

Upon written application to the commission by a licensee holding a race meet, and approval by the commission, the licensee may conduct the sale of parimutuel pools on out-of-state televised races of *national interest, including without limitation*, the Kentucky Derby, Preakness and Belmont races: PROVIDED, That the sale of such parimutuel pools shall be conducted only within the enclosure of the licensee's race course and only during the conduct of a race meet in the state of Washington by said licensee.

*Sec. 3. was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 25, 1981.

Passed the House April 16, 1981.

Approved by the Governor April 30, 1981, with the exception of Section 1, Section 2, and a portion of Section 3 which are vetoed.

Filed in Office of Secretary of State April 30, 1981.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to three sections of Senate Bill No. 3009 entitled:

"An Act Relating to the horse racing commission."

I am vetoing these sections because the first two sections create a larger commission than is desirable in this State; and section three without the veto would allow indiscriminate betting on races from other tracks with exclusive television lines.

With the exception of Sections 1, Section 2 and a portion of Section 3, which I have vetoed, the remainder of Senate Bill No. 3009 is approved."

CHAPTER 71

[Second Substitute House Bill No. 624]

SUPPLEMENTAL BUDGET—DEPARTMENT OF SOCIAL AND HEALTH SERVICES, SENATE, SUNDRY CLAIMS

AN ACT Relating to state agencies; adopting a supplemental budget; making supplemental appropriations and authorizing expenditures; amending section 13, chapter 245, Laws of 1979 ex. sess. (uncodified); amending section 6, chapter 248, Laws of 1979 ex. sess. (uncodified); amending section 59, chapter 270, Laws of 1979 ex. sess. as last amended by section 20, chapter 5, Laws of 1981 (uncodified); amending section 4, chapter 137, Laws of 1980 (uncodified); amending section 8, chapter 219, Laws of 1979 ex. sess. (uncodified); amending section 173, chapter 270, Laws of 1979 ex. sess. (uncodified); creating new sections; and declaring an emergency.

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

NEW SECTION. Section 1. A supplemental budget as set forth in sections 2 through 7 of this 1981 act is hereby adopted and, subject to the provisions set forth in sections 2 through 7 of this 1981 act, the several amounts specified in sections 2 through 7 of this 1981 act, or so much

thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the designated agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, except as otherwise provided, out of the several funds of the state hereinafter named, and making other appropriations.

NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADULT CORRECTIONS PROGRAM

General Fund Appropriation \$ 7,095,000

The appropriation contained in this section shall be subject to the following condition or limitation: \$500,000 of this appropriation shall be contingent upon prior approval of the director of the office of financial management and shall be used exclusively to accommodate population increases above projected institutional bed space capacity and community caseload capacity or to continue contracted community programs through the 1979-1981 biennium.

NEW SECTION. Sec. 3. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

General Fund Appropriation \$ 1,200,000

The appropriation contained in this section shall be subject to the following conditions:

- (1) \$750,000 is provided solely for Western State Hospital, of which \$200,000 is for the conversion of fuel costs.
- (2) \$450,000 is provided solely for Eastern State Hospital.

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	500,000
General Fund Appropriation—Federal	\$	500,000
Total Appropriation	\$	1,000,000

The appropriation contained in this section shall be expended exclusively for the continuation of the following optional medical services proposed for elimination during the period from June 1, 1981 through June 30, 1981: (1) prescription medications; (2) oxygen and respiratory supplies; and (3) other optional medical supplies, the deprivation of which would be life threatening. The appropriation contained in this section shall be held in reserve, to be expended only upon a determination by the office of financial management that moneys previously appropriated for medical assistance for the 1979-81 biennium are inadequate for this purpose.

NEW SECTION. Sec. 5. Expenditures for adult dental services shall be authorized for clients whose plans of treatment have been approved by the department of social and health services, and whose treatment has begun

prior to March 1, 1981, and whose pre-authorized dental work in the judgment of the dentist, as re-examined and re-approved by the department of social and health services, must be completed to avoid severe medical problems resulting from the fact that the dental treatment begun prior to March 1, 1981, was left in an incomplete state.

NEW SECTION. Sec. 6. The adoption of this supplemental budget shall not be construed as a ratification by the legislature of any illegal expenditures made by any person and shall not excuse any person from liability that may exist as a result of such illegal expenditures.

NEW SECTION. Sec. 7. FOR THE SENATE

General Fund Appropriation \$ 350,000

Sec. 8. Section 13, chapter 245, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the general fund to the department of social and health services for the 1979-1981 biennium the sum of one million dollars(~~(, or so much as may be necessary,)~~) to carry out the purposes of this act. (~~Seven hundred thousand dollars of the amount appropriated shall be used for grants to shelters under section 9 of this act. The remaining three hundred thousand dollars shall be used to fund sections 3, 5, and 6 of this act.~~) Funds unexpended or unencumbered as of the effective date of this 1981 amendatory act may be transferred and expended for other programs of the department of social and health services with the approval of the office of financial management.

Sec. 9. Section 6, chapter 248, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the department of social and health services from the general fund, the sum of two hundred fifty thousand dollars(~~(, or so much thereof as may be necessary,)~~) to carry out the purposes of this act. Funds unexpended or unencumbered as of the effective date of this 1981 amendatory act may be transferred and expended for other programs of the department of social and health services with the approval of the office of financial management.

Sec. 10. Section 59, chapter 270, Laws of 1979 ex. sess. as last amended by section 20, chapter 5, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State \$ 362,698,000
General Fund Appropriation—Federal \$ 266,072,000
Total Appropriation \$ 628,770,000

The appropriations contained in this section shall be subject to the following conditions and limitations:

(1) \$1,496,000 from state funds shall be expended to increase the personal needs allowance of clients in nursing homes and congregate care facilities to \$32.50 per month.

(2) \$5,036,000 (of which \$448,000 shall be from federal funds) shall be expended solely for vendor rate increases of 7.0% per year.

(3) \$760,000 from state general funds (~~(shall)~~) may be expended to provide forty-eight hours of shelter care for victims of domestic violence.

(4) \$360,000 from state general funds may be expended to provide a variable one-time allowance for persons without resources who are discharged from a skilled nursing facility.

(5) \$900,000 of state funds and \$600,000 of federal funds shall be expended to place Kitsap county residents into Area I grant standards eligibility and pay such grants accordingly.

(6) Not more than \$1,869,000 shall be expended exclusively to increase compensation for employees of congregate care facilities, excluding administrative staff.

(7) From the appropriation contained in this section, the department shall implement a 1.0% grant standard increase for all public assistance recipients effective July 1, 1980, in addition to the grant increase provided in subsection (1) of this section; except that, up to an additional 2.0% grant standard increase for all public assistance recipients may be implemented from the savings generated by the supplemental security income cost-of-living increase provided for fiscal year 1981.

(8) \$1,834,000 (of which \$917,000 shall be from state funds) is provided for the federal emergency assistance program at the food only level.

Sec. 11. Section 4, chapter 137, Laws of 1980 (uncodified) is amended to read as follows:

There is appropriated to the department of social and health services from the general fund for the biennium ending June 30, 1981, the sum of two hundred seventy thousand dollars(~~(; or so much thereof as may be necessary;)~~) to carry out the purposes of this act(~~(; except that, if federal funds become available to carry out the purposes of this act, then state general fund moneys shall be conserved with federal funds)~~). Funds unexpended or unencumbered as of the effective date of this 1981 amendatory act may be transferred and expended for other programs of the department of social and health services with the approval of the office of financial management.

Sec. 12. Section 8, chapter 219, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

To carry out the provisions of this act there is appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1981, the sum of three hundred fifty thousand dollars(~~(; or so much thereof as may be necessary)~~) to carry out the purposes of this act. Funds unexpended or unencumbered as of the effective date of this 1981 amendatory act may be transferred and expended for other programs

of the department of social and health services with the approval of the office of financial management.

Sec. 13. Section 173, chapter 270, Laws of 1979 ex. sess. (uncodified) is amended to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1979, to June 30, 1981.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims and for the reason that the state of Washington recognizes a moral obligation to these claimants. These appropriations are to be disbursed on vouchers approved by the chief fiscal officer of the executive branch, except as otherwise provided, as follows:

- (1) HAROLD GIVENS, CARL KASZYCKI,
Judgment against the state in Residents for
a Planned Peninsula et al. vs. DSHS \$ 15,770.00
- (2) ARCHITECTURAL WOODS, INC.,
Judgment against the state in Architectural
Woods vs. the State: PROVIDED, That the
chief fiscal officer of the executive branch is
authorized and directed to draw up a separate
voucher, such voucher to be presigned
by Architectural Woods, Inc. or by its directors
prior to the release of the warrant,
which voucher shall state: "By the acceptance
of this amount the undersigned release
the state of Washington and all political
subdivisions thereof, and their agents, from
any further claims, except that the state
may become liable for interest payment accruing
from October 27, 1977, if, and only if, it is so
ordered by the Supreme Court of Washington."
. \$ 36,615.23
- (3) DAVID PARKER AND DENTON P. ANDREWS,
Payment of writ of mandate for costs assessed
against the state in State vs. David C. Parker
. \$ 616.23
- (4) EVERGREEN PLAZA INVESTORS AND EVERGREEN DEVELOPMENT
CORP., Judgment against the state in Evergreen
Plaza Investors vs. Washington

State Higher Education Assistance Authority, et al., for breach of contract	\$	7,937.70
(5) LLOYD STEWART AND JOE McADAMS, Payment of costs assessed against the state in State vs. Lloyd Paul Stewart	\$	24.74
(6) THOMAS M. WRIGHT, Payment of costs assessed against the state in State ex rel. Seeze vs. Thomas Marion Wright	\$	92.00
(7) MOE BIRNBAUM, Payment of guardian ad litem services performed for the state: PROVIDED, That the state shall have subrogation rights to payment of such services against the defendant in State ex rel. Evon vs. David S. F. Fijalka	\$	200.00
(8) GRACIE BROCK AND JOHN A. BARLOW, Payment of costs assessed against the state in dismissal of murder charge	\$	774.70
(9) CHRISTIANSEN BROTHERS, INC., Judgment on settlement agreement, together with accrual of interest at 8% per annum from June 6, 1977: PROVIDED, That payment come from the State Higher Education Construction Account	\$	204,120.00
(10) STEVE TROUTMAN, Payment of cost bill and remittitur No. 44748 from Washington Supreme Court in State vs. Troutman	\$	522.94
(11) UNION PACIFIC RAILROAD, Payment of settled amount for demurrage charges	\$	33,940.00
(12) PHYLLIS ALM, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund	\$	211.27
(13) EUGENIA STOWE, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund	\$	90.39
(14) NARAMORE, BAIN, BRADY AND JOHANSON, ARCHITECTS, Final payment due on contract: PROVIDED, That payment shall come from the State Higher		

Education Construction Account: PROVIDED FURTHER, That the chief fiscal officer of the executive branch is directed and authorized to draw up a separate voucher, such voucher to be presigned by Naramore, et al., or its directors, prior to the release of the warrant, which voucher shall state: "By the acceptance of this amount the undersigned release the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to the contract for services upon the physical sciences building at WSU." \$

44,771.68

(15) DAVID WEBB, Payment for unjust imprisonment: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by David Webb prior to the release of the warrant, which voucher shall state: "By the acceptance of this amount the undersigned releases the state of Washington and all political subdivisions thereof, and their agents, from any further claims with regard to payment of relief for unjust imprisonment." \$

20,000.00

(16) DAVID ABRAHAM BLOCH, Judgment for costs of dismissal of felony charge in State vs. Bloch \$

110.00

(17) RUTH PALMER, Payment pursuant to order of mandamus for costs assessed against the state in Palmer et al. vs. State Personnel Board \$

107.00

(18) BURRELL FINDLAY, Payment of claim for damage to certain heavy machinery incurred while performing voluntary emergency services for the highway department: PROVIDED, That the chief fiscal officer of the executive branch is authorized and directed to draw up a separate voucher to be presigned by Mr. Burrell Findlay prior to the release of the warrant, which voucher shall state: "By the receipt of this amount, the undersigned releases the state of Washington and all political subdivisions

- thereof, and their agents, from any further claim with regard to property damage incurred while performing volunteer services for the highway department \$ 13,000.00
- (19) DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Payment for claims outstanding submitted to the department after the 60-day statutory limit: PROVIDED, That such claims shall be paid at fifty percent of their approved value: PROVIDED FURTHER, That (~~(\$90,000)~~) \$42,000 shall be from federal sources \$ 1,100,000.00
- (20) EDMOND WARD, Payment for loss of personal tools while such were under security protection of department of transportation \$ 167.84
- (21) RUSSELL E. JOHNSON, Payment for loss of personal tools while such were under security protection of department of transportation \$ 421.77
- ~~((22) MRS. HARRY FOSTER, Payment of balance of deceased husband's retirement contributions: PROVIDED, That such payment shall represent full and complete satisfaction of this obligation by the state: PROVIDED FURTHER, That payment shall come from the Judges' Retirement Systems Fund \$ 1,488.99~~
- ~~(23) MRS. DEL CARY SMITH, Payment in full of deceased husband's retirement contributions, such payment to come from the Judges' Retirement Systems Fund \$ 15,836.36)~~
- ((24)) (22) WILLIAM VAN KLAVEREN, Payment of retirement contributions: PROVIDED, That payment shall come from the Retirement Systems Fund \$ 550.72
- ((25)) (23) FLORENCE R. STANDING, Payment for relief, plus interest, for death of the husband of Florence Standing in the amount which would have been payable under the Victims of Crimes Act if section 8, chapter 302, Laws of 1977 ex. sess. had been made retroactive to apply to Florence Standing's claim: PROVIDED, That this

retroactive payment of relief measured by the Victims of Crimes Act does not preclude the claimant from seeking additional judicial relief.	\$	10,290.00
((26)) (24) VIRGIL PRICE, Payment for watch stolen during holdup of state liquor store: PROVIDED, That payment shall come from the Liquor Revolving Fund— State	\$	150.00
((27)) (25) GRACE AND GEORGE BURTON, For relief of the death of their daughter, payment of the amount provided for under the Victims of Crimes Act: PROVIDED, That this retroactive payment of relief does not preclude the claimant from seeking additional judicial relief	\$	1,182.00
((28)) (26) UNITED NURSING HOMES, ET AL., Plaintiffs in Thurston County Superior Court cases 55007 and 55613, to be disbursed by the court upon recommendation of the settlement reviewer pursuant to agreed judgment entered on December 28, 1978: PROVIDED, That the department shall seek reimbursement of not less than ((4,100,000)) \$4,067,610 from federal matching funds	\$	8,200,000.00
(27) <u>Seattle Community College District for reimbursement of payment for judgment against the district in Rodrigo L. Barron, et al. v. State</u>	\$	100,000.00

NEW SECTION. Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

- Passed the House April 26, 1981.
- Passed the Senate April 26, 1981.
- Approved by the Governor April 30, 1981.
- Filed in Office of Secretary of State April 30, 1981.