' training programs. <u>(Reimbursable from federal funds.)</u>	(975,000)
3	Urban Arterial Board	63,827,400	UATA	Expenses of the Board and financial assistance to cities and counties for urban arterial construction: Administrative Expenses \$827,400 Financial Assistance \$63,000,000 (Series I & II bonds) (\$47,000,000)	None
4	Board of Pilotage	53,000	PA	Expenses of the Board	None
5 & 6	Severability & Emergency Clauses				

Total Appropriations: \$902,255,400

AC (State)	1,303,800
GF (Federal)	7,280,300
GF (State)	768,800
GF (Local)	2,003,300
MVF (Federal)	374,697,300
MVF (State)	340,842,500
MVF (Local)	2,931,000
PA (State)	53,000
PSCCA (Federal)	2,000,000
PSCCA (State)	80,857,000
PSFOA (State)	21,577,000
PSRA (State)	4,037,000
SRA (State)	77,000
UATA (State)	63,827,400

Remarks

Fund/Accounts:

"AC" - Aeronautics Account, GF
"GF" - General Fund
"MVF" - Motor Vehicle Fund
"PA" - Pilotage Account, GF
"PSCCA" - Puget Sound Capital Construction Account, MVF
"PSFOA" - Puget Sound Ferry Operations Account, MVF
"PSRA" - Puget Sound Reserve Account, MVF
"SRA" - Search & Rescue Account, GF
"UATA" - Urban Arterial Trust Account, MVF

Senate Transportation Committee

SUMMARY OF SUBSTITUTE HOUSE BILL 872

4/9/79

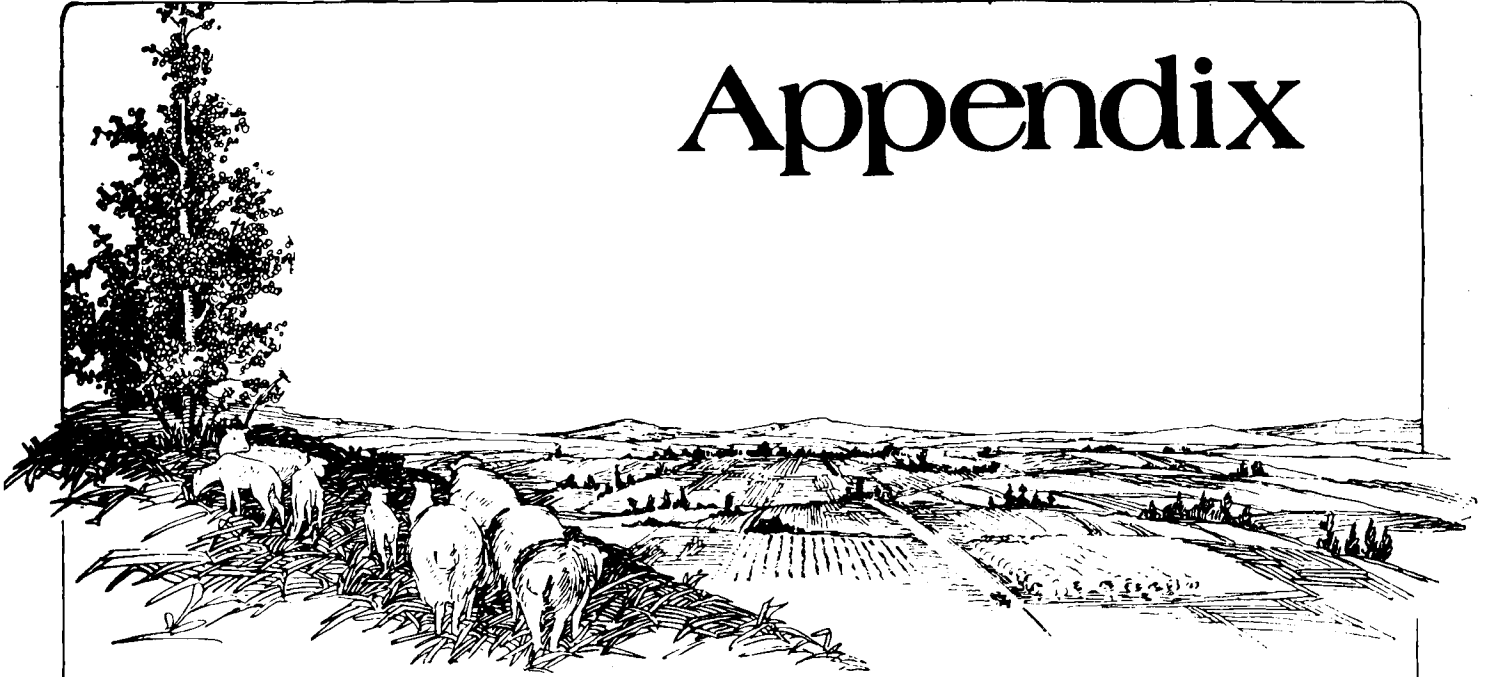
<u>SEC.</u>	<u>AGENCY</u>	<u>AMOUNT</u>	<u>FUND/ ACCOUNT</u>	<u>PROGRAM "R" ASSISTANCE TO OTHERS:</u>	<u>FEDERAL/ LOCAL</u>
1	Department of Transportation	\$119,090,200	MVF	Construction Off The State Highway System (Reimbursable)	(\$118,500,200)
		919,000	MVF	Maintenance Off The State Highway System (Reimbursable)	(805,000)
		4,360,000	MVF	Miscellaneous Sales And Services (Reimbursable)	(4,360,000)
		100,000,000	MVF	Construction of West Seattle Bridge	(100,000,000)
	Totals	<u>224,369,200</u>			<u>(223,665,200)</u>
2 & 3	Severability and Emergency Clauses				
	<u>Total Appropriations:</u>	<u>\$224,369,200</u>			
	Motor Vehicle Fund (Federal & Local)	223,665,200			
	Motor Vehicle Fund (State & Bonds)	704,000			

SECTION	AGENCY	AMOUNT	FUND OR ACCOUNT	PURPOSES
1	Dept. of Transportation	\$ 4,850,000	Motor Vehicle Fund (MVF)	To increase funds available to pay higher operations and maintenance costs of the State Ferry System (labor, fuel, vessels, terminals, administration, etc.). With this appropriation, the total MVF funds for this biennium are \$4,850,000.
2	Dept. of Transportation	12,261,000	Puget Sound Capital Construction Account (MVF)	To increase funds to pay for stockpiling of materials and progress payments this biennium under terms of the actual ferry construction contract awarded in April, 1978 (original estimates were made in June, 1977). With this appropriation, the revised "cash flow" requirements for this biennium are increased to \$49,500,000 of state funds (including bonds).
3	Dept. of Transportation	-0-	General Fund (State)	To extend the expiration date of authority to expend \$32,500 of General Fund revenues from March 31, 1978 to June 30, 1979. These funds pay a share of the non-highway administration and planning costs of the DOT.
4	Dept. of Transportation	24,000	Motor Vehicle Fund (MVF)	To increase funds to cover the State's share (60%) of the operations and maintenance deficit of the Puget Island-Westport Ferry operated by Wahkiakum County. With this appropriation, the total funds for this biennium are \$79,000.
5	Urban Arterial Board	-0-	Urban Arterial Trust Account (MVF)	To amend the original appropriation in accordance with Chapter 5, Laws of 1979 (SB 2065), and to revise the amounts appropriated for bonds and revenue. <u>This appropriation is \$18,315,000 less than the original appropriation and is excluded from the total of new appropriations listed below.</u>
6	Dept. of Transportation	186,500	General Fund	To increase funds for the training of minority construction workers and minority contractors for work on highway construction contracts. <u>Costs are 100% reimbursable from federal funds.</u> With this appropriation, the total funds for this biennium are \$735,700.
7 & 8	Severability Clause And Emergency Clause			

Total New Appropriations: \$ 17,681,500
 Puget Sound Capital
 Construction Account (State) 12,621,000
 Motor Vehicle Fund (State) 4,874,000
 General Fund (Federal) 186,500

-362-

Appendix



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BILL NO. SESSION LAW TABLE

HOUSE

<u>BILL NO.</u>	<u>TITLE</u>	<u>CHAPTER NO.</u>
SHB 1	Razor clams personal use lic.	C 243 L 79 E1
HB 4	Adopted children records	C 101 L 79 E1
HB 6	Locomotive operator, license	C 75 L 79
SHB 16	Senior citizen programs	C 109 L 79
HB 18	Uniform child custody	C 98 L 79
SHB 22	Power of arrest/traffic law	C 28 L 79 E1
HB 25	Dog bite liability	C 148 L 79
HB 26	Highways, environ. repealer	C 7 L 79
HB 30	Criminal cost bills	C 129 L 79
HB 33	Sec. of state corporate fees	C 133 L 79 E1
HB 41	Local fire protect contracts	C 102 L 79 E1
HB 44	Hunt/fish lic. issuing fee	C 3 L 79 E1
HB 48	Small irrigation dist. exempt	C 4 L 79 E1
HB 50	Landowners limited liability	C 53 L 79
SHB 56	Local govt. self-insurance	C 256 L 79 E1
SHB 57	Local govt. assumption office	C 126 L 79 E1
HB 58	Motion picture blind bidding	C 29 L 79 E1
HB 65	Columbus Day recognized	C 77 L 79
HB 66	Correcting a mistake	C 97 L 79
HB 69	WSU, forest tree nursery	C 52 L 79
SHB 76	Home rule local govt. clarify	C 194 L 79 E1
SHB 77	Special purpose districts	C 5 L 79 E1
SHB 78	Special purpose districts	C 30 L 79 E1
SHB 79	Surplus reading materials	C 134 L 79 E1
SHB 80	Institutional industries	C 160 L 79 E1
SHB 82	Cemetery prearrange contract	C 21 L 79
HB 86	Regulating debt adjusters	C 156 L 79
SHB 88	Screening for scoliosis	C 47 L 79
SHB 92	Industrial ins. eligibility	C 128 L 79
SHB 96	Ride sharing operations	C 111 L 79
SHB 97	Farm products hauling	C 6 L 79 E1
SHB 99	Prospective juror selection	C 135 L 79 E1
HB 100	State Route 27/Pullman	C 195 L 79 E1
HB 101	Negligent driving/racing	C 136 L 79 E1
SHB 109	Insurance policies/cancel	C 133 L 79
SHB 112	Sunset review schedule	C 99 L 79
HB 113	Vocational rehab. programs	C 14 L 79 E1
HB 114	Handicapped driver's card	C 7 L 79 E1
SHB 125	Dependent children support	C 171 L 79 E1
HB 126	Term papers sale	C 43 L 79
HB 127	Sunset Act of 1977	C 22 L 79
SHB 133	Special districts bids	C 137 L 79 E1
SHB 139	Special districts comp. plan	C 23 L 79
HB 140	Port Dist. levy flexibility	C 76 L 79
HB 141	Proportional Registration	C 134 L 79

SHB 144	State inst./local govt./reimb.	C 108 L 79	E1
HB 149	County Law Libraries	C 126 L 79	
HB 155	Financial resp./bankruptcy	C 78 L 79	
SHB 156	Fiscal notes legislation	C 112 L 79	E1
SHB 163	Veterinary board, lay member	C 31 L 79	E1
HB 164	MV Licenses/Corrections	C 113 L 79	E1
SHB 175	Salmon licenses extend limit	C 135 L 79	
HB 178	DNR services available	C 100 L 79	
SHB 186	Christmas trees out of state	C 32 L 79	E1
HB 187	DNR surplus land	C 24 L 79	
SHB 188	Snags selective removal	C 8 L 79	E1
HB 191	School district bonds	C 257 L 79	E1PV
SHB 195	Savings & loan associations	C 113 L 79	
HB 196	Interest proportional regis.	C 149 L 79	E1
SHB 201	Students, resident status	C 15 L 79	E1
2SHB 204	Criminal justice division	C 79 L 79	
SHB 219	Basic science examination	C 114 L 79	E1
HB 226	Tuition/fees reciprocity	C 80 L 79	
SHB 227	School district levies	C 172 L 79	E1
HB 229	Livestock public markets	C 91 L 79	E1
HB 230	Certificated feed lots	C 81 L 79	
SHB 247	Agric. products/laws revised	C 115 L 79	E1
SHB 248	Real estate-exec. sessions	C 42 L 79	
SHB 249	National health act 1974	C 161 L 79	E1
SHB 254	Pub. asst. grievance appeals	C 92 L 79	E1
SHB 259	Controlled subst. research	C 136 L 79	
SHB 262	Vital statistics reporting	C 162 L 79	E1
SHB 264	Life sustaining med. proced.	C 112 L 79	
HB 279	Small civil claims	C 102 L 79	
SHB 280	Unlicensed contractor ads	C 116 L 79	E1
HB 288	Nonpolluting fuel use	C 48 L 79	
SHB 291	Tax laws misc. revisions	C 95 L 79	E1
SHB 295	National guard scholarships	C 90 L 79	E1
SHB 298	Controlling vehicle emission	C 163 L 79	E1
SHB 302	B & O tax exempt. nonprofit	C 196 L 79	E1
HB 307	Criminal code revisions	C 244 L 79	E1
HB 308	Unclaimed property modified	C 117 L 79	E1
SHB 311	Motor vehicle offenses	C 164 L 79	E1
SHB 319	High. ed. employees, tuition	C 82 L 79	
HB 320	106% levy limit extended	C 218 L 79	E1
SHB 328	Energy fac. site locations	C 41 L 79	
HB 330	Game licenses by fraud	C 127 L 79	E1
SHB 333	Salmon charter boat restrict.	C 101 L 79	
HB 338	Marriage solemnization	C 128 L 79	E1
HB 341	Double amendment corr. RCW 18	C 25 L 79	
HB 342	Double amendment corr. RCW 21	C 8 L 79	
HB 343	Double amendment corr. RCW 27	C 9 L 79	
HB 344	Double amendment corr. RCW 43	C 10 L 79	
HB 345	Double amendment corr. RCW 46	C 11 L 79	
HB 346	Double amendment corr. RCW 82	C 12 L 79	
HB 347	Double amendment corr. RCW 84	C 13 L 79	

HB 348	Double amendment corr. RCW 28	C 14 L 79	
HB 351	Agri. commodity wheat assess.	C 93 L 79	E1
SHB 352	Parent-child relationships	C 165 L 79	E1
HB 358	Comm. coll. cert. fees abolish	C 148 L 79	E1
HB 365	Credit unions satellite fac.	C 137 L 79	
SHB 367	Schools accreditation	C 173 L 79	E1
HB 376	Pacific NW festival facility	C 197 L 79	E1
HB 380	Highway numbers, description	C 33 L 79	E1
SHB 398	Community college board	C 103 L 79	E1
SHB 402	Irrigation funds	C 83 L 79	
HB 413	School dist. real property	C 16 L 79	E1
HB 415	Local assessment hearings	C 100 L 79	E1
2SHB 418	Sexual assault victims	C 219 L 79	E1
HB 419	UW faculty center liquor	C 104 L 79	E1
HB 424	Court filing fee negotiation	C 129 L 79	E1
SHB 425	Civil actions arbitration	C 103 L 79	
HB 433	Ecology dept. powers updated	C 267 L 79	E1PV
SHB 437	Education clinic act chngs.	C 174 L 79	E1
SHB 438	Domestic violence law enforc.	C 105 L 79	E1
HB 441	Regulatory fees nonpayment	C 198 L 79	E1
SHB 446	Water permits conditioned	C 166 L 79	E1
HB 450	Nurses continuing education	C 106 L 79	E1
HB 455	Employee welfare trust funds	C 34 L 79	E1
SHB 459	Ins. fees, taxes refunds	C 130 L 79	E1
HB 460	Specialized forest products	C 94 L 79	E1
SHB 480	Discrimination, handicaps	C 127 L 79	
SHB 481	Property sale documents	C 107 L 79	E1
HB 482	Savings bks., certif. deposit	C 51 L 79	
SHB 486	Shorelands 2nd class sale	C 150 L 79	
HB 491	Senior citizens service act	C 147 L 79	E1
SHB 500	PERS, TRS, WSP retirement	C 96 L 79	E1
SHB 502	Immunization of children	C 118 L 79	E1
SHB 504	Senior citizen park passes	C 131 L 79	E1
HB 516	Omnibus budget	C 270 L 79	E1PV
2SHB 527	Search and rescue compensation	C 268 L 79	E1
SHB 535	Motor freight carriers	C 138 L 79	E1
SHB 546	Examiners for insurers	C 35 L 79	E1
SHB 554	Shelters domestic violence	C 245 L 79	E1
HB 571	Criminal records privacy act	C 36 L 79	E1
SHB 574	Bonds water supply facility	C 258 L 79	E1
HB 576	Apprenticeships regs. revise	C 37 L 79	E1
HB 585	Forest products institute	C 50 L 79	
HB 588	Limited licenses insurance	C 138 L 79	
HB 602	CPA's audit insurance exam	C 139 L 79	
HB 612	Permanent partial disability	C 104 L 79	
SHB 617	Tax relief farmlands	C 84 L 79	
SHB 619	Prescribing drugs revisions	C 139 L 79	E1
HB 622	MV excise tax distr. date	C 175 L 79	E1
SHB 624	Cert. controlled substances	C 119 L 79	E1
HB 630	Public works reserve fund	C 38 L 79	E1
HB 636	Aircraft noise impact	C 85 L 79	

HB	645	School plants community use	C	120	L	79	E1
HB	650	Inaccurate employer reports	C	190	L	79	E1
SHB	663	Remediation assistance	C	149	L	79	
SHB	665	Alcohol, traffic offenders	C	176	L	79	E1
HB	666	Authorized transfer students	C	140	L	79	E1
HB	668	Employment security records	C	177	L	79	E1
HB	677	Sheriff clothing allowance	C	132	L	79	
HB	689	Littering convicted pick up	C	39	L	79	E1
HB	691	WSU extension employees	C	9	L	79	E1
SHB	697	Replevin law revised	C	132	L	79	E1
SHB	706	OFM sundry claims evaluate	C	167	L	79	E1
SHB	729	Panel medicine plans	C	125	L	79	
HB	735	Ins. contracts, nonforfeiture	C	157	L	79	PV
SHB	740	Bond issue handicapped fac.	C	221	L	79	E1
SHB	749	Spokane River toll bridge	C	131	L	79	
HB	750	Trails along roadways, funds	C	121	L	79	E1
SHB	751	Highway priority programming	C	122	L	79	E1
HB	754	Workers' comp. payments adj.	C	108	L	79	
SHB	755	Abandoned vehicles, highways	C	178	L	79	E1
HB	759	Libraries, recruit. expenses	C	40	L	79	E1
SHB	768	Higher ed. annuities, plans	C	259	L	79	E1
SHB	774	Stolen goods pawnbroker, fee	C	41	L	79	E1
HB	778	Ag. coops voting, dissolve	C	86	L	79	
HB	781	Geoducks, clams, licenses	C	141	L	79	E1
HB	788	Banks, trusts, fidiciaries	C	105	L	79	
SHB	791	Retirement, public service	C	249	L	79	E1PV
HB	795	Charitable gift annuities	C	130	L	79	
SHB	796	Hydroplane races admission	C	26	L	79	
HB	802	Debentures co. definition	C	140	L	79	
SHB	803	Guidelines unissued shares	C	106	L	79	
HB	806	Cease & desist mut.-sav. banks	C	46	L	79	
HB	808	Trust business deposits	C	45	L	79	
SHB	815	Prescrip. drugs substitut.	C	110	L	79	
HB	845	Insurance licenses	C	269	L	79	E1
HB	846	Revenue dept. statutory ref.	C	107	L	79	
HB	847	DSHS, statutory references	C	141	L	79	
HB	848	OFM, statutory references	C	151	L	79	PV
HB	849	Licensing dept. statutory ref.	C	158	L	79	PV
HB	860	Boundary review guidelines	C	142	L	79	E1
HB	862	Hosp. trustees AA counties	C	17	L	79	E1
SHB	871	Transportat. biennial approp.	C	168	L	79	E1
SHB	872	Transportation appropriation	C	169	L	79	E1
HB	874	Forest fire advisory board	C	49	L	79	
HB	875	Banks, trust co. real estate	C	142	L	79	
HB	888	Rehabilitation center	C	42	L	79	E1
SHB	907	People's lodge bond iss. mod.	C	246	L	79	E1
SHB	912	Solar easements	C	170	L	79	E1
HB	913	Aquaculture lands	C	123	L	79	E1
HB	923	Public emp. relations comm.	C	146	L	79	E1PV
HB	933	Public hospital districts	C	143	L	79	E1
HB	952	Adverse claim honoring	C	143	L	79	

HB 954	Code cities annexation	C 124 L 79	E1
SHB 962	Buy-back fishing vessels	C 43 L 79	E1
SHB 972	Cities, fire protection dist.	C 179 L 79	E1
HB 983	Comm. coll. leaves, costs	C 44 L 79	
HB 989	UTC lease approval, facility	C 125 L 79	E1
SHB 1013	Cogeneration processes	C 191 L 79	E1
SHB 1018	Group ins. associations	C 44 L 79	E1
SHB 1031	Transportation studies	C 192 L 79	E1
SHB 1032	I-90 Bonds, authorized	C 180 L 79	E1
SHB 1033	Hood Canal Bridge	C 27 L 79	
SHB 1034	Cities, highway improve.	C 181 L 79	E1
SHB 1045	CETA, retire. coverage ex.	C 45 L 79	E1
SHB 1057	Service contracts exemptions	C 46 L 79	E1
SHB 1064	Sick leave account funding	C 247 L 79	E1
SHB 1075	WPSS audit	C 220 L 79	E1PV
HB 1114	Session laws appropriation	C 144 L 79	
HB 1115	Administrative support func.	C 47 L 79	E1
SHB 1121	Insurance revisions	C 199 L 79	E1PV
SHB 1126	Legislature convening date	C 48 L 79	E1
HB 1133	Continuing political funds	C 50 L 79	E1
HB 1175	Claims against state	C 144 L 79	E1
SHB 1176	Federal lands jurisdiction	C 49 L 79	E1
HB 1207	Day care demonstration proj.	C 248 L 79	E1
2SHB 1239	Emerg. medical serv. levy	C 200 L 79	E1
HB 1241	Non-profit org. prop. parks	C 193 L 79	E1
SHB 1258	Juvenile truancy	C 201 L 79	E1
SHB 1281	Snowmobiles regulated	C 182 L 79	E1PV
SHB 1308	Mobile home parks L/T	C 186 L 79	E1PV
HB 1325	Optional municipal code	C 18 L 79	E1
SHB 1347	Mental health services, fees	C 145 L 79	E1

BILL NO. SESSION LAW TABLE

SENATE

<u>BILL NO.</u>	<u>TITLE</u>	<u>CHAPTER NO.</u>
SB 2005	Liquor licenses, class H	C 87 L 79
SSB 2010	Housing auth. mobile homes	C 187 L 79 E1
SB 2015	State, official dance	C 10 L 79 E1
SSB 2016	Parking, physically disabled	C 26 L 79 E1
SB 2021	Corrections inst. contraband	C 121 L 79
SB 2026	Public transportat. studies	C 59 L 79
SSB 2028	Telephone lines, police	C 28 L 79
SSB 2030	Sick leave, public employees	C 152 L 79
SSB 2032	Commercial driver training	C 51 L 79 E1
SB 2033	State purchasing	C 88 L 79
SB 2040	Special parking decals	C 27 L 79 E1
SSB 2042	Students/consulor parents	C 19 L 79 E1
SB 2045	Salmon guides exclusion	C 60 L 79
SB 2053	Park, recreation districts	C 11 L 79 E1
SSB 2058	Public lands leasing	C 109 L 79 E1
SB 2060	Health officers	C 52 L 79 E1
SB 2062	Perform/visual arts center	C 222 L 79 E1
SB 2065	Urban arterial bonds	C 5 L 79
SB 2066	Travel trailers, campers tax	C 123 L 79
SB 2067	Driver licensing changes	C 61 L 79
SB 2068	Habitual traffic offenders	C 62 L 79
SB 2069	Vehicle license fees/refund	C 120 L 79
SSB 2071	Motor vehicle dealer fees	C 251 L 79 E1
SB 2077	Utility service reduced rate	C 116 L 79
SB 2078	Accident records-fee	C 34 L 79
SB 2094	MV operator instruct. permit	C 63 L 79
SSB 2095	Superior Ct. judges	C 202 L 79 E1PV
SSB 2097	Mopeds as motor vehicles	C 213 L 79 E1
SB 2101	Veterans, size of estates	C 64 L 79
SB 2102	State soldiers' home	C 65 L 79
SB 2106	Personal property exemption	C 65 L 79 E1
SB 2111	Timber taxation	C 6 L 79
SSB 2117	Sewage improvement dist.	C 35 L 79
SSB 2118	Agcy/interlocal cooperation	C 36 L 79
SB 2119	Business corporation act	C 16 L 79
SB 2121	Embalmers eye removal	C 37 L 79
SB 2124	Food fish, shellfish sellers	C 66 L 79
SB 2130	ESD's services	C 66 L 79 E1
SB 2131	Food commodities fund	C 20 L 79 E1
SSB 2132	Funds, school buildings	C 89 L 79
SB 2136	Multistate dental license	C 38 L 79
SB 2138	Counterfeit contr. subst.	C 67 L 79
SSB 2140	Scholarships/perform. arts	C 1 L 79 E1
SSB 2141	Practice of pharmacy	C 90 L 79
SSB 2142	Physical damage to animals	C 145 L 79

SB 2143	1st class dist. AA counties	C 183 L 79	E1
SSB 2144	Reward statutes modified	C 53 L 79	E1
SB 2147	Food donations liability	C 115 L 79	
SSB 2148	Supplemental budget	C 15 L 79	
SSB 2149	Bilingual instruction	C 95 L 79	
SB 2155	Schools nonprofit meals	C 58 L 79	
SSB 2158	Conservation rights	C 21 L 79	E1
SB 2159	DNR sales exchanges	C 54 L 79	
SSB 2161	Small public works projects	C 89 L 79	E1PV
SB 2173	Court commissioners	C 54 L 79	E1
SB 2175	Criminal justice commission	C 55 L 79	E1
SB 2176	State debts	C 204 L 79	E1
SB 2178	Standby guardians	C 32 L 79	
SB 2180	Agricultural activities	C 122 L 79	
SSB 2181	Inheritance tax revisions	C 209 L 79	E1
SSB 2182	Gift tax revisions	C 210 L 79	E1
SSB 2184	Recycling facilities bonds	C 68 L 79	
SB 2186	Utility pole attachments	C 33 L 79	
SB 2191	Geothermal resources rights	C 2 L 79	E1
SSB 2192	Unused sick leave	C 150 L 79	E1
SSB 2194	Higher ed. capital construct.	C 12 L 79	E1
SSB 2197	Uranium/thorium milling	C 110 L 79	E1
SB 2206	Commercial feed inspections	C 91 L 79	
SB 2218	DNR-local govt.-planning	C 56 L 79	E1
SB 2221	Medical malprac. records	C 17 L 79	
SB 2224	Firemen-volunteer/pensions	C 157 L 79	E1
SSB 2226	Port district-property	C 72 L 79	
SB 2233	Small loan companies	C 18 L 79	
SB 2242	Governor, certain boards	C 57 L 79	E1
SSB 2243	Higher ed. bond issue auth.	C 223 L 79	E1
SSB 2244	Fisheries facil. bond issue	C 224 L 79	E1
SSB 2249	Voc. educ. bond issue auth.	C 225 L 79	E1
SSB 2250	Comm. colleges bond issue	C 226 L 79	E1
SSB 2251	Social/health services bonds	C 252 L 79	E1
SSB 2252	Transportation supp. budget	C 30 L 79	
SSB 2254	Agriculture laws update	C 154 L 79	PV
SSB 2255	Pesticide control law update	C 146 L 79	
SB 2256	Investments, custody/funds	C 119 L 79	
SSB 2265	Pesticides application revis.	C 92 L 79	
SSB 2273	Trust funds superior court	C 227 L 79	E1
SSB 2274	County treasurers investing	C 57 L 79	
SSB 2275	Horse racing-revisions	C 31 L 79	
SB 2277	Bus stop signs	C 69 L 79	
SSB 2284	Harbor areas leasing	C 97 L 79	E1
SB 2290	DOT highways powers	C 58 L 79	E1
SSB 2291	State Highway fund expend.	C 39 L 79	
SB 2295	Obsolete funds, accounts	C 67 L 79	E1
SB 2296	Veterans revisions	C 59 L 79	E1
SB 2297	Higher ed. assist. auth. act	C 60 L 79	E1
SSB 2301	Personal services contracts	C 61 L 79	E1
SSB 2304	Special fuel tax, regulation	C 40 L 79	

SB 2305	Escrow agents, bond & insur.	C	70	L	79	
SSB 2306	Franchise invest. protection	C	13	L	79	E1
SSB 2308	Emergency medical services	C	261	L	79	E1PV
SSB 2310	St. Treas. wage pay finan. inst.	C	93	L	79	
SB 2311	Credit Unions cert. powers	C	98	L	79	E1
SB 2314	Securities act modified	C	68	L	79	E1
SSB 2317	Workers' comp. benefits	C	151	L	79	E1
SB 2321	Game dept. materials fees	C	56	L	79	
SSB 2336	Nursing home resident care	C	211	L	79	E1
SSB 2337	Medical care claims fraud	C	152	L	79	E1
SB 2338	Nursing home revisions	C	228	L	79	E1
SB 2339	Nursing homes assistants	C	114	L	79	
SB 2354	Bids, highway projects	C	69	L	79	E1
SB 2355	Osteopaths regulations	C	117	L	79	
SSB 2357	Outdoor recreation fac bonds	C	229	L	79	E1
SSB 2361	State gov't. projects bonds	C	230	L	79	E1
SB 2362	Landlords increased notice	C	70	L	79	E1
SB 2366	Lake Forest Park harbor line	C	19	L	79	
SSB 2374	Prop. tax retired owners	C	214	L	79	E1
SSB 2375	Sheriffs-civil service	C	153	L	79	E1
SSB 2376	Local improve. guaranty fund	C	55	L	79	
SB 2378	Pension benefits-spouses	C	205	L	79	E1
SB 2385	Funeral director information	C	62	L	79	E1
SSB 2388	Food fish producer fees	C	203	L	79	E1
SSB 2393	Noxious weeds spread prevent	C	118	L	79	
SB 2398	Lost, stolen state warrants	C	71	L	79	E1
SB 2399	County prisoners care reimb.	C	147	L	79	
SB 2402	Indust. insur. benefit adjust.	C	231	L	79	E1
SB 2403	Mun. corp. services rendered	C	71	L	79	
SB 2406	Displaced homemaker act	C	73	L	79	
SSB 2411	Local gov't. judgments pymt.	C	72	L	79	E1
SSB 2415	Civil commitment revisions	C	215	L	79	E1
SB 2417	Victims of crimes restitut.	C	29	L	79	
SSB 2422	Professional discipline	C	111	L	79	E1
SB 2430	PERC hearings, transcription	C	73	L	79	E1
SSB 2434	Ed. services registration act	C	188	L	79	E1
SSB 2439	Fisheries violations	C	99	L	79	E1
SSB 2442	Gov. energy emergency powers	C	158	L	79	E1
SSB 2451	Tuition, fee waivers	C	262	L	79	E1PV
SB 2462	Investments state funds	C	154	L	79	E1
SB 2466	Civil actions, proceedings	C	264	L	79	E1
SB 2467	Revoked out-of-state license	C	74	L	79	E1
SB 2468	Elude pursuing police cars	C	75	L	79	E1
SB 2474	State building code updated	C	76	L	79	E1
SB 2479	Bank investments	C	124	L	79	
SSB 2482	Partnership regulations	C	22	L	79	E1
SB 2486	Apple comm. assessments	C	20	L	79	
SB 2492	Teletypewriters, hearing aid	C	63	L	79	E1
SB 2502	Medal of Honor license plate	C	77	L	79	E1
SSB 2504	Water during drought condit.	C	263	L	79	E1PV
SSB 2505	Jail facilities bond issue	C	232	L	79	E1

SB 2506	Mandating retirement	C 159 L 79	E1
SB 2508	Insurance premium taxes	C 233 L 79	E1
SB 2511	Recycling litter control	C 94 L 79	
SSB 2532	Hospital districts mortgages	C 155 L 79	E1
SB 2562	Registration transfers	C 96 L 79	
SB 2565	Polling places handicapped	C 64 L 79	E1
SB 2569	Reciprocal surcharge camping	C 153 L 79	
SB 2602	Beer distributors, spirits	C 23 L 79	E1
2SSB 2610	TESC degree granting auth.	C 78 L 79	E1
SB 2630	Buena camp migrant housing	C 79 L 79	E1
SSB 2639	Bond issue public services	C 234 L 79	E1
SSB 2685	Finan. reporting officials	C 265 L 79	E1
SSB 2709	Basic ed. pupil transportat.	C 250 L 79	E1PV
SB 2727	Ins. companies arson info.	C 80 L 79	E1
SB 2736	State recreation guide	C 24 L 79	E1
SSB 2744	Student finan. aid program	C 235 L 79	E1
SB 2753	Public assistance revisions	C 81 L 79	E1
SB 2763	Judgments, effective, revival	C 236 L 79	E1
SB 2765	Schools apportion. amounts	C 237 L 79	E1
SSB 2768	Procedures families conflict	C 155 L 79	PV
SB 2791	Cattle, brand inspection	C 238 L 79	E1
SSB 2794	Water and water rights revis.	C 216 L 79	E1
SSB 2798	Employ agcy. advis. brd. sunset	C 82 L 79	E1
SB 2852	Uniform pers. collect. barg.	C 184 L 79	E1
SB 2905	Electricians-licensing	C 156 L 79	E1
SB 2923	Vietnam vets tuition hi. ed.	C 83 L 79	E1
SB 2925	Expo 74 site city of Spokane	C 25 L 79	E1
SSB 2929	Mobile home taxation	C 266 L 79	E1
2SSB 2944	1977 approp. allocation	C 206 L 79	E1
SSB 2952	Pilotage revisions	C 207 L 79	E1
SSB 2957	DOT, property disposal	C 189 L 79	E1
SSB 2958	Hood Canal Bridge	C 84 L 79	E1
SSB 2964	Higher ed. fac. bond issue	C 253 L 79	E1
SSB 2967	Forest dev., mgmt. cost funds	C 208 L 79	E1
SSB 2976	Energy conservation funds	C 239 L 79	E1
SSB 2979	Energy sites permits	C 254 L 79	E1
SSB 2993	Public utility districts	C 240 L 79	E1
SSB 3008	Elected officials salaries	C 255 L 79	E1
SSB 3022	Found, unclaimed property	C 85 L 79	E1
2SSB 3033	Irrigation districts	C 185 L 79	E1
SSB 3034	DOT, tri-cities bridge	C 212 L 79	E1
SSB 3066	State Auditor revisions	C 86 L 79	E1
SB 3077	Photo ID drivers license	C 87 L 79	E1
SSB 3100	Vessels	C 74 L 79	
SSB 3101	School facilities bond	C 241 L 79	E1
SB 3115	Insurance prior dble. amend.	C 88 L 79	E1
SB 3117	DSHS resident education	C 217 L 79	E1
SSB 3126	Manicurists	C 242 L 79	E1
SSB 3129	Performing arts center	C 260 L 79	E1

SESSION LAW BILL NO. TABLE

Regular Session

<u>CHAPTER NO.</u>	<u>TITLE</u>	<u>BILL NO.</u>
C 1 L 79 through C 4 L 79 are initiatives approved by the people at the November 1978 general election.		
C 5 L 79	Urban arterial bonds	SB 2065
C 6 L 79	Timber taxation	SB 2111
C 7 L 79	Highways, environ. repealer	HB 26
C 8 L 79	Double amendment corr. RCW 21	HB 342
C 9 L 79	Double amendment corr. RCW 27	HB 343
C 10 L 79	Double amendment corr. RCW 43	HB 344
C 11 L 79	Double amendment corr. RCW 46	HB 345
C 12 L 79	Double amendment corr. RCW 82	HB 346
C 13 L 79	Double amendment corr. RCW 84	HB 347
C 14 L 79	Double amendment corr. RCW 28	HB 348
C 15 L 79	Supplemental budget	SSB 2148
C 16 L 79	Business corporation act	SB 2119
C 17 L 79	Medical malpractice records	SB 2221
C 18 L 79	Small loan companies	SB 2233
C 19 L 79	Lake Forest Park harbor line	SB 2366
C 20 L 79	Apple commission assessments	SB 2486
C 21 L 79	Cemetery prearrange contract	SHB 82
C 22 L 79	Sunset Act of 1977	HB 127
C 23 L 79	Special districts comp. plan	SHB 139
C 24 L 79	DNR surplus land	HB 187
C 25 L 79	Double amendment corr. RCW 18	HB 341
C 26 L 79	Hydroplane races admission	SHB 796
C 27 L 79	Hood Canal Bridge	SHB 1033
C 28 L 79	Telephone lines, police	SSB 2028
C 29 L 79	Victims of crimes restit.	SB 2417
C 30 L 79	Transportation supp. budget	SSB 2252
C 31 L 79	Horse racing-revisions	SSB 2275
C 32 L 79	Standby guardians	SB 2178
C 33 L 79	Utility pole attachments	SB 2186
C 34 L 79	Accident records-fee	SB 2078
C 35 L 79	Sewage improvement dist.	SSB 2117
C 36 L 79	Agcy/inter-local corporation	SSB 2118
C 37 L 79	Embalmers eye removal	SB 2121
C 38 L 79	Multistate dental license	SB 2136
C 39 L 79	State highway fund expend.	SSB 2291
C 40 L 79	Special fuel tax, regulation	SSB 2304
C 41 L 79	Energy fac. site locations	SHB 328
C 42 L 79	Real estate-exec. sessions	SHB 248
C 43 L 79	Term papers sale	HB 126
C 44 L 79	Comm. coll. leaves, costs	HB 983
C 45 L 79	Trust business deposits	HB 808
C 46 L 79	Cease & desist mut-sav banks	HB 806
C 47 L 79	Screening for scoliosis	SHB 88

C 48 L 79	Nonpolluting fuel use	HB	288
C 49 L 79	Forest fire advisory board	HB	874
C 50 L 79	Forest products institute	HB	585
C 51 L 79	Savings bks, certif. deposit	HB	482
C 52 L 79	WSU, forest tree nursery	HB	69
C 53 L 79	Landowners limited liability	HB	50
C 54 L 79	DNR sales exchanges	SB	2159
C 55 L 79	Local improve. guaranty fund	SSB	2376
C 56 L 79	Game Dept. materials fees	SB	2321
C 57 L 79	County treasurers investing	SSB	2274
C 58 L 79	Schools nonprofit meals	SB	2155
C 59 L 79	Public transport. studies	SB	2026
C 60 L 79	Salmon guides exclusion	SB	2045
C 61 L 79	Driver licensing changes	SB	2067
C 62 L 79	Habitual traffic offenders	SB	2068
C 63 L 79	MV operator instruct. permit	SB	2094
C 64 L 79	Veterans, sizes of estates	SB	2101
C 65 L 79	State soldiers' home	SB	2102
C 66 L 79	Food fish, shellfish sellers	SB	2124
C 67 L 79	Counterfeit contr. subst.	SB	2138
C 68 L 79	Recycling facilities bonds	CSB	2184
C 69 L 79	Bus stop signs	SB	2277
C 70 L 79	Escrow agents, bond & insur.	SB	2305
C 71 L 79	Mun. corp. services rendered	SB	2403
C 72 L 79	Port district-property	SSB	2226
C 73 L 79	Displaced Homemakers Act	SB	2406
C 74 L 79	Vessels	SSB	3100
C 75 L 79	Locomotive operators, license	HB	6
C 76 L 79	Port dist. levy flexibility	HB	140
C 77 L 79	Columbus Day recognized	HB	65
C 78 L 79	Financial resp./bankruptcy	HB	155
C 79 L 79	Criminal justice division	2SHB	204
C 80 L 79	Tuition/fees reciprocity	HB	226
C 81 L 79	Certified feed lots	HB	230
C 82 L 79	High. ed. employees, tuition	SHB	319
C 83 L 79	Irrigation funds	SHB	402
C 84 L 79	Tax relief farmlands	SHB	617
C 85 L 79	Aircraft noise impact	HB	636
C 86 L 79	Ag. coops voting, dissolve	HB	778
C 87 L 79	Liquor licenses, class H	SB	2005
C 88 L 79	State purchasing	SB	2033
C 89 L 79	Funds, school buildings	SSB	2132
C 90 L 79	Practice of pharmacy	SSB	2141
C 91 L 79	Commercial feed inspections	SB	2206
C 92 L 79	Pesticides application revis.	SSB	2265
C 93 L 79	St. Treas. wage pay finan. inst.	SSB	2310
C 94 L 79	Recycling litter control	SB	2511
C 95 L 79	Bilingual instruction	SSB	2149
C 96 L 79	Registration transfers	SB	2562
C 97 L 79	Correcting a mistake	HB	66
C 98 L 79	Uniform child custody	HB	18
C 99 L 79	Sunset review schedule	SHB	112

C 100	L 79	DNR services available	HB	178
C 101	L 79	Salmon charter boat restrict.	SHB	333
C 102	L 79	Small civil claims	HB	279
C 103	L 79	Civil actions arbitration	SHB	425
C 104	L 79	Permanent partial disability	HB	612
C 105	L 79	Banks, trusts, fidiciaries	HB	788
C 106	L 79	Guidelines unissued shares	SHB	803
C 107	L 79	Revenue dept. statutory ref.	HB	846
C 108	L 79	Workers' comp. payments adj.	HB	754
C 109	L 79	Senior citizen programs	SHB	16
C 110	L 79	Prescrip. drugs substitut.	SHB	815
C 111	L 79	Ride sharing operations	SHB	96
C 112	L 79	Life sustaining med. proced.	SHB	264
C 113	L 79	Savings & loan associations	SHB	195
C 114	L 79	Nursing homes assistants	SB	2339
C 115	L 79	Food donations liability	SB	2147
C 116	L 79	Utility service reduced rate	SB	2077
C 117	L 79	Osteopaths regulations	SB	2355
C 118	L 79	Noxious weeds spread prevent.	SSB	2393
C 119	L 79	Investment, custody/funds	SB	2256
C 120	L 79	Vehicle license fees/refund	SB	2069
C 121	L 79	Corrections inst. contraband	SB	2021
C 122	L 79	Agricultural activities	SB	2180
C 123	L 79	Travel trailers, campers tax	SB	2066
C 124	L 79	Bank investments	SB	2479
C 125	L 79	Panel medicine plans	SHB	729
C 126	L 79	County law libraries	HB	149
C 127	L 79	Discriminations, handicaps	SHB	480
C 128	L 79	Industrial ins. eligibility	SHB	92
C 129	L 79	Criminal cost bills	HB	30
C 130	L 79	Charitable gift annuities	HB	795
C 131	L 79	Spokane River toll bridge	SHB	749
C 132	L 79	Sheriff clothing allowance	HB	677
C 133	L 79	Insurance policies/cancel	SHB	109
C 134	L 79	Proportional registration	HB	141
C 135	L 79	Salmon licenses extend. limit	SHB	175
C 136	L 79	Controlled subst. research	SHB	259
C 137	L 79	Credit unions satellite fac.	HB	365
C 138	L 79	Limited licenses insurance	HB	588
C 139	L 79	CPA's audit insurance exam	HB	602
C 140	L 79	Debentures co. definition	HB	802
C 141	L 79	DSHS, statutory references	HB	847
C 142	L 79	Banks, trust co. real estate	HB	875
C 143	L 79	Adverse claim honoring	HB	952
C 144	L 79	Session laws appropriation	HB	1114
C 145	L 79	Physical damage to animals	SSB	2142
C 146	L 79	Pesticide control law update	SSB	2255
C 147	L 79	County prisoners care reimb.	SB	2399
C 148	L 79	Dog bite liability	HB	25
C 149	L 79	Remediation assistance	SHB	663
C 150	L 79	Shorelands 2nd class sale	SHB	486
C 151	L 79 PV	OFM, statutory references	HB	848

C 152 L 79	Sick leave, public employees	SSB 2030
C 153 L 79	Reciprocal surcharge camping	SB 2569
C 154 L 79 PV	Agriculture laws update	SSB 2254
C 155 L 79 PV	Procedures families conflict	SSB 2768
C 156 L 79	Regulating debt adjusters	HB 86
C 157 L 79 PV	Ins. contracts, nonforfeiture	HB 735
C 158 L 79 PV	Licensing Dept. statutory ref.	HB 849

SESSION LAW BILL NO. TABLE

1st Ex. Session

<u>CHAPTER NO.</u>	<u>TITLE</u>	<u>BILL NO.</u>
C 1 L 79 E1	Scholarships/perform. arts	SSB 2140
C 2 L 79 E1	Geothermal resources rights	SB 2191
C 3 L 79 E1	Hunt/fish lic. issuing fee	HB 44
C 4 L 79 E1	Small irrigation dist. exempt.	HB 48
C 5 L 79 E1	Special purpose districts	SHB 77
C 6 L 79 E1	Farm products hauling	SHB 97
C 7 L 79 E1	Handicapped driver's card	HB 114
C 8 L 79 E1	Snags selective removal	SHB 188
C 9 L 79 E1	WSU extension employees	HB 691
C 10 L 79 E1	State, official dance	SB 2015
C 11 L 79 E1	Park, recreation districts	SB 2053
C 12 L 79 E1	Higher ed. capital construct.	SSB 2194
C 13 L 79 E1	Franchise invest. protection	SSB 2306
C 14 L 79 E1	Vocational rehab. programs	HB 113
C 15 L 79 E1	Students, resident status	SHB 201
C 16 L 79 E1	School dist. real property	HB 413
C 17 L 79 E1	Hosp. trustees AA counties	HB 862
C 18 L 79 E1	Optional municipal code	HB 1325
C 19 L 79 E1	Students/consulor parents	SSB 2042
C 20 L 79 E1	Food commodities fund	SB 2131
C 21 L 79 E1	Conservation rights	SSB 2158
C 22 L 79 E1	Partnership regulations	SSB 2482
C 23 L 79 E1	Beer distributors, spirits	SB 2602
C 24 L 79 E1	State recreation guide	SB 2736
C 25 L 79 E1	Expo 74 site city of Spokane	SB 2925
C 26 L 79 E1	Parking, physically disabled	SSB 2016
C 27 L 79 E1	Special parking decals	SB 2040
C 28 L 79 E1	Power of arrest/traffic law	SHB 22
C 29 L 79 E1	Motion picture blind bidding	HB 58
C 30 L 79 E1	Special purpose districts	SHB 78
C 31 L 79 E1	Veterinary board, lay member	SHB 163
C 32 L 79 E1	Christmas trees out of state	SHB 186
C 33 L 79 E1	Highway numbers, description	HB 380
C 34 L 79 E1	Employee welfare trust funds	HB 455
C 35 L 79 E1	Examiners board insurers	SHB 546
C 36 L 79 E1	Criminal records privacy act	HB 571
C 37 L 79 E1	Apprenticeships regs. revised	HB 576
C 38 L 79 E1	Public works reserve fund	HB 630
C 39 L 79 E1	Littering convicted pick up	HB 689
C 40 L 79 E1	Libraries, recruit. expenses	HB 759
C 41 L 79 E1	Stolen goods pawnbroker, fee	SHB 774
C 42 L 79 E1	Rehabilitation center	HB 888
C 43 L 79 E1	Buy-back fishing vessels	SHB 962
C 44 L 79 E1	Group ins. associations	SHB 1018
C 45 L 79 E1	CETA, retire. coverage ex.	SHB 1045
C 46 L 79 E1	Service contracts exemptions	SHB 1057

C 47	L 79	E1	Administrative support func.	HB 1115
C 48	L 79	E1	Legislature convening date	SHB 1126
C 49	L 79	E1	Federal land jurisdiction	SHB 1176
C 50	L 79	E1	Continuing political funds	HB 1133
C 51	L 79	E1	Commercial driver training	SSB 2032
C 52	L 79	E1	Health officers	SB 2060
C 53	L 79	E1	Reward statutes modified	SSB 2144
C 54	L 79	E1	Court commissioners	SB 2173
C 55	L 79	E1	Criminal justice commission	SB 2175
C 56	L 79	E1	DNR-local govt.-planning	SB 2218
C 57	L 79	E1	Governor, certain boards	SB 2242
C 58	L 79	E1	DOT, highway powers	SB 2290
C 59	L 79	E1	Veterans revisions	SB 2296
C 60	L 79	E1	Higher ed. assist. auth. act	SB 2297
C 61	L 79	E1	Personal service contracts	SSB 2301
C 62	L 79	E1	Tenancy termination action	SB 2385
C 63	L 79	E1	Teletypewriters, hearing aid	SB 2492
C 64	L 79	E1	Polling places handicapped	SB 2565
C 65	L 79	E1	Personal property exemption	SB 2106
C 66	L 79	E1	ESD's services	SB 2130
C 67	L 79	E1	Obsolete funds, accounts	SR 2295
C 68	L 79	E1	Securities act modified	SB 2314
C 69	L 79	E1	Bids, highway projects	SB 2354
C 70	L 79	E1	Landlords increased notice	SB 2362
C 71	L 79	E1	Lost, stolen state warrants	SB 2398
C 72	L 79	E1	Local gov't. judgments paymt.	SSB 2411
C 73	L 79	E1	PERC hearings, transcription	SB 2430
C 74	L 79	E1	Revoked out-of-state license	SB 2467
C 75	L 79	E1	Elude pursuing police cars	SB 2468
C 76	L 79	E1	State building code updated	SB 2474
C 77	L 79	E1	Medal of Honor license plate	SB 2502
C 78	L 79	E1	TESC degree granting auth.	2SSB 2610
C 79	L 79	E1	Buena Camp migrant housing	SB 2630
C 80	L 79	E1	Ins. companies arson info.	SB 2727
C 81	L 79	E1	Public assistance revisions	SB 2753
C 82	L 79	E1	Employ. agcy. advis. brd. sunset	SSB 2798
C 83	L 79	E1	Vietnam vets tuition hi. ed.	SB 2923
C 84	L 79	E1	Hood Canal Bridge	SSB 2958
C 85	L 79	E1	Found, unclaimed property	SSB 3022
C 86	L 79	E1	State Auditor revisions	SSB 3066
C 87	L 79	E1	Photo ID drivers license	SB 3077
C 88	L 79	E1	Insurance prior dble. amend.	SB 3115
C 89	L 79	E1PV	Small public works projects	SSB 2161
C 90	L 79	E1	National guard scholarships	SHB 295
C 91	L 79	E1	Livestock public markets	HB 229
C 92	L 79	E1	Pub. asst. grievance appeals	SHB 254
C 93	L 79	E1	Agri. commodity wheat assess.	HB 351
C 94	L 79	E1	Specialized forest products	HB 460
C 95	L 79	E1	Tax laws misc. revision	SHB 291
C 96	L 79	E1	PERS, TRS, WSP retirement	SHB 500
C 97	L 79	E1	Harbor areas leasing	SSB 2284
C 98	L 79	E1	Credit unions cert. powers	SB 2311

C 99	L 79	E1	Fisheries violations	SSB 2439
C 100	L 79	E1	Local assessment hearings	HB 415
C 101	L 79	E1	Adopted childrens records	HB 4
C 102	L 79	E1	Local buyer protect contract	HB 41
C 103	L 79	E1	Community college board	SHB 398
C 104	L 79	E1	UW faculty center liquor	HB 419
C 105	L 79	E1	Domestic violence law enforc.	SHB 438
C 106	L 79	E1	Nurses continuing education	HB 450
C 107	L 79	E1	Property sale documents	SHB 481
C 108	L 79	E1	State inst./local govt./reimb.	SHB 144
C 109	L 79	E1	Public lands leasing	SSB 2058
C 110	L 79	E1	Uranium/thorium milling	SSB 2197
C 111	L 79	E1	Professional discipline	SSB 2422
C 112	L 79	E1	Fiscal notes legislation	SHB 156
C 113	L 79	E1	MV licenses/correction	HB 164
C 114	L 79	E1	Basic science examination	SHB 219
C 115	L 79	E1	Agric. products/laws revised	SHB 247
C 116	L 79	E1	Unlicensed contractor ads	SHB 280
C 117	L 79	E1	Unclaimed property modified	HB 308
C 118	L 79	E1	Immunization of children	SHB 502
C 119	L 79	E1	Cert. controlled substance	SHB 624
C 120	L 79	E1	School plants community use	HB 645
C 121	L 79	E1	Trails along roadways, funds	HB 750
C 122	L 79	E1	Highway priority programming	SHB 751
C 123	L 79	E1	Aquaculture lands	HB 913
C 124	L 79	E1	Code cities annexation	HB 954
C 125	L 79	E1	UTC lease approval, facility	HB 989
C 126	L 79	E1	Local govt. assumption office	SHB 57
C 127	L 79	E1	Game licenses by fraud	HB 330
C 128	L 79	E1	Marriage solemnization	HB 338
C 129	L 79	E1	Court filing fee negotiation	HB 424
C 130	L 79	E1	Ins. fees, taxes refunds	SHB 459
C 131	L 79	E1	Senior citizen park passes	SHB 504
C 132	L 79	E1	Replevin law revised	SHB 697
C 133	L 79	E1	Sec. of State corporate fees	HB 33
C 134	L 79	E1	Surplus reading materials	SHB 79
C 135	L 79	E1	Perspective juror selection	SHB 99
C 136	L 79	E1	Negligent driving/racing	HB 101
C 137	L 79	E1	Special district bids	SHB 133
C 138	L 79	E1	Motor freight carriers	SHB 535
C 139	L 79	E1	Prescribing drugs revisions	SHB 619
C 140	L 79	E1	Authorized transfer students	HB 666
C 141	L 79	E1	Geoducks, clams, licenses	HB 781
C 142	L 79	E1	Boundary review guidelines	HB 860
C 143	L 79	E1	Public hospital districts	HB 933
C 144	L 79	E1	Claims against state settle	HB 1175
C 145	L 79	E1	Mental health services, fees	SHB 1347
C 146	L 79	E1PV	Public emp. relations comm.	HB 923
C 147	L 79	E1	Senior citizens service act	HB 491
C 148	L 79	E1	Comm. coll. cert. fees abolish	HB 358
C 149	L 79	E1	Interest proportional regis.	HB 196
C 150	L 79	E1	Unused sick leave	SSB 2192

C 151	L 79	E1	Workers' comp. benefits	SSB 2317
C 152	L 79	E1	Medical care claims fraud	SSB 2337
C 153	L 79	E1	Sheriffs-civil service	SSB 2375
C 154	L 79	E1	Investments state funds	SB 2462
C 155	L 79	E1	Hospital districts mortgages	SSB 2532
C 156	L 79	E1	Electricians-licensing	SB 2905
C 157	L 79	E1	Firemen-volunteer/pensions	SB 2224
C 158	L 79	E1	Gov. energy emergency powers	SSB 2442
C 159	L 79	E1	Mandating retirement	SB 2506
C 160	L 79	E1	Institutional industries	SHB 80
C 161	L 79	E1	National health act 1974	SHB 249
C 162	L 79	E1	Vital statistics reporting	SHB 262
C 163	L 79	E1	Controlling vehicle emission	SHB 298
C 164	L 79	E1	Motor vehicle offenses	SHB 311
C 165	L 79	E1	Parent-child relationships	SHB 352
C 166	L 79	E1	Water permits conditioned	SHB 446
C 167	L 79	E1	OFM sundry claims evaluate	SHB 706
C 168	L 79	E1	Transportat. biennial approp.	SHB 871
C 169	L 79	E1	Transportation appropriations	SHB 872
C 170	L 79	E1	Solar easements	SHB 912
C 171	L 79	E1	Dependent children support	SHB 125
C 172	L 79	E1	School district levies	SHB 227
C 173	L 79	E1	Schools accreditation	SHB 367
C 174	L 79	E1	Educational clinic act changes	SHB 437
C 175	L 79	E1	MV excise tax distr. date	HB 622
C 176	L 79	E1	Alcohol, traffic offenders	SHB 665
C 177	L 79	E1	Employment security records	HB 668
C 178	L 79	E1	Abandoned vehicles, highways	SHB 755
C 179	L 79	E1	Cities, fire protection dist.	SHB 972
C 180	L 79	E1	I-90 bonds, authorized	SHB 1032
C 181	L 79	E1	Cities, highway improve.	SHB 1034
C 182	L 79	E1PV	Snowmobiles regulated	SHB 1281
C 183	L 79	E1	1st class dist. AA counties	SB 2143
C 184	L 79	E1	Uniform PERS collect. barg.	SB 2852
C 185	L 79	E1	Irrigation districts	2SSB 3033
C 186	L 79	E1PV	Mobile home parks L/T	SHB 1308
C 187	L 79	E1	Housing auth. mobile homes	SSB 2010
C 188	L 79	E1	Ed. services registration act	SSB 2434
C 189	L 79	E1	DOT, property disposal	SSB 2957
C 190	L 79	E1	Inaccurate employer reports	HB 650
C 191	L 79	E1	Cogeneration processes	SHB 1013
C 192	L 79	E1	Transportation studies	SHB 1031
C 193	L 79	E1	Nonprofit org. prop. parks	HB 1241
C 194	L 79	E1	Home rule local govt. clarified	SHB 76
C 195	L 79	E1	Star Route 27/Pullman	SHB 100
C 196	L 79	E1	B & O tax exempt. nonprofit	SHB 302
C 197	L 79	E1	Pacific NW festival facility	HB 376
C 198	L 79	E1	Regulatory fees nonpayment	HB 441
C 199	L 79	E1PV	Insurance revisions	SHB 1121
C 200	L 79	E1	Emerg. medical serv. levy	2SHB 1239
C 201	L 79	E1	Juvenile truancy	SHB 1258
C 202	L 79	E1PV	Superior Ct. judges	SSB 2095

C 203	L 79	E1	Food fish producer fees	SSB 2388
C 204	L 79	E1	State debts	SB 2176
C 205	L 79	E1	Pension benefits-spouses	SB 2378
C 206	L 79	E1	1977 appropr. allocation	2SSB 2944
C 207	L 79	E1	Pilotage revisions	SSB 2952
C 208	L 79	E1	Forest div., mgmt. cost funds	SSB 2967
C 209	L 79	E1	Inheritance/gift tax revis.	SSB 2181
C 210	L 79	E1	Gift tax revisions	SSB 2182
C 211	L 79	E1	Nursing home resident care	SSB 2336
C 212	L 79	E1	DOT, tri-cities bridge	SSB 3034
C 213	L 79	E1	Mopeds as motor vehicles	SSB 2097
C 214	L 79	E1	Prop. tax retired owners	SSB 2374
C 215	L 79	E1	Civil commitment revisions	SSB 2415
C 216	L 79	E1	Water and water rights revis.	SSB 2794
C 217	L 79	E1	DSHS resident education	SB 3117
C 218	L 79	E1	106% levy limit extended	HB 320
C 219	L 79	E1	Sexual assault victims	2SHB 418
C 220	L 79	E1PV	WPSS audit	SHB 1075
C 221	L 79	E1	Bond issue handicapped fac.	SHB 740
C 222	L 79	E1	Perform/visual arts centers	SB 2062
C 223	L 79	E1	Higher ed. bond issue autho.	SSB 2243
C 224	L 79	E1	Fisheries facil. bond issue	SSB 2244
C 225	L 79	E1	Voc. educ. bond issue auth.	SSB 2249
C 226	L 79	E1	Comm. colleges bond issue	SSB 2250
C 227	L 79	E1	Trust funds superior court	SSB 2273
C 228	L 79	E1	Nursing home revisions	SB 2338
C 229	L 79	E1	Outdoor recreation fac. bonds	SSB 2357
C 230	L 79	E1	State gov't. projects bonds	SSB 2361
C 231	L 79	E1	Indust. insur. benefit adjust.	SB 2402
C 232	L 79	E1	Jail facilities bond issue	SSB 2505
C 233	L 79	E1	Insurance permium taxes	SB 2508
C 234	L 79	E1	Bond issue public services	SSB 2639
C 235	L 79	E1	Student finan. aid program	SSB 2744
C 236	L 79	E1	Judgments, effective, revival	SB 2763
C 237	L 79	E1	Schools apportion. amounts	SB 2765
C 238	L 79	E1	Cattle, brand inspection	SSB 2791
C 239	L 79	E1	Energy, conservation funds	SSB 2976
C 240	L 79	E1	Public utility districts	SSB 2993
C 241	L 79	E1	School facilities bond	SSB 3101
C 242	L 79	E1	Manicurists	SSB 3126
C 243	L 79	E1	Razor clams personal use lic.	SHB 1
C 244	L 79	E1	Criminal code revisions	HB 307
C 245	L 79	E1	Shelters domestic violence	SHB 554
C 246	L 79	E1	People's lodge bond iss. mod.	SHB 907
C 247	L 79	E1	Sick leave account funding	SHB 1064
C 248	L 79	E1	Day care demonstration proj.	HB 1207
C 249	L 79	E1PV	Retirement, public service	SHB 791
C 250	L 79	E1PV	Basic ed., pupil transportat.	SSB 2709
C 251	L 79	E1	Motor vehicle dealer fees	SSB 2071
C 252	L 79	E1	Social/health services bonds	SSB 2251
C 253	L 79	E1	Higher ed. fac. bond issue	SSB 2964
C 254	L 79	E1	Energy site permits	SSB 2979

C 255	L 79	E1	Elected officials salaries	SSB 3008
C 256	L 79	E1	Local govt. self-insurance	SHB 56
C 257	L 79	E1PV	School district bonds	HB 191
C 258	L 79	E1	Bonds water supply facility	SHB 574
C 259	L 79	E1	Higher ed. annuities, plans	SHB 768
C 260	L 79	E1	Performing arts center	SSB 3129
C 261	L 79	E1PV	Emergency medical services	SSB 2308
C 262	L 79	E1PV	Tuition, fee waivers high ed.	SSB 2451
C 263	L 79	E1PV	Water during drought condit.	SSB 2504
C 264	L 79	E1	Civil actions, proceedings	SB 2466
C 265	L 79	E1	Finan. reporting officials	SSB 2685
C 266	L 79	E1	Mobile home taxation	SSB 2929
C 267	L 79	E1PV	Ecology dept. powers updated	HB 433
C 268	L 79	E1	Search and rescue compensat.	2SHB 527
C 269	L 79	E1	Insurance licenses	HB 845
C 270	L 79	E1PV	Omnibus budget	HB 516

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Clayton
Hastings
Van Dyken

HOUSE COMMERCE

Warnke, Democratic Chairman
Gallagher
May
Owen
Salatino
Walk
Greengo, Republican Chairman
Addison
Fuller
Oliver
Sanders
Struthers

HOUSE CONSTITUTION, ELECTIONS AND
GOVERNMENT ETHICS

Erickson, Democratic Chairman
Eng
Granlund
Gruger
Hughes
Oliver, Republican Chairman
Barnes
Eberle
Fuller
Hastings

SENATE AGRICULTURE

Hansen, Chairman
Benitz
Day
Gaspard
Wanamaker
Wilson

SENATE COMMERCE

Van Hollebeke, Chairman
Wojahn, Vice Chairman
Morrison
Quigg
Williams

SENATE CONSTITUTION AND ELECTIONS

Woody, Chairman
Bottiger
Hayner
Henry
Lewis
Marsh
Peterson
Pullen

HOUSE ECOLOGY

Valle, Democratic Chairman
Brekke
Douthwaite
Galloway
Hughes
Pruitt
Barr, Republican Chairman
Haley
Isaacson
Nisbet
Sanders
Smith, C.

HOUSE EDUCATION

Heck, Democratic Chairman
Bender
Ehlers
Eng
Galloway
Sommers
Valle
Warnke
Chandler, Republican Chairman
Craswell
Nelson, G.
Taller
Taylor
Tupper
Van Dyken
Whiteside

HOUSE ENERGY AND UTILITIES

McCormick, Democratic Chairman
Charnley
Grimm
Martinis
Monohon
Nelson, D.
Scott
Sherman
Haley, Republican Chairman
Bond
Isaacson
Nisbet
Sprague
Tupper
Williams
Wilson

SENATE ECOLOGY

Williams, Chairman
Donohue
Goltz
Guess
Hansen
North
Scott

SENATE EDUCATION

McDermott, Chairman
Gaspard, Vice Chairman
Gould
Hayner
Morrison
Ridder
Talmadge

SENATE ENERGY AND UTILITIES

Bottiger, Chairman
Benitz
Hayner
Lewis
Lysen
North
Williams
Wilson
Woody

HOUSE FINANCIAL INSTITUTIONS

Eng, Democratic Chairman
Hurley
Knowles
Kreidler
Lux
Sommers
Winsley, Republican Chairman
Blair
Deccio
Eberle
Newhouse
Rosbach

HOUSE HIGHER EDUCATION

Grimm, Democratic Chairman
Burns
Erickson
Gruger
Salatino
Barnes, Republican Chairman
McGinnis
Oliver
Patterson
Teutsch

HOUSE INSTITUTIONS

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Granlund
Hurley
Nelson, D.
Owen
Struthers, Republican Chairman
Barr
Houchen
Mitchell
Rohrbach

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AND INSURANCE

Bausch, Chairman
Bluechel
Clarke
Day
Donohue
Jones
von Reichbauer
Walgren

SENATE HIGHER EDUCATION

Goltz, Chairman
Benitz
Guess
Odegaard
Scott
Shinpoeh
von Reichbauer

(SENATE SOCIAL AND HEALTH SERVICES)

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Douthwaite, Democratic Chairman
Adams
Erak
Garrett
Keller
Maxie
Rohrbach, Republican Chairman
Dawson
Houchen
McDonald
McGinnis
Zimmerman

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Knowles
Sherman
Thompson
Newhouse, Republican Chairman
Chandler
Tilly
Winsley

HOUSE LABOR

Lux, Democratic Chairman
Jovanovich
King
Monohon
Scott
Clayton, Republican Chairman
Dunlap
Fancher
Flanagan
Smith, C.

HOUSE LOCAL GOVERNMENT

Charnley, Democratic Chairman
Brekke
Brown
Garrett
Keller
North
Vrooman
Zimmerman, Republican Chairman
Rohrbach
Rosbach
Schmitt
Teutsch
Van Dyken
Whiteside

(SENATE FINANCIAL INSTITUTIONS
AND INSURANCE)

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Talmadge, Vice Chairman
Bottiger
Clarke
Gallaghan
Hayner
Jones
Van Hollebeke
Woody

SENATE LABOR

Lysen, Chairman
Vognild, Vice Chairman
Matson
McDermott
Moore
Morrison
Sellar

SENATE LOCAL GOVERNMENT

Wilson, Chairman
Bluechel
Fleming
Henry
Lee
Moore
North
Sellar
Talley

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Vrooman, Democratic Chairman
Adams
Jovanovich
Martinis
McCormick
Monohon
Owen
Smith, R.
Schmitt, Republican Chairman
Dawson
Dunlap
McDonald
Mitchell
Nelson, G.
Rosbach
Wilson

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Brown
North
Fuller, Republican Chairman
Taylor
Sprague

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Sommers, Democratic Chairman
Brown
Erickson
Galloway
Granlund
Nelson, D.
O'Brien
Smith, R.
Craswell, Republican Chairman
Addison
Bond
Flanagan
Greengo
Hastings
Sanders
Winsley

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Peterson, Chairman
Conner, Vice Chairman
Lee
Lysen
Newschwander
Odegaard
Pullen
Quigg
Rasmussen
Talley
Vognild

SENATE PARKS AND RECREATION

von Reichbauer, Chairman
Bausch
Lewis
Quigg
Wanamaker
Wojahn
Woody

(SENATE WAYS AND MEANS)

HOUSE RULES

Bagnariol, Democratic Chairman
Bauer
Bender
Gallagher
King
Knowles
Maxie
May
North
O'Brien
Berentson, Republican Chairman
Amen
Bond
Deccio
Dunlap
Flanagan
Newhouse
Patterson
Polk
Tilly

HOUSE SOCIAL AND HEALTH SERVICES

Adams, Democratic Chairman
Brekke
Gruger
Kreidler
Lux
May
Pruitt
Whiteside, Republican Chairman
Barr
Houchen
Mitchell
Schmitten
Teutsch
Tupper

HOUSE STATE GOVERNMENT

Ehlers, Democratic Chairman
Burns
Jovanovich
O'Brien
Pruitt
Salatino
Walk
Taller, Republican Chairman
Addison
Fancher
Greengo
Haley
McGinnis
Williams

SENATE RULES

Cherberg, Chairman
Clarke
Conner
Fleming
Gaspard
Keefe
Matson
Newschwander
Odegard
Ridder
Sellar
Talley
Walgren
Wojahn

SENATE SOCIAL AND HEALTH SERVICES

Day, Chairman
Moore, Vice Chairman
Gould
Keefe
Pullen
Quigg
Talmadge
Vognild

SENATE STATE GOVERNMENT

Rasmussen, Chairman
Shinpooh, Vice Chairman
Day
Gallaghan
Gould
McDermott
Wanamaker

HOUSE TRANSPORTATION

Martinis, Democratic Chairman
Bender
Burns
Charnley
Erak
Gallagher
Garrett
McCormick
Sherman
Walk
Wilson, Republican Chairman
Clayton
Dawson
Eberle
Isaacson
Patterson
Smith, C.
Sprague
Struthers
Tilly

HOUSE APPROPRIATIONS

Thompson, Democratic Chairman
Bauer
Becker
Douthwaite
Ehlers
Grimm
Heck
Hughes
Keller
Maxie
Vaile
Vrooman
Warnke
Blair, Republican Chairman
Amen
Barnes
Chandler
Deccio
McDonald
Nelson, G.
Nisbet
Polk
Taller
Taylor
Williams
Zimmerman

SENATE TRANSPORTATION

Henry, Chairman
Talley, Vice Chairman
Bluechel
Conner
Gallaghan
Guess
Hansen
Keefe
Lee
Peterson
Van Hollebeke
von Reichbauer
Wanamaker

SENATE WAYS AND MEANS

Donohue, Chairman
McDermott, Vice Chairman
Bausch
Clarke
Fleming
Gaspard
Goltz
Jones
Marsh
Matson
Morrison
Newschwander
Odegaard
Rasmussen
Ridder
Scott
Sellar
Shinpoeh
Walgren
Wojahn

STATUTORY AND SELECT COMMITTEE APPOINTMENTS

1979

ACTUARY, OFFICE OF STATE

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Frank Warnke

SENATORS

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Ruthe Ridder

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SENATORS

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Harold Clayton
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E. G. "Pat" Patterson, Secretary
Marion Sherman
Gene Struthers
Earl Tilly
George Walk
Simeon R. "Sim" Wilson, Exec. Comm.

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WASHINGTON/BRITISH COLUMBIA GOVERNMENTAL COOPERATION,
JOINT LEGISLATIVE COMMITTEE ON

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SENATORS

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STEERING COMMISSION

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REPRESENTATIVES

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REPRESENTATIVES

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Avery Garrett
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Wilma Rosbach
Roger Van Dyken
Harold Zimmerman

SENATORS

(TO BE ANNOUNCED)



Pink

OFFICE OF THE ATTORNEY GENERAL

Inter-office Correspondence

Date: June 7, 1979

To: Phil Austin, Mal Murphy, Tom Carr, Matt Coyle, Tom Garlington, Bob Hauth, Frank Hayes, Rich Heath, Jim Johnson, Lee Johnson, Jeff Lane, Joe Littlemore, Dick Mattsen, Marianne McGettigan, Art Mickey, Joe Montecucco, Rich Montecucco, Charlie Roe, Kevin Ryan, Ed Southon, Ted Torve, Mort Tytler, Lloyd Peterson, Jim Wilson, John Martin, Tom Boeder, John Lamp

From: Ed Mackie

Subject: 1979 Legislation

I assume that you are aware of legislation directly impacting your agency and attached is a listing of bills which have been enacted by the Special Session.

By this memo I will try to note legislative enactments in which you may have an interest but are not agency specific.

I. 1979 Regular Session

All of the following laws take effect June 7 unless specifically noted to the contrary.

Ch 36 (SSB 2118) - An amendment of the Intergovernmental Cooperation Act which redefines "public agency",
RCW 39.34.020

Ch 42 (SHB 248) - Amends the Open Meetings Act, RCW 42.30.110. To permit executive sessions to consider the disposal by lease or sale real property. However, the discussion must be limited to the minimum selling or leasing price.

Ch 43 (HB 126) - Makes it unlawful to sell or offer for sale term papers to be used in educational institutions.

Ch 49 (HB 874) - Sunset legislation for driver instructors, water well construction, Escrow Commission and the Employment Agency Advisory Board.

Ch 53 (HB 50) - Amends RCW 4.24.210 which limits the liability of a public or private landowner who makes land available for recreational purposes. Prior to the amendment it applied only to agricultural or forest lands. It now applies to all lands.

Ch 88 (SB 2033) - Revision of the purchasing statutes. RCW 43.19.190(4) provides that GA's delegation to the agency to handle purchasing shall not continue if the agency is not in substantial compliance with overall state purchasing and material control policies.

RCW 43.19.1917 substituted OFM for the Purchasing Department in accounting for office equipment and inventory. Accordingly 43.19.1918 has been repealed.

Ch 93 (SSB 2310) - State Treasurer is authorized on the written request of employees to directly deposit the employees' entire salary in a financial institution.

Ch 99 (SHB 112) - Sections 2-43 indicate the agencies and commissions which are scheduled for Sunset effective June 30, 1981 and June 30, 1983 unless the review results in a legislative recommendation to continue the agency and the legislature specifically approves the continuation.

Ch 102 (HB 279) - Section 1 eliminates an appeal to the Court of Appeals when the original amount in controversy for the recovery of money or property is less than \$200. It also eliminates the right of appeal to the Supreme Court which previously existed for those decisions in which the Court of Appeals by less than a unanimous decision reversed the trial court.

Section 2 increases the jurisdiction for Justice Court from \$1,000 to \$3,000 and on July 1, 1981, the amount will increase to \$5,000.

Section 5 provides that the increased jurisdictional amount for Justice and District Court applies to any actions filed with those courts after December 7, 1977.

Ch 103 (SHB 425) - Permits the Superior Courts by a majority vote of the judges thereon in each county to require mandatory arbitration for claims of less than \$10,000. While an appeal can be taken from the arbitrators to the court, Section 6 provides that the Supreme Court by rule can provide that costs and reasonable attorney's fees can be assessed will be assessed against the party appealing who fails to improve their position on the subsequent de novo trial. Effective July 1, 1980.

Ch 112 (SHB 264) - A natural death act which permits the termination of medical services for individuals who have indicated a desire to terminate life-sustaining procedures when they are in a terminal condition. See Section 4 for the declaration.

Ch 125 (SHB 729) - Section 3 permits dependents now covered on the State Employees Insurance Program to obtain their own coverage with the insurance carrier when they are no longer dependents without a waiting period.

Ch 136 (SHB 259) - Permits the use of marijuana for therapeutic purposes; the marijuana to be obtained through the Board of Pharmacy. Effective March 27, 1979.

Ch 152 (SSB 2030) - Provides that after January 1, 1980, there would be a sick leave account so that the State can avoid paying Social Security on sick leave payments. This fund will not include the terminal payments for sick leave authorized by another bill.

II. 1979 Extra Session

The following should take effect August 31, 1979, unless another date is noted.

Ch 28 (SHB 22) - Broadens the arrest powers of police officers with respect to traffic offenses.

Ch 36 (EHB 571) - An amendment of the Criminal Record Privacy Act (chapter 10.94 RCW). Authorizes State Patrol to develop rules.

Ch 45 (SHB 1045) - Re participation by CETA employees in the State retirement systems.

Ch 46 (SHB 1057) - Neither the State nor the Higher Education Civil Service Law is to prevent agencies from purchasing services by contract if those services were regularly purchased prior to the effective date of the act which is April 23, 1979.

Ch 47 (HB 1115) - Consolidates the Pollution Control, Forest Practice and Shoreline Boards into a single Environmental Board.

Ch 49 (SHB 1176) - Provides upon request from a federal agency the Governor can accept and the state thereafter exercise concurrent jurisdiction over federal lands which were previously exclusively federal jurisdiction.

Ch 54 (SB 2173) - Removes the current limitation of one Court Commissioner per county. (King County previously had an exception.) Thus there is now no limit on the number of Court Commissioners. The act also specifically authorizes Court Commissioners to act on ex parte matters.

Ch 61 (SSB 2301) - Further revision of the Personal Service Contract Law, chapter 39.29 RCW. New Section 4 provides for exceptions, e.g., less than \$2,500 provided that the total of such contracts with the contractor in a twelve-month period does not exceed \$2,500. Etc.

Ch 71 (SB 2398) - A revision of RCW 43.08.064 and .066 re the loss or destruction of state warrants and the replacements for the same.

Ch 112 (SHB 156) - Providing a requirement for fiscal notes on proposed legislation amending RCW 43.88A.030.

Ch 135 (SHB 99) - Amends the jury selection statute, RCW 2.36.080, to eliminate the enumerated lists of occupations to be excused from jury duty.

Ch 144 (HB 1175) - Increases from \$2,500 to \$10,000 the ability to administratively settle claims under chapter 492 RCW.

Ch 150 (SSB 2192) - Provides compensation for unused sick leave by state employees. Each January an employee can "cash in" a maximum of 12 days compensated at the rate of 25% provided there is a 60-day accumulation. Further, upon retirement 25% of all sick leave can be "cashed in."

Ch 159 (SB 2506) - Prohibits mandatory retirement on the basis of age up to the age of 70. Provides waivers for over 70.

Ch 167 (SHB 706) - Amends RCW 4.92.040 to permit OFM to pay claims against the State up to \$500.

Ch 176 (SHB 665) - Section 1 makes it unlawful to drive or be in physical possession if one has a .1% alcohol content.

Section 6 provides for one day in jail which is non-deferrable unless there is a risk of the defendant's physical or mental well-being.

Ch 205 (ESB 2378) - Provides that pursuant to court order retirement benefits may be in part directly paid to a spouse or ex-spouse.

III. Bills Passed in the Extra Session awaiting action by the Governor as of June 6, 1979. These acts, if signed, will take effect on August 31, 1979, unless otherwise noted.

SHB 1 - Requires persons 16 and older must obtain a license from Fisheries to engage in razor clamming.

SHB 56 - Permits local governmental entities individually and collectively to engage in self-insuring programs for potential liability.

SB 2338 - Re abuse in nursing homes, requiring the reporting of such abuse protecting the reporter and requiring Social and Health to notify the state licensing

authority of any person who is professionally licensed who is alleged to have abused or neglected a patient.

SB 2466 - An amendment to RCW 4.24.115 to make void and against public policy a waiver, "release or extinguish the rights of a contractor, subcontractor or supplier to damages or an equitable adjustment arising out of the material delay in performance caused by the acts or omissions of the contractee or persons acting for the contractee."

SSB 2685 - Substantially expands the exceptions under RCW 42.17.190 for the reporting of agency lobbying. It excludes from the definition of agency lobbying requests for appropriation, recommendations or report to the legislature, appearances in public sessions of legislative committees, telephone conversations and in-person lobbying of no more than four days or parts thereof in any three-month period.

This act has an emergency clause to take effect upon signature by the Governor.

SB 2763 - Amends RCW 4.56.210 to extend from the current six to ten years the lien effect of a judgment and further provides a mechanism to renew the judgment lien.

SSB 3008 - Increase the salaries of elected officials effective July 1, 1979:

Governor	\$55,000 to 58,900
Attorney Gen.	41,200 to 44,000

Effective July 1, 1980:

Governor	\$63,000
Attorney Gen.	47,100

HB 516 - As amended by the Senate; state appropriation act; takes effect July 1, 1979.

§14(g) - Increases the state's payment for medical insurance from \$72.50 to \$85.00, and \$95.00 effective July 1, 1980.

§21 - Costs incurred by the Attorney General to secure compliance with an audit of an agency by the State Auditor are charged to the agency involved.

§208 - Authority for agencies to refund erroneous or excessive payments.

§211 - Standard provision re interagency charges and reimbursements.

§13 - Requires that 3% of the General Fund appropriation to all agencies except K-12 Education, and two others must be placed in a reserve and cannot be expended without the Governor's approval.

§215 - "Real property leases with purchase options are prohibited without prior legislative approval."

§219 - Standard provision re utilization of state aeronautics for the use of aircraft.

§221 - Agencies cannot receive or make a contractual agreement to receive any donation of real property or any interest therein which commits the agency to assume or at a future time seek appropriated funds for operation, development or acquisition unless there had been prior approval by the Legislative Budget Committee.

EBM
EBM

LEGISLATIVE SUMMARY

MEASURES ENACTED INTO LAW

1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECT DATE
1	SSB 2140	Higher Education - Scholarships	
2	SB 2191	Geothermal Resources Rights	
3	HB 44	Hunt/Fishing License - Issuing Fee	
4	HB 48	Small Irrigation/District Exempt	
5	SHB 77	Dissolution of Inactive Special Purpose Dist.	
6	SHB 97	Farm Products Hauling	
7	HB 114	Handicapped Driver's Card	
8	SHB 188	Snags Selective Removal	
9	HB 691	WSU Extension Employees/Insurance	4-13-7
10	SB 2015	State Official Dance - Square Dance	
11	SB 2053	Park and Recreation Districts	4-17-7
12	SSB 2194	Higher Education/Capital Construction	
13	SSB 2306	Franchise Investment Protection	
14	HB 113	Purchases for Vocational Rehabilitation	4-17-7
15	SHB 201	Students, Resident Status	
16	HB 413	School District Real Property	
17	HB 862	Hospitals Trustees/AA Counties	
18	HB 1325	Optional Municipal Code	4-17-7
19	SSB 2042	Higher Education/Resident Status - Tutition	
20	SB 2131	School Food Commodities Fund	
21	SSB 2158	Conservation Rights	4-19-7
22	SSB 2482	Business Partnership Regulations	7-1-79
23	SB 2602	Beer Distributors--Spirits	
24	SB 2736	State Recreation Guide	
25	SB 2925	Expo 74 site city of Spokane	
26	SSB 2016	Parking, Physically Disabled	
27	SB 2040	Special Parking Decals	
28	SHB 22	Power of Arrest/Traffic Law	
29	HB 58	Motion Picture Blind Bidding	
30	SHB 78	Special Service or Taxing Districts	
31	SHB 163	Veterinary Board - Lay Member	
32	SHB 186	Christmas Trees Out of State	
33	HB 380	Highway Numbers - Description	
34	HB 455	Employee Welfare Trust Funds	
35	SHB 546	Examiners for Insurers	
36	HB 571	Criminal Records Privacy Act	
37	HB 576	Apprenticeship Council - Labor and Indus.	
38	HB 630	Public Works Reserve Fund	
39	HB 689	Littering Control - Penalties	
40	HB 759	Libraries Recruiting Funds	
41	SHB 774	Pawnbrokers, Stolen Goods - Fees	
42	HB 888	Rehabilitation Centers	
43	SHB 962	Buy-Back Commercial Fishing Vessels	
44	SHB 1018	Group Insurance Associations	
45	SHB 1045	CETA Retirement Systems Coverage	7-1-79

MEASURES ENACTED INTO LAW

1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECTIVE DATE
46	SHB 1057	Service Contracts Exemptions	4-23-79
47	HB 1115	Environmental Hearings Office/Admin. Support	
48	SHB 1126	Annual Legislative Sessions (Valid only if SJR 110 is approved on Nov. ballot)	1-1-80
49	SHB 1176	Federal Lands Jurisdiction	
50	HB 1133	Public Disclosure/Continuing Political Funds	
51	SSB 2032	Commercial Driver Training	
52	SB 2060	Health Officers	
53	SSB 2144	Reward Statutes Modified	4-25-79
54	SB 2173	Superior Court Commissioners	
55	SB 2175	Criminal Justice Training Commission	
56	SB 2218	DNR - Local Government Planning	
57	SB 2242	Board of Curators of WA. St. Hist. Soc.	
58	SB 2290	Dept. of Trans. Highways Powers	
59	SB 2296	Veterans Revisions	
60	SB 2297	Higher Ed. Assist. Authority Act	
61	SSB 2301	Personal Services Contracts	
62	SB 2385	Funeral Director Information	
63	SB 2492	Teletypewriters for the Deaf	
64	SB 2565	Polling Places Accessibility/Handicapped	
65	SB 2106	Personal Property Exemption	
66	SB 2130	Educational Service Districts Services	
67	SB 2295	Obsolete Funds and Accounts (Section 20 Effective 7/1/80) (Sections 11,12,18 Effective 7/1/81)	
68	SB 2314	Securities Act Modified	
69	SB 2354	Bids/Highway Construction Contracts	
70	SB 2362	Landlords Increased Notice	
71	SB 2398	Lost, Stolen State Warrants	
72	SSB 2411	Local Government Judgments Payment	
73	SB 2430	Public Employment Commission Transcript.	
74	SB 2467	Revoked Out-Of-State License	
75	SB 2468	Elude Pursuing Police Cars	
76	SB 2474	State Building Code Updated	
77	SB 2502	Medal of Honor License Plate	
78	SSSB 2610	TESC Degree Granting Authority	
79	SB 2630	Buena Camp Migrant Housing	4-26-79
80	SB 2727	Insurance Companies Arson Information	
81	SB 2753	Public Assistance Revisions	
82	SSB 2798	Employment Agency Advisory Board Sunset	
83	SB 2923	Vietnam Veterans Tuition Higher Education	
84	SSB 2958	Restoration of Transportation/Hood Canal	4-26-79
85	SSB 3022	Found and Unclaimed Personal Property	
86	SSB 3066	State Auditor & OFM Revisions	
87	SB 3077	Photo. ID Drivers License	

MEASURES ENACTED INTO LAW

1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECTIVE DATE
88	SB 3115	Insurance/Higher Education	
PV 89	SSB 2161	Public Works Contracts for Cities and Towns	
90	SHB 295	National Guards Scholarships	
91	HB 229	Livestock Public Markets	
92	SHB 254	Public Assistance Grievance Appeals	
93	HB 351	Agriculture Commodity Wheat Assessment	
94	HB 460	Specialized Forest Products	
95	SHB 291	Tax Laws Misc. Revisions	4-27-79
96	SHB 500	Retirement Systems(PERS,TRS,WSP)	4-30-79
97	SSB 2284	Public Lands/Tenancy Termination Action	4-30-79
98	SB 2311	Credit Unions - Powers	
99	SSB 2439	Food Fish and Shellfish/Fisheries Violations	
100	HB 415	Local Improvement Assessment Hearings	
101	HB 4	Adopted Children Records	
102	HB 41	Local Fire Protection Contracts	
103	SHB 398	Community College Board	
104	HB 419	UW Faculty Center Liquor	
105	SHB 438	Domestic Violence Law Enforcement	
106	HB 450	Nurses Continuing Education	
107	SHB 481	Sale of Property/Loans-Extensions of Credit	
108	SHB 144	State Correctional Inst./Local Govt/Reimb.	
109	SSB 2058	Public Lands Leasing	9-26-79
110	SSB 2197	Energy & Utilities (Uranium/Thorium Milling)	1-1-80
111	SSB 2422	Professional Discipline	5-2-79
112	SHB 156	Fiscal Impact Legislation	
113	HB 164	MV Licenses - Corrections	
114	SHB 219	Basic Science Examination	
115	SHB 247	Agricultural Products/Laws Revised	
116	SHB 280	Registration of Contractors	1-1-80
117	HB 308	Unclaimed Property Modified	
118	SHB 502	Immunization of Children	9-1-80
119	SHB 624	Cert. Controlled Substances	5-2-79
120	HB 645	Schools - Community Use	
121	HB 750	Trails Along Roadways - Funds	
122	SHB 751	Highway Priority Programming	
123	HB 913	Aquaculture Lands	
124	HB 954	Code Cities Annexation	
125	HB 989	UTC Lease Approval, Facility	
126	SHB 57	Local Govt. Assumption Office	
127	HB 330	Game Licenses by Fraud	
128	HB 338	Marriage Solemization	
129	HB 424	Court Filing Fee Negotiation	
130	SHB 459	Insurance Fees, Taxes Refunds	
131	SHB 504	Senior Citizen Park Passes	
132	SHB 697	Replevin Law Revised	

MEASURES ENACTED INTO LAW

1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECTIVE DATE
133	HB 33	Secretary of State Corporate Fees	
134	SHB 79	Disposal of Surplus Reading Materials	
135	SHB 99	Prospective Juror Selection	
136	HB 101	Negligent Driving/Facing	7-1-80
137	SHB 133	Appeal Judges Travel	
138	SHB 535	Motor Freight Carriers	
139	SHB 619	Prescribing Drugs Revisions	5-7-79
140	HB 666	Authorized Transfer Students	5-7-79
141	HB 781	Geoducks Clams License - Shellfish	5-8-79
142	HB 860	Boundary Review Guidelines	
143	HB 933	Public Hospital Districts	
144	HB 1175	Claims Against State	
145	SHB 1347	Mental Health Services Fees	
146 PV	HB 923	Public Employees Relations Commission	
147	HB 491	Senior Citizens Service Act	7-1-79
148	HB 358	Community Colleges Certificate Fees Abolish	
149	HB 196	MV - Interest Proportional Registration	
150	SSB 2192	State Employees Unused Sick Leave	
151	SSB 2317	Reductions in Workers' Compensation	5-10-79
152	SSB 2337	Medical Care Claims - Fraud	
153	SSB 2375	Civil Service For Sheriffs' Offices	
154	SB 2462	Investment of State Funds	
155	SSB 2532	Public Hospitals Districts	
156	SB 2905	Electricians - Licensing	
157	SB 2224	Volunteer Firemen's Relief & Pension	
158	SSB 2442	Governors Energy Emergency Powers	
159	SB 2506	Mandatory Retirement of Public Employees	
160	SHB 80	Institutional Industries	
161	SHB 249	National Health Act 1974	
162	SHB 262	Sections 10,11,12 & 21 Effective 1-1-80	
163	SHB 298	Vital Statistics Reporting	
164	SHB 311	Controlling Vehicle Emission	
165	SHB 352	Section 11 Effective: 1-1-82	
166	SHB 446	Motor Vehicle Offenses	7-1-80
167	SHB 706	Parent-Child Relationships	5-11-79
168	SHB 871	Water Permits Conditioned	
169	SHB 872	Claims Against the State	
170	SHB 912	Transportation Biennial Approp.	5-11-79
171	SHB 125	Transportation Appropriations	5-11-79
172	SHB 227	Solar Easements	
173	SHB 367	Dependent Children Support	
174	SHB 437	School District Levies	9-1-79
		Schools Accreditation	
		Educational Clinics Act Changes	

MEASURES ENACTED INTO LAW

1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECTIVE DATE
175	HB 622	MV Excise Tax Distribution Date (Sections 1-3 Effective: (Section 4 Effective: Jan. 1, 1980)	9-1-79
176	SHB 665	Alcohol Traffic Offenders	9-1-79
177	HB 668	Employment Security Records	9-1-79
178	SHB 755	Abandoned Vehicle - Highways	5-14-79
179	SHB 972	Cities, Fire Protection Districts	9-1-79
180	SHB 1032	Transportation/Highway Bonds	5-14-79
181	SHB 1034	Transportation Funding	7-1-79
182 PV	SHB 1281	Snowmobiles Regulation	9-1-79
183	SB 2143	First Class Districts AA Counties	7-1-79
184	SB 2852	Uniformed Personnel Collective Bargaining	5-14-79
185	SSSB 3033	Irrigation Districts	5-14-79
186 PV	SHB 1308	Mobile Home Parks - Landlords & Tenants	9-1-79
187	SSB 2010	Housing Authorities - Mobile Homes	9-1-79
188	SSB 2434	Educational Services Registration Act	1-1-80
189	SSB 2957	Dept. of Transportation Property Disposal	7-1-79
190	HB 650	Unemployment Compensation Penalties	9-1-79
191	SHB 1013	Cogeneration Processes - Growth Promoted	9-1-79
192	SHB 1031	Transportation Studies	7-1-79
193	HB 1241	Property Taxation of Park Lands	9-1-79
194	SHB 76	Home Rule Local Govt. Clarify	9-1-79
195	HB 100	State Hwy. Route 27 - Pullman	9-1-79
196	SHB 302	B & O Tax Exemp. - Nonprofit	7-1-79
197	HB 376	Pacific NW Festival Facility	5-24-79
198	HB 441	Regulatory Fees Nonpayment	9-1-79
199 PV	SHB 1121	Insurance Revisions	9-1-79
200	SSHB 1239	Emergency Medical Service Levy	
201	SHB 1258	Juvenile Truancy	9-1-79
202 PV	SSB 2095	Superior Court Judges	9-1-79
203	SSB 2388	Food Fish Producer Fees	9-1-79
204	SB 2176	Limitation on State Debts	9-1-79
205	SB 2378	Payment of Retirement Benefits - Spouses	5-25-79
206	SSSB 2944	Appropriations - 1977	5-25-79
207	SSB 2952	Pilotage	9-1-79
208	SSB 2967	Operating Budget - Forest Fires	5-25-79
209	SSB 2181	Inheritance Tax Revisions	5-29-79
210	SSB 2182	Gift Tax Revisions	1-1-80
211	SSB 2336	Resident Care and Nursing Homes	1-1-80
212	SSB 3034	Toll Bridge Across Columbia River	5-30-79
213	SSB 2097	Mopeds as Motor Vehicle	9-1-79
214	SSB 2374	Property Tax Retired Owners	6-4-79
215	SSB 2415	Civil Commitment Revisions	9-1-79

EXCEPT Section 64 which becomes Effective 5-30-

MEASURES ENACTED INTO LAW

1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECTIVE DATE
216	SSB 2794	Water & Water Rights Revisions	6-4-79
217	SB 3117	DSHS Resident Education	9-1-79
218	HB 320	106 $\frac{1}{2}$ Levy Limit Extended	6-4-79
219	SSHB 418	Victims of Crimes - Sexual Assault	9-1-79
220	SHB 1075	WPSS Audit	9-1-79
221	SHB 740	Bond Issue Handicapped Facilities - Ref. Bill No. 37	
222	SB 2062	Performing and Visual Arts Centers	9-1-79
223	SSB 2243	Higher Education Bond Issue Authorization	6-15-79
224	SSB 2244	Fisheries Bond Issue	6-15-79
225	SSB 2249	Vocational Education Bond Issue	6-15-79
226	SSB 2250	Community Colleges Bond Issue	6-15-79
227	SSB 2273	Clerk of the Superior Court's Trust Funds	9-1-79
228	SB 2338	Nursing Homes Revisions	9-1-79
229	SSB 2357	Outdoor Recreation Facilities Bonds	6-15-79
230	SSB 2361	State Government Project Bonds	6-15-79
231	SB 2402	Industrial Insurance Benefit Adjustment	6-15-79
232	SSB 2505	Jail Facilities Bond Issue	6-15-79
233	SB 2508	Insurance Premium Taxes	1-1-80
234	SSB 2639	Construction of Water Facilities Referendum Bill No. 38	9-1-79
235	SSB 2744	Student Financial Aid Program	9-1-79
236	SB 2763	Civil Procedures - Judgments	9-1-79
237	SB 2765	Schools Appropriations Amounts	9-1-79
238	SSB 2791	Wash. State Dairy Products Commission	9-1-79
239	SSB 2976	Energy Conservation Funds (Pending approval of SJR 120)	12-6-79
240	SSB 2993	Public Utility Districts	9-1-79
241	SSB 3101	School Bonds - Facilities	6-15-79
242	SSB 3126	Cosmetology	9-1-79
243	SHB 1	Shellfish, Razor Clams License	7-1-79
244	HB 307	Criminal Code Revisions	7-1-79
245	SHB 554	Shelters for Victims of Domestic Violence	9-1-79
246	SHB 907	Regional Indian Facility	9-1-79
247	SHB 1064	Sick Leave Account Funding	9-1-79
248	HB 1207	Demonstration Project - Day Care	9-1-79
249 PV	SHB 791	Retirement - Public Service	6-15-79
250 PV	SSB 2709	Basic Education (EXCEPT for certain provisions of Section 1 Section 2)	8-15-79
251	SSB 2071	Motor Vehicle Dealers' Licenses	9-1-79
252	SSB 2251	Social/health services bonds	6-21-79
253	SSB 2964	Higher Education Facilities Bond Issue	6-21-79
254	SSB 2979	Energy Sites Permits	6-21-79
255	SSB 3008	Elected Officials Salaries	7-1-79
256	SHB 56	Local Government Self-insurance	9-1-79

LEGISLATIVE SUMMARYMEASURES ENACTED INTO LAW
1979 FIRST EXTRAORDINARY SESSION

CHAPTER NUMBER	BILL NUMBER	SUBJECT	EFFECTIVE DATE
257	HB 191	School District Bonds	9-1-79
258	SHB 574	Bonds Water Supply Facility	9-1-79
259	SHB 768	Higher Education Annuities, Plans	6-21-79
260	SSB 3129	Performing Arts Center	6-25-79
PV 261	SSB 2308	Emergency Medical Services	9-1-79
PV 262	SSB 2451	Tuition Fees Waivers - Higher Education	9-1-79
PV 263	SSB 2504	Agricultural Water Supply - Droughts	6-25-79
264	SB 2466	Civil Actions Proceedings	9-1-79
265	SSB 2685	Public Disclosure - Financial Reports	6-25-79
266	SSB 2929	Mobile Home Taxation	6-25-79
PV 267	HB 433	Water Pollution Control	9-1-79
268	SSHB 527	Emergency Services	9-1-79
269	HB 845	Insurance Licenses	4-1-80
PV 270	HB 516	State General Capital Budget	7-1-79