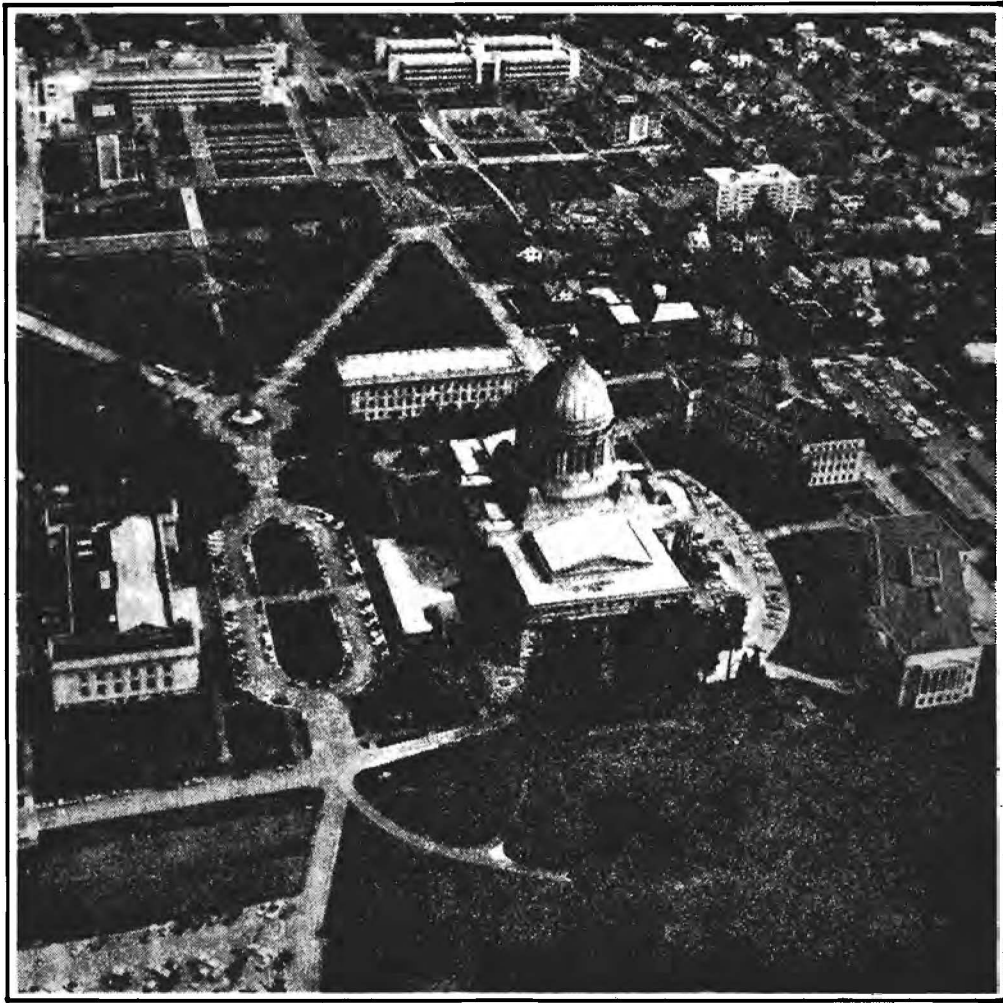


# 1982 FINAL LEGISLATIVE REPORT

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Forty-Seventh Legislature of Washington State  
Regular and First Special Sessions

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Olympia, Washington 98504  
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**The Senate Committee Services**  
101 Senate Office Building  
Olympia, Washington 98504  
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# WASHINGTON STATE LEGISLATURE

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

May 17, 1982

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

This final edition of the **Legislative Report** is a summary of action taken during the 1982 Regular and the First Special Session of the 47th Legislature. It provides brief descriptions of legislation which passed the Legislature and a record of gubernatorial actions.

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

Reports on legislation which passed the Legislature;

Gubernatorial veto messages;

Information on sunset legislation;

Budget highlights; and

Appendices containing session law citations, gubernatorial appointments, and standing committee assignments.

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

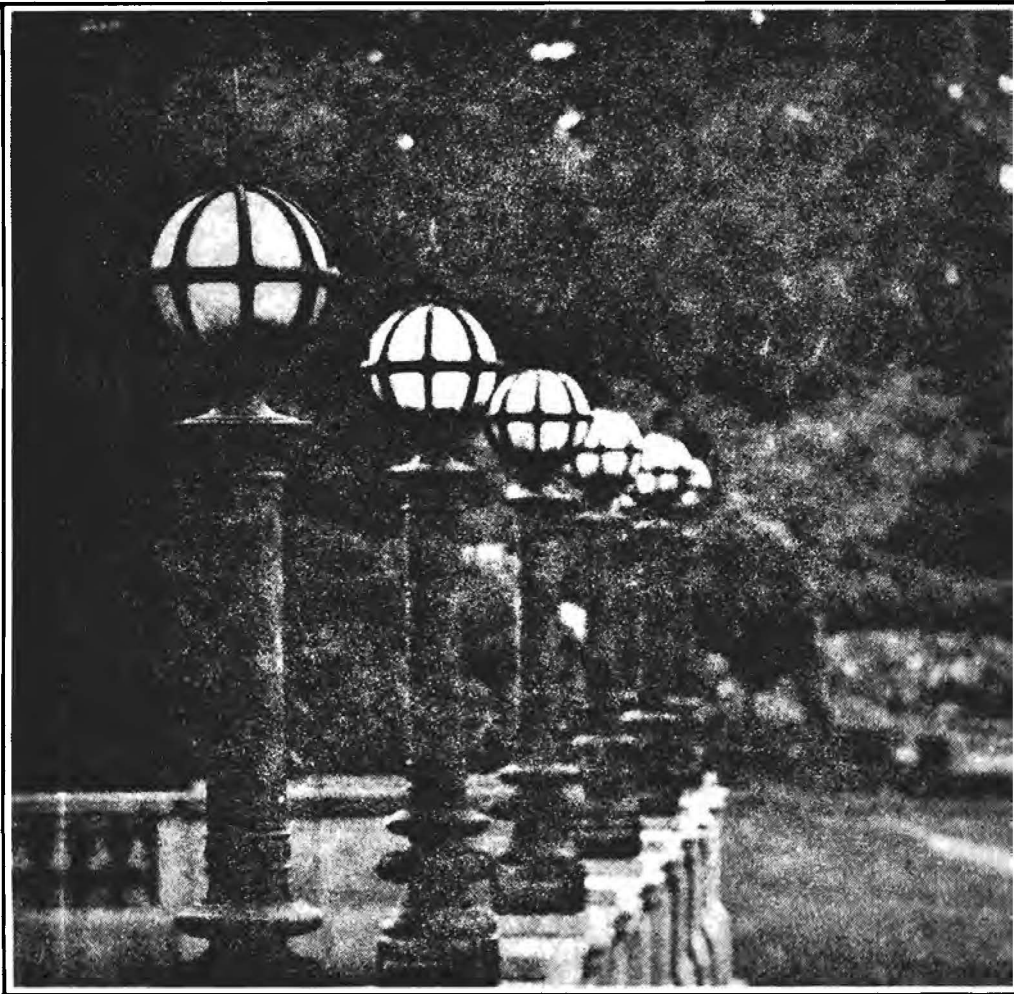
Sincerely,

William M. Polk  
Speaker of the  
House of Representatives

Jeannette Hayner  
Senate Majority  
Leader

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# Statistical Summary

## 47<sup>TH</sup> LEGISLATURE 1982 REGULAR AND FIRST SPECIAL SESSIONS

### Bills Before Legislature

	Retained from 1981 Sessions	Introduced	Passed Legislature	Vetoed	Partially Vetoed	Enacted
<b>REGULAR SESSION</b> (January 11 – March 11)						
House	669	409	123	1	6	122
Senate	1,244	533	112	2	3	110
<b>LEGISLATURE</b>	<b>1,913</b>	<b>942</b>	<b>235</b>	<b>3</b>	<b>9</b>	<b>232</b>
<b>1ST SEPCIAL SESSION</b> (March 12 – April 12)						
House	--	5	26	0	5	26
Senate	--	16	29	0	4	29
<b>LEGISLATURE</b>	<b>--</b>	<b>21</b>	<b>55</b>	<b>0</b>	<b>9</b>	<b>55</b>
<b>TOTAL</b> (Regular & 1 <sup>st</sup> Special Sessions)						
House	669	414	149	1	11	148
Senate	1,244	549	141	2	7	139
<b>LEGISLATURE</b>	<b>1,913</b>	<b>963</b>	<b>290</b>	<b>3</b>	<b>18</b>	<b>287</b>

### Joint Memorials, Joint Resolutions and Concurrent Resolutions Before the Legislature

	Retained from 1981 Sessions	Introduced	Filed with Secretary of State
House	29	21	2
Senate	50	26	3
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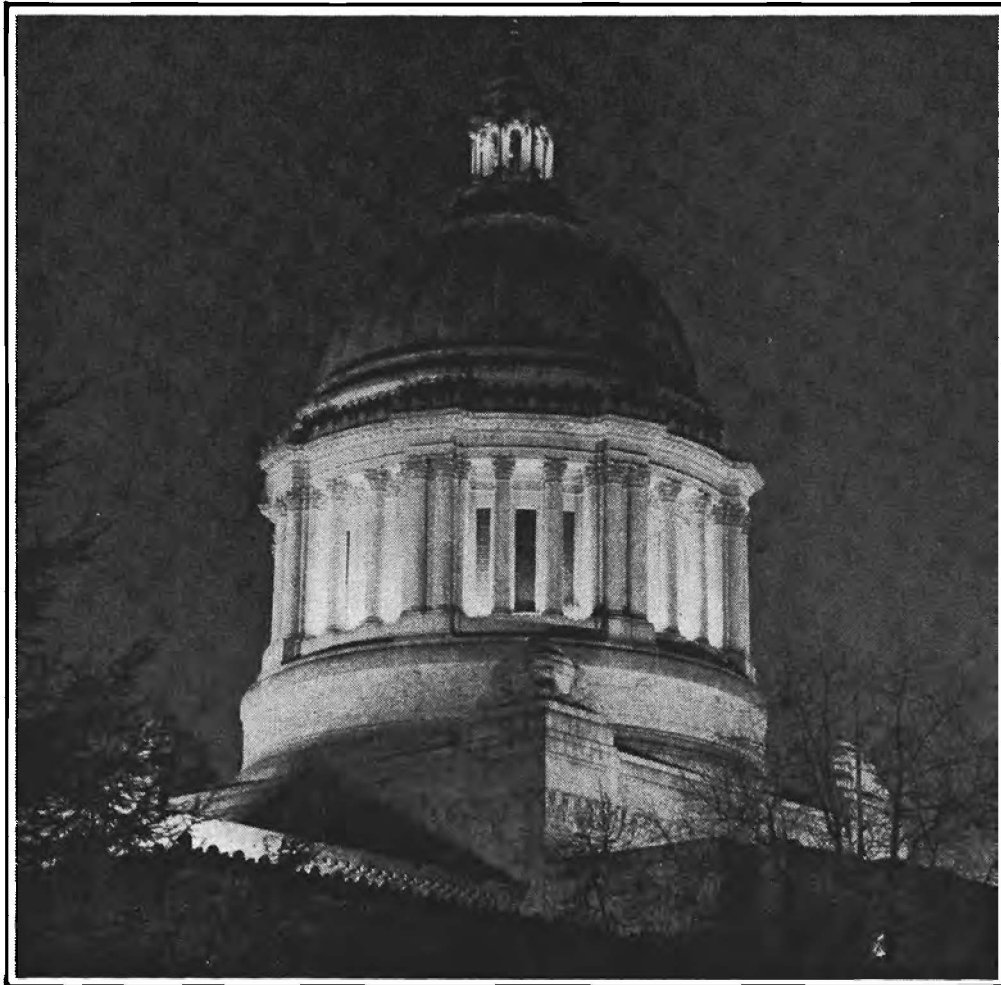
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# LEGISLATION



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**SHB 15**

C 171 L 82

**BRIEF TITLE:** Regulating the forfeiture of property exchanged for controlled substances.

**SPONSORS:** House Committee on Ethics, Law and Justice  
(Originally Sponsored by Representatives Tilly and Patrick)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Certain items of property may be forfeited to law enforcement agencies if the items have been seized in connection with investigations and arrests involving controlled substances (drugs). Those items include controlled substances, materials used in manufacturing controlled substances, and vehicles. Proceeds from the sale of forfeited items must be used to pay for expenses of seizing, maintaining custody of, and selling forfeited items. However, the law did not allow forfeiture of cash, negotiable instruments or other intangible property.

Imitation substances are sometimes sold with the intent to make the buyer think they are controlled substances.

**SUMMARY:**

Seizure and forfeiture is allowed for money, negotiable instruments, securities, or other intangible property illegally used in transactions involving controlled substances. The list of expenses against which the proceeds of forfeiture may be applied is expanded. Those additional expenses are actual costs of the prosecuting or city attorney and any money used in an investigation to buy illegal drugs. Any proceeds left after payment of all authorized expenses are to be divided evenly between the State Criminal Justice Training Commission and the general fund of the state, county, or city conducting the investigation. Vehicles which are seized must be seized within ten days of the arrest of the vehicle's owner.

Provisions for the manufacture, sale, or possession of an "imitation controlled substance" are defined. An imitation controlled substance is a drug whose appearance would lead a reasonable person to believe that the substance is a controlled substance. The manufacture, sale, distribution, or possession with intent to distribute such drugs is a Class C felony. The sale or distribution of such drugs to minors by adults

is a Class B felony. The advertising of such drugs for sale is a Class C felony. No liability is imposed on licensed health practitioners for use as a placebo or in the course of professional practice. Imitation controlled substances are subject to seizure and forfeiture as controlled substances. The Attorney General, or legitimate manufacturers of a controlled substance, are authorized to bring injunctive action against manufacturers of the imitations.

**VOTES ON FINAL PASSAGE:**

House	96	0	
Senate	45	0	(Senate amended)
House	97	0	(House concurred)

**EFFECTIVE:** July 1, 1982

**HB 22**

C 111 L 82

**BRIEF TITLE:** Making it unlawful to sell, give, dispose, or deliver explosives to persons under eighteen.

**SPONSOR:** Representative Sprague

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Various groups have expressed concern over the number of injuries suffered by minors who make bombs from black powder.

The Washington State Explosives Act and related regulations prohibit black powder from being sold or given to persons under 21, unless such black powder is intended to be used in antique firearms.

**SUMMARY:**

Minor language changes are made in the Washington state explosives law. These changes, taken together, have the effect of codifying the present administrative rules governing the sale of black powder to minors.

**VOTES ON FINAL PASSAGE:**

House	96	2	
Senate	38	8	(Senate amended)
House	94	4	(House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 40**

C 60 L 82

**BRIEF TITLE:** Exempting small local governments from the Public Disclosure Act.

**SPONSORS:** House Committee on Ethics, Law and Justice  
(Originally Sponsored by Representatives Barr, Prince, Amen, Hastings and Berleen)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

The Public Disclosure Act requires various candidates, officials, governmental entities, and lobbyists to file campaign, lobbying and financial affairs reports. The law generally covers all levels of government and all elected officials. The U.S. president and vice-president and precinct committee persons are exempted from the law. The campaign financing provisions also exempt federal offices and offices which are less than county-wide and which have a constituency of less than 4,000 registered voters.

Certain small cities and towns and special purpose districts contend that these reporting requirements are overly burdensome for their officials and, as a result, increase the problem of finding qualified candidates to run for office in their jurisdiction. This is particularly true for positions which often yield little or no pay for the time and effort required to fulfill the duties of the office.

**SUMMARY:**

Any jurisdiction with less than 1,000 registered voters as of the last general election held in that jurisdiction is temporarily exempt from any of the reporting requirements of the Public Disclosure Law. This temporary exemption is effective only until January 1, 1986.

The suspension of reporting requirements will not apply if:

- (a) a "petition for disclosure" is filed with the Public Disclosure Commission which requests that the official of the jurisdiction file disclosure reports (A valid petition must contain the signatures of 5 percent of the registered voters in the jurisdiction. County election officials are responsible for validating the signatures and certifying

sufficiency of signatures to the Commission. Upon receipt of a certified petition, the Commission will notify every incumbent elected official and candidate in the jurisdiction that they must file the required reports within 30 days.); or

- (b) the jurisdiction by ordinance, resolution or other official action petitions the Commission to void the suspension. The Commission must approve any request by a jurisdiction to void the reporting suspension.

Candidates for the office of cemetery district commissioner and all persons serving as cemetery district commissioners are permanently exempt from the requirements of the Public Disclosure Law.

**VOTES ON FINAL PASSAGE:**

House	51	45	
Senate	35	13	(Senate amended)
House	65	31	(House concurred)

**EFFECTIVE:** March 26, 1982

**HB 46**

C 14 L 82

**BRIEF TITLE:** Protecting shellfish pots.

**SPONSORS:** Representatives Owen, Nisbet, Brown and Rosbach

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

Shellfish pots and their contents are being stolen during the night on Hood Canal.

**SUMMARY:**

Taking food fish or shellfish from the owner or stealing or molesting gear is made a gross misdemeanor. The requirement in the existing law of intent to deprive the rightful owner is eliminated. The lifting or setting of shellfish pots on Hood Canal is prohibited from one hour after sunset to one hour before sunrise.

**VOTES ON FINAL PASSAGE:**

House	94	2
Senate	44	0

EFFECTIVE: June 10, 1982

**SHB 58**  
**PARTIAL VETO**  
C 226 L 82

**BRIEF TITLE:** Requiring only one copy of certain codes to be filed with local governments.

**SPONSORS:** House Committee on Local Government (Originally Sponsored by Representatives Owen, Nisbet, Brown, Berleen, Granlund, Hine and Garson)

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**BACKGROUND:**

Three copies of any ordinance or code that is proposed to be adopted by reference by counties, code cities, cities or towns must be filed in various locations. Furthermore, three copies of any ordinance or code adopted by reference by code cities must be filed with the city clerk.

Each county, without a home rule charter or not subject to one of two exceptions, is required by statute to be divided into three county commissioner districts each of which must have essentially equal population size. The exceptions are for counties made up entirely of islands or counties with a population of 15,000 or less without an intra-county connecting highway between the county seat and a major geographic area of the county. Commissioner districts are used for both residency purposes and nominations at primary elections. County commissioners are elected on a countywide basis at a general election. A recent decision of the Supreme Court held that the exception allowing unequal sized county commissioner districts for nominating primary election purposes was unconstitutional.

State law creates an inactive housing authority in each county, city and town in the state. The passage of a local ordinance activates the housing authority. Housing authorities are run by an appointed five member board of commissioners. State law also allows for a joint city-county housing authority to be established. A joint housing authority is governed by a board of commissioners of a size provided in the ordinance establishing the joint authority.

**SUMMARY:**

The number of copies of codes proposed to be adopted by reference by a code city, city or town which must be filed with the city or town clerk is reduced from three to one. The number of copies of codes adopted by reference by a code city which must be filed with the city clerk is reduced from three to one.

The number of copies of codes proposed to be adopted by reference by a county which must be filed with the county auditor is reduced from three to one. The requirement that a county must file one copy of such codes with the clerk of each city in the county is deleted. A county legislative authority may file a copy in a library or city offices within the county.

The two exceptions for unequal sized county commissioner districts are deleted. Counties composed entirely of islands with a population of less than 35,000 are allowed to create county commissioner districts with unequal populations. However, such unequal sized commissioner districts are only used for residency purposes. The nominating primary and electing general elections are both countywide. Such counties may choose to use this exception or conform with the general law providing for commissioner districts with approximately equal populations.

Joint city-county housing authorities shall be governed by a board of commissioners composed of five persons who are jointly appointed by the county and any cities that are part of the joint authority. Provisions are made to reduce the number of commissioners to five in a newly established joint housing authority. The commissioners serve staggered five year terms. The first chairman of a joint housing authority commission is appointed jointly by the county and any cities that are part of the joint authority. A commissioner may be removed from office by joint action of the county and cities under the same grounds as a commissioner of a regular housing authority may be removed. Legal services for a joint housing authority may be obtained from the chief law officer of the county or cities, or the commission may employ its own counsel.

**VOTES ON FINAL PASSAGE:**

House	94	1	
Senate	46	0	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: July 1, 1982

**PARTIAL VETO SUMMARY:**

The Governor vetoed sections altering the structure of joint city-county housing authority governing bodies. (See VETO MESSAGE)

**SHB 70**

C 26 L 82

**BRIEF TITLE:** Providing for the distribution of federal funds for fish restoration and management projects.

**SPONSORS:** House Committee on Natural Resources and Environmental Affairs (Originally Sponsored by Representatives Martinis and Rosbach)

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

Dingell-Johnson funds are generated by a 10 percent excise tax on the sale of recreational fishing tackle. These funds are then returned to the various states on the basis of land mass and the number of licensed recreational fishermen. Prior to 1978, only the Department of Game was eligible to participate in revenues received from Dingell-Johnson receipts. Beginning in 1978, the Department of Fisheries required a recreational salmon fishing license, thereby becoming eligible for Dingell-Johnson funds. However, current state statutes do not authorize the Department of Fisheries to apply directly for Dingell-Johnson funds.

**SUMMARY:**

The Departments of Game and Fisheries are required to establish, conduct and maintain fish restoration and management projects, as of October 1, 1982. Both departments are authorized to apply for Dingell-Johnson funds.

The Department of Fisheries and the Department of Game may not spend Dingell-Johnson Act funds granted to the state without legislative appropriation.

**VOTES ON FINAL PASSAGE:**

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

**EFFECTIVE:** October 1, 1982

**2SHB 124**

**PARTIAL VETO**

C 54 L 82 E1

**BRIEF TITLE:** Modifying provisions relating to public employment.

**SPONSORS:** House Committee on Appropriations-General Government and Compensation (Originally Sponsored by Representatives Winsley, Addison, Wang, King (J.), Johnson, Granlund, McGinnis and Eberle)

**HOUSE COMMITTEE:** Appropriations-General Government

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

Voluntary early retirement programs have been used by other states as a means of providing for reductions in the work force.

**SUMMARY:**

**VOLUNTARY EARLY RETIREMENT**

A voluntary early retirement option is provided for members of the Teachers, Public Employees, Washington State Patrol, and Higher Education retirement systems.

Eligibility requirements are:

	Proposed		Current	
	Age	Service	Age	Service
TRS/PERS	55	5	60	5
	ANY	25	55	25
			ANY	30
WSP	50	5	55	ANY
	ANY	20	ANY	25
HIGHER ED	55	20	65	10
	ANY	25	62*	10

\* Actuarially Reduced

Eligible retirement system members must elect to take the early retirement option not later than November 30, 1982, and retire not later than January 1, 1983.

\$1.3 million is appropriated to the teachers' retirement fund to pay the added pension costs in the current biennium.

The Director of the Department of Retirement Systems is authorized to increase employer contributions in the Public Employee Retirement System to cover increased pension costs in the current biennium.

**HIRING FREEZE**

Each elected state official shall ensure that each agency under that official's control does not hire any person to fill a general fund-state position unless:

- (1) the agency's total employment level for the month of the hiring does not exceed the greater of the agency's average monthly employment for the prior year or the agency's employment level for the same month of the prior year.
- (2) the total number of persons hired since December 31 by agencies in the elected official's control does not exceed 50 percent of the number of persons who left employment with those agencies during the same period.

The "hiring freeze" shall not apply to: (a) seasonal or temporary employees consistent with the agency's historical use of such employees; (b) the Department of Corrections; and (c) 4,000 critical employees of the Department of Social and Health Services specified by the Governor; and (d) those full time equivalent positions not funded from the state general fund.

The Governor may specify hiring of persons due to critical and emergent need based on the public health and safety. This must be by a proclamation immediately transmitted to the fiscal committees of the Legislature.

Agencies are directed to adopt hiring policies that do not disproportionately favor management positions.

Future Obligation: The Office of Financial Management is directed to study the early retirement, hiring limits, and hiring policies provided in this act and report to the Legislature.

Costs associated with the early retirement benefit will extend into succeeding biennia.

Termination Date: The hiring limit expires at the end of the biennium. The early retirement option must be taken no later than November 30, 1982. Retirement must commence not later than January 1, 1983.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
House	77	19	
Senate	29	18	(Senate amended)
House	63	26	(House concurred)

**EFFECTIVE:** April 20, 1982

**PARTIAL VETO SUMMARY:**

Vetoed were sections 14, 15 and 16(2). Section 14 would have limited the general fund FTE employment of any state agency during any month to not more than the monthly average for the previous calendar year or the FTE employment for the same month of the previous year. It would also have limited the replacement of state general fund supported employees to 50 percent of those leaving employment after December 31, 1981. Subsection (2) of section 16 would have required a study of the subjects in section 14. (See discussion of Executive Order under SSB 4369).

Section 15 would have required agencies to report every six months regarding the number of vacancies created and positions filled. (See VETO MESSAGE)

**HB 131**

C 27 L 82

**BRIEF TITLE:** Changing minimum value requirement and method of payment for sales of public land and materials.

**SPONSORS:** House Committee on Natural Resources and Environmental Affairs and Representative Rosbach

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

The Department of Natural Resources may currently sell timber, fallen timber, stone, gravel, sand and fill material or building stone without advertising or posting notice if the value is less than five hundred dollars.

The method of payment, if a bid bond is used, is specified. The list includes "drafts" which apparently are confused with personal checks.

**SUMMARY:**

The minimum value of materials eligible for sale at a non-advertised sale is increased to one thousand dollars. The minimum value provision brings RCW 79.01.184 and 79.01.132 into conformity with other laws amended during the 1981 Regular Session. "Drafts" are no longer an acceptable method of payment for bid bonds.

Bank letters of credit are added to payment bonds and assignments of savings accounts as acceptable

security when required by the Department of Natural Resources prior to the removal, processing or cutting of timber or other valuable materials pursuant to RCW 79.01.132.

**VOTES ON FINAL PASSAGE:**

House 94 2  
Senate 42 0 (Senate amended)  
House 95 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 135**

C 28 L 82

**BRIEF TITLE:** Modifying provisions relating to forest protection.

**SPONSORS:** House Committee on Natural Resources and Environmental Affairs (Originally Sponsored by House Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Sanders)

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

RCW 76.04.397 sets a penalty of one dollar for cutting down or destroying any tree on public or private land. Present interest in wood as fuel has increased pressures on timber for firewood, making wood more valuable. Also, RCW 76.04.397 conflicts with other statutes that establish more realistic penalties.

**SUMMARY:**

The law specifying a one dollar penalty for destroying trees is repealed. The repeal leaves in effect other statutes that provide more realistic penalties for damage to or theft of trees. RCW 64.12.030 authorizes treble damages for damage to or taking of trees, timber or shrubs from private property and certain public property. RCW 79.01.756 provides treble damages for removal of trees or timber from public lands, with damages based on the value of timber damaged, removed or manufactured into articles of commerce.

**VOTES ON FINAL PASSAGE:**

House 96 0  
Senate 41 3 (Senate amended)  
House 95 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 174**

C 21 L 82

**BRIEF TITLE:** Modifying licensing requirements for podiatrists.

**SPONSORS:** House Committee on Labor and Economic Development (Originally Sponsored by House Committee on Labor and Economic Development and Representative Mitchell)

**HOUSE COMMITTEE:** Ways and Means

**INITIAL SENATE COMMITTEE:** Social and Health Services

**ADDITIONAL SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

A podiatrist is a physician and surgeon who diagnoses and treats ailments of the human foot except for amputations and administration of any anesthetic. The Department of Licensing (DOL) administers the licensing of podiatrists, including revocation or suspension of a license. An examining committee composed of podiatrists conducts the examination for licensure. No simple, effective means exists for DOL to handle disciplinary actions.

**SUMMARY:**

A five-member State Podiatry Board is established for examining and disciplining podiatrists. Applicants for licensure are required to complete high school and two years of college prior to entering a Board-approved podiatry school. Specific acts of unprofessional conduct and grounds for suspension, revocation or denial of license are listed. Licensure of podiatrists is not applicable to, and does not regulate, treatment by prayer or spiritual means.

**VOTES ON FINAL PASSAGE:**

House 74 21  
Senate 47 0 (Senate amended)  
House 79 13 (House concurred)

EFFECTIVE: June 10, 1982

**3SHB 179**

C 4 L 82

**BRIEF TITLE:** Creating the council on child abuse and neglect.

**SPONSORS:** House Committee on Appropriations-Human Services  
(Originally Sponsored by House Committee on Human Services and Representatives Mitchell, Winsley, Houchen, Brekke, Wang, Patrick, Rinehart and Brown)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

There is no statewide program or funding for child abuse prevention. Most services dealing with child abuse are provided by the Department of Social and Health Services after the abuse occurs, e.g. Children's Protective Services.

**SUMMARY:**

An 11-member Council on Child Abuse and Neglect is established to contract for community based educational and service programs which focus on the prevention of primary child abuse and neglect. Members include a chairperson and four members appointed by the Governor; the Secretary of the Department of Social and Health Services and the Superintendent of Public Instruction; and legislative members. The Governor may employ an executive director who will be exempt from civil service laws and other persons as necessary to staff the Council.

The Council on Child Abuse and Neglect may work closely with the community to contract for programs, consult with appropriate state agencies, and facilitate the exchange of information relating to child abuse and neglect. Twenty-five percent of the funding for the programs must be provided by the organization administering the program.

New Rule Making Authority: The Council on Child Abuse and Neglect is granted rule making authority.

Future Obligation: The Council on Child Abuse and Neglect must report on its activities and the effectiveness of its activities to the Governor and the Legislature prior to the 1983 legislative session.

Termination Date: The provisions of the bill terminate June 30, 1984.

**VOTES ON FINAL PASSAGE:**

House	91	1	
Senate	39	7	(Senate amended)
House	92	1	(House concurred)

EFFECTIVE: June 10, 1982

**HB 183**

C 90 L 82

**BRIEF TITLE:** Establishing the 1989 Washington state centennial commission.

**SPONSORS:** House Committee on State Government and Representatives Garson and Kreidler

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Parks and Ecology

**BACKGROUND:**

November 11, 1989 marks the centennial of Washington's admission to the Union.

**SUMMARY:**

Every community in the state is encouraged to celebrate the state's centennial.

The 1989 Washington State Centennial Commission is established, to be composed of 13 members including four legislators, one from each caucus, and nine citizens appointed by the Governor, some representing specified interests. Nonlegislative members are reimbursed for travel expenses. Legislators are reimbursed as provided by law.

The commission is to develop a program to celebrate the state's centennial, to represent the contributions of all peoples and cultures, and to encourage participation by all interested communities. Program elements include an annual report recommending restoration of historic properties, historic preservation programs, educational materials, bibliographical and documentary projects, and related projects and activities. Additionally, a funding proposal to include the issuance of general obligation bonds is to be submitted.

The commission may employ staff, subject to legislative appropriation. The Governor may designate an agency to provide additional staff support.

Termination Date: The Commission will cease to exist on December 31, 1990.

**VOTES ON FINAL PASSAGE:**

House	95	1	
Senate	40	5	(Senate amended)
House			(House refused to concur)
Senate			(Senate refused to recede)
House	97	0	(House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 221**

C 175 L 82

**BRIEF TITLE:** Authorizing county solid waste disposal districts.

**SPONSORS:** House Committee on Local Government (Originally Sponsored by Representatives Thompson and Flanagan)

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**BACKGROUND:**

Counties currently use their general fund moneys to fund the costs of disposing solid waste.

**SUMMARY:**

Counties (other than class AA counties) are permitted to establish solid waste disposal districts to provide and fund the disposal of solid waste. A district may only include an area within a city or town if the city or town governing body gives its approval. Before such a district may be created, a public hearing must be held concerning the creation of the district and a finding must be made by the county that it is in the public interest.

A solid waste disposal district may provide for the disposal of solid wastes. A district does not have the authority to collect residential or commercial garbage or the power of eminent domain. All moneys received must be used for disposal purposes. All construction in excess of \$25,000 must be contracted by bidding.

A solid waste disposal district may finance its activities through the following: (1) collection of disposal fees; (2) receipt of moneys transferred from the county; (3) voter approved excess levies for capital purposes; (4) issuance of general obligation bonds for capital purposes; (5) issuance of revenue bonds; and

(6) an excise tax for the privilege of living in or operating a business in the district. Businesses collecting and disposing of their own commercial solid waste are exempt from the excise tax.

Solid waste facilities owned by a county of any class are not subject to taxes or excises imposed by a city or town. However, a city or town may establish charges for such facilities, that the city or town demonstrates are directly attributable, in order to mitigate impacts from the facilities. Such charges may only be expended to mitigate these impacts. Impacts resulting from commercial and residential solid waste collection within the city or town will not be considered to be attributable to the solid waste facilities.

**VOTES ON FINAL PASSAGE:**

House	84	6	
Senate	43	2	(Senate amended)
House	88	10	(House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 259**

C 61 L 82

**BRIEF TITLE:** Providing plans for conserving paper resources by governmental agencies.

**SPONSORS:** House Committee on State Government (Originally Sponsored by Representatives Brekke, Addison, Wang, Hankins, Nelson (D.), Burns, Valle, Kreidler, Monohon, Rust, Pruitt and Ellis)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

No procedure exists for providing preferential purchase of recycled paper by state agencies and institutions of higher education.

**SUMMARY:**

The Director of General Administration is required to develop specifications and adopt rules for the preferential purchase of recycled paper by state agencies and institutions of higher education.

The specifications shall include: giving preference to recycled paper products if the bids on contracts for purchasing paper do not exceed the lowest bid on non-recycled paper and requiring paper products that



may be recycled or reused to be purchased if the quality is equal to other paper products.

The content specifications for recycled paper must be reviewed annually. The Director of General Administration will report annually to the Legislature about revising the specifications. Governmental units and firms with whom they contract work are to purchase paper products meeting the specifications of the Department of General Administration to the maximum extent economically feasible.

Future Obligations: The content specifications for recycled paper will be reviewed annually and the Director of General Administration will report annually to the Legislature about revising the specifications.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	44	0

**EFFECTIVE:** June 10, 1982

**SHB 268**

C 14 L 82 E1

**BRIEF TITLE:** Delaying vehicle license renewal until unpaid parking fines are paid.

**SPONSORS:** House Committee on Ethics, Law and Justice  
(Originally Sponsored by House Committee on Ethics, Law and Justice and Representatives Ellis, Hine, Burns and Rust)

**INITIAL HOUSE COMMITTEE:** Transportation  
**ADDITIONAL HOUSE COMMITTEE:** Ethics, Law and Justice

**INITIAL SENATE COMMITTEE:** Judiciary  
**ADDITIONAL SENATE COMMITTEE:** Rules

**BACKGROUND:**

Various Washington cities are experiencing difficulty in collecting unpaid parking tickets under the civil parking ordinance enacted by the 1979 Legislature. The provision of the 1979 law allowing for placement of a hold on a person's driver's license for failure to pay a parking ticket raises constitutional problems because parking tickets are not issued to a particular driver. California has dealt with this enforcement problem by providing for placement of a hold on

vehicle license tabs of a vehicle for which there are unpaid parking tickets.

**SUMMARY:**

Municipalities may report unpaid parking violations to the State Department of Licensing. The ticketed vehicle's license tabs may not be renewed until the tickets are paid. A 25 percent surcharge is added. 80 percent of that goes to the Department of Licensing to cover its costs. The other 20 percent of the surcharge goes to the county to cover its costs.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	51	45
Senate	27	21 (Senate amended)
<u>First Special Session</u>		
House	52	45
Senate	26	20 (Senate amended)
House	55	36 (House concurred)

**EFFECTIVE:** July 1, 1984

**HB 286**

C 15 L 82 E1

**BRIEF TITLE:** Continuing the displaced homemaker program.

**SPONSORS:** Representatives Teutsch, Brekke, Mitchell, Valle, Williams, Wang, King (J.), Tilly, Rinehart, Thompson, Sommers, McDonald, Stratton, Pruitt, Nisbet, Chamberlain, Winsley, Sanders, Ehlers, Sherman, Patrick, Lux, Isaacson, Eng, Greengo, Gruger, Tupper, Garrett, Wilson, Maxie, Erickson, Eberle, Heck, Granlund, Kreidler, Hine, Burns and Rust

**INITIAL HOUSE COMMITTEE:** Human Services  
**ADDITIONAL HOUSE COMMITTEE:** Ethics, Law and Justice

**SECOND ADDITIONAL HOUSE COMMITTEE:** Appropriations-General Government

**INITIAL SENATE COMMITTEE:** Ways and Means  
**ADDITIONAL SENATE COMMITTEE:** Judiciary  
**SECOND ADDITIONAL SENATE COMMITTEE:** Rules

BACKGROUND:

In 1979, a two-year pilot project was established for the Council for Postsecondary Education to contract to establish centers and programs to provide training, counseling, and services for displaced homemakers. In June of 1981, that project expired.

SUMMARY:

Guidelines are established under which the Council for Postsecondary Education shall contract to establish centers and programs to provide training, counseling, and services for displaced homemakers. Agencies which provide services which would support the program are required to submit annual reports to the Council for Postsecondary Education describing those services.

Future Obligation: The Council for Postsecondary Education must submit to the Legislature an evaluation of the program at the end of the first two years and a biennial evaluation beginning in January 1984.

Termination Date: The statewide program will terminate June 30, 1987, unless extended by law for an additional fixed period of time.

VOTES ON FINAL PASSAGE:

Regular Session  
House 90 3  
Senate 43 3 (Senate amended)

First Special Session  
House 94 3  
Senate 43 2 (Senate amended)  
House 87 2 (House concurred)

EFFECTIVE: July 10, 1982

**HB 289**

C 22 L 82

**BRIEF TITLE:** Granting civil immunity to officers using police dogs and making it a felony to harm a police dog.

**SPONSORS:** Representatives Walk, Garrett, Patrick, Granlund, Nickell, Galloway, Owen, Gallagher, North, Sherman, Sanders, Grimm and Houchen

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

BACKGROUND:

The recent wounding of a police dog in Seattle focused concern on the fact that such an act is presently not a crime. Law enforcement officers who work with police dogs are also concerned about their potential liability arising out of their use of a dog.

SUMMARY:

Wilfully injuring or killing a police dog used by a law enforcement officer in the line of duty is a class C felony and punishable by up to five years imprisonment and/or a \$5,000 fine.

An officer is immune from liability arising out of his or her duty as a dog handler if the dog is used in accordance with standards established by the officer's agency.

VOTES ON FINAL PASSAGE:

House 93 0  
Senate 47 0 (Senate amended)  
House 92 0 (House concurred)

EFFECTIVE: June 10, 1982

**SHB 313**

C 174 L 82

**BRIEF TITLE:** Pertaining to the taxation of business inventories.

**SPONSORS:** House Committee on Revenue (Originally Sponsored by House Committee on Revenue and Representatives Groengo and Clayton)

**HOUSE COMMITTEE:** Revenue

**SENATE COMMITTEE:** Rules

BACKGROUND:

A business may currently reduce business and occupation (B&O) taxes by a percentage of the amount of personal property taxes they pay on inventory. The percentage is 90 percent in 1982 and 100 percent in 1983. In 1984, current law provides that inventory will be exempt from the property tax and the credit will be eliminated.

The definition of business inventory refers to products held for sale. It does not address products held for lease. Thus, property which is in inventory and held

for lease is not subject to the credit or exemption provisions of the law. Property taxes on leased products must be paid in full without credit or exemption.

**SUMMARY:**

Property held for lease is defined as business inventory if it meets the following conditions: (1) it is not held for the purpose of short-term lease; (2) it has not been leased for the prior calendar year.

There is an exemption to the second rule above in the event that property is being held for remanufacture.

This would not allow business inventory treatment of property currently being leased or rented or for property held in inventory for short term rents.

**VOTES ON FINAL PASSAGE:**

House 97 0  
Senate 46 0

**EFFECTIVE:** June 10, 1982

**HB 330**

C 23 L 82

**BRIEF TITLE:** Requiring notification to the secretary of transportation about plats of subdivisions near public airports.

**SPONSORS:** Representatives Kreidler, Sanders, Dawson, Bond, Houchen and Sprague

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

**BACKGROUND:**

When a subdivision plat is filed with the local legislative authority for approval, a copy of the preliminary plat must be provided to the Department of Transportation if the proposed subdivision is adjacent to a state right-of-way. The department may review the plat and submit comments to the city or county on how the proposed development will affect traffic flow, the carrying capacity of the highway, etc. The Secretary of Transportation is not required to respond to the local authority.

There is no requirement that notification of proposed subdivision plats be provided to the department when the development is adjacent to or near a state or municipal airport. There are approximately 100 publicly-owned airports in the State of Washington.

**SUMMARY:**

The local legislative authority is required to give notice to the Secretary of Transportation of the filing of a preliminary plat located within two miles of a publicly-owned airport.

The Secretary of Transportation is required to respond to the notifying authority within 15 days as to the effect that a proposed subdivision will have on an adjacent state highway or the state or municipal airport.

**VOTES ON FINAL PASSAGE:**

House 94 0  
Senate 41 6 (Senate amended)  
House 93 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**HB 357**

C 36 L 82

**BRIEF TITLE:** Modifying provisions on the preservation and destruction of public records.

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

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

The duties and responsibilities of the State Archivist are to manage the archives of the State of Washington, to centralize them and make them available for reference and scholarship, and to ensure their proper preservation. All public records not required in the current operation of the office where they are made or kept are transferred to the state archives. Official public records must be retained for seven years, unless a different period is approved by the State Records Committee or the Local Records Committee. Reducing the retention time could reduce the volume of storage space in state agencies and records centers.

Responsibility for coordinating record preservation in a state of emergency has been divided between the State Archivist and the Director of the Department of Emergency Services. The definition of "public document" has not included "machine readable data." State and local agencies are required to make reports

on savings realized in records disposition. The Secretary of State, in concert with other affected agencies, believes that changing these provisions would modernize the management of the state records program.

**SUMMARY:**

The retention requirement for official state and local public records is reduced from seven to six years, subject to certain conditions such as federal requirements. The circumstances under which retention schedules for local public records may be revised are brought into conformity with those which apply to state records. Further reduction is permitted when the agency where the records originated can show that the retention of records for a minimum of six years is unnecessary and uneconomical.

The State Archivist is given primary responsibility for coordinating the emergency records program with the advice of the Director of Emergency Services. "Machine readable material" is added to the definition of public records, and the reporting requirement on savings from records disposition is deleted.

**VOTES ON FINAL PASSAGE:**

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

**EFFECTIVE:** June 10, 1982**HB 375**

C 62 L 82

**BRIEF TITLE:** Modifying the regulation of automotive repairs.**SPONSORS:** House Committee on Labor and Economic Development and Representatives Patrick, Sanders, Smith, Salatino, Garrett and Wang**HOUSE COMMITTEE:** Labor and Economic Development**SENATE COMMITTEE:** Commerce and Labor**BACKGROUND:**

In 1977, the Automotive Repair Act was enacted in response to a significant number of complaints received by the Department of Licensing and the Attorney General involving auto repairmen charging for services not rendered, selling old parts for new, and charging for repairs done without first obtaining

the car owner's approval, often resulting in the owner's paying far more than anticipated. However, the 1977 law has been ignored by many small independent repair shops and most car owners are unaware that shops are unable to collect for work performed unless they can show strict compliance with the law.

**SUMMARY:**

Coverage of the Automotive Repair Act is extended to include service stations. If estimated repairs exceed \$75 (currently \$50), the repairman should offer the vehicle owner a written estimate to protect lien rights. If the original estimate is under \$75, no more than \$75 may be charged without customer approval.

Shops are required to prominently post notice of the customers' rights as to estimates.

Costs and attorney fees are authorized to the prevailing party in a suit for repair charges.

The Department of Licensing and the Department of Revenue annually must provide written notice of this act with license plate renewals and business and occupation tax return forms.

**VOTES ON FINAL PASSAGE:**

House	86	5
Senate	43	1

**EFFECTIVE:** June 10, 1982**2SHB 378****PARTIAL VETO**

C 225 L 82

**BRIEF TITLE:** Revising laws regulating cosmetology.**SPONSORS:** House Committee on Labor and Economic Development (Originally Sponsored by House Committee on Labor and Economic Development and Representative Sanders)**HOUSE COMMITTEE:** Labor and Economic Development**SENATE COMMITTEE:** Commerce and Labor**BACKGROUND:**

State law requires that every person engaged in the practice of cosmetology or operating a cosmetology school be licensed by the state. The licensing laws

have not been thoroughly updated for a number of years.

**SUMMARY:**

The laws regulating the practice of cosmetology and operation of cosmetology schools are revised in a comprehensive manner to more closely conform with current trade practices.

Additionally, any postsecondary public school applying for a license to operate a cosmetology school is required to conduct a "job market survey" which: (a) includes an analysis of existing training programs in the area; and (b) demonstrates that the demand for new graduates in the area will exceed the supply (or that existing programs are not meeting the "training needs" of their students).

**VOTES ON FINAL PASSAGE:**

House	88	7	
Senate	45	1	(Senate amended)
House	92	5	(House concurred)

**EFFECTIVE:** June 10, 1982

**PARTIAL VETO SUMMARY:**

A portion of the bill requiring public postsecondary schools to perform market surveys as a precondition for the issuance of a cosmetology school location license is vetoed. (See VETO MESSAGE)

**HB 381**

C 112 L 82

**BRIEF TITLE:** Modifying procedures applicable to conditionally released persons.

**SPONSORS:** Representatives Tilly and Padden

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Procedures exist for committing the criminally insane (persons acquitted of a crime by reason of insanity) to mental health facilities. Such persons may be released by a court from a mental health facility prior to the end of their commitment, subject to certain requirements and conditions.

A person's conditional release may be revoked by a court for violation of the terms of his release if it can be demonstrated that the violation makes the person

a "substantial danger" to other persons or likely to commit a felony jeopardizing public safety or security.

No statute explicitly authorizes a criminally insane person to be confined in a local jail while awaiting a court hearing or placement in a treatment program.

**SUMMARY:**

If a court determines that receiving periodic medical treatment is a condition of release, the court must then require the person to report to a doctor, or other person, for the treatment. The doctor, or other person, is also required to report immediately any failure of the released person to report for treatment.

The basis for revoking a conditional release is changed. Only a showing of failure to comply with the conditions of the release is required. "Substantial danger" and "likelihood of committing a felony" are eliminated.

The criminally insane may be confined up to seven days in a county jail or other local facility while awaiting a court hearing or placement in a treatment program.

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	43	1	(Senate amended)
House	96	1	(House concurred)

**EFFECTIVE:** June 10, 1982

**HB 385**

C 6 L 82

**BRIEF TITLE:** Enacting the regulatory fairness act.

**SPONSORS:** House Committee on Labor and Economic Development and Representatives Sanders, Patrick, Eberle, Flanagan, Barrett, Hankins, Clayton, King (J.), Monohon, Smith, Ellis, Vander Stoep, Isaacson, Addison and McGinnis

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The burden of reporting requirements and the costs of compliance with government regulations fall more heavily on smaller firms than on bigger businesses.

The Federal Regulatory Flexibility Act of 1980 gave all federal agencies the power to anticipate and reduce the impact of rules and paperwork requirements on small businesses. Federal agencies were given the power to implement a tiered system of regulation, including the power to minimize the economic impact or to exempt small businesses from various regulations and reporting requirements. All new federal regulations must take into account the size and nature of the regulated business. All current regulations are reviewed to see if they are still required.

It has been proposed that the state follow federal practices in reducing the burden of regulatory compliance on small businesses.

**SUMMARY:**

Any agency adopting a rule having an economic impact on more than 20 percent of all businesses or more than 10 percent of any one business must reduce the economic impact of the rule on small businesses by doing any one of the following:

- (1) establishing different compliance requirements for small businesses;
- (2) simplifying reporting requirements;
- (3) establishing performance rather than design standards; or
- (4) exempting small businesses from any or all of the rule.

The adopting agency is to file a small business impact statement analyzing compliance costs with the Code Reviser for publication in the State Register.

Each agency within one year after the effective date of the act is to provide the Office of Financial Management with a plan for the review of all its rules having an economic impact on small businesses to determine whether any change should be made to minimize the small business impact. All current rules are to be reviewed in 10 years.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	43	3

**EFFECTIVE:** June 10, 1982**HB 401**

C 46 L 82

**BRIEF TITLE:** Authorizing educational service districts to establish direct student services programs.**SPONSORS:** Representatives Galloway, Vander Stoep, Bender and Heck**HOUSE COMMITTEE:** Education**SENATE COMMITTEE:** Education**BACKGROUND:**

Educational Service Districts (ESD's) provide cooperative and informational services to local school districts to assure equal educational opportunities. These services include providing depository and distribution centers for instructional materials, coordinating joint purchasing programs for schools, certifying statistical data, conducting in-service training, and operating cooperative transportation programs.

Educational Services Districts are not authorized to instruct children directly. Some school districts lack sufficient numbers of students in programs to economically mount full-scale programs. These programs can be and, in many cases, are now being operated for school districts directly by Educational Service Districts.

**SUMMARY:**

An Educational Service District may enter into agreements to provide educational programs directly to students upon the request of a superintendent and board of directors of a local school district.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	35	10

**EFFECTIVE:** June 10, 1982**HB 410**

C 193 L 82

**BRIEF TITLE:** Modifying provisions relating to county alcoholism and drug abuse programs.**SPONSORS:** House Committee on Human Services and Representatives Mitchell and Hine

(By Department of Social and Health Services Request)

HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Social and Health Services

**BACKGROUND:**

Current alcohol and drug laws rely upon the Community Mental Health Act to define the composition and duties of county alcoholism and drug abuse boards and coordinators. The Community Mental Health Act also defines how these county programs qualify for state funding. The Community Mental Health Act may be revised this session. These revisions would bring about changes in the county alcohol and drug treatment programs which may not be appropriate.

It has been suggested that pertinent language found in the Community Mental Health Act be incorporated into alcohol and drug laws to make the alcohol and drug laws independent of the Community Mental Health Act.

**SUMMARY:**

Counties may individually or jointly establish an alcoholism or drug abuse program. Counties which create a drug abuse program must appoint a county drug abuse administrative board. Counties which create an alcoholism program may create an alcoholism administrative board. The alcoholism and drug abuse boards may be one and the same. The functions of alcoholism administrative boards and drug abuse administrative boards include the nomination of a coordinator for their own county alcoholism or drug abuse program and the review and evaluation of the performance of the program.

The functions and duties of coordinators of county alcoholism and drug abuse programs are specified.

In order to be eligible for state funds, a county alcoholism program must have an alcoholism administrative board and appoint a coordinator of the program. The county must also submit a plan to the Department of Social and Health Services which meets certain conditions specified to qualify for state funding.

In order to be eligible for state financial support as a county drug abuse program, two conditions must be met. First, the program cannot use any increase in state financial support to supplant any funding source available to the program prior to the effective date of this bill. Second, at least ten percent of the cost of the program must be provided by local sources. Additionally, the Secretary of the Department of Social and Health Services may require by rule that up to fifty

percent of the funding be provided by sources other than the state.

All references in the drug and alcohol chapter (RCW 69.54) to the Community Mental Health Services Act (Chapter 71.24) are deleted.

New Rule Making Authority: The Secretary of the Department of Social and Health Services is granted rule-making authority.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	45	2

**EFFECTIVE:** June 10, 1982

**SHB 419**

C 173 L 82

**BRIEF TITLE:** Notifying the buyer of land when reforestation is required.

**SPONSORS:** House Committee on Natural Resources and Environmental Affairs  
(Originally Sponsored by House Committee on Natural Resources and Environmental Affairs and Representatives Wilson and North)

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

After completion of a logging operation, satisfactory reforestation of the area must be completed within three years. A longer period for reforestation may be granted if seeds or seedlings are not available, or the Department of Natural Resources has approved a natural regeneration program.

The seller of forest land is not required to notify the buyer of the reforestation requirements. Buyers have purchased property without knowledge of the reforestation requirement.

**SUMMARY:**

Prior to the sale or transfer of land or perpetual timber rights on land subject to reforestation, the seller must notify the buyer of the reforestation requirement and the buyer must sign a notice of the reforestation obligation to indicate he understands the obligation. Owners who violate this section are liable for any

reforestation costs incurred by the buyer and the buyer's legal costs in a judgment for reforestation costs. Failure to notify the Department of Natural Resources is prima facie evidence that the seller did not notify the buyer.

The Department of Natural Resources must prepare "notice of reforestation" forms and these forms must be returned to the department at the time the land is transferred to the buyer.

Reforestation requirements remain with any party who holds perpetual harvesting rights on forest lands which have been sold prior to being reforested as required by law.

**VOTES ON FINAL PASSAGE:**

House	91	0	
Senate	43	2	(Senate amended)
House	97	0	(House concurred)

**EFFECTIVE:** July 1, 1982

**SHB 436**

C 205 L 82

**BRIEF TITLE:** Require auctioneering licensing.

**SPONSORS:** House Committee on Labor and Economic Development  
(Originally Sponsored by Representatives North, Clayton, O'Brien and Garrett)

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

A state law passed in 1890 requires auctioneers to keep records regarding property of "doubtful or uncertain" ownership. There are no other laws regulating the auctioneering profession as a whole, although state law does contain provisions regulating certain types of auctions.

**SUMMARY:**

A system for the licensing and regulation of auctioneers is established.

It is unlawful to act as an auctioneer, or to engage in the business of an auctioneer, without a license. Certain types of auctions are exempted. The Department

of Licensing is responsible for issuing and revoking licenses.

Auctioneers must be bonded and keep prescribed records. A written agreement between the auctioneer and owner of goods or real estate sold at public auction is required. Auction marts are exempted from this requirement.

Criminal penalties and fines are authorized, and an appropriation is made.

All of the above provisions will expire on June 30, 1986, unless extended by law.

The 1890 law regulating auctioneers is repealed.

Future Obligation: The final Legislative Budget Committee audit report must be submitted by December 31, 1985.

Termination Date: June 30, 1986

**VOTES ON FINAL PASSAGE:**

House	61	28
Senate	43	5

**EFFECTIVE:** June 10, 1982

**HB 442**

C 37 L 82

**BRIEF TITLE:** Revising laws pertaining to discipline of engineers.

**SPONSORS:** House Committee on Labor and Economic Development and Representatives Sanders, Scott, Eberle, Garrett, Nelson (G.) and Clayton

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The State Board of Registration for Professional Engineers and Land Surveyors can only revoke the certificate of a registrant and refer violations by registrants and nonregistrants to prosecuting attorneys for misdemeanor charges. Such criminal charges have proven ineffective because of heavy and more pressing caseloads facing prosecuting attorneys' staffs.



**SUMMARY:**

The State Board of Registration for Professional Engineers and Land Surveyors may suspend the certificate of a registrant, revoke it, reprimand a registrant, and impose fines up to \$1000 directly on the registrant. In addition, the board may refer violations to prosecuting attorneys for acts of nonregistration, false impersonation and forged certificates.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	45	2

**EFFECTIVE:** June 10, 1982

**SHB 448**

C 113 L 82

**BRIEF TITLE:** Prohibiting pull-tab beverage containers.

**SPONSORS:** House Committee on Labor and Economic Development  
(Originally Sponsored by Representatives Nisbet, Sherman, Brekke, Lane, Rust, Nelson (D.), Valle, Gruger, Rinehart, Wang and Teutsch)

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

In this state, beer is sold in metallic sealed cans which are opened by using detachable metal rings or pull-tabs. These pull-tabs can cut human fingers and can be ingested by humans or wildlife.

Soft drinks sold in metal cans in Washington are opened by a non-disposable tab that stays with the container. Fruit and vegetable juices sold in metal containers are opened by pulling off a piece of pressure sensitive or aluminized tape.

**SUMMARY:**

The retail sale of beverage containers that are opened by pulling a detachable metal ring or tab is prohibited. However, it is permissible to sell beverages in metal containers whose only detachable part is a piece of pressure sensitive tape.

The Department of Ecology is responsible for enforcing these provisions. Civil fines of up to \$500 per violation may be assessed.

**New Rule Making Authority:** The Department of Ecology may adopt rules interpreting and implementing this chapter.

**VOTES ON FINAL PASSAGE:**

House	91	0
Senate	44	3

**EFFECTIVE:** July 1, 1983

**SHB 449**

C 15 L 82

**BRIEF TITLE:** Modifying the responsibility of the supervisor of water resources in determining water rights.

**SPONSORS:** House Committee on Agriculture  
(Originally Sponsored by Representatives Flanagan, Struthers, Barr, Amen and Thompson)

**HOUSE COMMITTEE:** Agriculture

**SENATE COMMITTEE:** Agriculture

**BACKGROUND:**

The Water Code of 1917 established a method for identifying which claims to the use of a particular body of water are valid, the quantities of water to which the various claimants are entitled, and the relative priority (seniority) of the water rights. This method is referred to as a general adjudication proceeding for water rights claims.

The supervisor of water resources (now the Department of Ecology) is designated as a referee for the court in such a proceeding. The Department takes testimony and reports to, and files a transcript of the testimony with, the court. Persons found to have surface water or groundwater rights at the end of the proceeding must pay 50 percent of the expenses incurred by the Department in the proceeding.

**SUMMARY:**

The expenses incurred by the state in a general adjudication proceeding to determine water rights, or upon the appeal of such a determination, shall be borne by the state.

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**SHB 449**

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**VOTES ON FINAL PASSAGE:**

House 90 1  
Senate 45 0

**EFFECTIVE:** March 8, 1982

**SHB 452**

C 209 L 82

**BRIEF TITLE:** Providing for city council members as members of the urban arterial board.

**SPONSORS:** House Committee on Transportation (Originally Sponsored by House Committee on Transportation and Representatives Martinis, North and Garrett)

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

**BACKGROUND:**

When the Urban Arterial Board (UAB) was created in 1967, the composition of the board was specified to include the mayors of two cities with population exceeding 20,000. Some of the larger cities request the option of being represented by their mayor or a city council member. County and smaller city representation should also reflect present forms of government as far as potential appointments to the UAB.

**SUMMARY:**

The appointing authority for membership on the Urban Arterial Board is changed from the Transportation Commission to the Secretary of Transportation.

County representatives on the board may be a county executive, commissioner, or council member. City representatives may be a mayor, commissioner, or council member.

Outdated language relating to initial appointments to the Urban Arterial Board is deleted.

**VOTES ON FINAL PASSAGE:**

House 96 0  
Senate 42 2 (Senate amended)  
House 97 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**HB 454**

C 63 L 82

**BRIEF TITLE:** Enacting the Workers' Compensation Vocational Rehabilitation Reform Act of 1981

**SPONSORS:** Representatives Clayton, King (R.), McGinnis, Lux and Sanders

**HOUSE COMMITTEE:** Ways and Means

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The Department of Labor and Industries is required by law to provide assistance to injured workers. Concern has been expressed over the delays injured workers have encountered in receiving vocational rehabilitation. There has also been some confusion regarding which workers should receive vocational rehabilitation and the types of services which should be provided to these workers.

**SUMMARY:**

An Office of Rehabilitation Review is created within the Department of Labor and Industries' Industrial Insurance Division. This office's major responsibilities include:

- a) Establishing timetables and procedures for the provision of vocational rehabilitation services;
- b) Mediating disputes;
- c) Reviewing and approving vocational rehabilitation plans; and
- d) Establishing procedures for registering rehabilitation counselors.

The office will also establish eligibility criteria for receiving rehabilitation services, although a general definition of "qualified injured worker" is also added to the statute.

Preferred priorities for the rehabilitation of injured workers are prescribed. These priorities range from returning the worker to his or her previous job (top priority) to short-term retraining. Prior approval of the worker's vocational rehabilitation plan by the Office of Rehabilitation Review is required if these priorities are not followed. Self-insurers need not submit a comprehensive vocational rehabilitation plan if the worker returns to work for his or her former employer.

Workers who do not participate in their approved vocational rehabilitation plans will be penalized.

Workers and employers may appeal determinations of ineligibility or vocational rehabilitation plans to the Supervisor of Industrial Insurance. The supervisor's decision may in turn be reviewed in an "expedited appeal" proceeding before the Board of Industrial Insurance Appeals. This expedited appeal is limited to matters of law.

The maximum sum payable for an individual's vocational rehabilitation and job placement during a 52-week period is increased. The Supervisor of Industrial Insurance is also authorized to order payments for modifications of a worker's residence, motor vehicle, or job.

The Office of Financial Management is required to complete an annual performance audit of the Office of Rehabilitation Review and rehabilitation services in the state.

Appropriations are made from the medical aid fund to agencies impacted by the above provisions.

Numerous other changes in the state's workers' compensation laws are made: (a) penalties are increased for employers who fail to secure workers' compensation coverage, fail to make payment of premiums, or fail to make required reports; (b) the Department of Labor and Industries is permitted to drop "elective" coverage if premiums have not been paid; (c) burial and death benefits are increased; (d) changes are made regarding mandatory coverage, coverage of common carriers' employees, Social Security offsets, and attorneys' fees.

New Rule Making Authority: The Department of Labor and Industries and the Board of Industrial Insurance Appeals shall have the authority to make such rules as are necessary to carry out the duties prescribed herein.

Future Obligation: The Office of Financial Management is required to complete an annual performance audit of the Office of Rehabilitation Review and rehabilitation services in the state.

#### VOTES ON FINAL PASSAGE:

House	94	0
Senate	44	0 (Senate amended)
House	95	0 (House concurred)

**EFFECTIVE:** March 26, 1982 (Section 4)  
January 1, 1983 (all other sections)

## HB 457

C 83 L 82

**BRIEF TITLE:** Revising common carrier requirements.

**SPONSORS:** House Committee on Transportation and Representative Garson

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

#### BACKGROUND:

Common and contract intrastate carriers are required to have a red or red-bordered bill of lading when the commodity carried includes hazardous material.

As of January 6, 1982, the state has been notified by the U.S. Department of Transportation, Office of Hazardous Materials Regulation, that as a result of this statute, Washington is not in compliance with federal hazardous materials requirements.

#### SUMMARY:

The requirement to carry a red or red-bordered bill of lading with cargoes of hazardous materials is stricken.

#### VOTES ON FINAL PASSAGE:

House	83	15
Senate	39	9 (Senate amended)
House	74	16 (House concurred)

**EFFECTIVE:** March 27, 1982

## SHB 462

C 38 L 82

**BRIEF TITLE:** Implementing law relating to the injury or defacement of school property and liability therefor.

**SPONSORS:** House Committee on Education (Originally Sponsored by Representatives Erickson, Taylor, Winsley, Ellis, Van Dyken, Tupper, Walk, Hine and Brown)

**HOUSE COMMITTEE:** Education

**SENATE COMMITTEE:** Education

#### BACKGROUND:

School districts have no administrative recourse against a student to recover the cost of school district

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**SHB 462**

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property that has been lost or willfully damaged by the student.

**SUMMARY:**

Any school district whose property has been lost or willfully cut, defaced, or injured may withhold the grades, diploma, and transcripts of the responsible pupil until the pupil or the pupil's parent or guardian has paid for the damages. When the pupil and parent or guardian are unable to pay for the damages, the school district shall provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of voluntary work, the grades, diploma, and transcripts of the pupil shall be released. School districts must adopt procedures to protect the due process rights of pupils.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	43	0 (Senate amended)
House	95	0 (House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 476**

C 64 L 82

**BRIEF TITLE:** Exempting certain library records from requirements for public disclosure.

**SPONSORS:** House Committee on State Government (Originally Sponsored by Representatives Thompson, Monohon and Wilson)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

Library records containing library user information such as circulation records are not exempt from the public inspection and copying provisions of the Public Disclosure Act.

**SUMMARY:**

Library records which disclose or could be used to disclose the identities of library users are exempt from public inspection. Any library record which would allow an individual or group to obtain the names of

individuals who have used a particular book, document, or other library material is not to be open to public inspection. Such records include circulation records.

If the information which identifies the library user can be taken out of the requested library records, then the records are not exempt from public records provisions.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	47	0

**EFFECTIVE:** June 10, 1982

**HB 500**

C 16 L 82

**BRIEF TITLE:** Adopting a rule of statutory construction that a reference includes any amendments to the referenced statute.

**SPONSORS:** House Committee on Ethics, Law and Justice and Representatives Ellis and Salatino (By Code Reviser Request)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Statutes often refer to other statutes within the state code. Sometimes the referenced statute is subsequently amended. The law contains no express indication as to whether the original reference automatically includes or excludes subsequent amendments to the referenced statute.

**SUMMARY:**

If a statute refers to another statute of the state, the reference includes any amendments to the referenced statutes unless a contrary intent is clearly expressed.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	43	1

**EFFECTIVE:** June 10, 1982

**HB 554**

C 24 L 82

**BRIEF TITLE:** Allowing cities or towns to borrow on expected revenues from utility projects.

**SPONSORS:** Representatives Burns, Eng, Maxie, Bender, Tupper and Isaacson

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**BACKGROUND:**

Public utility districts and private utilities may borrow money directly from financial institutions without issuing revenue bonds. However, first class city electrical departments are precluded from borrowing money in such a manner. Short term borrowing by city electrical utilities may only be made by issuing revenue bonds.

**SUMMARY:**

Cities or towns are expressly permitted to contract indebtedness and borrow money for up to a two-year period based on the expected revenues of public utility projects.

**VOTES ON FINAL PASSAGE:**

House 88 7  
Senate 39 7

**EFFECTIVE:** June 10, 1982

**SHB 571**

C 39 L 82

**BRIEF TITLE:** Implementing law relating to control of alcoholic beverages.

**SPONSORS:** House Committee on Labor and Economic Development (Originally Sponsored by Representatives Hankins, Owen, Isaacson, Grimm, Bickham, Erak, Smith, Hastings, King (R.), Scott, Struthers and Heck)

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The only beer that can be sold by wholesalers and retail outlets in this state is beer containing alcohol of not more than 4 percent by weight. Beer stronger than 4 percent in alcoholic content can only be purchased in state liquor stores.

The term "spirits" is defined in the law as any alcoholic beverage exceeding 24 percent by volume. By federal law, wines imported into the state are not taxed unless the alcoholic content exceeds 24 percent by volume. Therefore, a few wines with a total alcoholic content under 24 percent are imported and sold in Washington but are not taxed.

Contrary to current state law, federal law requires beverages containing malt liquor to state it on the label.

**SUMMARY:**

Beer is redefined as a malt beverage. Wholesalers and retail outlets may sell any kind of beer, other than "strong beer."

"Strong beer" is defined as a malt beverage which contains more than 8 percent alcohol by weight. It will be subject to a sales tax of 15 percent. Beer less than 8 percent alcohol by weight will be taxed at 5 percent rate.

Malt liquor beverages must be labeled in conformance with federal labeling requirements.

**VOTES ON FINAL PASSAGE:**

House 73 20  
Senate 25 21

**EFFECTIVE:** June 10, 1982

**HB 572**

C 40 L 82

**BRIEF TITLE:** Transferring responsibility for voting devices to the secretary of state.

**SPONSORS:** House Committee on State Government and Representative Addison

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

The State Voting Machine Committee was included in the sunset schedule for termination and review by

June 30, 1981. The Committee is responsible for examining all voting machines, voting devices, and vote tally systems submitted to it to determine whether or not they conform to the legal requirements and rules issued by the Secretary of State. The Committee also determines if the voting machines and devices can be safely used by voters.

The Committee has met twice during the last five years: once to evaluate a Precinct Ballot Counter and once to review a particular style of ballot card to determine if it constituted a new voting system requiring separate certification.

**SUMMARY:**

The State Voting Machine Committee was terminated on June 30, 1981. Committee functions such as ensuring that new voting machines, voting devices, and vote tally systems conform to statutory requirements, applicable rules, and safety requirements are assigned to the Elections Division of the Office of the Secretary of State.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	47	0

**EFFECTIVE:** March 22, 1982

**SHB 593**

C 208 L 82

**BRIEF TITLE:** Protecting state employees who report improper governmental actions.

**SPONSORS:** House Committee on State Government (Originally Sponsored by House Committee on State Government and Representatives Addison, Berleen, Garson, Pruitt, Walk, Wang, Ellis, Patrick, Burns, Rust and Brown)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

Complaints of improper or illegal actions within an agency may be brought to the attention of the Attorney General's Office, the State Auditor's Office, or the Office of Financial Management. The State Personnel

Board can hear cases of merit system abuse, but only on appeal by a person "adversely affected" by a violation of the State Civil Service Law or the Merit System Rules. An employee can also lodge a complaint with the Governor's Office or by contacting a legislator. However, no central system exists to screen and investigate employee complaints and to further protect employees who choose to use such a process.

**SUMMARY:**

It is the policy of the Legislature that state employees be encouraged to disclose improper government actions; and, further, it is the intent of the Legislature to protect the employment rights of state employees who make these disclosures. The responsibility for examining complaints of improper governmental action is placed in the office of the State Auditor.

When the Auditor receives information that an employee has engaged in improper governmental action such as violation of any state law or rule, abuse of authority, or gross waste of public funds, a preliminary investigation will be conducted. The identity of the employee providing the information that started the investigation is to be kept confidential, unless the Auditor determines that the information was provided in bad faith. The employee shall first make a good faith effort to provide to the agency head the information to be disclosed before its disclosure.

If the Auditor finds that there is cause to believe an employee has engaged in an improper activity, the information will be reported to the employee and the head of the employing agency and, if appropriate, the Attorney General. The employing agency and/or the Attorney General will report to the Auditor any action taken. If it is clear to the Auditor that appropriate action is not being taken within a reasonable time, the Auditor will report the lack of action to the Governor and the Legislature.

The employee, who in good faith provides information about improper governmental action, will be protected against any reprisal or retaliatory action. Reprisal or retaliatory action includes, but is not limited to, frequent staff changes, reductions in pay, denial of promotion, demotion, suspension, and dismissal. The protection from these actions will last for two years. If action is taken against the individual, he or she may seek judicial review in superior court. The Auditor must contact the employee who provided the information on at least a quarterly basis to see if a change in the employee's work situation has taken place. Should the Auditor determine that a change has

occurred that is related to the disclosure of the information, the Auditor is required to investigate. A written summary of the law and procedures for reporting improper governmental action must be made available to each employee entering a state position.

The State Personnel Board is directed to adopt rules needed to implement the bill by January 1, 1983.

New Rule Making Authority: The State Personnel Board is directed to adopt rules governing maintenance of employee records in a manner which is fair to employees, ensures proper management of state government affairs, and adequately protects the public interest.

VOTES ON FINAL PASSAGE:

House	96	2	
Senate	43	0	(Senate amended)
House	96	1	(House concurred)

EFFECTIVE: June 10, 1982

**HB 600**

PARTIAL VETO

C 47 L 82 E1

BRIEF TITLE: Making various changes in criminal law.

SPONSORS: House Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Schmidt, Becker, Tilly, Winsley, Bickham, Pruitt and Granlund

HOUSE COMMITTEE: Ethics, Law and Justice

INITIAL SENATE COMMITTEE: Judiciary

ADDITIONAL SENATE COMMITTEE: Rules

BACKGROUND:

RCW 9.41.025 characterizes certain misdemeanors or gross misdemeanors as "inherently dangerous." When such crimes are committed with a firearm, they carry increased penalties.

Certain defense contractors are allowed by federal law to possess machine guns. State law contains no such provision.

Anyone who carries a loaded pistol in a vehicle must carry it on one's person. If it is not on one's person, the weapon must be unloaded. There is no provision

for carrying or leaving a weapon, loaded or unloaded, in a car.

There is no particular prohibition against students carrying weapons on to school premises.

Statutes in Title 9 RCW and in Title 9A RCW prescribe different penalties for classes of crimes when specific statutes defining crimes do not set the penalties.

Three statutes (RCW 9.92.060, 9.95.210, and 9A.20-.030) allow a court to order restitution when sentencing a defendant. State v. Eilts (1980) has restricted the application of restitution to crimes for which the defendant has been convicted, even though he or she may have admitted other offenses for which he or she was not charged or convicted.

Persons convicted of crimes may generally be given deferred or suspended sentences. Such a person may be placed on probation with certain conditions or limitations, the violation of which may result in revocation of probation, or other sanctions. The state supreme court has ruled that once the period of probation has expired a court may not take action on violations which come to its attention even though the violations occurred prior to expiration.

No distinction is made between types of "vehicles" in the crime of "vehicle prowling."

Possession of a stolen firearm is a Class C felony. However, depending on the value of the gun involved, stealing a firearm may be only a gross misdemeanor.

Bribing, intimidating or tampering with the victim of a crime is illegal. However, in State v. Pella (1980) the court concluded that the law does not apply to acts directed at a victim before charges have been filed in the case.

Statutes dealing with rendering criminal assistance and escape have been held inapplicable to juveniles, In Re Frederick (1980).

The law requires a mental state of "wanton and wilful" disregard to be shown as an element of the crime of eluding a police vehicle. Similar statutes require only a mental state of "wanton or wilful."

A person charged with a motor vehicle law violation, and found to have an alcohol or drug problem, may be eligible for deferred prosecution.

The law provides a mandatory minimum "one-day" jail sentence for a first conviction of driving while intoxicated. There is indication that some courts have been construing "one day" to be something less than twenty-four consecutive hours.

A prosecutor is prohibited by statute from refileing a misdemeanor or gross misdemeanor when the same charge has been dismissed earlier.

Provisions in H.B. 828 (Chapter 8, L 82 E1) require the payment of assessments under the Crime Victims' Compensation Act to be made a part of a criminal's probation conditions. Those provisions were not made effective immediately as were other portions of the bill dealing with assessments.

Persons who take a breathalyzer test, are convicted of DWI, and therefore lose their drivers' licenses, may petition for an occupational drivers' license. Persons who lose their licenses for refusing to take the breathalyzer, however, may not petition for an occupational license.

#### SUMMARY:

The offense of vehicle prowling is added to the list of misdemeanors inherently dangerous for purposes of the additional penalty for use of a firearm while attempting certain offenses.

Persons exempt from or licensed under the National Firearms Act and engaged in defense contracts may possess machine guns.

An unloaded, licensed pistol may be left in a vehicle, but only if the pistol is locked in the vehicle and concealed from view. A loaded, licensed pistol may be carried or placed in a vehicle only if the pistol is carried on the licensee's person, the licensee remains in the vehicle at all times the pistol is there, or, if the licensee is not present, the pistol is locked within the vehicle and hidden from view.

It is a gross misdemeanor for any student under 21 to carry firearms or other dangerous weapons, as defined, onto school premises. Exceptions are made for any student of a private military academy, any student engaged in military activities, any student attending a convention or firearms safety course, and any student who possesses specified weapons for martial arts classes.

The same penalties are provided for felonies, gross misdemeanors and misdemeanors under Title 9 as under Title 9A.

Restitution may be ordered for crimes to which a defendant has admitted, even though he has not been charged with and convicted of those crimes.

The court is given the authority to modify the terms and conditions of a suspended sentence or to extend the period of suspended sentence at any time prior to

the entry of a formal termination order for the sentence. The court is given authority to change or terminate the terms of a probation order at any time prior to the entry of an order terminating probation.

The offense of vehicle prowling in the first degree is created and defined. Vehicle prowling in the first degree is a class C felony and includes breaking into a motor home or boat equipped with permanently installed sleeping quarters or cooking facilities. Vehicle prowling in the second degree, a gross misdemeanor, covers all other vehicles.

Theft of a firearm valued at less than \$1,500 is made a Class C felony.

The crimes of bribing, intimidating, or tampering with a witness are expanded to cover cases in which charges may not have been filed, but there is reason to believe the person tampered with may be a witness in the future.

The crimes of criminal assistance and escape are made applicable to juvenile offenses.

The mental state required for attempting to elude a police vehicle is established as wanton or wilful disregard rather than wanton and wilful disregard.

A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW is not eligible for a deferred prosecution program unless the court makes specific findings. No such person is eligible for deferred prosecution more than once in five years.

For a first conviction of driving or being in physical control of a vehicle while intoxicated, a mandatory term of imprisonment of 24 consecutive hours is established. If the court or alcohol information school finds the convicted person has serious alcoholism problems, he or she may be required to participate in a more intensive alcoholism treatment program approved by DSHS. For a second conviction, the person will be required to complete diagnostic evaluation at an alcoholism program. Persons found to have serious alcohol or drug problems must complete approved treatment programs. For either a first or second conviction, the Department of Licensing may not reinstate a convicted person's license until it has received a copy of the diagnostic evaluation and treatment report from the treatment agency. The Department of Licensing must condition license reinstatement on enrollment and participation in any required program.

The statute prohibiting refileing of misdemeanor or gross misdemeanor charges once they have been dismissed is repealed.



Portions of the recently enacted amendments to the Victims of Crime Compensation Act are made effective immediately. Those provisions require the payment by convicted criminals of certain assessments as a condition of probation.

Persons who have been convicted of DWI and who have had their licenses revoked for refusing to take a breathalyzer may request an occupational driver's license.

**VOTES ON FINAL PASSAGE:**

Regular Session

House 89 0  
 Senate 40 4 (Senate amended)

First Special Session

House 97 0  
 Senate 31 13 (Senate amended)  
 House (House refused to concur)

Free Conference Committee

Senate 38 8  
 House 85 2

**EFFECTIVE:** April 20, 1982 (Sections 29 and 30)  
 July 10, 1982 (all other sections)

**PARTIAL VETO SUMMARY:**

Vetoed is section 30. The section would have allowed a person who refuses a breathalyzer test, and is subsequently found guilty of driving while intoxicated, to apply for an occupational driver's license. (See VETO MESSAGE)

**HB 621**

C 114 L 82

**BRIEF TITLE:** Modifying provisions relating to cruelty to animals.

**SPONSORS:** Representatives Winsley and North

**HOUSE COMMITTEE:** Agriculture

**SENATE COMMITTEE:** Agriculture

**BACKGROUND:**

The Prevention of Cruelty to Animals statutes authorize the creation of humane societies and prescribe penalties for wantonly killing animals, depriving them of food or water, causing them to fight or otherwise treating animals cruelly. Violations of these

statutes are misdemeanors, with one exception: the unlawful poisoning of a domestic animal is a gross misdemeanor. Humane society members who have been approved by a superior court have the authority to prevent acts of cruelty to animals and to make arrests.

A statute outside of the cruelty to animals code states that the killing, taking, concealing or other attempt to deprive or defraud a person of his or her dog is a gross misdemeanor, unless otherwise excused by law. The State Supreme Court declared this statute to be unconstitutional since it was enacted in a bill that contained two separate subjects, in violation of the state's Constitution.

**SUMMARY:**

The Prevention of Cruelty to Animals statutes are amended. Each of the following is declared to be a gross misdemeanor: Keeping or training a dog to fight another dog; causing a dog to fight another dog for gain or amusement; or aiding in such an activity.

The penalty for each of the following misdemeanors is raised to a maximum of 90 days imprisonment or a \$1,000 fine or both: torturing or wantonly killing fowl; cruelly overdriving or depriving an animal of food; and causing animals other than dogs to fight. Transporting or confining a domestic animal in a manner that will jeopardize the safety of the animal or the public is a misdemeanor. An officer investigating the confining of an animal without sufficient food or water may remove the animal to protective custody to supply food and water.

Exempted from the cruelty to animals statutes are accepted animal husbandry practices. The term during which a member of a humane society may enforce these statutes is limited to three years.

Reenacted is a statute making the taking, concealing, or willful killing of a dog a gross misdemeanor.

**VOTES ON FINAL PASSAGE:**

House 90 2  
 Senate 48 0 (Senate amended)  
 House 97 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**HB 623**

C 115 L 82

**BRIEF TITLE:** Modifying eligibility requirements for veterans' free license plates.

**SPONSORS:** House Committee on State Government and Representatives Addison, Walk, Owen and North

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

Any veteran who is receiving compensation or a pension from the Veterans Administration for the loss of a limb or the loss of the use of a limb, has become unemployable or blind as a result of military service is entitled to free license plates with distinguishing marks indicating that the motor vehicle is owned by a disabled veteran. The license plates may be issued annually for one vehicle for personal use without the payment of license fees or excise tax.

**SUMMARY:**

A veteran is eligible to receive free license plates if he or she either has a disability rating from the Veterans Administration for the loss of a limb or loss of the use of a limb, has become blind in both eyes from military service, is rated by the Veterans Administration as totally and permanently disabled from service-connected activity, or was a prisoner of war.

Existing law is clarified by requiring that the disabling injury result from service-connected activity. Language in the statute concerning pensions is eliminated to prevent any veteran who is considered disabled because of age from receiving free plates. The category of veterans who have become unemployable is eliminated from eligibility.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	45	0 (Senate amended)
House	98	0 (House concurred)

**EFFECTIVE:** March 31, 1982

**SHB 626**

C 184 L 82

**BRIEF TITLE:** Providing civil and criminal penalties for certain acts relating to pornography and moral nuisances.

**SPONSORS:** House Committee on Ethics, Law and Justice  
(Originally Sponsored by House Committee on Ethics, Law and Justice and Representatives Ellis, Walk and Owen)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Voters recently enacted an initiative restricting pornography. Portions of the initiative have been declared unconstitutional.

**SUMMARY:**

A pornography statute is established which corrects unconstitutional elements of the original initiative. The Supreme Court's constitutional definition of pornography is used. This definition uses each locality's community standard for determining what is pornographic. The places declared to be moral nuisances include (1) theaters showing pornographic films as a regular course of business; (2) places conducting pornographic activities as a regular course of business; and (3) shops principally selling pornographic publications.

Civil actions can be brought against persons who knowingly maintain a moral nuisance. The court is to determine the dollar amount of civil penalties by giving consideration to the defendant's conduct and profits made. Civil actions, which can be brought by public prosecutors or the Attorney General, can result in civil penalties paid into the government treasury.

Selling and exhibiting pornographic materials is made a class C felony. A fine of between \$5,000 and \$50,000 can be imposed upon criminal conviction.

**VOTES ON FINAL PASSAGE:**

House	68	22
Senate	42	4 (Senate amended)
House	83	10 (House concurred)

**EFFECTIVE:** April 1, 1982

**2SHB 658**

C 48 L 82

**BRIEF TITLE:** Providing energy conservation procedures for state buildings.

**SPONSORS:** House Committee on Energy and Utilities  
(Originally Sponsored by House Committee on Energy and Utilities and Representatives Cantu, Nelson (D.) and Wang)

**HOUSE COMMITTEE:** Energy and Utilities

**SENATE COMMITTEE:** Energy and Utilities

**BACKGROUND:**

In 1980 legislation was enacted which mandated energy efficiency improvements in state-owned and state-leased buildings. The law required completion of state-owned building retrofits by April 1985. Improvements of leased buildings were to be provided for in new, renewed or renegotiated leases. Because of the extent and cost of the work remaining to be completed, compliance with this statute was generally considered an impossibility.

**SUMMARY:**

Various changes are made in the law which mandates energy efficiency improvements in state-owned buildings and state-leased buildings. Generally, retrofits of state-owned buildings must be 25 percent complete by 1985, 55 percent by 1989, 85 percent by 1993, and fully completed by 1995. If the capital budget biennium is changed to begin on even years, these deadlines may be extended by one year.

Improvements required to be made to leased buildings only apply to buildings in excess of 3,000 square feet and where the state occupies over half the building. The provisions on leased buildings call for actions by the lessor which essentially parallel state action in state-owned buildings. The state may contribute funding to the lessor's building retrofit up to the amount which will be saved in reduced energy bills during the term of the lease.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	47	0

**EFFECTIVE:** June 10, 1982

**SHB 663**

C 116 L 82

**BRIEF TITLE:** Modernizing initiative and referendum petition requirements.

**SPONSORS:** House Committee on State Government  
(Originally Sponsored by Representatives Greengo and Tupper)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

The procedures for filing and qualifying measures for the ballot have received extensive study by the Senate and the House during the past interim. The following provisions were identified as requiring revision or clarification:

**PETITION SIZE**

Current paper size requirements for initiative and referendum petitions are twelve inches in width by fourteen inches in length. Many offset printing presses cannot handle paper with widths in excess of eleven inches because it is not standard industry-size paper.

**FILING PROCEDURES**

A proposed measure must be filed by a legal voter with the Secretary of State. The Secretary of State must transmit a copy to the Code Reviser for a technical review on matters of form and style. The Code Reviser's review must be completed within 10 working days of receipt. The term legal voter has caused confusion and the Code Reviser review has been criticized by initiative sponsors as being too lengthy.

**BALLOT TITLE**

Within 10 days, the Attorney General must prepare a 20-word ballot title for each proposed measure. This ballot title must be printed on each petition and once prepared, the Secretary of State must promptly notify the proposer of the exact language.

During interim testimony, the question arose whether a more lengthy summary of the measure would provide more information for persons requested to sign petitions for the measure. Testimony also indicated that there may be persons other than the proposer who should receive a copy of the title. Further, sponsors contend that the Attorney General does not need 10 days to prepare the ballot title.

Additionally, only the sponsor of a measure is notified of the ballot title and allowed to challenge the language of a ballot title in court. Further, if there is a

challenge, there is no specific time limitation on the court's deliberation.

The state supreme court has held that any person may challenge a ballot title. Testimony also indicated that the courts should be given a specific time period to consider the title so that unnecessary delays may be avoided.

SIGNATURE VERIFICATION

Upon filing petitions purporting to contain the requisite number of registered voters' signatures, the Secretary of State must canvass these signatures. This canvass must be made in the presence of a person representing the advocates and the opponents, if either so requests. During the canvass, if a name appears more than once, that name must be rejected as often as it appears. Courts have ruled that requiring total rejection of duplicate signatures is unconstitutional and that the signature must be counted once.

During a recent canvass, proponents requested that additional observers be allowed to monitor the verification process. Since the law does not specifically address this type of request, the Secretary of State was forced to develop informal procedures governing additional observers and their conduct during a petition canvass.

TECHNICAL REVISIONS

The Secretary of State's Office, which must implement the law on initiatives and referendums, has identified numerous procedural deficiencies in filing and processing measures. That office has made recommendations which would clarify the law for sponsors and facilitate their processing of measures.

SUMMARY:

PETITION SIZE

Initiative and referendum petitions must be printed on paper not less than 11 inches wide, not less than 14 inches long, and of good writing quality including, but not limited to, newsprint.

FILING PROCEDURES

The time period for the Code Reviser's review of a proposed measure is reduced from 10 working days to 7 calendar days.

BALLOT TITLE

The ballot title, when practicable, must be written in such a way that an affirmative answer or vote would result in a change to existing law and a negative answer or vote would result in no change.

In addition to the 20-word ballot title, the Attorney General is required to prepare a 75-word summary of all proposed measures. The summary is subject to the same requirements as currently placed on the preparation of the ballot title, except that:

1. The time period for preparation of the title and summary is changed from 10 days to 7 calendar days;
2. Any person, rather than only the proposer of a measure, may request notification of the title and summary and may challenge the language in court;
3. Notification of the title and summary must be made by telephone and mail; and
4. The court must afford first priority to a challenge to the ballot title or summary and must render an opinion within 5 days.

The summary must appear on all petitions immediately following the ballot title.

SIGNATURE VERIFICATION

The procedures for canvassing petition signatures are changed to be consistent with court decisions. Duplicate signatures may be discarded so long as the first signature is counted. Procedures are established which will permit representatives of the proponents and opponents to observe the signature canvass. However, they may not record personal information from the petitions unless expressly ordered to do so by the Superior Court of Thurston County. The Secretary of State is authorized to limit the number of observers to no less than two on each side if a greater number would interfere with the canvass.

TECHNICAL REVISIONS

The procedures for filing measures are revised to expressly permit a separate serial number series for each type of measure. The statutory form for petitions for the various measures are revised to delete archaic language and the requirement for a petitioner to list his voting precinct. In place of the precinct, a petitioner is required to print his name on the petition. A statement is added to the petitions that the petitioner signed the petition only once. Consistent with existing practice, the text of a measure must be printed on the reverse side of the petition.

VOTES ON FINAL PASSAGE:

House	97	0	
Senate	39	6	(Senate amended)
House	97	0	(House concurred)

EFFECTIVE: June 10, 1982

**SHB 696**

C 166 L 82

**BRIEF TITLE:** Modifying the investment authority of municipal employees' pension system boards.

**SPONSORS:** House Committee on Local Government (Originally Sponsored by House Committee on Local Government and Representatives Isaacson and Stratton)

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**BACKGROUND:**

When investing city employee pension funds, managers of the pension funds are restricted to 16 statutorily specified types of investments.

**SUMMARY:**

The statute is repealed that contains 16 specified types of investments for city pension funds. The management board of a city employee pension system is permitted to set an investment policy for the city to invest city employee pension moneys.

In discharging its duties, the management board will exercise the same care as a prudent person in like circumstances. It will diversify investments so as to minimize the risk of large losses.

The city treasurer may register securities, in which the city retirement system deals, in the name of a nominee (i.e., a representative) without mention of any fiduciary relationship. Physical custody of the securities will be with the city treasurer, the Federal Reserve System, or the designee of the city treasurer. The nominee will act only upon direction of the retirement board. All rights in the securities will be vested in the actual owners thereof.

The retirement board responsible for the retirement system for nonpublic safety employees will appoint an investment advisory committee. This committee will make recommendations as to the board's general investment policies, review the board's investment transactions and prepare a written report of its activities during the year for the retirement board.

During the term of appointment, no advisory committee member may be employed by any investment brokerage or mortgage servicing firm doing business with the retirement board.

No member of the advisory committee will be liable for the negligence, default or failure of any other person or member to perform the duties of his or her office. No member is an insurer of the funds of the retirement system nor will any member be liable for actions performed within the scope of his or her duties.

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	43	1	(Senate amended)
House	98	0	(House concurred)

EFFECTIVE: July 1, 1982

**HB 720**

C 9 L 82

**BRIEF TITLE:** Modifying persons authorized to become donees of gifts of human remains.

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

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Human remains may be donated to hospitals, surgeons, or physicians for educational or research purposes. However, the law does not allow research entities which are not hospitals but do have doctors as employees to receive donations directly. Donations must be made to an employee-doctor of such an entity.

**SUMMARY:**

Entities with a physician or surgeon as a regular full-time employee may be recipients of human remains donations for educational or research purposes.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	47	0

**EFFECTIVE:** June 10, 1982

**HB 728**

C 117 L 82

**BRIEF TITLE:** Revising definition of appraisals.

**SPONSORS:** House Committee on State Government and Representative Sommers

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

Appraisals of nursing homes and harbor area leases may only be performed by appraisers who belong to either the American Institute of Real Estate Appraisers or to the Society of Real Estate Appraisers. There are at least six other nationally recognized appraisal organizations with members in the state of Washington.

**SUMMARY:**

Appraisers of nursing homes and harbor area leases may not have a pecuniary interest in the property appraised. The criteria for such appraisers are revised to cover fee appraisers deemed qualified by a nationally recognized real estate appraisal education organization.

**VOTES ON FINAL PASSAGE:**

House 93 0  
Senate 46 1 (Senate amended)  
House 96 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**HB 736**

C 34 L 82 E1

**BRIEF TITLE:** Allowing the state employees insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board.

**SPONSORS:** House Committee on State Government and Representative Garson

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

The State Employees Insurance Board may contract with only one insurance carrier or health service contractor to provide a single plan of employee health care benefits except for panel medicine plans.

The State Employees Insurance Board must conduct an annual survey of private industry and public employers within the state to determine the average employer contribution for group insurance programs.

**SUMMARY:**

The State Employees Insurance Board may contract with more than one insurance carrier to provide similar employee health care benefits. Insurance surveys by the Board shall be conducted during each even-numbered year but may be conducted more frequently. The insurance surveys are expanded to cover average benefit levels as well as average contributions.

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 95 0  
First Special Session  
House 97 0  
Senate 46 0 (Senate amended)  
House 94 0 (House concurred)

**EFFECTIVE:** July 10, 1982

**HB 745**

C 185 L 82

**BRIEF TITLE:** Penalizing threats against the governor and successors to the office of the governor.

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

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

The Washington State Patrol is charged with the duty of protecting the Governor and the Governor's family. However, the Patrol has no authority to investigate threats made against the Governor or Governor's family.

**SUMMARY:**

It is a class C felony to threaten the life or bodily safety of the Governor or Governor's family, the Lieutenant Governor, or officer next in line of gubernatorial succession. The State Patrol is authorized to investigate violations.

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	47	0	(Senate amended)
House	97	0	(House concurred)

**EFFECTIVE:** April 1, 1982

**SHB 751**

C 29 L 82

**BRIEF TITLE:** Increasing the maximum salaries for part-time justices of the peace.

**SPONSORS:** House Committee on Ethics, Law and Justice  
(Originally Sponsored by House Committee on Ethics, Law and Justice and Representatives Tupper and Monohon)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

County commissioners are allowed to set the salaries of part-time justices of the peace. However, state law sets upper and lower limits on those salaries. The salary limits vary according to justice court district population.

Chapter 3.38 RCW provides for justice court districts within each county. The number of judges per district is determined on the basis of population. Districts with 40,000 or more inhabitants have one or more full-time judges. Districts with less than 40,000 inhabitants are permitted a part-time judge, but may have a full-time judge if two conditions are met. First, the population of the district must be at least 30,000, and second, the county commissioners must pass a resolution making the position full-time.

**SUMMARY:**

The upper limits on part-time justice of the peace annual salaries are as follows:

- (1) For districts of less than 2,500, the upper limit is \$12,000.
- (2) For districts of 2,500 but less than 5,000, the upper limit is \$15,500.
- (3) For districts of 5,000 but less than 7,500, the upper limit is \$25,000.
- (4) For districts of 7,500 but less than 10,000 the upper limit is \$30,000.
- (5) For districts of 10,000 but less than 20,000, the upper limit is \$32,000.
- (6) For districts of 20,000 or more, the upper limit is \$40,000.

County commissioners may create full-time district court positions in districts of less than 40,000 population by passage of a resolution. The requirement that the population be at least 30,000 is dropped.

**VOTES ON FINAL PASSAGE:**

House	89	5
Senate	36	11

**EFFECTIVE:** June 10, 1982

**HB 752**

C 169 L 82

**BRIEF TITLE:** Modifying provisions on the taxation of motor carriers of freight for hire.

**SPONSORS:** House Committee on Revenue and Representative Greengo

**HOUSE COMMITTEE:** Revenue

**INITIAL SENATE COMMITTEE:** Transportation

**ADDITIONAL SENATE COMMITTEE:** Local Government

**BACKGROUND:**

Motor carriers of freight operate between many cities in Washington. Some of these cities levy business and occupation (B&O) taxes on gross income from business activities conducted within city boundaries. Definitions of taxable activities differ among some of the cities. As a result, the total gross income of freight carriers from some transactions is subject to B&O taxes of more than one city. This multiple taxation of freight carriers' gross income could be avoided by requiring cities to allow allocation of gross income for taxation purposes.

**SUMMARY:**

Guidelines are established for allocating among cities the gross income of motor carriers of freight for the purpose of determining city business and occupation (B&O) tax liabilities.

A freight carrier has the right to request cities which tax its gross income to develop an allocation formula based on the guidelines. This formula is binding on the taxpayer and all of these cities. If agreed to by the cities, future revisions in an initially determined allocation formula can be made.

A limit on the number of prior years for which B&O tax assessments can be made by cities is established. The limit, which will be for four years, applies only to firms that are classified as motor carriers of freight for hire.

**VOTES ON FINAL PASSAGE:**

House 93 0  
Senate 47 0

**EFFECTIVE:** June 10, 1982

**HB 757**  
C 119 L 82

**BRIEF TITLE:** Modifying provisions of the certificate of need program.

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

**HOUSE COMMITTEE:** Human Services

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

Federal law requires the state to have a Certificate of Need review of certain health facility expenditures above certain dollar amounts as a condition for the state to receive federal funds. The Department of Social and Health Services administers the Certificate of Need Program. The threshold dollar limit for federally mandated review was increased in the Omnibus Reconciliation Budget Act of 1981.

Failure to increase the state statutory minimums to the new federal standards will cause the state to spend funds conducting reviews that are not necessary to receive federal funds and will cost facilities money

and time to apply for nonfederally mandated Certificates of Need. Increasing the state minimums to the new federal standards will decrease the number of reviews and will not appreciably decrease the effectiveness of the program.

**SUMMARY:**

Washington State expenditure minimums which are subject to the Certificate of Need review are increased to be consistent with the federal law.

As of October 1, 1981 federal law increased the minimum threshold for mandatory Certificate of Need review as follows:

	New state thresholds -and- new federal thresholds	Current state thresholds -and- old federal thresholds
*Expenditure minimum* (capital expenditures)	600,000	150,000
*Institutional health services* (annual operating costs)	250,000	75,000
*Major medical equipment*	400,000	150,000

**VOTES ON FINAL PASSAGE:**

House 92 1  
Senate 32 14 (Senate amended)  
House (House refused to concur)  
Senate 25 23 (Senate receded)

**EFFECTIVE:** March 31, 1982

**SHB 762**  
C 163 L 82

**BRIEF TITLE:** Reorganizing commissions, boards, and councils.

**SPONSORS:** House Committee on State Government (Originally Sponsored by House Committee on State Government and Representatives Addison and Berleen)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

A 1981 survey conducted by the Office of Financial Management identified 335 boards, commissions, councils, and committees in state government. Some of the 335 are defunct and have ceased operating,



meet infrequently, or only function in an advisory capacity.

**SUMMARY:**

Effective June 30, 1982, the following boards, commissions, councils, or committees are eliminated:

Automotive Policy Advisory Board  
 Child Development and Mental Retardation Center Advisory Committee  
 Institute of Child Development Research and Service Advisory Board  
 Expo '74 Commission  
 International Performing Arts Festival Steering Commission  
 Judicial Retirement Board  
 Teachers Retirement Board  
 Public Employees Retirement Board  
 Law Enforcement and Fire Fighters Retirement Board  
 Industrial Welfare Committee  
 Commerce and Economic Development Advisory Council  
 Youth Development and Conservation Committee  
 Militia Advisory Board  
 Oceanographic Commission  
 Poison Prevention Packaging Act, '74, Technical Advisory Committee  
 Washington State Patrol Retirement Board  
 Urban, Rural, Racial Disadvantaged Advisory Committee  
 Worlds Fair Commission - Century 21 Exposition

A new state advisory committee to the Department of Retirement Systems is created to serve in an advisory capacity to the director. The committee consists of 12 members appointed by the Governor as follows:

- Three active members and one retired member of the Public Employees Retirement System;
- One active law enforcement officer, one active fire fighter and one retired fire fighter in the LEOFF system;
- One active teacher, one active school administrator, and one retired member of the Teachers Retirement System;
- One active member of the State Patrol Retirement System; and
- One active member of the Judicial Retirement System

Provisions are made for selecting nominees from lists submitted by the respective systems to serve staggered three-year terms.

**VOTES ON FINAL PASSAGE:**

House	88	6	
Senate	42	5	(Senate amended)
House	86	11	(House concurred)

**EFFECTIVE:** June 30, 1982

**SHB 764**

C 29 L 82 E1

**BRIEF TITLE:** Providing temporary procedures for property tax listing and payments.

**SPONSORS:** House Committee on Revenue  
 (Originally Sponsored by House Committee on Revenue and Representative Greengo)  
 (By Department of Revenue Request)

**HOUSE COMMITTEE:** Revenue

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

The law requires the county treasurer to mail tax statements by February 15. Property taxes are delinquent if not paid by April 30.

In addition, personal property value affidavits are to be sent by January 1. These statements are due from the taxpayer by March 31. The assessor is then responsible for listing personal property by May 31.

**SUMMARY:**

Extra time is allowed for filing personal property tax affidavits, listing personal property and paying real and personal property taxes. This extra time is permitted for 1982 only. The provisions are as follows:

- a. Personal property value affidavits are due 30 days after mailing;
- b. The assessor is authorized to list personal property as soon as possible if the May 31, 1982 deadline cannot be reached;
- c. Taxpayers have 30 days after the mailing of property tax statements before taxes become delinquent.

Termination Date: December 31, 1982

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
House	94	0	
Senate	36	6	

EFFECTIVE: April 8, 1982

**HB 765**

C 4 L 82 E1

BRIEF TITLE: Modifying the excise tax registration fee.

SPONSORS: House Committee on Revenue and Representative Greengo  
(By Department of Revenue Request)

HOUSE COMMITTEE: Revenue

SENATE COMMITTEE: Ways and Means

**BACKGROUND:**

Businesses are required to pay a \$25 fee when registering with the Department of Revenue. Some people have registered businesses in order to qualify to make tax exempt purchases only and do not intend to actually engage in business activity. Further, a business may use the \$25 fee as a credit against business and occupation (B&O) taxes due.

**SUMMARY:**

The \$25 fee is reduced to \$15. The fee is no longer allowed as a credit against business and occupation taxes due. This change will produce revenues of approximately \$527,000 in 1981-83. It will also reduce administrative costs by \$30,000.

The measure will affect new accounts only. These are estimated at 40,000 per year.

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 96 0

First Special Session  
House 95 0  
Senate 44 1

EFFECTIVE: July 10, 1982

**HB 768**

C 207 L 82

BRIEF TITLE: Modifying provisions relating to the department of corrections.

SPONSORS: House Committee on Institutions and Representative Houchen

HOUSE COMMITTEE: Institutions

SENATE COMMITTEE: Social and Health Services

**BACKGROUND:**

Washington does not currently charge probationers or parolees any fees to offset the cost of their supervision. Thirteen states currently do charge a fee to probationers and parolees. Of these 13 states, three charge a flat fee and ten charge on the basis of a sliding scale.

**SUMMARY:**

Any person placed on probation or parole shall be required to pay a monthly fee. The fee may not be less than \$10, nor more than \$50. Payment of a fee will be a condition of parole.

All fees required to be paid shall be collected by the Department of Corrections. The fees shall not apply to probation or parole services provided under an interstate compact or to persons placed on probation or parole prior to the effective date of the bill.

The sentencing court or parole board may exempt a person under their supervision from the payment of all or part of the fee based upon factors specified.

Judges of courts of limited jurisdiction and superior court judges are authorized to assess misdemeanants and gross misdemeanants up to \$50.00 per month for evaluation or supervision services. The local misdemeanor probation department is required to implement procedures to ensure collection and payment of these fees into the city or county treasury.

Funds collected through this program must be used to fund programs for misdemeanor probation services.

The Department of Corrections shall receive an appropriation of \$148,000 and two full time equivalent employees, whose salaries will be paid out of the appropriation.

New Rule Making Authority: The Department of Corrections shall adopt rules prescribing probation and parole fees. The Department may create a schedule of fees which vary in accordance with the intensity or cost of supervision.

**VOTES ON FINAL PASSAGE:**

House 89 5  
Senate 44 3 (Senate amended)  
House 89 8 (House concurred)

EFFECTIVE: June 10, 1982

**SHB 778**

C 227 L 82

**BRIEF TITLE:** Revising provisions for licensing and regulation of certain professions.

**SPONSORS:** House Select Committee on Deregulation and Productivity  
(Originally Sponsored by House Select Committee on Deregulation and Productivity and Representative Williams)

**HOUSE COMMITTEE:** Select Committee on Deregulation and Productivity

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

Several professional boards that receive their administrative support from the Department of Licensing have relatively broad authority for regulating the licensed professions, including administering licensing examinations and conducting investigations and disciplinary proceedings. Other boards administer licensing examinations while most of the other regulatory programs for the practitioners they license are administered by the Department of Licensing. Other professions and occupations are licensed and regulated by the department without the assistance of statutorily created boards or committees.

State law requires charitable organizations and professional fund raisers to file reports with and secure licenses from the department. These reports are public records. The cost of solicitation is not to exceed 20 percent of the proceeds received unless a waiver has been secured from the department based upon reasonable, special circumstances. A 1980 U.S. Supreme Court decision found that a 25 percent limitation imposed in a village in Illinois unconstitutionally interfered with the rights of organizations engaged primarily in research, advocacy, or public education. Since that decision, the department has granted waivers to all applicants without special findings.

**SUMMARY:**

The Employment Agency Advisory Committee and Reciprocity Commission are abolished and their duties and authorities are transferred to the Department of Licensing.

The requirement that charitable organizations and professional fund raisers be licensed and file reports with the department is removed from state law. Authority for enforcing the provisions of law restricting the practices of such organizations and requiring

recordkeeping is more directly that of the Attorney General and county prosecuting attorneys. The authority of the department to waive the restriction that the cost of solicitation not exceed 20 percent of the funds raised is retained for organizations engaged primarily in research, advocacy, or public education.

The Director of Licensing is authorized to appoint advisory committees. The members of such committees are allowed to receive travel expenses.

The opticians' account in the general fund is abolished on June 30, 1983.

**VOTES ON FINAL PASSAGE:**

House	74	18	
Senate	41	4	(Senate amended)
House	90	8	(House concurred)

**EFFECTIVE:** June 30, 1983 (Sections 5 and 6)  
April 3, 1982 (all other sections)

**2SHB 784**

C 37 L 82 E1

**BRIEF TITLE:** Making miscellaneous changes in law relating to institutions of higher education.

**SPONSORS:** House Committee on Appropriations–Education  
(Originally Sponsored by Committee on Appropriations–Education and Representative McDonald)  
(By Office of Financial Management Request)

**INITIAL HOUSE COMMITTEE:** Committee on Appropriations–Education

**ADDITIONAL HOUSE COMMITTEE:** Ways and Means

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

Tuition policy for institutions of higher education was:

- (1) Residency. Presently, residency is based on establishing a domicile which permits reclassification from nonresidency to residency by such methods as obtaining Washington vehicle license plates or a Washington driver's license. Nonresidency is waived for active military, their spouses and children, and full-time institutional employees.

- (2) Tuition and fee waivers. Twenty-five separate programs are identified for full or partial waiver of tuition and fees; need is a criteria in one program. Examples of such programs include veterans without federal benefits, ungraded courses, apprenticeship and farm management courses, institutional employees, active military and children of deceased/disabled firemen and law enforcement officers.
- (3) Minimum tuition fee. Presently, this is not a matter of state law, only local practice at state research universities.
- (4) Tuition charged by credit hour over "full-time" status. No tuition is charged for credits taken over full time.
- (5) Student loan funds. The 1981 Legislature established a long-term student loan fund of 2-1/2 percent of tuition revenues to be retained by institutions for student loan purposes only.
- (6) Graduate school tuition rates. Graduate school tuition is based on a percentage of undergraduate rates: 120 percent of resident undergraduate rates for resident graduate and 120 percent of nonresident undergraduate rates for nonresident graduate students.
- (7) Stipends for teaching assistants, research assistants and medical residents. These stipends have not been adjusted to reflect increases in stipends paid by higher education institutions of other states against which Washington is normally compared.

**SUMMARY:**

Tuition policy for institutions of higher education is modified to reflect the following:

- (1) Residency. Residency is still based on establishing a domicile which permits reclassification from non-residency to residency status. Added is a financial independency test which requires a student to prove financial independence from parents or guardians for one year immediately preceding enrollment in an institution. Automatic residency status is eliminated for nonresident federal employees, active duty military and the spouses and children of such individuals. The Council for Postsecondary Education will establish rules and regulations governing the criteria to be used in determining fee-paying status.

- (2) Tuition and fee waivers. Tuition and fee waiver programs are eliminated for: students from friendly nations, children of deceased or totally disabled resident veterans, veterans whose last duty station was Washington, refugees, aliens, consular mission children, British Columbia residents, foreign nation reciprocity and displaced homemakers. A revised waiver program is established. Three-fourths of these waivers are to be granted to needy students and one-fourth is to be distributed at the discretion of the regents or trustees of the respective institutions.
- (3) Minimum tuition fee. Students registering for fewer than two credit hours will be charged tuition and fees at the rate established for two credit hours.
- (4) Tuition charged by credit hour. Tuition must be charged per unit for all credit hours taken over 18 credit hours.
- (5) Student loan funds. Moneys are transferred from the institutional loan fund to the respective local general funds in the amount of the fiscal 1981 deposits into the loan fund.
- (6) Graduate school tuition. Graduate tuition and fee rates are to be based upon graduate costs: Residents will pay 23 percent of costs; nonresidents at UW and WSU will pay 60 percent of costs and at the regional universities and The Evergreen State College, nonresidents will pay 75 percent of costs.
- (7) Stipends for teaching assistants, research assistants and medical residents. Moneys may be used from general administration sources of the respective 1981-83 operating appropriations to supplement the stipends of teaching and research assistants, and medical residents at Washington State University and the University of Washington.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	50	45
Senate	25	22 (Senate amended)
<u>First Special Session</u>		
House	50	47
Senate	26	20

**EFFECTIVE:** April 20, 1982 (Sections 13 and 14)  
June 1, 1982 (all other sections)

**SHB 787**

C 2 L 82

**BRIEF TITLE:** Providing for congressional redistricting and reapportionment and establishing a redistricting commission.

**SPONSORS:** House Committee on Select Committee on Redistricting  
(Originally Sponsored by Representatives Eberle, Sanders and Prince)

**HOUSE COMMITTEE:** Redistricting

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

The Washington State Constitution requires that the Legislature accomplish congressional redistricting following each congressional apportionment (Article XXVII, Section 13). Information from the 1980 census and the apportionment of congressional seats has been made available so that the Legislature may carry out its constitutional duties.

**SUMMARY:**

Congressional redistricting plans are based upon the state's population as reported in the 1980 Federal Decennial Census. This congressional plan divides the state into eight congressional districts in accordance with the number of seats allocated to this state by the congressional apportionment.

District Criteria

The statements of legislative intent stipulate that:

- 1) Each district will encompass a number of inhabitants as nearly equal as is practicable;
- 2) The plan is based on the 1980 census, since no other practical means are available to more accurately determine district population;
- 3) Transient military population, not included in the 1980 census data, will be excluded from the plan. If a court later rules that such exclusion is improper, those persons shall be included in the district from which they were excluded.

Procedures are established for subsequently assigning areas to a district(s). Such areas will be assigned as follows:

- 1) Any area completely surrounded by a particular district, but not assigned to a district, will be assigned to that district in which it is contained;
- 2) Any area not assigned to a district, but which is part of several districts, will be assigned to the adjacent district with the smallest population;
- 3) Any area assigned to two or more noninclusive districts will be reassigned to the adjacent district with the smallest population; or
- 4) Residents of individual dwellings intersected by district boundaries will be assigned to the adjacent district with the smallest population.

District boundaries may not cross the Cascade Mountains (except Skamania County) and are described in the following terms:

- 1) Legislative districts established under Chapter 44.07B RCW as it exists on the effective date of this bill;
- 2) Census bureau tracts, enumeration districts, block numbering areas, block groups, blocks or census county divisions established by the United States Bureau of the Census in the 1980 Federal Decennial Census;
- 3) Counties, municipalities or other political subdivisions as they existed on April 1, 1980;
- 4) Natural or artificial boundaries or monuments including but not limited to rivers, streams or lakes as they existed on April 1, 1980;
- 5) Legal descriptions used to describe real property including "section", "range" and "township";
- 6) Roads, streets or highways as they existed on April 1, 1980; and
- 7) Standards surveying terminology including latitude, longitude, compass direction and metes and bounds.

Redistricting Commission

An independent bipartisan redistricting commission is established beginning in 1991. It will be called the Voting Boundary Commission. Redistricting plans will be submitted to the Legislature for ratification without amendment.

The commission may also review local redistricting plans.

**VOTES ON FINAL PASSAGE:**

House	52	44	
Senate	35	11	(Senate amended)
House			(House refused to concur)
Senate	25	21	(Senate receded)

**EFFECTIVE:** February 17, 1982

**HB 795**

C 38 L 82 E1

**BRIEF TITLE:** Establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law.

**SPONSORS:** House Committee on Labor and Economic Development and Representative Sanders  
(By Department of Labor and Industries Request)

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The state's prevailing wage law (RCW Chapter 39.12, sometimes referred to as the "little Davis-Bacon Act") requires contractors to pay prevailing wages to workers on all public works and public building maintenance contracts.

This law is administered by the Department of Labor and Industries.

**SUMMARY:**

The Department of Labor and Industries is given the authority to charge fees to agencies awarding public works contracts. Fees may be charged for:

- a) The approval of "statements of intent to pay prevailing wages." (These statements are filed by contractors.); and
- b) The certification of "affidavits of wages paid." (These affidavits are also filed by contractors.)

The department may charge fees to persons or organizations requesting the arbitration of disputes involving the payment of prevailing wages.

The total amount of fees charged by the department shall be as close as possible to the cost of administering the state's prevailing wage law. These fees shall be deposited in the general fund.

An appropriation of \$754,000 from the general fund is made to provide second year funding for the Industrial Relations Division's activities, which administers the prevailing wage law and several other employment standards programs.

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 76 20

First Special Session  
House 77 17  
Senate 43 2 (Senate amended)  
House 66 18 (House concurred)

**EFFECTIVE:** April 20, 1982

**HB 796**

C 39 L 82 E1

**BRIEF TITLE:** Revising laws on review of apprenticeship programs.

**SPONSORS:** House Committee on Labor and Economic Development and Representatives Sanders and Tilly  
(By Department of Labor and Industries Request)

**INITIAL HOUSE COMMITTEE:** Labor and Economic Development

**ADDITIONAL HOUSE COMMITTEE:** Ways and Means

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The state apprenticeship program is administered by the Department of Labor and Industries. The State Apprenticeship Council, made up of three "labor" and three "management" members, is responsible for approving standards for apprenticeship programs.

**SUMMARY:**

The Department of Labor and Industries is required to charge fees to cover at least 50 percent of the

department's cost of administering the state apprenticeship program. An appropriation is made to the department. The fees for the registration of individual apprenticeship agreements may be paid either by the apprentice or by the program sponsor.

A seventh position, to be filled by a "public" member, is added to the State Apprenticeship Council.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

House 73 25

##### First Special Session

House 69 25

Senate 43 0 (Senate amended)

House 79 8 (House concurred)

EFFECTIVE: April 20, 1982

## SHB 808

C 23 L 82 E1

BRIEF TITLE: Providing for a 500-man medium security correction center.

SPONSORS: House Committee on Appropriations-Human Services  
(Originally Sponsored by Representatives Nisbet, Owen, Houchen and Struthers)  
(By Governor Spellman Request)

HOUSE COMMITTEE: Appropriations-Human Services

INITIAL SENATE COMMITTEE: Social and Health Services

ADDITIONAL SENATE COMMITTEE: Rules

#### BACKGROUND:

Overcrowding in state correctional facilities and projections of increasing prison populations (admissions currently exceed releases by 80 each month) have created a need to increase prison bed capacity. The construction of a 500-bed prison facility has been proposed to help alleviate the overcrowding.

The Department of Corrections has no bonding authority. Bonding authority is necessary to undertake capital construction projects.

The heating and ventilation systems at McNeil Island are in need of repair.

#### SUMMARY:

The Department of Corrections is appropriated \$13,230,000 from the Department of Social and Health Services Construction Account for the following: (a) \$9,750,000 for design, site preparation including land acquisition and utilities for a 500-bed medium security corrections center; (b) \$2,980,000 for design and site planning including land acquisition for an additional 500-bed medium security corrections center and (c) \$500,000 to repair heating and ventilation systems at McNeil Island Corrections Center subject to completion of an engineering energy audit.

The Department of Corrections must submit a report to the Department of General Administration which, in concert with the Legislative Budget Committee, shall review and analyze factors and costs relating to construction of the 500-bed medium security facility. This review process is to be completed by December 1, 1982. The Legislative Budget Committee must analyze various aspects, including community programs of the Department of Corrections, and report back to the Institutions Committee of the House of Representatives and the Senate Committee on Social and Health Services by December 1, 1982. The Legislative Budget Committee shall verify the total cost of the proposed additional 500-bed medium security facility. The Department of Corrections is given general obligation bonding authority for capital construction.

There is an increase in the general obligation bond authority for the Department of Social and Health Services and the Department of Corrections from \$100,800,000 to \$147,280,000 which provides for construction of a 500-bed medium security facility, design and site planning for a second facility, and repair to McNeil Island Corrections Center.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

House 67 26

Senate 36 11 (Senate amended)

##### First Special Session

House 69 28

Senate 38 7 (Senate amended)

House (House refused to concur)

Senate 43 3 (Senate amended)

House 68 27 (House concurred)

EFFECTIVE: April 5, 1982

**SHB 810**

C 41 L 82

**BRIEF TITLE:** Expanding the authority of the Department of General Administration as it pertains to state facilities.

**SPONSORS:** House Committee on Appropriations—General Government and Compensation (Originally Sponsored by House Committee on Appropriations—General Government and Compensation and Representative Williams)

**HOUSE COMMITTEE:** Appropriations—General Government and Compensation

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

Current law gives the Department of General Administration the authority to act as the leasing agent for the State of Washington. The Department, as agent, responds to agency requests for space and proceeds to locate space for the agency. The agency, however, may restrict the Department's search for space by specifying the location and general layout of the space desired. This may result in the state utilizing space where more cost effective alternatives were available.

Currently, many state agencies do not have the authority to dispose of real property deemed to be surplus by the agency. The Department indicates it could dispose of this property for the agencies if given statutory authority.

Current law exempts the Department of General Administration from having to comply with competitive bidding requirements for construction projects with a value under \$2,500. Rising costs of construction require small projects which would not have been competitively bid in the past to be bid now. The Department suggests that this limit should be raised.

The Division of Real Estate is currently funded from the State General Fund. However, much of the Division's workload is for state agencies funded through dedicated funds.

**SUMMARY:**

The Department of General Administration is authorized to:

1. Execute leases on behalf of all state agencies, boards and commissions, unless specifically exempted by law.

2. Determine the location, size, and design of state-leased facilities for state agencies, boards and commissions.
3. Acquire and dispose of surplus real property for agencies which do not have the authority to dispose of such property.
4. Conduct construction projects having a value of up to \$25,000 without having to conform with competitive bidding requirements.

The Director is required to file all conveyances to or from the state with the county auditor where a project is undertaken. The Director is authorized to delegate certain property functions to state agencies. Some agencies are exempted from the Department's authority for specific purposes.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	26	19

**EFFECTIVE:** July 1, 1982  
July 1, 1983 (Section 2)

**HB 822**

C 186 L 82

**BRIEF TITLE:** Modifying the filing officer's duties and filing fees for amendments under Article 9 of the UCC.

**SPONSORS:** House Committee on Appropriations—General Government and Representative Williams

**HOUSE COMMITTEE:** Appropriations—General Government

**INITIAL SENATE COMMITTEE:** Judiciary

**ADDITIONAL SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

Changes in Article 9 of the Washington Uniform Commercial Code were adopted during the 1981 Regular Session of the Legislature. The changes brought Washington's Uniform Commercial Code into conformity with the updated model act; they included changing the place of filing for security interests in personal property from the counties to a central state filing and adjusting the Department of Licensing's fee structure. (Annual revenue is estimated \$1.5 million.)



An appropriation to the Department of Licensing for implementation of the changes effective July 1, 1982 was not provided.

The Legislature, the Washington State Bar Association, and the Department of Licensing have been reviewing the 1981 changes to Washington's version of the Uniform Commercial Code to determine if technical modifications are necessary to ease implementation. Identified items of concern include the fact that code language does not permit the use of a computer assisted micrographic document and retention system. Such a system would reduce storage space requirements because it would no longer require retaining the original documents.

Other issues reviewed included: (a) the desirability of having uniform penalties for the failure to file termination statements; (b) the need to include the legal description of the land on which crops are grown in order to have a security agreement on crops; (c) the need to extend the 10-day time limit for perfecting purchase money security interests for continuous perfection to 20 days; and (d) the funding needed by the Department of Licensing to implement the 1981 changes on July 1, 1982.

#### SUMMARY:

The Department of Licensing is authorized to use a computer-assisted micrographic document and retention system. Penalties for the failure to file termination statements are made uniform. A legal description of the land on which crops are grown is not required for security agreements on crops. The time to perfect purchase money security interests for continuous perfection is increased to 20 days. \$692,000 is appropriated to the Department of Licensing.

#### VOTES ON FINAL PASSAGE:

House	93	2
Senate	48	0

EFFECTIVE: June 30, 1982

### SHB 823

C 91 L 82

**BRIEF TITLE:** Requiring notice to property owner and occupant before issuing local improvement assessment deeds.

**SPONSORS:** House Committee on Ethics, Law and Justice

(Originally Sponsored by Representatives Bickham, Lewis, Dickie, Johnson, Smith, Ellis and Dawson)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

#### BACKGROUND:

Two alternative methods existed for the foreclosure of delinquent LID assessments.

The first method allows the foreclosure action to proceed to trial without the necessity of even attempting personal notification of the property owner. Service of summons may be made by four weekly publications in a legal newspaper. One superior court has held this method to be unconstitutional, at least in cases where personal service would be possible.

The second method requires notification of property owners in the same manner as for the foreclosure of mortgages on real property. Mortgage foreclosure notice requirements include normal service requirements for commencing a civil suit, plus posting on the property and bimonthly mailings during the redemption period.

#### SUMMARY:

The first alternative method of LID assessment foreclosure is eliminated. All LID assessment foreclosures are required to be conducted in the same way as mortgage foreclosures. The contents of the summons for the foreclosure action is set forth in detail.

#### VOTES ON FINAL PASSAGE:

House	91	0
Senate	45	0 (Senate amended)
House	94	0 (House concurred)

EFFECTIVE: June 10, 1982

### SHB 824

C 168 L 82

**BRIEF TITLE:** Modifying provisions relating to assignment of dental insurance benefits.

**SPONSORS:** House Committee on Financial Institutions and Insurance  
(Originally Sponsored by Representatives McGinnis, Heck, Leonard, Bickham, Lux and Dawson)

HOUSE COMMITTEE: Financial Institutions and Insurance

SENATE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

A health care service contractor (HCSC) negotiates an agreement with certain doctors, dentists, hospitals and other medical professionals and pays them directly for medical care received by HCSC members. When a member of a HCSC obtains services from a medical care provider who is under contract with the HCSC, the member is not liable for the costs incurred for such services even if the HCSC fails to pay these costs. A HCSC will not, generally, honor an assignment of benefits but will pay the member directly since direct payment of medical services is restricted to those medical providers who have contracted with the HCSC. If a member of a HCSC obtains medical care from a provider who has not contracted with a HCSC, the member is liable for the costs incurred, and the HCSC must underwrite that cost with an insurance company or must guarantee payment by obtaining a surety bond or depositing cash or securities with the Insurance Commissioner's Office.

SUMMARY:

Checks in payment for claims pursuant to a health care service contract for services provided by non-participating podiatrists, chiropractors, dental hygienists, and dentists shall be made out jointly to the provider and the insured, or to the insured solely if the insured has prepaid the provider, or to the provider solely if the contractor so chooses.

VOTES ON FINAL PASSAGE:

House 82 10
Senate 42 2 (Senate amended)
House 92 1 (House concurred)

EFFECTIVE: June 10, 1982

HB 826

PARTIAL VETO

C 183 L 82

BRIEF TITLE: Establishing the Washington law revision commission.

SPONSORS: Representatives Ellis, Bickham and Armstrong

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Appropriations-General Government

SENATE COMMITTEE: Judiciary

BACKGROUND:

No state agency is directed to make a systematic and general review of the statutes in order to recommend changes to the Legislature.

SUMMARY:

The Washington Law Revision Commission is created. The Commission is comprised of 13 members including legislators, law school deans, attorneys and other persons. The Commission is to receive and initiate proposals for statutory changes designed to remove antiquated and inequitable provisions and to promote the modernization of the law.

VOTES ON FINAL PASSAGE:

House 68 27
Senate 42 0

EFFECTIVE: June 10, 1982

PARTIAL VETO SUMMARY:

The Governor vetoed sections of the bill which would have authorized the Law Revision Commission to hire staff, contract with consultants and receive per diem. (See VETO MESSAGE)

2SHB 828

C 8 L 82 E1

BRIEF TITLE: Continuing compensation for crime victims.

SPONSORS: House Committee on Ways and Means (Originally Sponsored by Representatives Tilly, Johnson, Wilson, Wang, Cole, Kaiser, North, Granlund, Rust, Addison, Ellis, Greengo, King (J.), Stratton, Tupper, Patrick, Winsley, Martinis, Hine, Pruitt, Galloway, Maxie, Barr and Armstrong)

INITIAL HOUSE COMMITTEE: Ethics, Law and Justice

ADDITIONAL HOUSE COMMITTEE: Ways and Means

**INITIAL SENATE COMMITTEE: Ways and Means**  
**ADDITIONAL SENATE COMMITTEE: Rules**

**BACKGROUND:**

Since 1973, Washington has had some form of a compensation program for the victims of crime. 1981 legislation curtailed the program by limiting its application to crimes committed prior to July 1, 1981. For crimes committed before July 1, 1981 the law provides a system of compensation for injuries suffered by innocent victims of felonies and gross misdemeanors. The law is administered by the Department of Labor and Industries. It generally incorporates the benefit standards used to compensate injured workers under the Industrial Insurance Act. The law provides benefits to injured victims for medical treatment and for long and short term total or partial disability. It also provides benefits to surviving spouses and children of victims. The law has been funded largely through appropriations from the state general fund. In addition, relatively small amounts of revenue have come from a special crime victims compensation account. This account is funded by penalty assessments on convictions and bail forfeitures for certain crimes. Those crimes are felonies and gross misdemeanors defined in the criminal code, the commission of which involved a victim. The assessment is \$25 or 10 percent of any other penalty assessed, whichever is greater. The law restricts the kinds of victims who may be compensated. Victims are ineligible if they are injured while assisting, attempting or committing a criminal act or if they are injured as a result of their own consent, provocation or incitement. Victims are also ineligible if injured by a criminal act involving the operation of a motor vehicle unless the crime was intentional. Recovery is also unavailable where injury is caused by a relative of the victim or by someone living in the same household as the victim. Victims injured while institutionalized in a local, state or federal facility are ineligible as well.

**SUMMARY:**

The compensation program is restored and made applicable to all qualifying crimes, not just to those committed prior to July 1, 1981.

The number of crimes for which conviction results in a penalty assessment is expanded. With the exception of certain motor vehicle crimes, all crimes, not just felonies and gross misdemeanors in the criminal code, are included. Assessments are also made in juvenile

offense dispositions. The requirements that the crime involve a victim are removed. The amount of assessment is altered as well. The assessment is set at \$25 for misdemeanors and \$50 for gross misdemeanors and felonies. The 10 percent alternative is eliminated. The assessment is also made a mandatory condition of any sentence suspension whether or not the suspension is in conjunction with granting probation.

Twenty percent of the penalty assessment receipts is earmarked for victim and witness assistance programs by county prosecutors. Such programs must be approved by the Department of Labor and Industries, otherwise 100 percent of the receipts go to the state.

Nonmedical benefits are limited to \$15,000 for any single injury or death. A \$200 deductible limit is placed on all benefits except those for medical costs incurred by victims of sexual assault. Other dollar limits on benefits include (a) \$500 for burial expenses; (b) \$5,000 for vocational rehabilitation; (c) \$10,000 for loss of support or future earnings.

The Administrator for the Courts is required to annually report on penalty assessments imposed and collected. The Administrator for the Courts and the Department of Labor and Industries are to report before January 1, 1983 on the success of the revenue collections and recommend to the Legislature necessary adjustments to insure the program is self-funding. County prosecutors are to report on their experience under the law by January 11, 1984.

\$3,200,000 is appropriated from the victims of crime account to the Department of Labor and Industries; \$200,000 from the general fund.

Future Obligations: The Administrator for the Courts and the Department of Labor and Industries are to report to the Legislature before January 1, 1983. County prosecutors are to report to the Legislature by January 11, 1984.

**VOTES ON FINAL PASSAGE:**

Regular Session

House	96	0	
Senate	46	2	(Senate amended)

First Special Session

House	97	0	
Senate	43	2	(Senate amended)
House	92	0	(House concurred)

**EFFECTIVE:** March 27, 1982  
 January 1, 1983 (Sections 2-6)

**HB 829**

FULL VETO

**BRIEF TITLE:** Restricting the ability of local public officials to mail campaign material at public expense.

**SPONSORS:** Representatives Padden, Mitchell, James, Sprague, Stratton, Tupper and Patrick

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

The law prohibits public officials or their employees from using public facilities or materials for campaign purposes. Officials sometimes distribute material which, because of the timing of the distribution, appears to be attempting to influence an election. However, it may be difficult to show the material itself was actually intended for campaign purposes.

**SUMMARY:**

The distribution at public expense of certain material by a local elected official is prohibited. Prohibited material includes any printed material, other than an authorized voter's guide, containing an official's name or picture, or information on a ballot proposition, when the official or proposition will be at issue on an election within 90 days.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	93	0
Senate	43	5 (Senate amended)
<u>First Special Session</u>		
House	97	0
Senate	47	0

**EFFECTIVE:** FULL VETO  
(See VETO MESSAGE)

**HB 832**

C 42 L 82

**BRIEF TITLE:** Authorizing energy conservation programs by irrigation districts.

**SPONSORS:** House Committee on Agriculture and Representative Padden

**HOUSE COMMITTEE:** Agriculture

**SENATE COMMITTEE:** Agriculture

**BACKGROUND:**

In 1981, the Governor was forwarded two separate versions of the same irrigation district bill. The Governor signed one, and forwarded the other to the Secretary of State without his signature. The former contained only provisions concerning district election procedures. The latter contained an additional section that was added by the House and approved by the Senate. The amendment permits irrigation districts that distribute electricity to conduct a residential energy conservation program pursuant to Article VIII, Section 10 of the State's Constitution. Both versions appear in the 1981 session laws.

Should the filing irregularity result in one of the versions ever having to be selected as valid and the other invalid, the validity of the section added by the House could be jeopardized since it is the only provision not contained in both versions.

**SUMMARY:**

RCW 87.03.017 is re-enacted. The statute authorizes an irrigation district engaged in distributing energy to assist in the conservation or more efficient use of energy in residential structures in accordance with the district's energy conservation plan. The authority applies if the cost of the energy saved or produced is less than the cost of energy produced by the next least costly new energy resource which the district could acquire to meet future demands.

Except where otherwise authorized, the assistance is to be limited to: (1) Providing inspections and estimates; (2) providing a list of local, qualified suppliers of products; (3) arranging for and verifying the installation of products; (4) arranging and providing financing for the purchase and installation of the conservation products; and (5) providing for loans to be paid back within 120 months.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	45	0

**EFFECTIVE:** March 22, 1982

**SHB 833**

C 3 L 82

**BRIEF TITLE:** Modifying provisions relating to savings and loan associations.

**SPONSORS:** House Committee on Financial Institutions and Insurance  
(Originally Sponsored by House Committee on Financial Institutions and Insurance and Representatives Dawson, Johnson, Rosbach, McGinnis and Lux)

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

Washington state-chartered savings and loan associations are regulated by the Supervisor of Savings and Loans through authority granted under Title 33 RCW. Since these associations carry deposit insurance through the Federal Savings and Loan Insurance Corporation, state-chartered associations must also comply with some federal regulations. Federal regulations (Regulation Q) allow savings and loans to pay a quarter of a percent more on passbook savings than commercial banks. Savings and loan associations (S&Ls) primarily finance real estate, personal loans and home improvement loans. Investment and lending practices are regulated; and S&Ls may not carry demand deposits, although they may issue NOW accounts, which are similar.

**SUMMARY:**

The Savings and Loan (S&L) Code is changed in three ways:

- 1) The loan and investment powers of savings and loan associations are expanded;
- 2) The powers of the State Supervisor of Savings and Loans are expanded; and
- 3) Regulations governing the structure and operations of S&Ls and the Supervisor's office are modified.

S&L's may charge reasonable fees for services which are a part of their business. They may deposit monies or securities in other associations. S&L's may purchase mortgage and other loans with recourse.

Limitations on an association's investment authority in loans secured by real property are removed. A S&L

may invest 100 percent of its funds in loans secured by real property.

An association's investment authority for consumer loans is increased from 10 percent to 20 percent of its assets, and the \$10,000 loan ceiling is removed.

The limitation on investments in corporations is changed from 50 percent of capital to 10 percent of assets and altered to clearly permit an association to form, incorporate or invest in corporations related or unrelated to association business.

An association is permitted to invest 20 percent of assets in any secured loan on terms determined by the association.

An association may acquire any or all of the assets or shares of stock of any association authorized to transact business under Title 33 RCW.

The Supervisor may accept reports from the Federal Home Loan Bank Board, or reports from the savings and loan department of another state, in lieu of the Supervisor's examination.

The Supervisor is given greater latitude in furnishing association examination reports to potential buyers of an association in danger of insolvency.

New authority is granted to the Supervisor to issue cease and desist orders for actual or anticipated violations or unsound practices.

The Supervisor may issue a temporary restraining order to curb practices leading to insolvency or dissipation of assets or earnings.

Fees for examinations or investigations are to be set by the Supervisor.

The Supervisor is directed to implement rules concerning association conversions. When an association is in danger of collapse, the Supervisor is given authority to suspend requirements for conversions so that an association may be quickly acquired.

The requirement that two-thirds of the incorporators of an association reside in the county of the newly formed association is deleted.

The time period in which an association must commence business after incorporation is changed from one year to two years, and the Supervisor may grant an additional one-year extension.

Restrictions governing loans to directors, officers, employees and others are relaxed.

Interlocking directorships are permitted.

The requirements to serve as State Supervisor of Savings and Loans are changed. The Supervisor is no

longer required to have prior experience in savings and loan employment, examination or supervision.

Conversions to other types of financial institutions are facilitated.

**Future Obligations:** The Joint Committee on Financial Institutions is created to examine the present system of regulating and chartering financial institutions in this state. The committee will report its findings and recommendations to the Legislature by January 1, 1983.

**VOTES ON FINAL PASSAGE:**

House	94	4
Senate	44	2

**EFFECTIVE:** February 25, 1982

**SHB 834**

C 31 L 82

**BRIEF TITLE:** Modifying penalties for violations of game laws.

**SPONSORS:** House Committee on Natural Resources and Environmental Affairs  
(Originally Sponsored by Representatives Garson, Johnson, Addison, Ellis, Williams, Tilly, Kreidler, Nickell and Barr)

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

Violations of the Game Code or Game Commission Rules for which no specific penalties are set forth are classified as misdemeanors. Certain violations have been identified as more serious and are classified as gross misdemeanors. Gross misdemeanor violations are identified in RCW 77.21.010(1) as:

- 77.16.040—Trafficking in wildlife or articles made from endangered species.
- 77.16.050—Spotlighting big game.
- 77.16.060—Using nets and other unauthorized devices to take game fish.
- 77.16.080—Laying out poison; endangering wildlife.

77.16.210—Maintenance of fishways.

77.16.220—Diversion of water—screen, bypass required.

77.16.320—Taking wild albino animals.

77.32.211—Taxidermist, fur dealer, fishing guide, game farmer licenses.

The following violations relating to big game and endangered species are also gross misdemeanors:

77.16.020—Closed season, waters, areas; bag limits; special licenses and tags.

77.16.120—Taking of protected wildlife.

77.16.310—Unlawful purchase or possession of license, permit, or tag.

The penalty for a gross misdemeanor under the Game Code is a fine of not less than \$250 and not more than \$1,000 and/or time in the county jail of no less than 30 days and no more than one year.

**SUMMARY:**

Subsequent violations within a five-year period of the following acts relating to big game and endangered species are classified as Class C felonies:

77.16.040—Trafficking in wildlife or articles made from endangered species.

77.16.050—Spotlighting big game.

77.16.060—Using nets and other unauthorized devices to take game fish.

77.16.020—Closed season, waters, areas; bag limits; special licenses and tags.

77.16.120—Taking of protected wildlife.

The penalty prescribed in RCW 9A.20.020 for a Class C felony is confinement in a state correctional institution for five years and/or a fine of \$10,000. The Game Department is required to provide the court with an inventory of articles and devices seized in connection with a felony violation. Superior courts have jurisdictions over felonies committed in violation of this title.

RCW 77.21.010 is also modified so that all violations of RCW 77.16.310, not simply those involving big game and endangered species, are classified as gross misdemeanors.

**VOTES ON FINAL PASSAGE:**

House	97	1
Senate	47	0

**EFFECTIVE:** June 10, 1982

**SHB 837**

C 167 L 82

**BRIEF TITLE:** Providing incentive pay for state employees.

**SPONSORS:** House Committee on State Government (Originally Sponsored by House Committee on State Government and Representatives Addison, Johnson, Brown, Hankins, James, Greengo, Sprague, Salatino, Tupper, Nisbet, Tilly and Garson)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

Monetary incentive plans are common in private industry. However, motivating government employees with monetary incentives is still relatively unusual. A monetary incentive plan has been implemented in North Carolina. The plan is voluntary and provides annual bonuses to groups that achieve performance targets.

**SUMMARY:**

- (1) An incentive pay program for state employees is established.
- (2) Its administration is consolidated with the Employee Suggestion Awards Program, which is modified.
- (3) A Productivity Board for review of applications for incentive pay for state employees is created. The board will be composed of: (a) the Secretary of State, who will serve as chairperson; (b) the State Auditor; (c) the Director of Financial Management; and (d) three persons experienced in administering incentives, with the Governor, Lieutenant Governor, and Speaker of the House each appointing one person. The Governor's appointee to the Productivity Board will be a representative of an employee organization certified as an exclusive representative of at least one bargaining unit of classified employees, but no one organization may be represented for two consecutive terms. The latter three members will serve staggered terms.

Any organizational unit of state government, with the exception of the legislative and judicial branches and the offices of elected officials, may participate in the incentive pay program. The unit must have an identifiable budget or have its financial records maintained

according to an accounting system which identifies expenditures and receipts. Application for participation must be submitted to the board and have the approval of the head of the agency within which the unit is located.

To qualify for an award, a selected unit must demonstrate to the board that it has operated during a year at less cost than the immediately preceding year with an increase in the level of services provided or with no decrease in the level of services provided.

The board must ensure that the claimed cost of operation is not the result of any practice which makes it falsely appear that a savings or increase in the level of services has occurred.

Conversely, the board will consider legitimate savings those reductions in expenditures made possible by any item representing true savings.

At the end of the eligible year, the board will compare the expenditures for that year of each unit selected against the expenditures of that unit for the preceding year and determine the amount, if any, that the unit has reduced its cost of operations. To ensure that claimed cost savings are justified, the organizational unit must submit documentation for the Board's examination. If the board determines that a unit qualifies for an award, the board will award to the employees of the unit a sum of 25 percent of the amount determined to be savings to the state for the level of services rendered. The amount awarded is to be divided and distributed in equal shares to the employees of that unit.

Funds for incentive pay will be taken from the agency's budget for the eligible year.

The board is required to submit a comprehensive annual status report on the board's activities to the Legislative Budget Committee.

The Employee Suggestion Awards Board is eliminated and the Productivity Board is established.

Cash awards for suggestions generating net savings to the state will be calculated on a sliding-scale percentage basis in the following manner:

- (a) Ten percent of the first \$10,000;
- (b) Eight percent of the next \$20,000;
- (c) Six percent of the next \$30,000;
- (d) Four percent of the next \$40,000;
- (e) Two percent of all amounts in excess of \$100,000.

In addition, the award ceiling has been raised to \$10,000.

Funds for the awards shall be drawn from the appropriation of the agency benefiting from the employee's suggestion.

In both the Suggestion and Incentive Awards programs, 2 percent of an agency's cost savings shall be transferred to the Department of Personnel Service Fund to cover the administrative costs of the Productivity Board. Any unexpended funds shall revert to their original fund sources at the end of the biennium.

The Board's administrative expenses will be limited to \$50,000 per year, payable from the Department of Personnel Service Fund.

Fifty thousand dollars is appropriated from the Department of Personnel Service Fund for Fiscal Year 1983 expenses; however, expenditures may not exceed moneys received from the 2 percent of agency savings transferred to the fund for Board operations.

Awards provided under the Incentive and Suggestion programs shall not be included for purposes of computing retirement allowances.

An expiration date of June 30, 1987 is established.

Future Obligations: The board must submit an annual report of its activities.

Termination Date: June 30, 1987

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	43	1	(Senate amended)
House	97	0	(House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 840**

C 5 L 82 E1

**BRIEF TITLE:** Increasing the sales tax exemption permit fee.

**SPONSORS:** House Committee on Revenue (Originally Sponsored by Representatives Struthers, Chamberlain, Hastings and Hankins)

**HOUSE COMMITTEE:** Revenue

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

Residents of a state other than Washington which does not impose a state tax, or which imposes the tax

at a rate of less than 3 percent, may receive an exemption from Washington State's sales tax. The exemption is allowed for purchases of tangible personal property which will be used outside of the state. The purchaser may obtain a permit by paying a fee of \$1.00. Businesses selling these permits are allowed a collection fee of 50 cents to cover their cost of issuance.

This law was first enacted in 1959 and has not been changed significantly since that date. The states which do not have sales taxes are: Alaska, Delaware, Montana, New Hampshire and Oregon. In addition, residents of Alberta also have no sales tax and may take advantage of the permit.

**SUMMARY:**

The cost of a nonresident sales tax exemption permit fee is increased from \$1.00 to \$5.00. The collection fee received by businesses selling these permits is increased from 50 cents to \$1.00.

The Department of Revenue is directed to conduct a study of the tax gains resulting from the use of these permits.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	97	0
<u>First Special Session</u>		
House	94	0
Senate	46	0

**EFFECTIVE:** July 10, 1982

**HB 844**

C 65 L 82

**BRIEF TITLE:** Authorizing public agencies to contract with collection agencies.

**SPONSORS:** Representatives Ellis, Johnson and Maxie

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

There is no express statutory authorization for a governmental entity to contract for the collection of debts owed to that entity.



**SUMMARY:**

Express statutory authorization is provided for governmental entities to contract for debt collection services. All contracts must be in writing. Notice must be sent to a debtor at least 30 days before a debt may be assigned for collection. The remedies and powers of collection agencies are restricted to those which they already have regarding the collection of private debts.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	30	18

**EFFECTIVE:** June 10, 1982

**HB 847**

C 1 L 82

**BRIEF TITLE:** Revising maximum interest paid by operating agencies.

**SPONSORS:** Representatives Barnes and Scott

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Energy and Utilities

**BACKGROUND:**

Existing law only permits joint operating agencies (e.g., the Washington Public Power Supply System) to pay up to 6 percent interest to its members for contributions or advances members may make to the joint operating agency.

The Washington Public Power Supply System has 23 members, but not all of the members participate on nuclear projects No. 4 and 5.

**SUMMARY:**

The maximum interest allowable for a joint operating agency to pay on contributions or advances from its member entities is increased to the higher of 15 percent or 4 percentage points above the equivalent coupon issue yield of the average rate for 26 week treasury bills. This increased interest rate has a retroactive effect.

The legislative body of any member of a joint operating agency that is not participating in a particular project of the joint operating agency may make advances or contributions to assist in the termination of such a project without assuming any liability for debts or obligations related to the project.

**VOTES ON FINAL PASSAGE:**

House	92	3
Senate	45	1 (Senate amended)
House	88	6 (House concurred)

**EFFECTIVE:** January 21, 1982

**SHB 848**

C 118 L 82

**BRIEF TITLE:** Modifying provisions relating to child welfare services.

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

**HOUSE COMMITTEE:** Human Services

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

Over the past few years, federal and state policy relating to foster and group care has changed considerably.

Public Law No. 96-272, the federal Adoption Assistance and Child Welfare Act, requires states to set goals for long-term foster care placements. The establishment of such goals is a condition of receiving federal dollars.

The federal government is contesting the state's claim to \$500,000 for foster care because the Department of Social and Health Services (DSHS) does not have custody of certain children placed in group care.

At the state level, under recent changes in DSHS policies, children are permitted to stay in foster care beyond their 18th birthday only if attending school, and adoption support payments are terminated when the adopted child reaches 18 years of age.

DSHS does not have authority to license only the number of foster homes needed, but rather must license everyone who meets the licensing requirements.

Hearings for appealing a foster home license revocation must be set within 35 days of request.

The term of child care licenses is 2 years. Discrimination in adoption cases is not generally prohibited under current state law.

**SUMMARY:**

The Department of Social and Health Services (DSHS) is required to adopt rules which set goals on how to provide for children who are in foster care for more than 2 years. DSHS may not pay for the care of a child in a group home unless the home is licensed and the child is in the department's custody.

Children 18 years of age in foster or group home care are permitted to continue in such placements until age 21 if they are in the process of completing high school or vocational school. Adoption support is limited to children under 18 years old.

DSHS is permitted to license the number of foster care homes needed.

The restriction of setting license revocation hearings within 35 days of request is removed. The term of licensure is set at three years. Discrimination in placing children for adoption is prohibited, except in cases involving Indian children where federal law requires that an Indian child be placed with an Indian family.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	45	2

**EFFECTIVE:** June 10, 1982

**SHB 849**

C 191 L 82

**BRIEF TITLE:** Making miscellaneous changes in laws relating to education.

**SPONSORS:** House Committee on Education (Originally Sponsored by Representatives Taylor, Galloway, Chandler, Johnson, Wilson, Lundquist, Mitchell, James, Nisbet, Padden, Tilly, Barnes, Kreidler, Amen and Barr)

**HOUSE COMMITTEE:** Education

**SENATE COMMITTEE:** Education

**BACKGROUND:**

Numerous provisions of state law have created problems in the administration of school districts.

A petition for school district reorganization may be initiated by 10 registered voters residing in the districts affected. It is felt that a greater number of voters should be required to request such an action.

School districts have no authority to reject unwanted works of art purchased by the 0.5 percent set aside from school construction funds.

Contracting authority for periods up to five years is limited for school districts to certain specified purposes. These purposes are to rent or lease building space, portable buildings, security systems, computers and other equipment; and to have security systems, computers and other equipment maintained and repaired. Contracting for other purposes, including pupil transportation, has by implication been limited to one year.

The building and capital projects fund of a school district may not be used to replace equipment or furniture.

School districts and educational service districts are not authorized to join and qualify to self-insure for workers' compensation.

Statutory language concerning the bonding of employees requires that the employees give bond for the faithful discharge of their duties. It is felt that this language may be too general.

Only fire losses may be covered by a school district's permanent insurance fund.

Only boards of directors of school districts are expressly authorized to direct and authorize the investment of district funds.

**SUMMARY:**

Several changes are made in the laws governing the administration of school districts.

If a petition for school district reorganization is presented to an Educational Service District (ESD) from less than 10 percent of the registered voters of the districts, it must be approved by each district's board of directors. The number of petitions is restricted to one per year from the same two districts.

School districts are given more authority to accept or reject works of art for construction projects. If monies for works of art are waived by a district, or a work of art is rejected, the Washington State Arts Commission will apply these to other school or state projects under its jurisdiction.

A district may contract up to five years for pupil transportation if it notifies the Superintendent of Public Instruction that the cost of contracting will not exceed the projected cost of operating its own pupil transportation system.

The building and capital projects fund of a school district may be used for the substantial replacement

of equipment and furniture in a structure or portion of a structure being renovated when the renovation involves conversion of use of the structure and the district has no usable equipment or furniture available.

School districts and/or ESD's may enter into agreements to self-insure for workers' compensation. The Director of the Department of Labor and Industries will promulgate rules for this purpose.

The requirements concerning the bonding of employees are changed to require the honest performance of their duties.

The permanent insurance fund of a district may be used to meet all losses, not just fire losses.

Any common school board of directors is empowered to delegate authority to an officer or agent of the school district or educational service district to direct and authorize the investment of funds.

#### VOTES ON FINAL PASSAGE:

House	97	1
Senate	44	2 (Senate amended)
House	95	2 (House concurred)

**EFFECTIVE:** September 1, 1982 (Sections 3 and 4)  
June 10, 1982 (all other sections)

## HB 851

### PARTIAL VETO

C 224 L 82

**BRIEF TITLE:** Modifying eligibility for services for the developmentally disabled.

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

**HOUSE COMMITTEE:** Human Services

**SENATE COMMITTEE:** Social and Health Services

#### BACKGROUND:

A state law passed in 1974 defines "developmentally disabled" persons by making reference to a definition contained in federal law. The federal definition was changed in 1978, with the effect of also changing the state's definition. This change could cause a very substantial increase in the number of persons receiving services from the Department of Social and Health Services.

#### SUMMARY:

The Department of Social and Health Services is required to develop a proposal for a new definition of developmental disabilities and submit it to the Legislature by January 1, 1983.

Prior to the development of a new definition of developmental disabilities, the pre-1978 federal definition will be used. (The new federal definition will go into effect on March 1, 1983 if no action has been taken by the Legislature.)

The department is required to adopt rules defining physical and mental handicaps. These definitions will expire on March 1, 1983.

#### VOTES ON FINAL PASSAGE:

House	88	5
Senate	28	18 (Senate amended)
House	95	3 (House concurred)

**EFFECTIVE:** June 10, 1982

#### PARTIAL VETO SUMMARY:

The bill contains two definitions of "developmental disabilities," one prescribed in the bill itself and the other to be adopted by the Department of Social and Health Services. Because of the potential for conflict, the Governor vetoed the definition prescribed in the bill. (See VETO MESSAGE)

## SHB 852

C 120 L 82

**BRIEF TITLE:** Modifying provisions relating to nursing homes.

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

**HOUSE COMMITTEE:** Human Services

**SENATE COMMITTEE:** Social and Health Services

#### BACKGROUND:

State laws that provide protections of patient rights and standards of care do not extend to nursing home residents who pay for their own care.

The attending or staff physicians in a nursing home are the only persons authorized to order medications for a resident. Orders may be oral or written. In the case of an oral order, the attending physician must sign the record of the oral order within 48 hours.

The Department of Social and Health Services must survey nursing homes for internal management practices such as monitoring of administrative policies and procedures, staff qualifications, review of contracts and committee meeting minutes as well as quality of care. These survey activities consume resources of both nursing home facility staff and state survey staff.

**SUMMARY:**

Provisions relating to patient rights and nursing home operating standards are extended in law to nursing home residents who pay for their own care.

Authorization to prescribe medications is extended to appropriately authorized practitioners in addition to physicians. A physician's signature for verbal orders is no longer required within 48 hours.

The Department of Social and Health Services will continue to inspect nursing home facilities for compliance with residents' rights and direct care standards. The department will survey internal management practices on a random basis, by exception profiles, or during complaint investigations.

**VOTES ON FINAL PASSAGE:**

House 91 1  
Senate 48 0

**EFFECTIVE:** June 10, 1982

**HB 854**

C 6 L 82 E1

**BRIEF TITLE:** Permitting motor fuel distributors to omit gas tax from the selling price.

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

**HOUSE COMMITTEE:** Transportation

**INITIAL SENATE COMMITTEE:** Transportation  
**ADDITIONAL SENATE COMMITTEE:** Rules

**BACKGROUND:**

Prior to 1977, there was no statutory requirement for motor fuel distributors who paid the fuel excise tax to include an increment for the tax paid as part of the selling price of the fuel to the ultimate consumer. RCW 82.36.020 was amended in 1977, on the advice of the Federal Energy Administration (FEA), as part of the variable fuel tax legislation to include such a requirement. This was necessary to enable retail service stations to raise fuel prices to reflect any tax increases under price control regulations.

Sales of motor fuel to the federal government prior to 1977 did not include an increment for the tax as part of the selling price. Since 1977, such sales have included an increment for the tax as part of the selling price. The Defense Fuel Supply Center notified the Department of Licensing of its concern that the mandatory pass-through of the tax to the U.S. Government may conflict with the U.S. Constitution and applicable federal law.

**SUMMARY:**

The requirement that state fuel taxes be included in the price of fuel sold to the federal government is deleted.

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 96 0  
Senate 36 12 (Senate amended)  
First Special Session  
House 97 0  
Senate 29 13

**EFFECTIVE:** March 27, 1982

**SHB 855**

C 206 L 82

**BRIEF TITLE:** Extending scope of expenses charged for auditing municipal corporations.

**SPONSORS:** House Committee on Local Government (Originally Sponsored by Representative Isaacson) (By State Auditor Request)

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**BACKGROUND:**

Charges imposed by the Division of Municipal Corporations of the State Auditor's Office for auditing local governments are placed into the municipal revolving fund. This fund is not appropriated by the Legislature. The hours spent by an assistant auditor in auditing a local government are charged to the local government even if part of the time spent is essentially "on the job training." No specific authority exists for local governments to appeal charges imposed on them for auditing purposes or for the auditor to adjust such charges.

**SUMMARY:**

The Division of Municipal Corporations of the State Auditor's Office is given express authority to adjust billings imposed on local governments for auditing purposes, and to spread the costs of training and establishing working capital including reserves for late and uncollectible accounts.

The auditor is required to establish an appeals procedure for local governments to appeal charges imposed upon them for auditing purposes.

The municipal revolving fund (which funds most of the operations of the Division of Municipal Corporations and is a self-sustaining fund consisting of charges on such local governments for auditing services) will become an appropriated revolving fund.

**VOTES ON FINAL PASSAGE:**

House 94 0  
Senate 45 1

**EFFECTIVE:** July 1, 1983 (Section 2)  
June 10, 1982 (all other sections)

**HB 859**

C 179 L 82

**BRIEF TITLE:** Setting time limits for approval of certain permits under the environmental coordination procedures act.

**SPONSORS:** Representatives Barnes, Nelson (D.), Vander Stoep, Hine, Tupper, Winsley and Barr

**HOUSE COMMITTEE:** Energy and Utilities

**SENATE COMMITTEE:** Parks and Ecology

**BACKGROUND:**

Applicants for development projects, such as small energy developers, cannot predict how much time is needed to get a decision from state agencies on projects such as energy facility applications. Under the Environmental Coordination Procedures Act (ECPA), time limits are specified for actions of state agencies up to the point of public hearings, or second public notice if hearings aren't required. There is no time limit for agencies to reach a decision after the hearing on second notice.

**SUMMARY:**

The Environmental Coordination Procedures Act is amended to require state agencies to take action within 120 days after hearings, or 150 days after the last public notice if no public hearings are held, unless the hearings chairman or the Department of Ecology and the applicant mutually agree upon a later date. This agreement can be made at any time during the 120 or 150 day period.

**VOTES ON FINAL PASSAGE:**

House 92 0  
Senate 44 0 (Senate amended)  
House 97 0 (House concurred)

**EFFECTIVE:** June 10, 1982

**HB 864**

C 187 L 82

**BRIEF TITLE:** Establishing a task force on court congestion.

**SPONSORS:** House Committee on Ethics, Law and Justice and Representative Ellis

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Court congestion is a continuing and growing problem. Delays in getting civil actions to trial may be as much as three years or more.

**SUMMARY:**

A task force on court congestion is created. The eleven-member task force consists of four judges, two legislators, three attorneys, one local official, and the Administrator for the Courts. The task force is to

make recommendations to the Governor, Supreme Court, and Legislature by January 1, 1983, regarding alleviation of congestion and provision of adequate funding of the courts.

**Future Obligation:** The task force on court congestion is to report its recommendations by January 1, 1983.

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	41	0	(Senate amended)
House	96	2	(House concurred)

**EFFECTIVE:** April 1, 1982

**SHB 868**

C 126 L 82

**BRIEF TITLE:** Modifying distribution procedures of federal forest funds.

**SPONSORS:** House Committee on Appropriations-Education  
(Originally Sponsored by Representatives Chamberlain, Heck, Maxie, Galloway and McDonald)

**HOUSE COMMITTEE:** Appropriations-Education

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

When a school district receives federal forest funds, the district's state general fund allocations for basic education are reduced by the amount of the funds received. Whenever forest funds exceed the amount of the basic education allocation, then all school districts within the county share in the excess amount, based on their student enrollment during the prior year.

Historically, forest funds allocated to districts have been budgeted but not appropriated. In 1981, there was concern on the part of some school districts regarding the necessity of appropriating the excess amounts and when the amounts would be distributed by the state. To address these concerns, a section was added to the Appropriations Act appropriating the excess amounts for distribution to the pertinent school districts within 30 days of receipt of these forest funds by the state.

The Appropriations Act expires every two years so that if this policy is to be continued, then it must be repeated in each biennial budget act.

**SUMMARY:**

The same provisions relating to federal forest funds contained in the current appropriations act are placed in the permanent law. Excess amounts are to be allocated to school districts based on current enrollment, as opposed to the prior year's enrollment. Counties are to retain their current 50 percent of the funds. The Superintendent of Public Instruction, and not the State Treasurer, shall allocate funds to the school districts. A revolving fund is established for all the federal forest funds.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	45	1

**EFFECTIVE:** July 1, 1983

**SHB 871**

C 66 L 82

**BRIEF TITLE:** Modifying provisions relating to funeral directors.

**SPONSORS:** House Committee on Labor and Economic Development  
(Originally Sponsored by Representatives Kreidler and Pruitt)

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

Funeral directors are not prohibited from providing other services to customers in addition to the usual funeral services. Therefore, the funeral director may provide a wide range of financial and other professional services for which the funeral director may not be particularly qualified. It is the aging and elderly who sometimes seek financial or investment advice from funeral directors or have funeral directors represent them in real estate transactions.

**SUMMARY:**

A funeral director is prohibited from being paid for (a) providing financial or investment advice to anyone other than a family member; (b) representing any person in a real estate transaction; or (c) acting as an agent under a power of attorney.

However, a funeral establishment is not prohibited from entering into a prearrangement funeral service contract.

Violations are gross misdemeanors and grounds for disciplinary action.

Administration and enforcement of prearrangement funeral services contracts are transferred from the Insurance Commissioner's Office to the Department of Licensing (DOL). Unless a certificate of registration has been obtained from DOL, funeral homes are not allowed to enter into such contracts under which merchandise or services are furnished.

Those completing a two-year college course required of applicants for licensure as funeral directors or embalmers must attain at least a 2.0 grade point or a grade of C or better in each required subject. This requirement is not applicable to an apprentice funeral director or embalmer in good standing as of January 1, 1982.

Reciprocity may be provided to applicants from other states if their qualifications are comparable to those of this state. The requirement for a reciprocal agreement to exist between another state and Washington is deleted.

**VOTES ON FINAL PASSAGE:**

House 80 14  
Senate 48 0

**EFFECTIVE:** March 26, 1982 (Sections 20, 21, 22)  
September 1, 1982 (all other sections)

**SHB 874**

C 192 L 82

**BRIEF TITLE:** Modifying provisions relating to the sentencing of criminal offenders.

**SPONSORS:** House Committee on Institutions  
(Originally Sponsored by Representatives Houchen, Struthers and Wang)

**HOUSE COMMITTEE:** Institutions

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

In 1981, the Legislature passed a Sentencing Reform Act. Some technical amendments are necessary to perfect the act. The Sentencing Guidelines Commission, authorized by the 1981 act, is requesting an

additional four months in which to complete its recommendations of sentence ranges and sentencing standards.

**SUMMARY:**

A minimum term of confinement may be set at less than one-third of the maximum term of confinement only when the maximum term is 90 days or less.

The Sentencing Guidelines Commission is required to submit its standard sentence ranges and standards to the Legislature on January 10, 1983 instead of September 1, 1982.

Restitution may be ordered for any treatment for injury to persons and lost wages resulting from the injury. The restitution ordered may be modified during the ten year period restitution is in effect despite the expiration of the offender's term of community supervision or the statutory maximum for the crime. The Department of Corrections is required to supervise the offender's compliance with the restitution. The court may make its restitution order at the sentencing hearing or within 60 days of the hearing.

For persons making the transition from prison to the community, the time served in partial confinement is limited to no more than the last three months when the sentence is between 18 months and three years. The time served in partial confinement is limited to no more than the last six months when the sentence is in excess of three years.

The maximum terms of confinement and the amount of fines for various classes of crimes are established from the present until July 1, 1984.

They are:

	<u>Imprisonment</u>	and/or	<u>Fine</u>
Class A \$50,000	Not less than 20 years	Not	more than
Class B \$20,000	Not more than 10 years	Not	more than
Class C \$10,000	Not more than 5 years	Not	more than

For crimes committed on or after July 1, 1984, the classifications are set as follows:

	<u>Confinement</u>	and/or	<u>Fine</u>
Class A	Life Imprisonment		\$50,000
Class B	10 years		\$20,000
Class C	5 years		\$10,000

The mandatory three year minimum sentence for rape in the first degree is reestablished.

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**SHB 874**

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**VOTES ON FINAL PASSAGE:**

House 94 0  
Senate 47 0 (Senate amended)  
House 97 0 (House concurred)

**EFFECTIVE:** April 1, 1982**SHB 875****PARTIAL VETO**

C 223 L 82

**BRIEF TITLE:** Providing for review of certain agencies under the Sunset Act.**SPONSORS:** House Committee on State Government  
(Originally Sponsored by Representatives Lundquist, Walk and Addison  
(By Governor Spellman Request)**HOUSE COMMITTEE:** State Government**SENATE COMMITTEE:** State Government**BACKGROUND:**

The Board of Pharmacy, Board of Accountancy, Department of Emergency Services, Department of Veterans Affairs, Model Litter Control and Recycling Program, and Hospital Commission are not scheduled for Sunset review.

The Veterans Advisory Committee is scheduled to terminate June 30, 1983, unless extended by law.

The Sunset Act is scheduled to terminate June 30, 1984, unless extended by law.

**SUMMARY:**

The following entities are subject to Sunset review and will terminate on the dates noted unless extended by law:

- Board of Pharmacy – June 30, 1984
- Board of Accountancy – June 30, 1984
- Department of Emergency Services – June 30, 1984
- Department of Veterans Affairs – June 30, 1988
- Model Litter Control and Recycling Program – June 30, 1983
- Hospital Commission – June 30, 1984

The State Veterans Affairs Advisory Committee's scheduled termination date is extended to June 30, 1988 to coincide with the Department of Veterans Affairs' scheduled termination date.

The Sunset Act's termination date is extended to June 30, 1990.

An emergency clause is added for the termination of the Model Litter Control and Recycling Program in order to allow time for the Legislative Budget Committee to conduct the required performance audit.

**VOTES ON FINAL PASSAGE:**

House 98 0  
Senate 37 0 (Senate amended)  
House 94 0 (House concurred)

**EFFECTIVE:** June 10, 1982**PARTIAL VETO SUMMARY:**

Provisions requiring "Sunset Review" and termination of the Model Litter Control and Recycling Program on June 30, 1983, are removed. (See VETO MESSAGE)

**SHB 878**

C 182 L 82

**BRIEF TITLE:** Expanding the business license program including creating the business license center.**SPONSORS:** House Select Committee on Deregulation and Productivity  
(Originally Sponsored by Committee on Deregulation and Productivity and Representatives Williams, Johnson, Hastings, Wang, Addison, James and Greengo)**HOUSE COMMITTEE:** Deregulation and Productivity**SENATE COMMITTEE:** Commerce and Labor**BACKGROUND:**

In 1976, the Business Coordination Act directed the Department of Commerce and Economic Development to establish a pilot program to determine the feasibility of issuing and renewing, through one state agency, the many licenses administered by several state agencies that are needed to operate a business. Grocery and grocery-related businesses were selected for the pilot, master licensing program.

In 1977, the Legislature transferred the pilot program to the Department of Licensing and authorized the department to expand the program for: coordinating



application forms and information among state agencies; providing the business community with information regarding licensing requirements; and establishing a master, one-stop, registration and licensing system. The Legislature established by statute a time-table by which the department was to accomplish various tasks for the master licensing system. Most of these tasks have been completed and the schedule has become dated.

#### SUMMARY:

The goals and duties of the Business License Center are expanded. One objective is to provide the business community with information concerning state regulatory requirements and related local and federal programs. Among the duties of the Center are: a) Recommending the elimination, modification or consolidation of licensing or inspection requirements; b) ensuring that licensing information packets are available by February 1982 at various agencies' offices statewide; developing, by July 1982, a common format for applications for master licenses as well as for those licenses and registrations commonly needed to begin most kinds of businesses; c) by January 1983, identifying commonly needed licenses that should be processed under the Master License System, authorizing certain county auditors to collect system fees and identifying a schedule for implementing the long range goals of the Center; d) by July 1983, assigning a common identifier for each System account for use by all agencies and developing a common format for issuing all licenses for which inspections are not required; and e) by June 1985, using the services of the state's principal computer services agency.

By July 1, 1982, the Secretary of the State and Director of Licensing must propose a contract designating the Business License Center as the Secretary's agent for issuing corporate renewals. They must submit by January 1983 a schedule for designating the Center as the agent for all corporate renewals not governed by the contract.

Fifteen state agencies are required to review their licensing requirements, report to the Governor by July 1983 those they recommend be eliminated, modified or consolidated and justify the continuation of all other such requirements. The Governor is to submit recommendations to the Legislature by January 1984.

Included in the Master License System on July 1, 1982 are: nursery dealers licenses, seed dealers licenses, pesticide dealers licenses, shopkeepers licenses, refrigerated locker licenses; certain cigarette licenses, bakery licenses, and egg dealer licenses.

The membership of a Board of Review for the Center is altered and authorized to determine, in questionable cases, whether licenses are to be included in the Master License System. Use of the System is not to apply to activities licensed or regulated under various financial institution and insurance statutes. The Governor is designated as chairperson of the Board; the Secretary of State is to be chairperson in the Governor's absence.

The use of master licensing forms is delineated. All fees are to be filed with the Department of Licensing, deposited with the Treasurer, and distributed to the appropriate accounts.

Jurisdiction over all prelicensing investigations, inspections, and authorizations as well as regulatory and renewal requirements of the appropriate regulatory agencies remains with those agencies though their licenses are processed under the System. The Department of Licensing is to provide regulatory agencies information from the master application for exercising their responsibilities. The department shall assign an expiration date for each master license and all renewable licenses shall expire on that date. Fees may be prorated to accommodate the staggering of expiration dates. A master license delinquency fee is established as are conditions for the issuance of a master license.

Repealed is a provision of law requiring certificates for those who sell cigarettes by vending machines and placing certain requirements on the articles vended.

Future Obligations: Fifteen agencies must submit reports, regarding their licensing requirements, to the Governor by July 1, 1983. The Governor must submit recommendations regarding the elimination, modification or consolidation of licensing requirements by January 9, 1984.

The Secretary of State and Director of Licensing must submit proposals for using the Business License Center for corporate renewals by October 1, 1982 and January 10, 1983.

The Board of Review must report to the Legislature biennially regarding licenses the Board believes should be processed under the Master License System.

#### VOTES ON FINAL PASSAGE:

House	95	0	
Senate	43	5	(Senate amended)
House			(House refused to concur in part)
Senate	40	8	(Senate receded in part)
House	96	0	(House concurred)

EFFECTIVE: April 1, 1982

**HB 883**

C 172 L 82

**BRIEF TITLE:** Limiting liability for persons rendering aid in hazardous materials incidents.

**SPONSORS:** Representatives Garson, Clayton, Martinis, Patrick, Walk, Wilson, Hankins and McCormick

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

**BACKGROUND:**

Emergency response to accidents involving hazardous materials frequently requires expertise and special equipment which are beyond the capabilities of public sector response agencies. Many manufacturers, carriers and shippers of hazardous materials who have such special skills and equipment are reluctant to assist civil authorities in hazardous material emergencies because of the potential liability to which they might be exposed.

Limiting the liability of "good Samaritans" who volunteer to assist civil authorities in containing and cleaning up hazardous materials accidents will enhance public safety by insuring adequate technical resources are available in hazardous material emergencies.

**SUMMARY:**

"Good Samaritans" are granted immunity from civil liability for actions taken or omitted by them while assisting public authorities during a hazardous materials incident. Immunity is not granted where acts or omissions of the good Samaritan constitute gross negligence or wanton or willful misconduct, nor is immunity extended to:

1. the entity responsible for causing the incident;
2. those receiving compensation for their services in excess of reimbursement for their actual expenses; or
3. public employees acting in their official capacity.

The immunity granted by these provisions applies only when the following conditions are met:

1. An officially designated command agency has specifically requested assistance, and the good Samaritan acts under the direction of the incident commander; and
2. (a) the assistance is rendered pursuant to a formal hazardous materials emergency assistance agreement entered into prior to any incident by the incident command agency and the individual whose personnel, equipment or expertise is deemed potentially useful; or  
(b) the assistance is rendered pursuant to a verbal hazardous materials emergency assistance agreement made at the scene, which shall be embodied in a "Notification of Good Samaritan Law" form signed by the incident commander and the party rendering assistance.

Every applicable political subdivision in the state must designate a hazardous material incident command agency within six months of the effective date of this bill. After such time, the Chief of the State Parol shall assume the role of incident command agency for jurisdictions which have failed to designate a command until such time as a designation is made.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	48	0

EFFECTIVE: April 1, 1982

**HB 884**

C 10 L 82

**BRIEF TITLE:** Correcting double amendments to various statutes.

**SPONSORS:** House Committee on Ethics, Law and Justice and Representative Ellis (By Code Reviser Request)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Certain sections of the Code were amended more than once by separate bills in the 1981 legislative session.

**SUMMARY:**

Technical corrections are made to various code sections of the law which were amended twice during the 1981 legislative session. The code sections involved related to the following subject matters:

1. Homestead exemption: regarding bankruptcy and mortgages on mobile homes. (RCW 6.12.100)
2. Sentencing: regarding crimes involving firearms and sentencing reform. (RCW 9.41.025)
3. Capital punishment: regarding the name change to Department of Corrections from Department of Social and Health Services and murder sentencing. (RCW 9A.32.040)
4. Capital punishment: regarding the name change to Department of Corrections from Department of Social and Health Services and repealing capital punishment. (RCW 9A.32.047)
5. Rape sentencing: regarding presumptive sentencing and the name change to Department of Corrections from Department of Social and Health Services. (RCW 9A.44.040)
6. Industrial loan companies: regarding filing location requirements and increasing fees. (RCW 31.04.040)
7. Traffic restrictions: regarding bicyclists and pedestrians, name change of transportation, and adding a rules review committee. (RCW 34.04.010)
8. Public transportation: regarding special fares for senior citizens, handicapped persons, and students, and ambulance services. (RCW 36.57.040)
9. Sewer and water districts: regarding notice to the boundary review board of the merger of sewer and water districts and the time limit for filing notice. (RCW 36.93.090)
10. State personnel board: regarding members' terms and earning limit and time requirement for Senate confirmation. (RCW 41.06.110)
11. Public disclosure requirements: regarding the chief administrative law judge and personnel appeals board members. (RCW 42.17.240)
12. State investment board: regarding funds for the board and expense accounts. (RCW 43.33A.160)
13. Budget and accounting: regarding the duties of the director of financial management and

transfers and repayments between the budget stabilization account and the general fund. (RCW 43.88.160)

14. Traffic infraction classifications: regarding certain actions involving mobile home pilot vehicles, disposal of abandoned vehicles or hulks, eluding police vehicles, cancelling a traffic citation and actions relating to vehicle trip permits. (RCW 46.63.020)
15. Traffic infraction penalty: regarding overtime parking and state penalty charges, allowing monetary penalties to be set locally and a \$5.00 surcharge for the general fund for most traffic infractions. (RCW 46.63.110)
16. Health care facilities funding: regarding single bond financing for more than one health care facility project and the position of the executive director of the authority. (RCW 70.37.100)
17. State game fund: regarding the wildlife account description and the power of the finance committee. (RCW 77.12.323)
18. Hunting and trapping of beaver: changing the beaver license reference and repealing statute. (RCW 77.20.015)
19. Revenue and taxation: separate business and occupation tax amendments. (RCW 82.04.260)

**VOTES ON FINAL PASSAGE:**

House	83	0
Senate	45	1

**EFFECTIVE:** March 4, 1982

**SHB 887**

C 188 L 82

**BRIEF TITLE:** Enlarging class of civil actions which may be subject to mandatory arbitration.

**SPONSORS:** House Committee on Ethics, Law and Justice  
(Originally Sponsored by House Committee on Ethics, Law and Justice and Representatives Ellis and Wang)

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Civil actions in superior court are subject to mandatory arbitration if the following conditions are met:

- (1) the action is not an appeal from municipal or justice court,
- (2) the action is in a superior court which has authorized arbitration,
- (3) the sole relief sought is a money judgment, and
- (4) no party asserts a claim in excess of \$10,000.

Also, the clerk of the superior court is to enter the arbitration award as a judgment.

**SUMMARY:**

The dollar limit on civil actions subject to mandatory arbitration is raised. Claims which are for more than \$10,000, but not in excess of \$15,000, are also made subject to mandatory arbitration if approved by the majority of judges on the court.

The parties to arbitration, rather than the clerk, are directed to enter the award.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	34	8

**EFFECTIVE:** June 10, 1982

**SHB 888**

C 121 L 82

**BRIEF TITLE:** Making general election ballots uniform.

**SPONSORS:** House Committee on State Government (Originally Sponsored by Representatives Nickell, Houchen and Granlund) (By Secretary of State Request)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

In a recent election in the 12th Legislative District, two candidates competed to fill an unexpired term. Eighteen percent of the voters in one area of Kittitas County, apparently confused by the ballot format, voted for both candidates. As a result, 237 ballots were invalidated. The same kind of problem occurred in Island County in 1981. Ballots in question followed

the "party column" format statutorily required for paper ballots and lever machines. Approximately 5 percent of the state's precincts currently use paper ballots and 30 percent currently use lever machines.

**SUMMARY:**

The "party column" requirement in general elections for those counties using paper ballots and lever machines is removed. In those elections, the candidates shall be listed by office grouping with the office heading listed first, followed by the candidates of the major political parties in order of votes cast for their nominees at the last presidential election. This procedure will standardize the ballot format used in all general election races throughout the state.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	43	0 (Senate amended)
House	98	0 (House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 891**

PARTIAL VETO

C 200 L 82

**BRIEF TITLE:** Modifying the regulation of medicare supplemental insurance policies.

**SPONSORS:** House Committee on Financial Institutions and Insurance (Originally Sponsored by House Committee on Financial Institutions and Insurance and Representatives Dawson, Wang and Bickham)

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

The 1981 Regular Session of the Legislature passed the "Medicare Supplemental Insurance Act," which took effect January 1, 1982. The act governs the content and sale of Medicare supplemental insurance policies. These policies are intended to cover medical costs not covered by federal Medicare insurance.

Among the provisions of that act are provisions which:

- mandate minimum benefits in Medicare supplemental policies;
- require minimum loss ratios;
- prohibit certain contract language; and
- authorize the Insurance Commissioner to adopt rules governing the sale of Medicare supplemental policies and prohibit agents from completing medical history forms on an applicant's behalf.

**SUMMARY:**

The Insurance Commissioner's Office is granted greater latitude in adopting rules to implement the "Medicare Supplemental Insurance Act."

The specific prohibitions and requirements of a Medicare supplemental policy are deleted in favor of language which directs the Insurance Commissioner to accomplish the same purposes by rule.

The Commissioner is granted authority to raise and lower loss ratio requirements of Medicare supplemental policies when it is in the public's interest.

State and federally chartered health maintenance organizations are exempted from the act until January 1, 1983.

The provisions prohibiting an agent from filling out a medical history form on an applicant's behalf is repealed.

**VOTES ON FINAL PASSAGE:**

House	89	4
Senate	42	1 (Senate amended)
House	90	6 (House concurred)

**EFFECTIVE:** April 3, 1982

**PARTIAL VETO SUMMARY:**

Two subsections of the bill which would have repealed current statutory language regarding benefit standards and the completion of applications for insurance are vetoed. The veto message states that these portions of existing law "contain important consumer protections." (See VETO MESSAGE)

**HB 894**

C 178 L 82

**BRIEF TITLE:** Appropriating funds for razor clam programs.

**SPONSORS:** Representatives Rosbach, Monohon, Williams, Nisbet, Mitchell and Johnson

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

The razor clam license was initiated in 1979. The Legislature established a fee of \$2.50 and provided that revenue be deposited in the state general fund. The Legislature expressed its intent that revenues be used on programs beneficial to razor clams but did not create a dedicated account to serve as the repository for razor clam license revenues.

The 1979-81 biennial appropriation was \$730,000. The 1979-81 revenues were about \$848,000 — a difference of \$118,000. In the 1979 Act, the Legislature did provide that any excess revenues over the amount appropriated be credited to the Department of Fisheries and be expended on the razor clam program. Without an additional appropriation, the \$118,000 in additional funds cannot be expended by the department.

**SUMMARY:**

The Department of Fisheries is appropriated \$118,000 from the state general fund for the remainder of the 1981-83 biennium. The appropriation is to be used for the development and operation of programs beneficial to razor clam harvesting.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	45	3

**EFFECTIVE:** April 1, 1982

**HB 896**

C 17 L 82

**BRIEF TITLE:** Revising the laws regulating snowmobiles.

**SPONSORS:** Representatives Tilly, Stratton, Nickell and North

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

SENATE COMMITTEE: Parks and Ecology

**BACKGROUND:**

All snowmobiles in the state of Washington must be registered with the Department of Licensing. Owners of private snowmobiles are assessed an annual registration fee of \$7.50 and snowmobile dealers pay a fee of \$25.00 each year. Nonresident owners of snowmobiles must buy a temporary license (60 days) for \$2.00. Approximately \$175,000 is collected yearly from registration fees. The money collected from registration is used to implement snowmobile programs such as safety classes, trail improvement in state parks, and snowmobile law enforcement.

Violators of the registration requirement are given a \$25 fine. Sixty percent goes to the general snowmobile fund and 40 percent goes to local governments. Presently, no fines are assessed against snowmobile dealers who violate the registration requirement.

**SUMMARY:**

Snowmobile registration fees are increased from \$7.50 to \$10 and the Department of Licensing is given the ability to issue fines to dealers only up to \$500 for failure to register and pay the fee. Nonresident owners fees are increased from \$2.00 to \$5.00 and the penalty for failure to display a registration decal is increased from \$25 to \$40.

All of the fines imposed by registration enforcers (county sheriffs, city police, state park rangers and state patrolmen) go to the general fund of the governmental unit that issued the citation. This money is to be used solely for snowmobile law enforcement.

**VOTES ON FINAL PASSAGE:**

House 86 8  
Senate 43 2

**EFFECTIVE:** June 10, 1982

**HB 897**

C 122 L 82

**BRIEF TITLE:** Providing for jurisdiction in arbitration cases.

**SPONSORS:** Representatives Armstrong and Ellis

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

No express statutory authorization exists for justice courts to confirm arbitration awards and otherwise handle arbitration.

**SUMMARY:**

Subject to jurisdictional limitations, both justice and superior courts have authority to handle arbitration matters.

**VOTES ON FINAL PASSAGE:**

House 95 0  
Senate 41 2

**EFFECTIVE:** June 10, 1982

**SHB 902**

C 181 L 82

**BRIEF TITLE:** Revising laws relating to insurance.

**SPONSORS:** House Committee on Financial Institutions and Insurance  
(Originally sponsored by House Committee on Financial Institutions and Insurance and Representatives Dawson and Bickham)

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

Due to changes in the insurance industry, such as the introduction of new insurance products into the market, the Insurance Commissioner has requested numerous changes in the Insurance Code.

**SUMMARY:**

Numerous changes in the state's Insurance Code are made:

Commissioner Duties and Powers

The Commissioner is required to examine domestic insurers only once every five years. He may temporarily suspend a license. The Commissioner is permitted to reduce the base for calculating an insurer's prepayment tax obligations. Additional authority is granted to charge fees for the cost incurred when verifying

license applications. The Commissioner may no longer issue temporary licenses to life insurance agents who have not yet taken the agent exam. Authority to disapprove insurance forms not complying with an order or regulation of the Commissioner is granted. The Commissioner may promulgate rules for the equitable treatment of policyholders where an insurer has various classes of policyholders.

The Commissioner is authorized to adopt rules to ensure that specified disease policies provide a reasonable level of benefits and maintain certain loss ratio standards.

#### General Provisions

The requirements for obtaining a surplus line brokerage license are clarified. The revocation of a license when the licensee is convicted of a felony is made discretionary, contingent upon a showing of "untrustworthy" behavior by the licensee. The required capital and surplus necessary to write variable insurance contracts is raised to \$5 million. Procedures for collecting or rebating premiums based upon a misstatement of sex on an insurance application are modified. The \$2,000 benefit limit on insurance offered by a credit union is removed. Consumers are allowed a 10-day, "free-look" period on a variable life insurance contract. Certain types of insurance forms (designated by the Commissioner) may be used after filing and certifying the forms. General agents are authorized to accept applications for nonstandard or specialty insurance from agents not appointed by the insurer of the general agent. The prohibition against contributions by insurance companies to political parties or candidates other than the Insurance Commissioner is removed. The distinction between participating and nonparticipating life insurance and annuity policy forms is clarified.

Loss ratios for specified disease insurance are established and the Insurance Commissioner is authorized to adopt rules to ensure that these policies provide a reasonable level of benefits.

#### VOTES ON FINAL PASSAGE:

House	95	1	
Senate	25	20	(Senate amended)
House	92	6	(House concurred)

**EFFECTIVE:** May 1, 1982 (Section 15)  
June 10, 1982 (all other sections)

## 2SHB 906

C 40 L 82 E1

**BRIEF TITLE:** Creating the community economic revitalization board.

**SPONSORS:** House Committee on Ways and Means (Originally Sponsored by Representatives Chamberlain, Owen, Sanders, Greengo, Brown, Garson, Erak, Williams, Lundquist, Nickell, Barr, Martinis, McCormick, Barnes, Eberle, Thompson, Barrett, Nisbet, Vander Stoep, Struthers, Nelson (G.), Hankins, Galloway, King (J.), Winsley, Heck, Ellis, Wang and Armstrong)  
(By Governor Spellman Request)

**HOUSE COMMITTEE:** Ways and Means

**INITIAL SENATE COMMITTEE:** Commerce and Labor

**ADDITIONAL SENATE COMMITTEE:** Ways and Means

#### BACKGROUND:

The construction grant and loan program administered by the Economic Assistance Authority (EAA) offers local governments and Indian tribes grants and loans to help finance certain types of capital projects. Projects eligible for financing assistance are those which are expected to encourage private sector industrial and commercial activity.

Pursuant to a 1981 law, the grant and loan program was to be abolished on June 30, 1982.

#### SUMMARY:

The grant and loan program, with some major revisions, is reestablished and will not be abolished. Also, in place of the Economic Assistance Authority, a Community Economic Revitalization Board (CERB) is established to administer this program.

Future Obligation: The chairman of the Community Economic Revitalization Board shall make biennial reports on the activities of the Board to the Governor and the Legislature.

Termination Date: June 30, 1987.

**VOTES ON FINAL PASSAGE:**

Regular Session

House 61 33

First Special Session

House 61 31

Senate 43 3 (Senate amended)

House 66 26 (House concurred)

**EFFECTIVE:** July 10, 1982

**HB 907**

C 189 L 82

**BRIEF TITLE:** Modifying the laws governing the office of administrative hearings.

**SPONSORS:** House Committee on Ethics, Law and Justice and Representative Ellis

**HOUSE COMMITTEE:** Appropriations-General Government

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Prior to 1981, state law allowed individual state agencies to employ hearing officers to conduct contested case hearings under the Administrative Procedures Act. It was questioned whether an appearance of impartiality could be maintained when the hearing officer is an employee of the agency which is party to the hearing. In 1981, an independent Office of Administrative Law Judges was created. The head of the office is a chief administrative law judge appointed by the Governor. The 1981 change transferred current hearing officers and support personnel in certain individual agencies to the Office of Administrative Law Judges effective July 1, 1982.

An appropriation of \$120,000 was made to the Office of the Chief Administrative Law Judge funding the operations for one year.

The Chief Administrative Law Judge was required to develop an administrative plan and a funding plan for the continued operations of the Office of Administrative Law Judges and to present legislative recommendations to the 1982 regular session of the Legislature.

**SUMMARY:**

Issuance of a proposal for decision or initial decision is required only if a majority of the agency officials who are to render a final decision have not heard and read the evidence presented before the Administrative Law

Judge. The Personnel Appeals Board is exempted from the provisions of the act.

The authority of the Director of the Department of Licensing is established to delegate final decision-making within the department regarding driver license sanctions. The hearings are not subject to the administrative hearing process.

Local law enforcement agencies are not required to use an administrative law judge to enforce the Uniform Controlled Substances Act.

The Utilities and Transportation Commission is not required to use administrative law judges for transportation tariff docket hearings. The Department of Transportation is not required to use administrative law judges for limited access hearings for the establishment of limited access highways.

References to hearing examiners are changed to administrative law judges.

The funding for the office is provided by the creation of an administrative hearings revolving fund for centralized accounting and distribution of actual costs of services provided; the transfer of moneys appropriated to certain agencies for administrative hearings purposes to the revolving fund on a quarterly basis; authorization for direct payment if there are unanticipated demands for service or insufficient moneys in the fund; and the appropriation of \$3,166,000 from the revolving fund to the Office of Administrative Hearings for the remainder of the 1981-83 biennium.

**VOTES ON FINAL PASSAGE:**

House 96 0

Senate 44 4 (Senate amended)

House 97 0 (House concurred)

**EFFECTIVE:** July 1, 1982

**HB 916**

C 198 L 82

**BRIEF TITLE:** Modifying the interest rate on judgments.

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

**HOUSE COMMITTEE:** Ethics, Law and Justice

**SENATE COMMITTEE:** Judiciary



**BACKGROUND:**

The interest rate on unpaid judgments is limited to 10 percent if the rate is not specified in a written contract. Judgments on contracts prescribing an interest rate accrue interest at the contract rate which may not exceed 12 percent.

**SUMMARY:**

The interest rate on judgments not based on a contract is set at 12 percent. The 12 percent interest rate maximum on judgments founded on written contracts is deleted.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	32	13 (Senate amended)
House	73	24 (House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 920**

C 43 L 82

**BRIEF TITLE:** Establishing an occupational information service.

**SPONSORS:** House Committee on State Government (Originally Sponsored by Representatives Hankins, Walk and Addison) (By Governor Spellman Request)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

Occupational information services are provided by the State Employment Security Department, State Occupational Information Coordinating Committee, and an agency consortium which produces the occupational outlook forecast.

**SUMMARY:**

The State Employment Security Department is designated as the single state agency responsible for administering the state occupational information service. Employment Security will be responsible for the development and dissemination of state occupational information, including the state occupational forecast.

The generation of the forecast is subject to: (1) the occupational forecast being consistent with the state

economic forecast; and (2) standardized occupational classification codes being cross-referenced with other generally accepted occupational codes.

Employment Security is required to consult with other specified state agencies prior to the issuance of the state occupational forecast, and these agencies are to cooperate with the Employment Security Department by submitting information relevant to the generation of occupational forecasts.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	45	0 (Senate amended)
House	95	0 (House concurred)

**EFFECTIVE:** July 1, 1982

**SHB 922**

C 228 L 82

**BRIEF TITLE:** Authorizing the parole board to reduce prison overcrowding.

**SPONSORS:** House Committee on Institutions (Originally Sponsored by Representatives Amen, Williams, Sommers, Greengo, Nelson (G.), Struthers, Houchen, Thompson and Becker) (By Legislative Budget Committee Request)

**HOUSE COMMITTEE:** Institutions

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

Prison overcrowding has emerged as the main problem facing our state's correctional system. In the past year, our prisons have received an average of 81 additional felons per month. Washington State prisons are currently housing 110 percent of rated capacity.

**SUMMARY:**

After a determination by the Governor and Secretary of the Department of Corrections that reductions in the state's inmate population are necessary, the Board of Prison Terms and Paroles is required to reduce the inmate population. The reduction cannot apply to inmates serving mandatory minimum terms, inmates serving sentences for first-degree murder, treason, or any class A felony, and inmates who have been found to be sexual psychopaths.

The Parole Board must give priority to sentence reductions for inmates incarcerated for nonviolent offenses, inmates within six months of a scheduled parole, and inmates with the best records of conduct during confinement. The Board must consider the detrimental effect of overcrowding upon inmate rehabilitation and the best allocation of limited correctional facility resources in adopting the program. The guidelines may not be implemented until reviewed by the Senate Social and Health Services and House Institutions Committees.

The Parole Board may request assistance from the Office of Financial Management, Department of Corrections, and Administrator for the Courts for any information it might need to accomplish its duties. These services must be provided at no cost to the Board.

Future Obligation: The chairman of the Parole Board is required to periodically report to the Governor and the Legislature on the implementation of this act.

Termination Date: July 1, 1984

**VOTES ON FINAL PASSAGE:**

House	55	43	
Senate	44	2	(Senate amended)
House	70	28	(House concurred)

**EFFECTIVE:** April 3, 1982

**SHB 923**

C 11 L 82 E1

**BRIEF TITLE:** Creating a state center for voluntary action.

**SPONSORS:** House Committee on State Government (Originally Sponsored by Representatives Addison, Fiske, Salatino, Garson, Walk, Johnson, Nelson (D.), Nickell, Kaiser, Hankins, Nelson (G.), Greengo, Nisbet, Barr, Teutsch, Ellis, Sanders, Houchen, Hastings, Chandler, Bickham, McDonald, Mitchell, Tilly, Amen, Barnes, Barrett, Stratton, Hine and O'Brien)  
(By Governor Spellman Request)

**INITIAL HOUSE COMMITTEE:** State Government

**ADDITIONAL HOUSE COMMITTEE:** Appropriations—General Government and Compensation

**INITIAL SENATE COMMITTEE:** State Government

**ADDITIONAL SENATE COMMITTEE:** Rules

**BACKGROUND:**

In 1968 at the request of Governor Evans, a citizens advisory committee was formed to review the status of Washington State volunteer efforts and recommend steps that could be taken to improve the climate for volunteerism in Washington State. Based on the recommendation of the committee, the Governor established the State Office of Voluntary Action. It was the first of its kind in the nation. There are now 24 such agencies in the country.

Funding for the State Office of Voluntary Action was discontinued and the program ended in 1977. Currently, the State of Washington does not have an office to promote and provide assistance and support to volunteers and volunteer organizations throughout the state.

**SUMMARY:**

The Governor may establish a statewide center for voluntary action within the Planning and Community Affairs Agency and appoint a coordinator who may employ the staff necessary to carry out the purposes of the program. The programs and activities of the center may include, but are not limited to:

- 1) providing information about programs, activities, and resources to volunteers and to organizations operating or planning volunteer programs;
- 2) sponsoring recognition events for individuals and organizations;
- 3) facilitating the involvement of business, industry, government, and labor in volunteerism;
- 4) organizing, or assisting in the organization of, training workshops and conferences;
- 5) publishing and distributing schedules of events, lists of published materials, accounts of successful programs and programming techniques, and other information concerning the field of volunteerism; and
- 6) reviewing the impact of state laws and proposed changes in the law on volunteer activities.

A fund is created for the purpose of enabling the center to receive grants, gifts, and endowments from private or public services to benefit the center. Disbursements from the fund may be made to reimburse center volunteers for travel expenses and to publish and distribute volunteer materials. The center

may charge fees for attendance at workshops and for various publications it prepares.

The Washington Council of Voluntary Action is created to advise the Governor and the center. The Governor appoints the chairperson and the members of the Council, with a total membership of no less than 15 and no more than 21. Members will be reimbursed for travel expenses.

Future Obligations: The Council of Voluntary Action is directed to deliver a report on volunteer activities to the Governor and the Legislature on December 15, 1982 and each year thereafter.

The Legislative Budget Committee is required to conduct a performance audit of the center and council and make the report available to the Legislature at least six months before the scheduled termination date of June 30, 1985.

Sunset Provision: The center and Council shall cease to exist on June 30, 1985 unless extended by the Legislature.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

House	91	6	
Senate	40	8	(Senate amended)
House			(House refused to concur)

##### First Special Session

House	93	4
Senate	37	7

EFFECTIVE: July 10, 1982

## SHB 931

C 170 L 82

**BRIEF TITLE:** Modifying the handling of reserved funds for public contracts.

**SPONSORS:** House Select Committee on Deregulation and Productivity (Originally Sponsored by House Select Committee on Deregulation and Productivity and Representative Williams)

**HOUSE COMMITTEE:** Select Committee on Deregulation and Productivity

**SENATE COMMITTEE:** State Government

#### BACKGROUND:

The statute on liens for public works contracts creates a trust fund from moneys earned by the prime contractor on estimates of completed work. 10 percent of the first \$100,000 and 5 percent on all subsequent payments are reserved for the protection of subcontractors, suppliers and taxing bodies. These funds may be invested in a number of interest bearing options, with accrued interest going to the prime contractor.

The statute does not include a provision for a bond in-lieu-of reserved funds for most contracts nor is there a statutory limit on the amount prime contractors can retain from subcontractors or suppliers. There is also no requirement that prime contractors share accrued interest with subcontractors or suppliers who have contributed to the trust fund.

Existing law also gives the Department of Revenue a priority lien on all public works contracts over \$20,000. However, the Department is required to certify that taxes have been paid on all public works projects before retained funds can be released. The Department can reduce its workload if they review contracts over \$20,000 only.

#### SUMMARY:

The statute on liens for public works contracts shall include the following provisions:

The amount retained from payments to contractors, subcontractors and suppliers is limited to 5 percent of each progress payment.

Contractors are required to share accrued interest from their retained payments with subcontractors and suppliers who have contributed to the trust funds.

Subcontractors are required to share accrued interest with any "subcontractors" who have contributed to the trust fund.

Contractors, subcontractors and suppliers are allowed to put up a bond in lieu of retained payments with the consent of the contracting agency. The type of bond must be mutually agreeable to the contracting agency and the prime contractor. Once the bond is accepted, the contracting agency has 30 days to return any retained funds to the contractor. Once the contractor has accepted a bond from subcontractors or suppliers, he has 30 days to return any retained funds to them.

The Department of Revenue is required to certify the payment of taxes only on contracts over \$20,000.

The restrictive in-lieu-of-bond requirements for public highway contracts is repealed.

Contractors are allowed to request that retainage be reduced to 100 percent of the work remaining on a project once 50 percent of the original contract work is completed.

**VOTES ON FINAL PASSAGE:**

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

**EFFECTIVE:** June 10, 1982

**HB 934**

C 67 L 82

**BRIEF TITLE:** Revising laws relating to credit unions.

**SPONSORS:** House Committee on Financial Institutions and Insurance and Representative Dawson  
(By Department of General Administration Request)

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

The Credit Union Share Guaranty Association Act creates a fund through assessments upon member credit unions to insure shareholder deposits and promote the stability of state-chartered credit unions.

**SUMMARY:**

The Credit Union Share Guaranty Association is permitted to assess fees for the operating expenses and other purposes of the association.

The association is permitted to enter contracts of insurance or reinsurance to insure its contractual guaranties and enter into other insurance or bonding contracts necessary or advisable.

Members of the association are required to transfer the guaranty assessment to a reserve account within the credit union. When a credit union is merged, the merged credit union's reserves must be transferred into the remaining credit union's reserve fund.

The annual assessment for continued funding of the association is increased from 1/45th to 1/18th of 1

percent of each member's insurable outstanding share and deposit balance.

The maximum length of investments of the association is extended to 1 year.

**VOTES ON FINAL PASSAGE:**

House 90 0  
Senate 44 0

**EFFECTIVE:** June 10, 1982

**SHB 936**

C 196 L 82

**BRIEF TITLE:** Providing for reorganization to form a bank holding company.

**SPONSORS:** House Committee on Financial Institutions and Insurance  
(Originally Sponsored by House Committee on Financial Institutions and Insurance and Representative Dawson)  
(By Department of General Administration Request)

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

A bank holding company is a corporation that controls a bank. A multi-bank holding company is a corporation that controls two or more banks. Bank holding companies are permitted to engage only in banking and activities closely related to banking.

When Washington's law governing the formation of bank holding companies was modified in 1981 to permit multi-bank holding companies, the procedures for formation of such companies were not changed to correspond to this new authority. Federal law clearly outlines the procedures for the reorganization of a federally-chartered bank into a multi-bank holding company.

**SUMMARY:**

Procedures are established governing the reorganization of a state-chartered bank into a multi-bank holding company. These procedures closely parallel federal law. The Supervisor of Banking is granted

authority to examine any bank holding company that owns any portion of a bank or trust company.

**VOTES ON FINAL PASSAGE:**

House 84 10  
Senate 43 0

**EFFECTIVE:** April 3, 1982

**HB 942**

C 68 L 82

**BRIEF TITLE:** Modifying the membership requirements on the commission on Asian-American affairs.

**SPONSORS:** House Committee on Appropriations-General Government and Compensation and Representatives Williams, Wang and Johnson

**HOUSE COMMITTEE:** Appropriations-General Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

The 1981 budget bill contained a proviso affecting the Commission on Asian-American Affairs. It was assumed that proper statutory changes would be enacted during the 1981 regular session to conform with the budget proviso. The statutory changes were not enacted.

The 1981 November special session of the Legislature accepted the budget reduction plan submitted by the Commission, which called for altering Commission members' compensation. (The current statute authorizes compensation of up to \$25 per day, plus reimbursement for travel expenses.)

The current statute provides for 24 members to serve on the Commission; 60 percent of the membership plus one constitutes a quorum.

**SUMMARY:**

The number of members of the Asian-American Affairs Commission is reduced to 12. Seven members shall constitute a quorum.

Compensation for members shall include only reimbursement for travel expenses.

**VOTES ON FINAL PASSAGE:**

House 93 2  
Senate 36 6

**EFFECTIVE:** June 10, 1982

**SHB 946**

C 30 L 82

**BRIEF TITLE:** Modifying provisions relating to the traffic safety commission.

**SPONSORS:** House Committee on Transportation (Originally Sponsored by Representatives Patrick, Walk and Lundquist) (By Governor Spellman Request)

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

**BACKGROUND:**

The Federal Highway Safety Act of 1966 states that the Governor is responsible for administering traffic safety programs involving federal highway safety funds. In Washington State, federal safety dollars are distributed through the Traffic Safety Commission (TSC).

The policy-making body for the TSC is a nine-member commission, with the Governor serving as chairman. It has been an informal policy that if the Governor is unable to attend a meeting on a certain date, the meeting is rescheduled. Substitution of vote has not been a past policy. The commission is required by law to meet quarterly and may hold special meetings as needed. The commission meets approximately four times per year.

The Governor, as chairman of the commission, would like the option of designating someone to serve in his absence.

**SUMMARY:**

The Governor may designate an employee to act on his/her behalf at meetings of the Traffic Safety Commission. The designee must be an employee of the Governor's Office and serves only in the Governor's absence. The employee may vote on behalf of the Governor if the designation is in writing, if the document lists the meeting(s) in which the designee is authorized to represent the Governor, and if the document is presented to the person presiding at the meeting. The Governor may designate one of the

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**SHB 946**

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other eight members to preside in the Governor's absence.

**VOTES ON FINAL PASSAGE:**

House	94	0	
Senate	46	2	(Senate amended)
House	94	0	(House concurred)

**EFFECTIVE:** March 12, 1982

**HB 947**

C 47 L 82

**BRIEF TITLE:** Changing maximum cattle assessments.

**SPONSORS:** Representatives Fancher and Smith

**HOUSE COMMITTEE:** Agriculture

**SENATE COMMITTEE:** Agriculture

**BACKGROUND:**

State law requires the Washington State Beef Commission to provide programs designed to: increase beef consumption; develop more efficient methods of producing, processing, or marketing beef; eliminate transportation rate inequities on supplies; and identify beef and beef products as to quality and origin.

To fund its activities, an assessment of 10 cents/head is levied by statute on all Washington cattle sold in the state or elsewhere. The statute authorized the Director of Agriculture to increase the assessment up to 20 cents/head.

**SUMMARY:**

The assessment to be levied on all Washington cattle sold in the state or elsewhere is raised to 50 cents/head.

If the assessment would be greater than 1 percent of the sale price of an animal, the assessment is not to be levied.

**VOTES ON FINAL PASSAGE:**

House	97	0
Senate	44	0

**EFFECTIVE:** June 10, 1982

**HB 955**

C 84 L 82

**BRIEF TITLE:** Revising laws regulating public hospital districts.

**SPONSORS:** House Committee on Human Services and Representative Mitchell

**HOUSE COMMITTEE:** Human Services

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

While public hospital districts are currently established by a vote of the people at special elections, there is no procedure for dividing a single district of two hospitals. The sale or lease of surplus property requires unanimous consent of the hospital district board, and for real property valued over \$100,000, special elections. Leases are limited to 25 years conditioned by a performance bond or security. Vacancies on hospital district boards must be filled at special elections. The present act contains outdated or superfluous housekeeping requirements.

**SUMMARY:**

An existing public hospital district may be divided into two new districts upon approval of a plan by the superior court in the county where the district is located and majorities of voters in the proposed new districts at a special election. The components of the plan must include new district boundaries, assumption or disposition of existing obligations, and new district boards. Legal challenges to the division or formation of new districts are prohibited after 30 days of formation.

The board of commissioners of any public hospital district is authorized to sell real property of the district which it determines by resolution is not required for the district's purposes. This sale of surplus real property requires at least three market value appraisals, and notice and public hearing by the district board if the value exceeds \$100,000. The services of a licensed real estate broker may be used if the board finds that such services would facilitate the board's purposes and greater value would be realized for the property. A real estate broker's fee may not exceed 7 percent of the sale price per parcel. Surplus real property may be leased and surplus personal property sold if approved by a majority vote of the board.

Vacancies on a district board shall be filled by remaining members until the next regular election. The per diem for board members is increased from

\$25 to \$40. Districts are permitted to issue interest bearing warrants and other obligations, and the authority to mortgage land as security is repealed.

Existing hospital districts' obligations and actions are declared valid. Other appropriate health services are included within their operating authority. Current statutes are repealed which duplicate these new or other statutory requirements.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	36	0

**EFFECTIVE:** June 10, 1982

**HB 964**

C 176 L 82

**BRIEF TITLE:** Modifying provisions on real estate excise taxation.

**SPONSORS:** House Committee on Revenue and Representative Greengo

**HOUSE COMMITTEE:** Revenue

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

The real estate excise tax became a Department of Revenue audit responsibility in September, 1981. Prior to that time, audits were undertaken by various counties. The Department of Revenue is currently auditing real estate excise tax transfers. However, the department doesn't have clear authority to recover unpaid taxes prior to September 1, 1981, the effective date of administrative control.

**SUMMARY:**

The Department of Revenue is provided with clear authority to audit accounts prior to September, 1981. There is a limit to such audits. No audit is permitted four years after the date of sale. The measure also clarifies that funds collected in this audit process will be directed to the state for the support of schools.

**VOTES ON FINAL PASSAGE:**

House	96	0
Senate	46	0

**EFFECTIVE:** June 10, 1982

**SHB 965**

C 49 L 82

**BRIEF TITLE:** Authorizing the request of local law enforcement agencies assistance during prison riots.

**SPONSORS:** House Committee on Institutions (Originally Sponsored by House Committee on Institutions and Representatives Houchen, Johnson, Owen, and Struthers)  
(By Department of Corrections Request)

**HOUSE COMMITTEE:** Institutions

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

There are no uniform statewide guidelines governing the Department of Corrections' ability to request assistance from city, county, and state law enforcement agencies to assist the department in quelling riots at state correctional facilities.

**SUMMARY:**

The Secretary of the Department of Corrections or the Secretary's designee must develop contingency plans for dealing with disturbances at state penal facilities. The plans must be developed or revised at least annually in cooperation with representatives of state and local agencies.

State, county, and municipal law enforcement agencies may provide assistance in restoring order at state penal institutions when requested by the Secretary of the Department of Corrections or the Secretary's designee. The officers who respond to such a request will be under the direct supervision of their superiors who will, in turn, answer to the Secretary. The state will reimburse cities and counties for their expenses incurred in responding to the Secretary's request for assistance. The state will also reimburse cities and counties for expenses incurred which result from the physical injury of an officer who is injured while responding to the Secretary's request.

**Future Obligation:** The Secretary must report to the Legislature, annually, if state and local agencies have declined to participate or cooperate in the development or implementation of contingency plans for dealing with disturbances.

**VOTES ON FINAL PASSAGE:**

House 96 0  
Senate 48 0

**EFFECTIVE:** June 10, 1982

**HB 980**

C 127 L 82

**BRIEF TITLE:** Modifying the energy allowance for public assistance recipients.

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

**HOUSE COMMITTEE:** Human Services

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

Eligibility for food stamps is determined by a person's income. The state designates a portion of a public assistance grant as an "energy allowance" and does not include the "energy allowance" as income. This exclusion from income increases the amount of food stamps a recipient may receive.

The federal Department of Agriculture has notified the state of failure to comply with the Food Stamp Act of 1977. The Food Stamp Act requires that the "energy allowance" be related to increases in public assistance grants due to increases in energy costs and be calculated on a seasonal basis.

**SUMMARY:**

Public assistance payments must have a monthly energy allowance designated as a part of the grant. This allowance will be excluded from consideration as "income," to the maximum extent exclusion is authorized by federal law, for determining eligibility and benefit levels under the food stamp program.

Any future increases in public assistance grants this biennium will be designated as an "energy allowance." Of the total amount appropriated or transferred for income assistance, an amount, not in excess of \$50,000,000, is designated as the energy assistance allowance.

**VOTES ON FINAL PASSAGE:**

House 93 0  
Senate 32 13

**EFFECTIVE:** April 1, 1982

**2SHB 987**

**PARTIAL VETO**

C 10 L 82 E1

**BRIEF TITLE:** Placing limitations on certain payments to school employees.

**SPONSORS:** House Committee on Appropriations-General Government and Compensation (Originally Sponsored by House Committee on Appropriations-General Government and Compensation and Representatives Williams, Wang, McDonald, Ellis and James)

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**INITIAL SENATE COMMITTEE:** Ways and Means  
**ADDITIONAL SENATE COMMITTEE:** Rules

**BACKGROUND:**

Some school district board of directors have approved compensation for selected employees merely to inflate the employees' retirement allowances. Examples of such payments are: payments in lieu of a fringe benefit; payments for excessive amounts of unused vacation leave; and payments for a commitment by the employee to retire.

These payments have little or no effect on the school district budget, but do have an effect on the state funded pension systems.

**SUMMARY:**

A school district board of directors is prohibited from making a payment:

- (1) in lieu of providing a fringe benefit;
- (2) for unused vacation leave;
- (3) conditioned on termination or retirement of an employee.

Early termination of a contract is allowed, but compensation received for contract termination may not be counted for retirement purposes.

Increased retirement benefit costs as a result of salary payments beyond a specified level are to be paid by the school district.



## VOTES ON FINAL PASSAGE:

Regular Session

House 96 0  
 Senate 46 0 (Senate amended)

First Special Session

House 97 0  
 Senate 45 0 (Senate amended)  
 House 94 0 (House concurred)

EFFECTIVE: March 27, 1982

## PARTIAL VETO SUMMARY:

The Governor vetoed a provision which would have prohibited school boards from paying school employees for unused vacation leave. Had this provision been permitted to stand, then school district employees would not be able to increase their retirement benefits by having their annual leave pay included in their last two years' compensation. (See VETO MESSAGE)

**HB 999**

C 123 L 82

BRIEF TITLE: Authorizing island library districts.

SPONSORS: Representatives Fiske, Lundquist and McDonald

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

## BACKGROUND:

Existing law provides for the creation of library districts (county rural library districts, inter-county rural library districts, and regional library districts) in the unincorporated areas of a county or more than one county. No library district may be created that constitutes an area less than all of the unincorporated area of a county. Library districts are authorized to impose property taxes to fund other activities.

## SUMMARY:

"Island library districts" will be formed in very limited circumstances. Such a district will only be formed on a single island, located in a county made up exclusively of islands that has a population of 25,000 or less at the time of the creation of the island library district. This only applies to San Juan County. An island library district is formed by a process similar to how a county rural library district is formed and possesses the general powers of a county rural library district,

i.e., can impose regular, nonvoter approved, property taxes of up to 50 cents per \$1,000 of assessed valuation for library purposes, issue general obligation bonds, retire such bond with multi-year voter approved excess property tax levies, and impose single year voter approved property tax levies.

An island library district is automatically dissolved if it is included within a county rural library district that is created in the entire unincorporated areas of the same county. The assets and liabilities of the island library district are transferred to the larger district in such circumstances, except that assumption of bonded indebtedness only occurs upon voter approval of such assumption.

## VOTES ON FINAL PASSAGE:

House 98 0  
 Senate 38 4

EFFECTIVE: June 10, 1982

**SHB 1006**

C 232 L 82

BRIEF TITLE: Revising law on compensation for taking of property by governments.

SPONSORS: House Committee on Local Government (Originally Sponsored by House Committee on Local Government and Representatives Sanders, King (R.), Barrett, Owen, Chamberlain, Scott, Leonard, Kreidler, Isaacson, Monohon, Berleen, James, Lewis and Eberle)

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Judiciary

## BACKGROUND:

No statutory law exists establishing the potential of damages being imposed upon any governmental entity for its actions concerning the issuance of permits that place restrictions on the use of land in excess of those contained in applicable regulations.

## SUMMARY:

The owners of interests in real property who have filed an application for a permit to use or transfer their property are granted a cause of action to recover damages against a public entity for: (a) placing added restrictions on a permit that are in excess of the regulations applicable at the date the application for the

permit was filed if such act by the public entity was arbitrary, capricious, unlawful or in excess of the lawful authority; or (b) failing to act within time limits established by law.

Damages include reasonable expenses and losses actually suffered that are caused by the public entity's acts that have been incurred between the time a cause of action arises and the time the owner is granted relief. Damages are not based upon diminution in value of or damage to real property litigation expenses, or speculative losses or profits. The prevailing party may be awarded reasonable costs and attorneys' fees.

A cause of action is not allowed for: (1) unintentional procedural or ministerial errors of the agency; or (2) when the property owner agrees in writing to time extensions or conditions; or (3) invalidation of a regulation in effect prior to the date of the application for a permit; or (4) unlawful actions or actions in excess of lawful authority if such unlawfulness was not known or it was not reasonable to have known of the unlawfulness; or (5) lawful decisions of an agency which are designed to prevent a condition which would constitute a threat to the health, safety, welfare, or morals of residents in the area; or (6) when the act was mandated by a change in statute or state rule or regulation and that such change became effective subsequent to the filing for a permit.

A lawsuit must be initiated within 30 days of the exhaustion of all administrative remedies.

**VOTES ON FINAL PASSAGE:**

House	91	2
Senate	43	2 (Senate amended)
House	97	1 (House concurred)

**EFFECTIVE:** June 10, 1982

**SHB 1011**

C 229 L 82

**BRIEF TITLE:** Defining and limiting the appearance of fairness doctrine.

**SPONSORS:** House Committee on Local Government (Originally Sponsored by House Committee on Local Government and Representatives Isaacson and Martinis)

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

Washington State Appellate Courts have established the "appearance of fairness" doctrine in a number of decisions. This doctrine governs the conduct and relationships in various "quasi-judicial" proceedings. Many of these quasi-judicial decisions involve local land use actions, such as the review of a proposed subdivision or a proposed rezone affecting a small, limited area.

Essentially, this doctrine provides that not only must such quasi-judicial hearings in fact be fair, but to a neutral observer aware of all the evidence and testimony presented at the hearing, the hearing must appear to be fair. Both procedural irregularities and the interests or relationships of a member of the quasi-judicial body participating in the decision have generated appearance of fairness doctrine problems. A person with an appearance of fairness doctrine problem must step aside and not participate in the quasi-judicial, or the decision will be voided. There is no statutory law governing this doctrine.

**SUMMARY:**

The Appearance of Fairness Doctrine would be limited by statute as follows:

- 1) Concerning local land use matters, the doctrine only applies to quasi-judicial, and not legislative, decisions. Quasi-judicial actions are described to be those which determine the rights, duties, or privileges of specified parties in contested case decisions.
- 2) Legislative actions of local legislative bodies and executive officials shall not be invalidated under the doctrine.
- 3) No official may be disqualified by the doctrine for conducting "the business of his or her office" with a constituent on matters other than a pending quasi-judicial matter.
- 4) Public statements or opinions expressed on pending or proposed quasi-judicial actions shall not violate the doctrine when expressed by a person who is campaigning for any public office or by anyone who subsequently declares himself as a candidate for any public office.
- 5) The acceptance of a campaign contribution shall not violate the doctrine.
- 6) Prior participation in earlier proceedings resulting in an advisory recommendation to a decision-making body shall not disqualify that person from participating in subsequent quasi-judicial proceedings.

- 7) Anyone seeking to rely on the doctrine to disqualify a member of a decision-making body must raise the doctrine prior to the rendering of the decision if the impairment was known or it was reasonable to have been known.
- 8) The Doctrine of Necessity is recognized, allowing persons disqualified by the Appearance of Fairness Doctrine to fully participate in the decision if the disqualification results in the lack of a quorum or would otherwise result in the failure to obtain a majority vote.
- 9) During the pendency of a quasi-judicial proceeding, a member of the decision-making body may not engage in ex-parte communications with opponents or proponents in respect to the proposed subject of the proceeding. However, correspondence between citizens and officials, and the receipt of specific information from parties, is allowed and is made part of the record.
- 10) Challenges to local land use decisions are allowed where actual violations of an individual's right to a fair hearing can be demonstrated.

**VOTES ON FINAL PASSAGE:**

House	97	1	
Senate	37	11	(Senate amended)
House	95	2	(House concurred)

**EFFECTIVE:** April 3, 1982

**SHB 1012**

C 165 L 82

**BRIEF TITLE:** Authorizing fees for surveys and maps supplied from DNR.

**SPONSORS:** House Committee on Appropriations-General Government and Compensation (Originally Sponsored by House Committee on Appropriations-General Government and Compensation and Representative Williams)

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**SENATE COMMITTEE:** Natural Resources

**BACKGROUND:**

The Department of Natural Resources (DNR) surveys and maps sub-program is funded from state general

funds and receipts from the sale of maps, photos and survey data. County filing and recording fees do not now support the DNR surveys and maps sub-program.

The State Auditor took exception to the DNR practice of depositing map sale revenues in the DNR equipment revolving fund and recommended creation of a separate account.

State law authorizes the Interagency Committee for Outdoor Recreation to produce a guide of public parks and recreation sites.

**SUMMARY:**

A surveys and map account is created in the general fund for deposit of moneys received from the sale of maps, map data, photographs and publications. The exclusive use of moneys in the account by the Department of Natural Resources is specified.

County auditors are required to charge a fee, established by the department in consultation with the Survey and Maps Advisory Board, for filing surveys, plats or maps. Allocation of 90 percent of the fee is to be made to the surveys and maps account and allocation of the remaining 10 percent is to be made to the county expense fund. Money in the surveys and maps account can be spent only for the maintenance, sale and distribution of survey records information.

The Department of Natural Resources, in consultation with the Interagency Committee for Outdoor Recreation, shall establish a fee to cover the production and distribution of the public parks and recreation guide.

**VOTES ON FINAL PASSAGE:**

House	90	3	
Senate	46	0	(Senate amended)
House	90	8	(House concurred)

**EFFECTIVE:** June 10, 1982

**HB 1013**

C 44 L 82

**BRIEF TITLE:** Establishing a limited small business innovators' opportunity program.

**SPONSORS:** House Committee on Labor and Economic Development and Representatives Nelson (G.), Sanders, King (J.), Patrick, Cole, Barr, Lux and Johnson

HOUSE COMMITTEE: Labor and Economic  
Development

SENATE COMMITTEE: Commerce and Labor

**BACKGROUND:**

The obstacles faced by private inventors are formidable. Would-be inventors are often discouraged by lack of response or support from private corporations and become unsure as to how to proceed with their ideas. They may spend large sums of money before learning their ideas are not marketable or capable of being patented.

**SUMMARY:**

As a pilot project, the Department of Commerce and Economic Development (DCED) is to establish a small business innovator's opportunity program. The program would evaluate innovative ideas for marketability and patentability. Only individuals and businesses with 50 or fewer employees that are not subsidiaries of other companies are eligible to participate.

DCED is to set a user fee designed to recover the costs of the pilot program and to continue the service until June 30, 1984.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	43	5

**EFFECTIVE:** June 10, 1982

**SHB 1015**

C 34 L 82

**BRIEF TITLE:** Providing for the construction of the state convention and trade center.

**SPONSORS:** House Committee on Ways and Means (Originally Sponsored by Representatives Greengo, Sommers, Chandler, O'Brien, Struthers, Warnke, Tilly, Thompson, Williams, Armstrong, Ellis, Sanders, Maxie, Cantu, Teutsch and Johnson)

HOUSE COMMITTEE: Ways and Means

SENATE COMMITTEE: Ways and Means

**BACKGROUND:**

Washington State is in need of a focal point for its growing international trade activities. Development of a Washington State Convention and Trade Center will provide such a focal point, as well as a major convention center for attracting out-of-state money (through trade, convention and tourism business).

**SUMMARY:**

The construction of a state convention and trade center in Seattle is authorized. This center will be built by a nonprofit corporation formed by the Governor, who will appoint its nine directors. The public nonprofit corporation formed by the Governor shall be formed in the same manner as a private nonprofit corporation is formed under RCW 24.03.

The State Finance Committee is authorized to issue up to \$99 million of Washington State general obligation bonds to finance the construction, operation and other costs incidental to the center. No more than \$90 million may be used for the construction of the center. Payment of the bonds' principal and interest will be made from general fund revenues. However, the general fund is to be fully reimbursed from: (1) the proceeds of a special state sales tax on King County hotel and motel room rentals, and (2) the convention center's operating revenues. The Legislature may increase the rate of taxes levied in this act on rentals of hotel and motel rooms and trailer camp sites for paying off the bonds.

Any deficiency in this reimbursement is a continuing obligation and must be made up as soon as tax revenue from the special sales tax is available.

The special sales tax will take effect April 1, 1982 and will be imposed only in King County. On this date the state will impose a sales tax on the rental of hotel and motel rooms and trailer camp sites in premises having 60 or more units. From April 1, 1982 to December 31, 1982, this tax will be 3 percent in Seattle and 2 percent in the remainder of King County. Beginning January 1, 1983, the tax will be 5 percent in Seattle and 2 percent in the remainder of King County. The tax will continue until the principal and interest on the bonds is fully repaid. In addition, the Legislature may provide additional sources of funds for paying off the bonds.

After January 1, 1983, King County and its cities would be prohibited from imposing license fees and business and occupation taxes on hotels, motels and trailer camps at rates above those imposed on other retailers. The only exception is Bellevue, which may

impose a sales tax of 3 percent or less on the rental of lodging in premises with 60 or more units. The revenue from this tax must be used for the construction of convention facilities.

**VOTES ON FINAL PASSAGE:**

House	79	17	
Senate	33	13	(Senate amended)
House	75	17	(House concurred)

**EFFECTIVE:** March 19, 1982

**HB 1017**

C 69 L 82

**BRIEF TITLE:** Modifying the law on camping clubs.

**SPONSORS:** Representatives Barrett, Granlund, Bickham, King (J.), Schmidt, Kreidler, Sanders, Brekke, Johnson, Kaiser, Houchen, Cole, Prince, Lux, Owen, Stratton, Smith, Chamberlain, Ehlers, Heck, McGinnis and Struthers

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The Camping Club Act is designed to regulate the sale of a real estate interest in a particular campsite at a specific campground. The camping club concept now includes businesses that sell memberships conveying a right to use multiple campsites at different campgrounds owned by a developer. However, if the club does not assign a specific site, it is not a camping club under existing law.

Irresponsible and unethical business practices have occurred because there is no specific regulation of campsite membership sales. Damage to the consumer and to the responsible business operators have resulted. Where appropriate one may get relief by resorting to the Consumer Protection Act, the Land Development Act, the Securities Act or the Retail Installment Sales Act.

In the last 10 years companies selling memberships for campsite grounds have made an estimated 125,000 sales presentations and have sold an estimated 20,000 memberships in Washington.

**SUMMARY:**

A camping club's primary purpose is to offer camping or outdoor recreation including campsites. A camping club contract gives the purchaser the right to use the property and facilities of the club for more than 30 days.

Camping club contracts and camping club salespersons are required to be registered with the Department of Licensing (DOL) which administers the Act.

DOL can impound funds from camping club sales where the applicant or registrant does not have adequate financial resources to provide anticipated properties and facilities represented to purchasers.

A camping club operator is required to file its proposed advertising with DOL five days prior to the first use of a campground.

Sellers of camping club contracts must make written disclosures to prospective buyers before they sign contracts.

There are nine grounds for denial, suspension or revocation of applications for registration or a \$1,000 fine may be imposed.

Purchasers of camping club contracts have a three-day "cooling-off" period by mailing notice to the camping club operator.

Buyers who do not inspect the property before signing the contract can cancel the contract by mailing notice to the club operator within six days of signing the contract.

Up to two years after signing a contract, the buyer may void the contract and recover the entire payment made if the camping club contract is not registered with DOL or the seller does not make written disclosures. Such disclosures include financial capabilities, available facilities, ownership, payments to be made by purchasers and a copy of the contract form.

Camping club contract registrations must be renewed annually.

DOL and the Attorney General (AG) enforce the Act.

Willful violations are misdemeanors; material violations may also be construed as civil violations subject to the Consumer Protection Act.

The director may exempt any person from any requirement of the Act, require additional disclosure information from applicants and issue other rules to implement the Act. The power of the director to exempt persons from coverage under the Act is limited to those camping club contracts which are essentially noncommercial.

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**HB 1017**

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The current law is repealed.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	41	6 (Senate amended)
House	95	0 (House concurred)

**EFFECTIVE:** November 1, 1982

**SHB 1024**

C 164 L 82

**BRIEF TITLE:** Requiring the use of sheltered workshops for printing services for state agencies and departments under certain circumstances.

**SPONSORS:** House Select Committee on Deregulation and Productivity (Originally Sponsored by Representatives McGinnis, Brown, Johnson, Stratton, Lewis, Leonard, Sanders and Granlund)

**HOUSE COMMITTEE:** Select Committee on Deregulation and Productivity

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

Under state law, the public printer is directed to provide any printing and binding needed by the Legislature and most state agencies. He also operates copy centers in Olympia and Seattle. The printer is authorized to contract with private companies for any of these services whenever it is cost effective to do so. Institutions of higher education and institutions or agencies of the Department of Social and Health Services not located in Olympia are authorized to contract privately for printing or copying services costing less than \$200. The public printer administers all contracts exceeding \$200.

Some sheltered workshops for the training of handicapped and developmentally disabled persons are equipped to provide printing and copying services for state agencies and private companies. State law encourages, but does not require, governmental agencies to use these kinds of services whenever it is cost effective to do so.

**SUMMARY:**

State agencies are required to purchase printing and copying services from sheltered workshops, training centers, or group training homes located within a reasonable distance from the state agency if the contract is less than \$200 and the services are available at a competitive price. In-house copiers, in-house printing and binding facilities, and institutions of higher learning are exempted from this requirement.

Future Obligations: Regional Directors for Vocational Rehabilitation are directed to provide sheltered workshops with the names and addresses of each state agency locally requiring printing and copying services, and with copies of this section. The public printer is required to investigate and correct any claims for overcharges.

The public printer is required to notify sheltered workshops of the opportunity to competitively bid on jobs costing more than \$200.

A performance audit by the Legislative Budget Committee is due by December 31, 1985.

Sunset Provision: The act will terminate on June 30, 1986 unless extended by law.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	44	0 (Senate amended)
House	98	0 (House concurred)

**EFFECTIVE:** June 10, 1982

**HB 1036**

C 50 L 82

**BRIEF TITLE:** Implementing law relating to vendor payments by treasurer for state board for community college districts.

**SPONSORS:** House Committee on Higher Education and Representative Teutsch

**HOUSE COMMITTEE:** Higher Education

**SENATE COMMITTEE:** Higher Education

**BACKGROUND:**

All 22 of the community college districts have converted to a common financial accounting and reporting system which handles transactions automatically. The system provides the data base for financial reports to the Office of Financial Management and Legislature. Since the districts have their own local

funds, the system is tied to their direct check-writing capacity.

The State Board for Community College Education (SBCCE) does not have a direct check-writing capacity, but must disburse funds through warrants drawn by the State Treasurer.

As a result, there is no common financial data base including both the districts and the SBCCE. The system's financial reports cannot provide a complete picture of community college expenditures. The SBCCE financial data must be added by hand and new totals made.

#### SUMMARY:

The State Treasurer is empowered to provide funds against which the SBCCE could write checks. The first month's allowance is 24 percent of the SBCCE average monthly allotment. At the end of the month, the SBCCE is provided with a new sum which is equal to the amount the board paid out from the initial amount. The Treasurer calculates the reimbursement at the beginning of the 24th month of the biennium in such a way as to deduct the amount of the initial 24 percent advance.

#### VOTES ON FINAL PASSAGE:

House	97	1
Senate	45	0

EFFECTIVE: June 10, 1982

## SHB 1041

C 45 L 82

**BRIEF TITLE:** Applying the marketing contract provisions to foreign agricultural cooperative associations.

**SPONSORS:** House Committee on Agriculture (Originally Sponsored by Representatives Fiske, Galloway, Van Dyken and Smith)

**HOUSE COMMITTEE:** Agriculture

**SENATE COMMITTEE:** Agriculture

#### BACKGROUND:

The state's statutes on agricultural cooperative associations authorize the Director of Agriculture to approve the form of the marketing contracts used by

the co-ops organized under those statutes. The director may require the contracts to set the maximum amount of any reserves to be deducted from the sale price of the products of the co-op's members. The director may also require the contract to contain a date upon which settlement will be made for the crops or products marketed.

Those statutes also permit the marketing contracts to require members to sell all or part of their commodities to or through the co-op or its facilities. Parties to such a contract may terminate it at the end of 10 years or thereafter.

Chapters 23A.32 and 24.06 RCW prohibit certain foreign corporations from conducting affairs in this state without securing certificates of authority to do so from the Secretary of State.

#### SUMMARY:

The provisions of state law regarding the marketing contracts of agricultural cooperative associations apply to foreign agricultural cooperative associations seeking to conduct affairs in this state.

State laws requiring certain foreign corporations to secure certificates of authority from the Secretary of State to conduct affairs in this state are amended. A foreign agricultural co-op seeking such a certificate must provide evidence that it has complied with state law regarding the marketing contracts of agricultural co-ops.

#### VOTES ON FINAL PASSAGE:

House	96	0
Senate	48	0

EFFECTIVE: June 10, 1982

## SHB 1047

C 51 L 82

**BRIEF TITLE:** Authorizing dentists qualified in anesthesiology to administer anesthetics for any operation.

**SPONSORS:** House Committee on Human Services (Originally Sponsored by Representatives Johnson, Mitchell, Kreidler, Grimm, Tupper, Teutsch, Cantu, Hankins, Winsley, McGinnis, Lundquist, Lewis, Brown, Hine, Vander Stoep and Ellis)

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**SHB 1047**

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HOUSE COMMITTEE: Human Services

SENATE COMMITTEE: Commerce and Labor

**BACKGROUND:**

A dentist cannot administer anesthesia except in connection with the practice of dentistry.

**SUMMARY:**

A dentist need not be licensed as a physician when administering nondental anesthesia under circumstances where he or she has completed a residency from an approved medical school and has been authorized by the patient's attending surgeon, psychiatrist or obstetrician. The Medical Disciplinary Board is authorized to suspend or revoke this authorization in disciplinary proceedings.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	39	2

**EFFECTIVE:** June 10, 1982

## **SHB 1063**

C 85 L 82

**BRIEF TITLE:** Modifying provisions relating to alcoholic beverages.

**SPONSORS:** House Committee on Labor and Economic Development  
(Originally Sponsored by House Committee on Labor and Economic Development and Representatives Sanders and Schmidt)

HOUSE COMMITTEE: Labor and Economic Development

SENATE COMMITTEE: Commerce and Labor

**BACKGROUND:**

Businesses hosting commercial functions are prohibited from serving liquor at such functions.

When the applicant for a license to sell beer, wine or liquor by the drink wants to locate within 500 feet of a church or school, the Liquor Control Board (LCB) will not grant the license unless LCB receives written notice from the church or school that there is no objection to the application.

No club is issued a Class H license to sell liquor by the drink unless it has been in continuous operation for a

year before it makes application to obtain the license. If the club is organized for profit, its restaurant and lounge must be open to the public. Class H licenses are issued to hotel, restaurants and clubs.

A licensed domestic winery is prohibited from also having wholesale and Class F wine retailer licenses.

An annual brewer's license fee is \$2000 regardless of the number of barrels produced.

A Class J license enables a licensee to sell wine on special occasions. On no more than two occasions per year a nonprofit organization may sell unopened bottles for off-premise consumption.

In-state or out-of-state manufacturers, importers, wholesalers, financial institutions and institutional investors are prohibited from (i) having any financial interest in any licensed liquor retail business, or (ii) owning any property in which such liquor retail business is conducted.

Manufacturers, importers, and wholesalers are prohibited from assisting beer and wine retailers at special events, and promoting the sale of their products at such functions.

Retail licensees or firms financially interested in such retail licensees are prohibited from having a financial interest in businesses providing bottling or canning services to a manufacturer of beer or wine.

Universities, colleges, community colleges, vocational education and other higher educational institutions are not authorized to permit students to use wine in preparing food in culinary or restaurant courses.

Beer and wine cannot be offered in a glass without charge to patients, their family members and visitors at hospitals and nursing homes for on-premise consumption.

Wine retailers are not permitted to solicit, take orders for, or sell and deliver unopened wine as a gift.

A winery, wherever located, is not eligible for a wholesale distributing license and cannot have a financial interest in nor own the business or property of a wine wholesaler. Domestic wineries can be licensed wholesalers of their wines for up to 75,000 gallons a year.

**SUMMARY:**

Businesses are authorized to apply to LCB for a special permit to consume liquor for consumption on the premises of such business.

LCB is required to give written notice to schools and churches within 500 feet of the premises to be



licensed. LCB will not issue the license if the affected school or church sends written notice to LCB within 20 days that it objects to the license.

LCB may issue a Class H liquor license to a restaurant that is open only to private members if it has been in continuous operation for at least one year.

A domestic winery is deemed to have a winery, wholesaler and Class F license upon payment of a single fee, but such winery is limited to sales of its own product.

The annual license fee for brewers is set at \$50 per 1000 barrels produced, with the maximum annual fee set at \$2000.

A Class J license holder may obtain additional permits to sell wine from opened bottles for on-premise consumption.

Financial institutions and institutional investors shall not be prohibited from having a financial interest in or owning the property of a licensed liquor retail business as long as the financial institution or institutional investor does not influence the retailer's purchases of liquor.

Manufacturers, importers or wholesalers are permitted to provide services on special occasions to beer or wine retail licensees for (1) installation of draft beer dispensing equipment or advertising and (2) advertising, pouring or serving wine at a wine tasting or judging exhibition.

A retail licensee may have an interest in a business which provides services of bottling or canning to a manufacturer for compensation.

Beer, wine, or spiritous liquor may be used in conjunction with a restaurant or food fermentation course offered by a vocational or other listed school. Persons under 21 may handle liquor as part of such a course.

Beer and wine may be offered in a glass without charge to hospital and nursing home patients, their family members and visitors who are at least 21 years of age.

A special gift wine service Class P retailer's license is created to take orders for, sell and deliver unopened wine to persons other than the person placing the order. A Class P licensee may not hold any other retail license under the liquor laws. Such licensee shall not make door-to-door solicitations and shall not deliver more than one bottle of wine to the same address in any 24-hour period.

The statutes are repealed that prohibited wineries, wherever located, from obtaining a wholesaler's license and/or having a financial interest in or owning the property of a wine wholesaling business.

**VOTES ON FINAL PASSAGE:**

House	65	29	
Senate	38	8	(Senate amended)
House	72	25	(House concurred)

**EFFECTIVE:** March 27, 1982

**HB 1066**

C 124 L 82

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

**SPONSORS:** House Committee on Institutions and Representative Houchen

**HOUSE COMMITTEE:** Institutions

**SENATE COMMITTEE:** Judiciary

**BACKGROUND:**

The Criminal Justice Training Commission is prohibited by law from leasing training facilities for longer than three years at a time.

**SUMMARY:**

The three year limit on the length of a training facility lease is dropped, allowing the Criminal Justice Training Commission to enter into leases of any length, subject to the approval of the Department of General Administration.

**VOTES ON FINAL PASSAGE:**

House	98	0
Senate	47	1

**EFFECTIVE:** June 10, 1982

**HB 1067**

C 25 L 82

**BRIEF TITLE:** Updating statutory references within the Model Traffic Ordinance.

**SPONSORS:** House Committee on Transportation and Representatives Garrett and Wilson

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

**BACKGROUND:**

The Washington Model Traffic Ordinance (MTO) was enacted in 1975 to provide a comprehensive and uniform traffic laws guide. The guide can be adopted, by reference, by any local authority to serve as its local traffic ordinance. The authority may adopt the ordinance in full, or in part, and may at any time exclude any section(s) it does not wish to include in its local traffic ordinances.

The addition of any new section, amendment or repeal of an existing section in the Model Traffic Ordinance by the Legislature automatically amends any local ordinance adopted by references. This makes it unnecessary for the local legislative authority to take action with respect to additions, amendments, or repeals.

**SUMMARY:**

The MTO is updated to reflect legislation enacted during the 1980 and 1981 sessions.

RCW additions to the MTO are:

- 46.44.180: Making it unlawful to operate a mobile home pilot vehicle without insurance in specified amounts. (Enacted 1980, Safety)
- 46.61.470: Evidence of speeding based on a timing device operated from an aircraft is admissible in speeding cases. (Enacted 1981, Rules of the Road)
- 46.63.130: Authorizing service of process by a court of limited jurisdiction regarding an alleged traffic infraction anywhere within the state. (Enacted 1980, Traffic Infractions)
- 46.63.140: Providing for presumption that a traffic infraction for stopping, standing or parking unlawfully is done by the registered owner of the vehicle. (Enacted 1980, Traffic Infractions)
- 46.63.151: Making each party in a traffic infraction case responsible for costs incurred by that party. (Enacted 1981, Traffic Infractions)

RCW deletion from the MTO:

- 46.90.424: "U" Turns. There are currently two "U" turn provisions in the MTO. The more restrictive provision, RCW 46.90.424, appears only in the MTO and is somewhat inconsistent with the state "U" turn law (RCW 46.61.295) which is adopted by reference in the Model.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	38	3

**EFFECTIVE:** March 11, 1982**HB 1072**

C 190 L 82

**BRIEF TITLE:** Designating a portion of a state-employed chaplain's salary as rental value for a home.**SPONSORS:** House Committee on Institutions and Representatives Ellis and Vander Stoep**HOUSE COMMITTEE:** Institutions**SENATE COMMITTEE:** State Government**BACKGROUND:**

Chaplains who are employed by the state in correctional or other institutions currently do not have a portion of their salaries or wages designated as a "housing allowance."

The Internal Revenue Code provides that when a portion of a minister's pay is designated as either the rental value of a home or as a housing or rental allowance that portion does not constitute gross income for income tax purposes.

Many clergy in the private sector have the benefit of a non-taxable "housing allowance." Chaplains employed by the state would like to have the benefit of this non-taxable allowance.

**SUMMARY:**

Chaplains employed by the state shall have designated in their salary an amount up to 40 percent of their gross salary as either the rental value of a home or a housing or rental allowance.

**VOTES ON FINAL PASSAGE:**

House	87	7
Senate	40	8

**EFFECTIVE:** April 1, 1982

**HB 1074**

C 86 L 82

**BRIEF TITLE:** Authorizing banks or trust companies to make certain investments.

**SPONSOR:** Representative Smith

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

Federal Land Banks make long-term, first mortgage loans through Federal Land Bank Associations. Farmers own the associations, which in turn own the land banks.

Federal Intermediate Credit Banks provide loan funds to local farmer-owned Production Credit Associations. These associations lend to farmers, ranchers and farmers of the sea for seasonal operating purposes and for the financing of capital expenditures. The Intermediate Credit Banks also provide funds for farm loans to other lenders, including agricultural credit corporations and commercial banks.

Money for this farm credit system is obtained by selling securities.

The Farm Credit Act Amendments of 1980 allowed federally-chartered commercial banks to invest in the stock or participation certificates of Production Credit Associations, Federal Intermediate Credit Banks, and Federal Land Banks.

**SUMMARY:**

State-chartered commercial banks are granted authority to invest in stock or participation certificates of Production Credit Associations, Federal Intermediate Credit Banks and Federal Land Banks.

**VOTES ON FINAL PASSAGE:**

House	93	0
Senate	39	0

**EFFECTIVE:** June 10, 1982

**HB 1084**

C 7 L 82 E1

**BRIEF TITLE:** Clarifying law relating to terms and qualifications of state board of education members.

**SPONSORS:** House Committee on Education and Representative Taylor  
(By State Board of Education Request)

**HOUSE COMMITTEE:** Education

**INITIAL SENATE COMMITTEE:** Education

**ADDITIONAL SENATE COMMITTEE:** Rules

**BACKGROUND:**

The 1980 census allotted Washington State an eighth congressional district. The State Board of Education is comprised of two members from each congressional district and one nonvoting member elected at large. Current statute requires the Superintendent of Public Instruction to call an election to fill the two new seats on the State Board. There is no provision in statute for current board members to finish their term of office after a change in congressional district boundaries.

**SUMMARY:**

In the event new or additional congressional districts are created, existing State Board members may finish their term of office if their residence remains within the boundaries of the congressional district as it existed at the time of their election or appointment. Any vacancy occurring before the end of an existing term will be filled on the same basis. At the end of the term of office, the new boundaries of the same numbered congressional district will be used to elect members from that district. A State Board member who moves outside of the applicable congressional district boundaries immediately forfeits his or her membership on the State Board. If a member becomes ineligible, any actions taken by the board prior to notification of ineligibility will not affect the validity of board actions in which the ineligible member participated.

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**HB 1084**

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**VOTES ON FINAL PASSAGE:**Regular Session

House 96 0  
Senate 32 13 (Senate amended)  
House (House refused to concur)

First Special Session

House 95 2  
Senate 31 13 (Senate amended)  
House (House refused to concur)  
Senate 40 3 (Senate receded)

**EFFECTIVE:** July 10, 1982**HB 1092**

C 16 L 82 E1

**BRIEF TITLE:** Modifying the unfair cigarette sales act.**SPONSORS:** Representatives Struthers, Hastings and McGinnis**HOUSE COMMITTEE:** Revenue**INITIAL SENATE COMMITTEE:** Ways and Means**ADDITIONAL SENATE COMMITTEE:** Rules**BACKGROUND:**

The "Unfair Cigarette Sales Act" establishes pricing guidelines for wholesalers and retailers of cigarettes. These guidelines are intended to prevent the sale of cigarettes at prices below costs incurred by wholesalers and retailers in the acquisition and marketing of cigarettes.

Under the pricing guidelines, cigarette prices must equal or exceed the sum of acquisition and marketing costs. Rules for determining these costs are included in the Unfair Cigarette Sales Act. Alternatively, prices can be based on acquisition costs plus minimum percentage mark-ups that are set by the Act.

The Department of Revenue has the responsibility of enforcing the pricing requirements of the Unfair Cigarette Sales Act.

**SUMMARY:**

Several changes are made in the rules that cigarette wholesalers and retailers must follow in determining their costs.

Fees for cigarette wholesaling and retailing licenses are increased. Revenues from the license fee increases

(\$70,700 for the remainder of this biennium) are placed in the state general fund.

An appropriation of \$70,700 is made to the Department of Revenue for the 1981-83 biennium for administration of the Unfair Cigarette Sales Act.

**VOTES ON FINAL PASSAGE:**Regular Session

House 62 33  
Senate 28 17 (Senate amended)

First Special Session

House 63 34  
Senate 29 14 (Senate amended)  
House 53 37 (House concurred)

**EFFECTIVE:** July 10, 1982**HB 1099**

C 55 L 82 E1

**BRIEF TITLE:** Revising forest fire protection assessments.**SPONSORS:** House Committee on Appropriations-General Government and Representative Williams**HOUSE COMMITTEE:** Appropriations-General Government**SENATE COMMITTEE:** none**BACKGROUND:**

If a forest landowner fails to provide adequate fire protection as required by the Department of Natural Resources, the landowner is annually charged an acreage fee through forest patrol assessments and emergency forest fire suppression assessments. Because there is no minimum assessment, sometimes the cost of collection on small parcels is greater than the amount collected. Funding for the department's fire protection program is derived from these two assessments plus state general funds and, to a lesser extent, federal funds.

**SUMMARY:**

A minimum fee is established for both forest landowner assessments:

Forest Patrol Assessment — The current 1 cent/acre administrative charge is eliminated and included in the regular assessment bringing the assessment in Western Washington to 21 cents/acre and in Eastern

Washington to 17 cents/acre. The minimum assessment for parcels under 30 acres is \$6.30/parcel in Western Washington and \$5.10/parcel in Eastern Washington.

If a person owns more than one parcel in the same county and the combined acreage does not exceed 30 acres, one minimum fee may be paid to cover all parcels within that county.

To qualify all parcels under the single minimum payment, a list of parcels which has been certified by the county assessor must be submitted to the Department of Natural Resources by January 1 and the minimum assessment must be paid within 10 days.

Forest Fire Suppression Contingency Fund — The Department of Natural Resources is to establish a minimum assessment for parcels under 30 acres but such an assessment shall not exceed \$3.00/parcel.

#### VOTES ON FINAL PASSAGE:

##### First Special Session

House	73	22	
Senate	30	17	(Senate amended)
House	76	17	(House concurred)

EFFECTIVE: July 10, 1982

## SHB 1109

C 36 L 82 E1

**BRIEF TITLE:** Modifying provisions relating to the budget stabilization act.

**SPONSORS:** House Committee on Ways and Means (Originally Sponsored by Representatives Sommers, Greengo and King (J.))

**HOUSE COMMITTEE:** Ways and Means

**SENATE COMMITTEE:** Ways and Means

#### BACKGROUND:

The budget stabilization account was created so that during periods of economic decline when state revenues fall below budgeted levels, revenues would be available to help offset budget reductions that would otherwise occur.

Under current law, the State Treasurer is required to transfer revenues into the stabilization account equal to 1 percent of state revenues. Transfers are to be made quarterly beginning in September 1983.

Transfers from the stabilization account into the general fund can only be made pursuant to an appropriation by the Legislature. This can be done either directly or through executive order if so authorized by the Legislature. However, transfers made by the Governor would be subject to approval by the Legislative Budget Committee.

#### SUMMARY:

The Budget and Accounting Act provisions relating to the stabilization account established during the 1981 legislative session are modified. These modifications are also intended to be the implementing legislation for SHJR 13.

Provisions relating to the budget stabilization account are changed so that deposits into the account will be based upon the real growth in state personal income in excess of 3 percent times general state revenues for the previous fiscal year.

The State Treasurer, pursuant to an appropriation, is directed to transfer amounts into the stabilization account. Deposits into the account are to continue until the stabilization account equals 8 percent of general state revenues for the biennium.

Funds from within the account may be appropriated by a favorable vote of 60 percent of the members of the House and Senate for specified purposes. The purposes for which funds can be expended are increased beyond the maintenance of a balanced budget. Funds could also be expended for purposes which would reduce unemployment caused by the state's economic cycle. In addition, the Legislative Budget Committee is not required to approve the Governor's requests for transfers from the account if the Legislature has appropriated funds for such purposes.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

House	96	1
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##### First Special Session

House	96	1	
Senate	31	16	(Senate amended)
House	92	1	(House concurred)

EFFECTIVE: July 10, 1982

**SHB 1130**

C 125 L 82

**BRIEF TITLE:** Funding the uniform crime reports program of the sheriffs and police chiefs association.

**SPONSORS:** House Committee on Appropriations—General Government and Compensation (Originally Sponsored by Representatives Nickell, Becker, Martinis, Vander Stoep, Patrick, Clayton and Nelson (G.))

**HOUSE COMMITTEE:** Appropriations—General Government and Compensation

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

The Washington Association of Sheriffs and Police Chiefs administers the Washington Uniform Crime Reporting system. The system helps in the collection and distribution of law enforcement generated crime, arrest and related data in Washington State. Original funding for the system was obtained by federal grants from the Law Enforcement Assistance Administration. These grants are no longer available.

**SUMMARY:**

The Criminal Justice Training Commission is appropriated \$85,000 from the Criminal Justice Training Account to maintain the Washington Uniform Crime Reporting system.

**VOTES ON FINAL PASSAGE:**

House	94	0
Senate	46	0

**EFFECTIVE:** June 10, 1982

**SHB 1131**

C 177 L 82

**BRIEF TITLE:** Revising the Commercial Feed Act.

**SPONSORS:** House Committee on Agriculture (Originally Sponsored by Representatives Flanagan and Smith)

**HOUSE COMMITTEE:** Agriculture

**SENATE COMMITTEE:** Agriculture

**BACKGROUND:**

Among other provisions, the state's commercial feed statutes require commercial feed to be registered, prohibit the adulteration of commercial feed, and provide for the inspection of feed. The statutes require the removal of feed from distribution if it is adulterated, misbranded, or otherwise distributed in violation of the statutes. Inspection and registration fees are established by statute.

**SUMMARY:**

The following are exempted from the provisions of the commercial feed statutes that require feed to be registered and impose an inspection fee based upon the tonnage of the feed that is sold: food processing byproducts from certain processing facilities; unmixed seed made from the entire seed; unground hay, straw, silage and similar materials when not mixed with other materials; and experimental feeds. These materials are not exempted from regulation under the commercial feed statutes. Use of the inspection fees is limited to cases in which the department has reasonable cause to believe that feed is adulterated.

The registration fee for commercial feed products is raised to: \$10 (from \$5) for products distributed in packages of 10 pounds or more; and \$40 (from \$20) for products in other packages. A \$10 penalty for late registration is provided. The penalty authorized for the late payment of inspection fees is raised to \$10 (from \$5).

The criteria for determining when feed is to be considered adulterated are changed. In addition to other criteria, the feed is adulterated if it:

- (1) bears an added substance that may render it injurious to health;
- (2) contains any added substance that is unsafe under the federal Food, Drug and Cosmetic Act;
- (3) is a raw agricultural commodity that contains a pesticide that is unsafe within the meaning of the federal act, unless the pesticide has been used in conformity with a federal exemption or tolerance, the residue of the processed commodity has been removed to the extent possible in good manufacturing practice, and the residue is not greater than the tolerance prescribed for the raw commodity. The use of such a feed may not result in a residue in the edible product that is unsafe under the federal act;
- (4) is or contains a color additive that is unsafe under the federal act;

(5) is of a composition or quality that differs from that represented by its label.

The department may withdraw from distribution a commercial feed if it has reasonable cause to believe that any lot of the feed is adulterated, misbranded, or otherwise distributed in violation of the commercial feed statutes.

Reports on the number of tons of commercial feed sold are to be submitted semi-annually rather than quarterly. Persons distributing less than 100 tons for each 6-month period may be allowed to submit reports annually.

**VOTES ON FINAL PASSAGE:**

House	95	0	
Senate	46	0	(Senate amended)
House	97	0	(House concurred)

**EFFECTIVE:** June 10, 1982

**HB 1144**

C 87 L 82

**BRIEF TITLE:** Establishing criteria for state funding of remodeling jails for use as holding facilities.

**SPONSORS:** House Committee on Institutions and Representatives Houchen, Amen and Barr

**HOUSE COMMITTEE:** Institutions

**SENATE COMMITTEE:** Social and Health Services

**BACKGROUND:**

Counties cannot receive state Jail Commission funds to remodel jail facilities to be operated as holding facilities.

**SUMMARY:**

Counties which enter into multicounty correctional consolidation agreements may receive funds from the state Jail Commission to pay the minimum cost of approved remodeling of jail facilities to be operated as a holding facility in the future. This may be done only when the cost of the remodeling does not exceed the established maximum budgets for current detention or correctional facilities in the county, and approval of the remodeling maximizes the beds to be provided, while maintaining or reducing construction costs.

**VOTES ON FINAL PASSAGE:**

House	95	0
Senate	48	0

**EFFECTIVE:** June 10, 1982

**HB 1145**

C 17 L 82 E1

**BRIEF TITLE:** Modifying provisions relating to special purpose districts.

**SPONSORS:** House Committee on Local Government and Representative Isaacson

**HOUSE COMMITTEE:** Local Government

**INITIAL SENATE COMMITTEE:** Local Government

**ADDITIONAL SENATE COMMITTEE:** Rules

**BACKGROUND:**

The original enabling legislation for water districts, and the original enabling legislation for sewer districts, required a water or a sewer district to be located wholly within a single county. Legislation was enacted in 1971 allowing sewer districts to be formed with territory located in more than one county. However, sewer districts are not authorized to annex territory located in another county. Legislation was enacted in 1975 allowing two or more sewer districts located in different counties to consolidate or merge. Water districts are still required to be located wholly within a single county. A water district in southern King County recently may have annexed territory located in Pierce County.

**SUMMARY:**

A water district may be formed with territory in more than one county, may annex territory located in other counties, and may consolidate or merge with a water district located in another county. A sewer district may annex territory located in other counties.

The county officials of the county within which the largest land area of a multi-county sewer or water district is located will perform various duties concerning such districts.

Elections will be conducted by the election officials of each county for the territory located within that county.

Review of sewer comprehensive plans or water comprehensive plans will be by the legislative authority of each county for the territory within the county.

Verification of electors' signatures will be performed by the elections officials of each county for the electors residing within their counties.

Review of annexations will be by the officials of the county within whose boundaries the affected territory lies.

Prior to the effective date of the act, any action taken by sewer or water districts to form, annex, consolidate or merge, which is consistent with the amended law, is approved and ratified.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
House	95	0
Senate	48	0 (Senate amended)
<u>First Special Session</u>		
House	97	0
Senate	42	0 (Senate amended)
House	90	0 (House concurred)

**EFFECTIVE:** July 10, 1982

**SHB 1149**

C 230 L 82

**BRIEF TITLE:** Modifying the state fireworks law.

**SPONSORS:** House Committee on Labor and Economic Development  
(Originally Sponsored by Representatives Bond, Galloway, McGinnis, Barrett, Hastings, Patrick, Heck, King (J.), Hankins, Salatino, Garrett and McCormick)

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

The fireworks law, enacted in 1961, was based on the California law that was repealed in 1973. The federal Hazardous Substances Act of 1975 and the amendments in 1980 and 1981 have couched definitions of fireworks in line with the current state of the art. Washington's law has not been changed since 1961.

**SUMMARY:**

The fireworks law is changed to reflect developments since 1961. Fireworks which are sold at retail are redefined as "common fireworks" rather than "safe and sane."

The term "pyrotechnics" is intended to produce an audible, visual, mechanical or thermal effect as a necessary part of a motion picture, theatrical or opera. In addition, pyrotechnic displays may be produced by radio and television.

The state must first grant a license and then a local government must grant a permit before a pyrotechnic public firework display can be conducted or fireworks can be sold from a retail stand. Local public agencies are permitted to charge up to \$100 annually for permit fees.

The role of the State Fire Marshal as it pertains to the regulation of the fireworks industry is set forth.

Skyrockets or missile-type rockets cannot be sold.

Licenses are required for fireworks manufacturers, wholesalers, importers and pyrotechnic operators.

Insurance and surety bond requirements and coverage are prescribed for retail stands and pyrotechnic displays.

Sales of common fireworks for religious ceremonial uses, and for use for agricultural and wildlife control purposes under a specified federal program are exempted from the licensing requirements.

**VOTES ON FINAL PASSAGE:**

House	90	5
Senate	34	13 (Senate amended)
House	94	3 (House concurred)

**EFFECTIVE:** April 3, 1982

**SHB 1156**

C 22 L 82 E1

**BRIEF TITLE:** Permitting the establishment of cultural arts, stadium, and convention districts.

**SPONSORS:** House Committee on Local Government  
(Originally Sponsored by House Committee on Local Government and Representatives Isaacson and Nelson (G.))

**HOUSE COMMITTEE:** Local Government



SENATE COMMITTEE: Local Government

BACKGROUND:

Existing law provides that counties, cities and towns may provide for cultural arts facilities, convention facilities, and stadiums. Such facilities may be funded out of general revenues. In addition, counties, cities and towns are authorized to impose a 2 percent sales tax, which is a deduction from the state sales tax, on the sale of transient accommodations (e.g., hotel and motel rooms) to fund such facilities along with the promotion of tourism. No special purpose district is authorized to solely fund and provide for such facilities.

SUMMARY:

Two entirely separate mechanisms are provided to fund convention-type facilities. First, the creation of a new kind of special purpose district is authorized to provide cultural arts facilities, convention facilities, and stadiums and fund them primarily with property taxes. (See below.) Second, certain cities are authorized to impose additional sales taxes to fund the construction of convention or trade facilities. (See below.)

Cultural arts, stadium and convention districts are authorized to be created to fund and provide cultural arts facilities, convention facilities, and stadiums. (1) The process to create such new districts may be initiated by: (a) resolution of a county legislative authority; (b) resolution of at least two city councils; or (c) petition of 10 percent or more of the residential voters. A public hearing is held by the county. If the county legislative authority adopts a resolution in favor of the proposed district, the proposition will be submitted to the resident voters. Approval by simple majority vote creates the district. Such a district may include both unincorporated and incorporated areas, but not part of a city or town. (2) The governing body is to be composed of up to nine elected or appointed officials of the county, cities, port districts, school districts or community colleges. The resolution placing the proposition before the voters describes the governing body and how members are selected. (3) The activities of the district are funded by: (a) revenue bonds; (b) general obligation bonds; (c) excess voter approved property tax levies; (d) gifts; (e) voluntary transfers of local hotel/motel tax receipts; and (f) regular property taxes of up to 25 cents per \$1000 of assessed valuation for a six-year period when authorized by 60 percent or more voter approval. This regular property tax will be reduced or eliminated before

regular property tax levies of other junior taxing districts will be reduced as a result of the 1 percent constitutional limitation on regular property tax levies.

The new excise tax to fund the construction of convention or trade facilities is only granted to cities with a population of from 25,000 to less than 400,000. This tax is up to an additional 3 percent sales tax on transient accommodations (e.g. hotels and motels) that have 15 or more lodging units. The new sales tax is not a deduction against the state sales tax.

VOTES ON FINAL PASSAGE:

Regular Session  
House 64 0

First Special Session  
House 67 30  
Senate 29 18 (Senate amended)  
House 70 23 (House concurred)

EFFECTIVE: July 10, 1982

**HB 1162**

C 180 L 82

BRIEF TITLE: Providing for an intensive management plan for geoducks.

SPONSORS: House Committee on Appropriations-General Government and Representative Williams

HOUSE COMMITTEE: Appropriations-General Government

SENATE COMMITTEE: Ways and Means

BACKGROUND:

The geoduck clam fishery in the state is jointly managed by the Department of Fisheries (DOF) and the Department of Natural Resources (DNR). DNR is responsible for the management of aquatic bedlands and the contract sale and harvest of the geoduck resource on those bedlands. The DOF is responsible for statewide geoduck fishery management, hatchery production of seed, rearing and planting of juvenile geoducks and law enforcement. This joint management agreement was reached on January 29, 1982. Funding for the management of this program was not anticipated in the 1981-83 DNR budget.

**SUMMARY:**

\$187,000 is appropriated to DNR from the resource management cost account to implement an intensive geoduck management plan.

**VOTES ON FINAL PASSAGE:**

House 93 1  
Senate 46 1

**EFFECTIVE:** June 10, 1982

**SHB 1165**

C 30 L 82 E1

**BRIEF TITLE:** Modifying boards and commissions based on revised congressional districts.

**SPONSORS:** House Committee on State Government (Originally Sponsored by House Committee on State Government and Representative Addison)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

During the 1982 regular session, the Legislature enacted a law prescribing new boundaries for congressional districts and increasing the number of districts from seven to eight. The statutes for nine multi-member public entities prescribe composition requirements based on the old boundaries for congressional districts and on the pre-existing seven districts.

**SUMMARY:**

Provisions are included to conform the statutes prescribing the composition requirements of nine multi-member public entities to the 1982 law providing for new boundaries for congressional districts and providing for an additional district. Specific language is added to make it clear that these entities are not to be deemed unlawfully constituted as a result of the Redistricting Act.

The following multi-member entities are affected:

- Governors of the State Bar
- Washington State Medical Disciplinary Board
- Washington State Veterinary Board of Governors
- State Board of Education
- State Board for Community College Education

- State Board for Volunteer Firemen
- Tax Advisory Council
- Board of Trustees for the State School for the Blind
- Board of Trustees for the State School for the Deaf

**VOTES ON FINAL PASSAGE:**

Regular Session  
House 64 30  
First Special Session  
House 67 30  
Senate 29 18 (Senate amended)  
House 70 23 (House concurred)

**EFFECTIVE:** July 10, 1982

**HB 1174**

C 88 L 82

**BRIEF TITLE:** Requiring joint operating agencies to pay the costs of elections authorizing the sale of bonds for major public energy projects.

**SPONSORS:** House Committee on Ways and Means and Representatives Chandler and Wang

**HOUSE COMMITTEE:** Ways and Means

**SENATE COMMITTEE:** Constitutions and Elections

**BACKGROUND:**

Initiative 394 approved in November, 1981 requires that the costs of elections for the financing of major public energy projects be borne by the state. The Secretary of State's Office will thus incur unknown additional expenses resulting from special elections conducted pursuant to the initiative. Estimates of the additional costs range from \$100,000 to \$1,000,000 depending upon the timing of an election and the area of the state in which the election is to be held.

**SUMMARY:**

The costs of an election held to approve financing of public energy projects will be paid by the entity requesting the election. In addition, the entity is required to reimburse the Secretary of State's Office for any cost related to the publication and distribution of voters' pamphlets or other costs attributable to an election made necessary by the initiative.

## VOTES ON FINAL PASSAGE:

House	87	8
Senate	33	13

EFFECTIVE: July 1, 1982

**SHB 1226**PARTIAL VETO

C 53 L 82 E1

**BRIEF TITLE:** Modifying provisions relating to public employment.

**SPONSORS:** House Committee on Appropriations—General Government  
(Originally Sponsored by Representatives Isaacson, Bond, Sprague, Tilly, Fancher, Dickie, Mitchell, Barrett, Chandler and Barr)

**HOUSE COMMITTEE:** Appropriations—General Government

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

At the general election of 1960, the voters approved an initiative which established the State Department of Personnel and civil service for general government agencies. Nine years later, through law, the Higher Education Personnel Board was established to provide a uniform civil service system in higher education.

The State Department of Personnel maintains a centralized personnel system for state agencies.

The number of names referred to hiring authorities is two more names than there are vacancies to be filled.

An absolute 6-month probationary period is required for all employees, except entry level park rangers whose probationary period is 12 months.

An employee moving from a classified civil service position to an exempt position or an employee occupying a classified civil service position which is subsequently exempted may return to his previous classified position or a similar position at any time.

Step increases are granted for each pay grade based on length of service; performance is not a factor.

Layoffs and subsequent re-employment are based on seniority; performance is not a factor.

**SUMMARY:**

The Department of Personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests authority and the Director of Personnel determines that the agency has the personnel management capabilities to perform the delegated activities. The Director of Personnel will establish standards for the performance of delegated activities. If the Director finds that an agency is not performing these functions properly, the authority may be withdrawn from the agency.

The number of names referred to hiring authorities is expanded to four more names than there are vacancies to be filled.

Flexible probationary periods of 6 to 12 months, depending on the job requirements of the class, are permitted.

An employee moving from a classified civil service position to an exempt position, or an employee occupying a classified civil service position which is subsequently exempted, may return to his previous classified position or a similar position within 4 years of the exemption. A 4-year exemption to the reversion right may be granted if requested by the last hiring authority and the board approves.

Performance evaluations are extended to all classified and exempt personnel except for agency heads, heads of higher educational institutions, higher education faculty and commissioned officers of the State Patrol.

The personnel boards and the institutions of higher education are to develop, in cooperation with employee organizations and respective agencies, the general standards, procedures and forms for performance evaluations.

The application of the performance evaluation is to be phased in as follows:

- (a) for civil service management personnel and exempt management personnel, the evaluations are to be implemented on July 1, 1984. Incremental increases to salary will be by a performance evaluation rating of above-satisfactory, or meritorious performance; and
- (b) for other civil service employees, the evaluations are to be implemented on July 1, 1985. Incremental increases to salary will be as follows:
  - (1) from the beginning of the salary range to the midstep of the range, by seniority only,

unless the employee receives the lowest performance rating;

- (2) from the midstep of the salary range to the end of the range, by performance rated satisfactory. This increment is to be withdrawn if the next evaluation is rated below-satisfactory.
- (3) a single step above the end of the range, if the performance is rated superior. This step is retained only by continued superior performance.

- (c) appeals to the Board may be made for alleged violations of rule or law; or if the employee loses an increment increase due to the performance evaluation, other than the increment increase received above the end of the range.

Lay-off is also time phased. After June 30, 1985, for civil service management employees (and June 30, 1986, for other civil service employees), reduction-in-force is to be based on a procedure using seniority and performance. Until these dates, reduction-in-force is to be based on seniority, with performance breaking ties.

Reemployment will be based on seniority and the use of the rule of five. Certification from lay-off lists may be augmented by names from other lists if necessary to complete the certification.

By April 1, 1983, the Department of Personnel, Higher Education Personnel Board, and the institutions of higher education are to report to the Legislature on the following for management employees:

- (a) the rules to implement performance evaluations;
- (b) the formula for reduction-in-force of classified managers utilizing performance and seniority; and
- (c) how unrealistic concentrations of ratings are to be avoided.

The Legislature has until July 1, 1986, to adopt a concurrent resolution approving them. If it does not act by this date, all provisions regarding performance evaluation are null and void.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
House	50	48	
Senate	25	22	(Senate amended)
House	50	43	(House concurred)

EFFECTIVE: July 10, 1982

**PARTIAL VETO SUMMARY:**

Vetoed are section 30 and references to that section in other sections of the bill. The section would have required legislative review and approval of the administrative rules implementing the act. (See VETO MESSAGE)

**SHB 1230**

PARTIAL VETO

C 48 L 82 E1

**BRIEF TITLE:** Modifying appropriations for capital facilities.

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

**HOUSE COMMITTEE:** Ways and Means

**SENATE COMMITTEE:** Ways and Means

**BACKGROUND:**

The total amount of money which the state can borrow is limited by the State Constitution and statutes implementing the Constitution. The limit is calculated on the basis of how much money is required each year to pay the principal and interest (debt service) on the amount of debt outstanding. Under the statutory limitation, the state cannot borrow more money if the result would be debt service payments exceeding 7 percent of the average of general state revenues for the preceding three years.

The constitutional limitation is 9 percent of the three-year average of general state revenues. However, voter authorized debt is not included in the calculation. Voter authorized debt is included in the statutory limit.

Current estimates indicate that the debt service on outstanding bonds plus the expected debt service on all authorized but unissued debt would have exceeded the statutory limitation during fiscal year 1980 had all of the authorized debt been issued. Thus, not all of the authorized unissued debt can be sold without exceeding the statutory limitation. Current statutes which have authorized debt have not been prioritized to indicate which projects should or should not be allowed to proceed if the debt service limitation is reached. Without such statutory direction, the decision to prioritize projects would be made by the State

Finance Committee based upon prioritizing supplied by the Office of Financial Management.

Projected annual debt service costs on bond sales estimated for authorized projects indicate that the debt limit will be exceeded in fiscal year 1984 if all projects proceed as scheduled.

**SUMMARY:**

General obligation bonds are increased by \$2.5 million for the state fire service training center and \$.9 million for remodeling of the House Office Building and are appropriated additional funds for several capital projects (see list below). A prioritization of projects is set for which bonds may be sold if the state approached its statutory debt limitation. The project grouping and prioritizations within priority groups are more specific and replace the priorities in current law (section 39 of chapter 143, Laws of 1981). Several technical corrections are made to capital project fund definitions and RCW references.

**Additional capital appropriations:**

- Commission for Vocational Education for Fire Service Training Center ..... \$2,500,000
- Department of Ecology for Waste Disposal (Ref. 39) ..... \$196,000,000
- Washington State University for Pullman/WSU Waste Water Treatment Plan ..... \$837,000
- Central Washington University for Energy Related Projects ..... \$568,500
- Department of Natural Resources
  - Right-of-Way Access ..... \$275,000
  - Construct/Improve Cedar Creek & Sherman Valley Road ..... \$108,200
  - Recreation Projects - Reappropriation ..... \$48,500
- Department of General Administration
  - Insurance Building 3rd and 4th Floors Remodel ..... \$332,000
  - Public Lands Basement Conversion for Support Services ..... \$140,000
  - Design for 1st Floor House Office Building ..... \$1,000,000
  - Move State Printer to the Air Industrial Park ..... \$1,429,300
  - Design Changes to the General Administration Building ..... \$450,000
  - Rehabilitate Capitol Lake, Phase III ..... \$2,163,000
- Department of Social and Health Services
  - Water Supply Facilities (Ref. 38) ..... \$10,000,000
  - Authorizes Phase III projects under Ref. 37 up to \$1,211,731. These funds have already been appropriated to DSHS.

- Department of Fisheries
  - For fisheries enhancement projects the Department is authorized to spend up to \$5 million from the previously approved General Fund salmon enhancement construction account for stream and river improvement.
  - Reappropriations for the completion of outdoor recreation projects are increased as follows:
 

GF, ORA State .....	\$50,000
GF, ORA Federal .....	\$45,000
Total .....	\$95,000
- The exemption of work release facilities from city and county zoning laws is removed subjecting the location of such facilities to local zoning requirements.
- Makes technical account name and RCW reference corrections.

**VOTES ON FINAL PASSAGE:**

First Special Session

House	71	24	
Senate	31	15	(Senate amended)
House	63	32	(House concurred)

**EFFECTIVE:** April 20, 1982

**PARTIAL VETO SUMMARY:**

Vetoed is the new language in section 16, subsection (60) that would have required the Department of Fisheries to locate eight salmon-rearing pens at McNeil Island. (See VETO MESSAGE)

**HJM 14**

**BRIEF TITLE:** Requesting mutually beneficial foreign trade agreements.

**SPONSORS:** Representatives Flanagan, Polk, Scott, Barrett, O'Brien, Sanders, Hankins, Garrett, Thompson, Barr, Warnke, Brown, Smith, King (J.), James, Lundquist, Johnson, Lewis, Bickham, Chamberlain, Prince and Clayton

**HOUSE COMMITTEE:** Labor and Economic Development

**SENATE COMMITTEE:** Commerce and Labor

**BACKGROUND:**

Washington and other Western states produce in abundance agricultural and forest products which can be sold at competitive prices in foreign markets.

Escalating costs of transportation and other factors continue reducing the capacity of Western states to

develop and expand domestic markets thus inhibiting greater employment and economic growth. A lack of competitive status for the U.S. exists because of low productivity in the steel industry and declining markets and production in the automobile industry.

The export of agricultural and forest products has been a major positive factor in our foreign trade balance. There is great potential for additional Far Eastern trade. Many believe that the greatest protection for the U.S. consumer is and has been active supplier competition, not increased trade barriers, tariffs, quotas and protectionism.

**SUMMARY:**

The President, the Cabinet, the Administration and Congress are petitioned to negotiate trade agreements with Far East nations considering U.S. productivity strengths and shortcomings and recognizing that two-way international trade must be mutually beneficial. Such agreements should recognize the ability of the United States to produce vast surpluses of agricultural and forest products for sale in exchange for reduction of U.S. trade barriers for products those countries have the greatest ability to produce.

**VOTES ON FINAL PASSAGE:**

House	92	0
Senate	46	0

**HJM 15**

**BRIEF TITLE:** Requesting that the U.S. postal service issue a stamp commemorating the eruption of Mount St. Helens.

**SPONSORS:** House Committee on State Government and Representative Lewis

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** State Government

**BACKGROUND:**

The eruption of Mount St. Helens on May 18, 1980 was a cataclysmic demonstration of nature which should be commemorated.

**SUMMARY:**

A memorial is sent to the President of the United States, Congress and the United States Postal Service that a postage stamp be issued in commemoration of the May 18, 1980 eruption, depicting Mount St. Helens before, during and after the eruption.

**VOTES ON FINAL PASSAGE:**

House	85	6
Senate	47	0

**HCR 37**

**BRIEF TITLE:** Urging the state investment board to make investments to stimulate the state's economy.

**SPONSORS:** Representatives Williams, Dawson, Galloway, Greengo, Tilly, King (J.), Hine, Salatino, Armstrong, Stratton, Rosbach, Brown, Fiske, Wang, Eberle and Sanders

**HOUSE COMMITTEE:** none

**SENATE COMMITTEE:** none

**BACKGROUND:**

When the State Investment Board was created in 1981, one of its major objectives was to maximize total returns within prudent considerations of asset mix, diversification, cash flow and safety. Encouraging the Board to consider investments which would have a positive effect on the economy might alleviate present recessionary trends.

**SUMMARY:**

The Legislature encourages the State Investment Board to consider the impact of its investments on the state economy, as a secondary consideration to its objective of selecting investments which maximize returns within prudent constraints. Specifically the Board is encouraged to consider investments at market rates of returns, including but not limited to:

- Loans to financial institutions in the state as a means of infusing capital into the state's economy;
- Loans to finance plant construction or equipment purchases required for firms to locate or expand operations within the state; and
- Any other investments which will generate and sustain new jobs in the State of Washington.

**Future Obligations:** The State Investment Board shall report to the 1983 regular session of the Legislature the extent of investments described in the resolution.

VOTES ON FINAL PASSAGE:

Regular Session  
House 93 1

First Special Session  
House adopted  
Senate 46 0

**HCR 42**

**BRIEF TITLE:** Requesting modification of state timber sales procedures.

**SPONSORS:** Representatives Rosbach, Martinis, Nisbet, Owen, Lundquist, North, Chamberlain, Stratton, Vander Stoep, Mitchell, Dawson, Erak, Barr and Garson

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**SENATE COMMITTEE:** Rules

**BACKGROUND:**

The forest products industry is in a serious downturn, causing high unemployment and jeopardizing many businesses. Both the House and Senate have passed a bill to revitalize the forest products industry. The volume of timber to be sold was not addressed in that legislation but is viewed as an integral part of revitalizing the forest products industry.

**SUMMARY:**

DNR is requested to (1) offer for sale at least 750 million board feet of timber in each of 1982 and 1983, plus timber covered by contracts defaulted in those years; (2) require that 80 percent of timber sales in 1982 and 1983 be harvested within 24 months of sale, and that those contracts not be granted extensions; (3) sell the majority of 1982 and 1983 timber volume by sealed bid; and (4) appraise timber offered for sale in 1982 and 1983 at then current market prices.

VOTES ON FINAL PASSAGE:

House 74 22  
Senate 25 23

**HCR 50**

**BRIEF TITLE:** Creating a joint select committee to study state's Oil and Gas Conservation Act and related subjects.

**SPONSORS:** Representatives Rosbach, Flanagan, Padden, Dickie, Smith, Sanders, Bickham, Barr, Clayton, Isaacson, Prince, Nickell, Tilly, Hastings and Heck

**HOUSE COMMITTEE:** Rules

**SENATE COMMITTEE:** none

**BACKGROUND:**

Legislation was considered during the 1982 session which would have 1) modified the state law enacted in 1951 pertaining to how oil and natural gas fields would be developed and 2) replaced the annual property tax on oil and gas with a severance tax on oil and gas at the time of extraction. The legislation was not enacted but anticipation continues that the state may contain commercial quantities of oil or natural gas and further study would be beneficial to gain understanding of the proposed changes.

**SUMMARY:**

A joint legislative committee would be selected to study the present law and the proposed changes to the Oil and Gas Conservation Act and laws on related subjects. The Committee would be composed of six members from the House and six members from the Senate. During the course of the study, the Committee is to obtain input from landowners, entities interested in exploration and development of oil and gas, state agencies with legal responsibilities and other interested parties.

The Committee is to prepare legislation or a report of its findings and recommendations to the 1983 legislative session.

Future Obligation: The Committee is to prepare legislation or a report of its findings and recommendations to the 1983 legislative session.

VOTES ON FINAL PASSAGE:

First Special Session  
House 96 0  
Senate 25 17

**HCR 52**

**BRIEF TITLE:** Prescribing procedures for legislative review of agency rules.

**SPONSORS:** Representatives Eberle, King (R.), Prince and Walk

**HOUSE COMMITTEE:** none

**SENATE COMMITTEE:** none

**BACKGROUND:**

Several recent laws have required that major new rules of state agencies be reviewed by specific legislative committees. There are no uniform standards for review by committees other than the Joint Administrative Rules Review Committee.

**SUMMARY:**

Whenever a law or resolution calls for legislative committee review of proposed agency rules, the procedure for such review shall include:

- (1) At the time a rule is filed with the Code Reviser, an agency must transmit a copy of the filing, including the rule purpose statement, to the standing committee or committees.
- (2) Any subsequent notices must be filed with the legislative committees in a similar manner.
- (3) If the appropriate committee does not make written demand for information or request a hearing within 20 days of the agency's submission of the rule, the committee shall be deemed to have reviewed the rule without comment or obligation to the agency.
- (4) If the committee wishes to review the rule with comment, it must submit to the agency a written interrogation or request for a formal presentation to the committee. The agency must make such a presentation or respond to the interrogation at least seven days before adoption of the rule is scheduled.

The agency must file a final draft of the rule with the committee if changes are made after any public hearing. Failure of an agency to respond to committee questions constitutes a failure to review.

- (5) Any committee review of a rule must be transmitted in writing to the Joint Administrative Rules Review Committee.

The resolution expresses the intent of the Legislature that no rule may be made final if a review directed by law or resolution does not follow the procedures outlined above.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>		
House	96	0
Senate	42	0



**SB 3156**

C 159 L 82

**BRIEF TITLE:** Considering renewable energy systems in the design of public buildings.

**SPONSORS:** Senators Williams, Fuller, Charnley, Goltz and Zimmerman

**SENATE COMMITTEE:** Energy and Utilities

**HOUSE COMMITTEE:** Energy and Utilities

**BACKGROUND:**

Public agencies are required to analyze the life-cycle cost of alternative designs in designing major new publicly owned or leased facilities or major renovations (25,000 square feet or more). The life-cycle cost is the initial cost plus the cost of maintenance and operation, including energy costs, throughout the life of the building. There is, however, no requirement that the minimum life-cycle cost alternative be chosen.

**SUMMARY:**

It is public policy that at least one renewable energy system be considered among the three alternatives in the design of major new or renovated public facilities.

Public agencies may select the alternative which results in the lowest life-cycle cost if the agency is satisfied that the life-cycle cost analysis provides for an efficient energy system.

The life-cycle cost is to be determined using energy costs projected by the State Energy Office. The definition of "life-cycle costs" is expanded to include anticipated increases in the cost of energy.

The measure applies only to facilities on which the life-cycle cost analysis was begun after the effective date of this act.

**New Rule Making Authority:** The Department of General Administration must promulgate rules by September 1, 1982 to administer this act.

**VOTES ON FINAL PASSAGE:**

Senate	41	2	
House	89	2	(House amended)
Senate	45	1	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 3233**

C 52 L 82

**BRIEF TITLE:** Revising vehicle accident reporting procedure.

**SPONSORS:** Senators von Reichbauer and Guess  
(By State Patrol Request)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The Director of Licensing is required to maintain a file on each licensed driver in the state containing information on traffic infractions and accidents. The file is maintained for the use of the Department of Licensing, the State Patrol and other law enforcement agencies.

This file consists of two parts which separate a driver's employment driving record from all other infractions and accidents. The employment driving record lists only those traffic infractions and accidents which occur while the person is driving a commercial vehicle as an employee of another. Abstracts of employment driving records are not provided to automobile insurance carriers.

However, records of accidents and infractions by law enforcement officers and fire fighters driving official vehicles are not kept in a separate employment driving record.

**SUMMARY:**

The Director of Licensing is required to enter traffic infractions and reports of accidents involving a law enforcement officer, fire fighter, or State Patrol officer driving an official vehicle while in the course of official business into a separate employment driving record.

**VOTES ON FINAL PASSAGE:**

Senate	41	4
House	95	0

**EFFECTIVE:** June 10, 1982

**SSB 3249**

C 147 L 82

**BRIEF TITLE:** Revising the Public Disclosure Law.

**SPONSORS:** Senate Committee on Constitutions and Elections  
(Originally Sponsored by Senators Woody, Hayner and Bottiger)

**SENATE COMMITTEE:** Constitutions and Elections

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

The public disclosure law had not received comprehensive review since its approval by the state's voters in 1972. During the 1979 interim, the Senate Constitutions and Elections Committee conducted a comprehensive study of the law. Testimony and recommendations based on seven years of experience in implementing and complying with the law was received from all interest groups affected by the law's various provisions. The intent of the study was to develop legislation which would update, clarify and simplify compliance with the public disclosure law.

**SUMMARY:**

Provisions of the public disclosure law are amended as follows:

**CAMPAIGN FINANCE**

The campaign reporting cycle is revised so that contributions are required to be deposited within five days of receipt rather than the three days currently required.

C-3 reports, which detail contributions and contributors, are required to be filed for contributions received during the period beginning four months before a special or general election and ending on election day.

C-4 reports, which detail contribution and expenditure activity, would be filed as follows: (1) twenty-one days before and seven days before and twenty-one days after the primary; (2) seven days before and twenty-one days after the general election; and (3) on the tenth day of each month if, since the last report, either total contributions or total expenditures exceed \$200.

The contents of the C-3 and C-4 reports remain unchanged except that the contributor identification threshold is raised from \$10 to \$25 and the expenditure identification threshold is raised from \$25 to \$50.

The \$2,000 restriction on the transfer of surplus funds from one candidate or political committee to another is deleted from the law.

**LOBBYIST REPORTS**

Citizens are free to "lobby" without registering or reporting if they are not paid.

Registered lobbyists are exempted from reporting telephone and office expenses, their own living accommodations and travel to and from legislative hearings.

The Public Disclosure Commission is expressly permitted to lobby on matters expressly affecting the Public Disclosure Law. Such lobbying must be reported in the same manner as is required of other agencies.

The reporting threshold which limits a casual lobbyist to \$15 of total expenditures on a public official during any three month period is raised to \$25.

**ADMINISTRATION AND ENFORCEMENT**

The six year statute of limitations is reduced to five years. The PDC is authorized to petition any court of competent jurisdiction for relief if any order arising from the Commission is not satisfied.

Technical and grammatical amendments are made to clarify the procedures for complying with the campaign finance reporting requirements.

**VOTES ON FINAL PASSAGE:**

Senate	44	0
House	95	0

**EFFECTIVE:** June 10, 1982

**SB 3297**

C 110 L 82

**BRIEF TITLE:** Permitting anti-arson requirements to be met for issuing or continuing fire insurance policies.

**SPONSORS:** Senators Vognild, Gaspard, Hansen, Quigg and Gallagher  
(By Senate Oversight Committee on Arson Request)

**SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

An increasingly common motivation for the crime of arson is the collection of insurance proceeds. The Law Enforcement Assistance Administration estimates that insurance claims on suspected arson total \$4 billion annually.

Fire insurance policies can only be cancelled with 20 days notice. If a building has certain arson-prone characteristics, it has been argued that a 20 day notice period is an unreasonable burden to place on companies insuring these buildings.

Concern was also expressed that companies insure arson-prone, high-risk properties without full knowledge of the risk involved. The National Association of Insurance Commissioners has suggested that insurance applications for high-risk properties should be accompanied by sufficient additional information to adequately inform the insuring company of the risk involved.

**SUMMARY:**

The State Fire Marshal is authorized to designate, under the provisions of the Administrative Procedure Act, certain geographical areas having an abnormally high incidence of arson. Before any fire insurance policy can be issued for property within such an area, the applicant for insurance must submit an anti-arson application and the insurer must inspect the property. The Fire Marshal is given authority to prescribe the information required to be provided in the application but certain information is required by statute to be obtained, such as the ownership interests in the property, the history of previous fire losses, etc.

Insurers are authorized to cancel fire insurance policies where at least two of seven listed conditions are present with respect to the insured property. These include such conditions as failure to meet fire or building codes or where the property is unreasonably unoccupied for more than 60 consecutive days. Procedures to be followed by an insurance company for cancelling a policy under such circumstances are established.

**VOTES ON FINAL PASSAGE:**

Senate	43	3
House	83	8 (House amended)
Senate	43	0 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 3361**

C 92 L 82

**BRIEF TITLE:** Increasing the maximum cost of port district small works projects.

**SPONSORS:** Senate Committee on Local Government  
(Originally Sponsored by Senators  
Fleming and Jones)

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

Port districts may have any required work done by contract. All work to be done by contract with an estimated cost in excess of \$30,000 must be let at a public bidding, whereas work to be done by contract with an estimated cost of less than \$30,000 must be submitted for bid proposals to contractors on the small works roster. The small works roster system is more informal than public bidding. Increasing the \$30,000 limit would keep pace with inflation over the past few years and would allow more work to be available on the small works roster.

**SUMMARY:**

The maximum cost of port district work contracts for which proposals must be sought from contractors on the small works roster is increased from \$30,000 to \$40,000.

If a contract is to be performed by a contractor on the small works roster, the port district must invite not less than five separate appropriate contractors to submit proposals on the contract.

**VOTES ON FINAL PASSAGE:**

Senate	43	6
House	98	0 (House amended)
Senate	41	2 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 3394**

C 2 L 82 E1

**BRIEF TITLE:** Increasing the business and occupation tax credit for cogeneration facilities.

**SPONSORS:** Senators Goltz, Bottiger and Quigg

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Energy and Utilities

**BACKGROUND:**

As an incentive to construct cogeneration facilities, a cogeneration facility is granted, subject to certification by the Department of Revenue, a 2 percent tax credit on the capital costs of such facility against the business and occupation taxes owed by the cogenerator. This credit may not exceed 50 percent of the taxes payable in any one reporting period and cannot exceed 50 percent of the cogeneration facility's capital cost.

Qualifying entities have expressed the view that this credit is insufficient, particularly in light of the requirement that any federal tax credits received by the cogenerator must be exhausted prior to state credit applicability.

**SUMMARY:**

The business and occupation (B&O) tax credit granted to cogeneration facilities is increased from 2 percent to 3 percent annually.

The Department of Revenue is restricted from certifying capital costs for a cogeneration facility in excess of \$10 million. The eligibility date for certification is made retroactive to September 1, 1978.

The cumulative amount of credits allowed is reduced by the amount of federal tax credits applicable to the cogeneration facility. The state B&O tax credit will not be available until one year after final facility cost verification by the Department of Revenue. It need not wait until the federal tax credits are exhausted.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>			
Senate	41	5	
House	93	2	(House amended)
Senate			(Senate concurred in part)
<u>First Special Session</u>			
Senate	39	5	
House	93	1	(House amended)
Senate	39	5	(Senate concurred)

**EFFECTIVE:** March 27, 1982

**SB 3425**

C 78 L 82

**BRIEF TITLE:** Defining the milling of uranium and thorium.

**SPONSOR:** Senator Moore  
(By Department of Social and Health Services Request)

**SENATE COMMITTEE:** Social and Health Services

**HOUSE COMMITTEE:** Human Services

**BACKGROUND:**

In 1979 a chapter in the Revised Code of Washington was enacted which regulates uranium and thorium milling. This action was taken because such milling creates a concentration of radioactive materials which pose a potential hazard to the citizens of the state of Washington.

Recently, state health officials have become aware of the fact that a certain type of milling, known as in situ milling, doesn't appear to be regulated under the current law. This type of uranium and thorium milling causes perhaps greater concern among health officials than conventional milling does, and it is felt that in situ milling should be regulated by the state.

**SUMMARY:**

The definition of "milling" is added to the chapter of the Revised Code of Washington which regulates uranium and thorium milling. The definition includes both mechanical (conventional) and chemical (in situ) processes.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	92	1

**EFFECTIVE:** June 10, 1982

**SB 3446**

**PARTIAL VETO**

C 220 L 82

**BRIEF TITLE:** Revising laws relating to boundary review boards.

**SPONSORS:** Senators Lee and Zimmerman

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

A county boundary review board must be notified of all proposed municipal incorporations, mergers, creation of special purpose districts, and other proposed boundary actions of cities and special purpose districts within the county. A proposal must be approved by a boundary review board before the proposal may proceed further.

A boundary review board must review a proposal if a certain request is made. If no such request is made within 60 days after notification of a proposal to the board, the proposal is deemed approved. However, if a proper request for review is made to a board, there is no time limit within which the board must render a finding.

Under the State Environmental Policy Act, an environmental impact statement must be prepared on proposed municipal incorporations.

**SUMMARY:**

A boundary review board must make a finding within 120 days after a request for review of a proposal has been filed. If the 120 days elapse without a board finding, the proposal is deemed approved.

Incorporation proceedings are exempted from the State Environmental Policy Act.

The county legislative authority is substituted for the board of county commissioners, a city or town clerk and a city or town council.

A petition for annexation may be considered before a petition for incorporation which embraces some or all of the same territory regardless of which petition was filed first.

The process for incorporation of a first class city is modified. If the proposition concerning incorporation is approved by the voters, a city is immediately created as a noncharter code city with a mayor-council form of government. At the time the proposition for incorporation is voted on, a board of freeholders is also elected to frame a charter for the city. The mayor and council are selected from the eight freeholders receiving the largest number of votes. Once a charter is framed, it is submitted to the voters. If it is approved, the city becomes a charter city. If it is rejected, the city remains a noncharter code city with a mayor-council form of government.

**VOTES ON FINAL PASSAGE:**

Senate	47	0	
House	87	9	(House amended)
Senate	45	1	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**PARTIAL VETO SUMMARY:**

The tax rate established for the initial imposition of nonvoter-approved regular property taxes is deleted. (See VETO MESSAGE)

**SB 3495**

C 53 L 82

**BRIEF TITLE:** Extending validity of certificates of emergency medical technicians.

**SPONSORS:** Senators Wilson, Moore and Sellar

**SENATE COMMITTEE:** Social and Health Services

**HOUSE COMMITTEE:** Human Services

**BACKGROUND:**

Certificates of qualification for emergency medical technicians are valid for two years. In cities with a population of 400,000 or more, the certificates are valid for a period of three years. The rationale for the differentiation was that technicians in larger cities respond to more calls and thus are less likely to allow their skills to decline. In practice, however, technicians in larger cities do not necessarily respond to more calls than do their counterparts in smaller cities and rural communities.

**SUMMARY:**

All emergency medical technician certificates of qualification shall be valid for a period of three years.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	96	0

**EFFECTIVE:** June 10, 1982

**2SSB 3541**

C 195 L 82

**BRIEF TITLE:** Authorizing administration of oral medication by common school and private school personnel.

**SPONSORS:** Senate Committee on Education (Originally Sponsored by Senators Gaspard, Gould, Talmadge and Kiskaddon)

**SENATE COMMITTEE:** Education

**HOUSE COMMITTEE:** Education

**BACKGROUND:**

There are instances when students need to take medication orally during the school day. However, school personnel are not authorized to administer this type of medication to students even if the child's parents or physician request them to do so.

The administering of medication is considered to be a practice of medicine and school employees are liable for criminal or civil damages if they engage in the practice. It has been requested that school employees be permitted to administer oral medications to students when done in accordance with statutorily defined practices.

**SUMMARY:**

School districts and private schools may adopt a program to permit school personnel to administer oral medicine to students who are in the custody of the school at the time of administration.

If the schools adopt this program, the school district board of directors or chief administrator of private schools must adopt a policy which requires parental authorization, designates employees who may administer oral medication, develops a system for collecting and recording requests and instructions, sets up processes for the identification and safekeeping of medication, and focuses special attention to safeguarding prescription drugs.

If the student is required to take medicine for longer than 15 consecutive school days, the school must receive written instructions from the physician or dentist which indicate that a valid health reason exists for the medication to be administered while school is in session or when the student is under the supervision of school officials. If the student is required to take medicine for less than 15 consecutive school days, the instructions given on the prescription will suffice.

The medication must be administered by a designated employee in substantial compliance with the instructions after an examination by the employee to determine if the medication appears to be in the original container and properly labeled.

Immunity from criminal and civil liability is granted to employees and districts which administer oral medication in substantial compliance with this act.

The administration of medicine may be discontinued without liability after actual oral notice or written notice to the parent or legal guardian in advance of the discontinuation.

The administration of oral medicine by public and private school employees is exempted from the definition of the practice of medicine.

School boards of directors are required to seek advice from one or more licensed physicians or nurses in the course of developing policies on the administration of oral medicines in schools.

The board of directors of a school district is required to designate either a licensed physician or a licensed registered nurse to train and supervise the designated school district personnel in proper procedures for administering the medication.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	88	5 (House amended)
Senate	46	1 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 3549**

C 8 L 82

**BRIEF TITLE:** Impounding vehicles driven by unlicensed drivers.

**SPONSORS:** Senate Committee on Transportation (Originally Sponsored by Senator Metcalf)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The Department of Licensing estimates that possibly as many as 300,000 unlicensed persons are driving motor vehicles in the state. In order to provide more effective enforcement of licensing requirements,

stronger sanctions against unlicensed drivers may be necessary.

**SUMMARY:**

A law enforcement officer is authorized to immediately impound the vehicle of any person driving without a valid driver's license or with a suspended or revoked license. This does not apply to any driver whose license has been expired for less than 90 days.

If the driver of the impounded vehicle is the owner, the Department of Licensing shall not approve the release of the vehicle until all penalties and fees have been satisfied. If the driver of the impounded vehicle is not the owner, the driver bears the responsibility of all fees and penalties. The vehicle shall be released to the owner upon proof of such ownership.

New Rule Making Authority: The Department of Licensing is required to adopt such rules as are necessary to the administration of this act.

**VOTES ON FINAL PASSAGE:**

Senate	43	0
House	96	0

**EFFECTIVE:** June 10, 1982

**SB 3587**

C 158 L 82

**BRIEF TITLE:** Implementing law relating to kindergarten.

**SPONSOR:** Senator Gaspard

**SENATE COMMITTEE:** Education

**HOUSE COMMITTEE:** Education

**BACKGROUND:**

The Basic Education Act of 1977 includes kindergarten as a state funded basic education program and requires school districts to offer kindergarten to students. The act defines the school year, the eligibility ages of students and the funding methodology. Previously, kindergarten was an optional program. The school year, student eligibility ages, teacher qualifications and funding methodology were all defined in separate statutes.

Several of these kindergarten statutes are now obsolete and should be repealed. Others should be

amended to conform with basic education requirements and others should be amended to correct a double amendment in the code. It has also been suggested that the school term be defined as 180 half days of instruction rather than the present 180 half days or 90 full days at the school district's discretion.

**SUMMARY:**

School districts are required to include 180 half days of instruction or its equivalent for kindergarten in its basic education program.

A double code amendment is corrected.

Obsolete statutes are repealed.

**VOTES ON FINAL PASSAGE:**

Senate	45	1
House	97	0

**EFFECTIVE:** June 10, 1982

**SB 3609**

C 33 L 82 E1

**BRIEF TITLE:** Establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment.

**SPONSORS:** Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes

**INITIAL SENATE COMMITTEE:** Education

**ADDITIONAL SENATE COMMITTEE:** Ways and Means

**INITIAL HOUSE COMMITTEE:** Education

**ADDITIONAL HOUSE COMMITTEE:** Appropriations-Education

**BACKGROUND:**

The Washington educational system is managed by various separate entities. The common school system, community college system, the regional and research universities and colleges, vocational education programs, institutional education, and private schools and institutions are all managed individually. Inherent in such a system is the problem of lack of coordination among agencies and the possibility of a weak

response to the overall educational needs of students. The result could be inconsistent program offerings, duplication of effort and inefficient use of public dollars. Therefore, periodic examination of the state educational system may be desirable.

**SUMMARY:**

A temporary Committee on Educational Policies, Structure and Management is created to conduct a general review of Washington education and to report its findings. The review shall include an emphasis on the educational progression of students, an examination of current educational components, an examination of educational goals and interrelationships, a determination of duplication of educational services, consideration of reorganization, and emphasis on the education of children in kindergarten through second grade, consideration of the state's responsibility to make ample provisions for education, and in regards to postsecondary education the reports of the Council for Postsecondary Education.

The Committee's first responsibility shall be to identify priority areas and to prepare to address them in a phased-in manner. The Committee shall highlight programs that are working and make use of materials from those who have studied or who are now studying education in Washington.

The Committee will consist of thirteen appointed citizen members and one member of each political party from the House of Representatives and the Senate.

In fulfillment of its duties, the Committee may employ staff or consultants, shall establish advisory committees and task forces, and accept and expend funds from private or public sources with the Governor's approval.

Future Obligation: The Committee shall submit a report to the Governor and the Legislature during the 1983 session.

Termination Date: The Committee shall cease to exist at the conclusion of the 1984 legislative session.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
Senate	25	19
<u>First Special Session</u>		
Senate	39	6
House	64	11

**EFFECTIVE:** April 9, 1982

**SSB 3617**

C 231 L 82

**BRIEF TITLE:** Implementing law relating to use of associated student body funds.

**SPONSORS:** Senate Committee on Education  
(Originally Sponsored by Senator Metcalf)

**SENATE COMMITTEE:** Education

**HOUSE COMMITTEE:** Education

**BACKGROUND:**

Associated student body (ASB) funds are moneys raised by recognized student groups within public schools. In the past, student groups have used the funds to create scholarships and for charitable purposes. Current statute and regulation, however, treat these funds as public moneys and regulate their use under the requirements of Article VIII, Section 7 of the State Constitution. For example, ASB funds cannot be used for any purpose which would personally benefit an individual or group.

Many groups feel that student fund raising for charitable purposes is worthwhile and should be authorized.

**SUMMARY:**

Associated student body program money is declared not to be public money for the purposes of section 7, Article VIII of the State Constitution. Associated student body program money may be used for student exchange purposes as well as for scholarship and charitable purposes. Approval of the board of directors of the district is not required if the appropriate student body determines that the money is to be used for scholarship, student exchange, or charitable purposes.

**VOTES ON FINAL PASSAGE:**

Senate	32	15
House	98	0

**EFFECTIVE:** June 10, 1982



**SSB 3679**

C 5 L 82

**BRIEF TITLE:** Permitting savings banks to pay interest and dividends from their guaranty funds under certain conditions.

**SPONSORS:** Senate Committee on Financial Institutions and Insurance  
(Originally Sponsored by Senator Sellar)

**SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

It is unclear whether a savings bank's guaranty funds may be used to pay interest and dividends.

**SUMMARY:**

Interest and dividends may be paid from a mutual savings bank's guaranty funds if the bank does not have net earnings or undivided profits or other surplus, provided that the Supervisor of Banking approves. The Supervisor must approve unless it has been determined that such payment would place the savings bank in an unsafe and unsound condition.

**VOTES ON FINAL PASSAGE:**

Senate	46	1
House	95	1

**EFFECTIVE:** February 25, 1982

**SB 3737**

C 11 L 82

**BRIEF TITLE:** Modifying the administration of winter recreation activities.

**SPONSORS:** Senators Lee, Goltz and Haley

**SENATE COMMITTEE:** Parks and Ecology

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**BACKGROUND:**

The popularity of cross country skiing, snowshoeing, and other nonmotorized winter recreational activities

has grown in Washington State over the past few years.

The substantial increase in winter recreational activities has resulted in a need for additional parking areas and trail grooming.

**SUMMARY:**

The Washington State Parks and Recreation Commission is authorized to establish and maintain winter recreational facilities on public and private land.

The parking permit fee for winter recreation parking areas, which is currently \$5 per year, is to be set by the Commission after consultation with the Winter Recreation Advisory Committee, up to a limit of \$10 per year.

The winter recreational parking account in which the parking permit fees are deposited is changed to a program account. Instead of using the funds in the account only for parking area purposes, the Commission is directed to use these funds only for nonsnowmobile winter recreation purposes. The Commission is also authorized to make grants from the account to other public agencies for winter recreation programs. In addition, the Commission is authorized to contract with both public and private agencies for winter recreation programs.

The Commission may adopt rules on winter recreation programs and overnight parking in winter recreation parking areas only after consultation with the Winter Recreation Advisory Committee.

The current Winter Recreation Advisory Committee of nine members who are to be representative of all winter recreational activities is reorganized. The new Committee is to consist of twelve members. Nine members are appointed by the Commission with six representing nonsnowmobiling winter recreationists and three representing public snowmobiling. One member is to represent the Department of Natural Resources, another the Department of Game, and the final member the Washington State Association of Counties. Each of these members is to be appointed by the director of the respective department or association. The Director of the Parks and Recreation Commission or his designee is to be a nonvoting member of the Committee and serve as its secretary.

**Termination Date:** The Winter Recreation Advisory Committee terminates on June 30, 1986.

**VOTES ON FINAL PASSAGE:**

Senate	44	3
House	92	4

EFFECTIVE: March 4, 1982

**SSB 3743**

C 18 L 82

**BRIEF TITLE:** Modifying the judicial retirement for disability statutes.

**SPONSORS:** Senate Committee on Ways and Means (Originally Sponsored by Senators Gallagher, Rasmussen and Scott) (By Department of Retirement Systems Request)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

In 1980, the voters approved HJR 37, which established the constitutional provisions for a judicial qualifications commission. Part of this joint resolution allows the Supreme Court to "retire a judge or justice for disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties." The definition of "retirement" in the Judicial Retirement System (JRS) and Public Employees Retirement System (PERS) statutes does not include such retirements for disability by the Supreme Court.

**SUMMARY:**

The definitions of "retirement" in JRS and PERS statutes are revised to include retirement of a judge for disability by the Supreme Court. To be eligible for benefits within JRS the judge must have served on the bench for ten years; and within PERS the judge must have had at least five years membership in the retirement system.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	97	0 (House amended)
Senate	47	1 (Senate concurred)

EFFECTIVE: June 10, 1982

**SSB 3783**

C 46 L 82 E1

**BRIEF TITLE:** Authorizing the physical revaluation of property every six years if statistical adjustments are made.

**SPONSORS:** Senate Committee on Ways and Means (Originally Sponsored by Senators Craswell, Jones and Scott)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Revenue

**BACKGROUND:**

Real property must be physically inspected and valued by the county assessor at least once every four years. If property within a county is revalued only once in four years, a tremendous increase in assessed valuation, often double, may result.

New construction must be valued and placed on the county assessment rolls by May 31. As a result, construction taking place after this deadline is not valued until the following year.

**SUMMARY:**

County assessors are required to revalue all taxable real property at least once every four years, and make physical inspections at least once every six years.

If a county's revaluation plan allows for physical inspection of property at least once each four years, the county assessor may, between inspections, annually update property value by statistical method. If a county's revaluation plan allows for physical inspection less frequently than once each four years, the county assessor must, between inspections, annually update property value by statistical method.

The deadline for placing new construction on county assessment rolls is changed from May 31 to August 31. The assessed valuation of new construction shall be considered as of July 31 (changed from April 30).

The Board of Tax Appeals is granted jurisdiction to decide appeals by an assessor, a landowner, and owners of an intercounty public utility or private car company from determinations of county indicated ratios. Appeals must be filed after a ratio review, and not later than 15 days after the ratio certification date.

Appeals to the Board of Tax Appeals concerning the actions of a county Board of Equalization may not raise the valuation of designated property to an amount greater than the larger of either the county

assessor's or the Board of Equalization's assigned valuation.

Upon an appeal to the Board of Tax Appeals concerning county indicated ratios, the director of the Department of Revenue may, within ten days of receipt of the appeals notice, file with the Board the intent to have the hearing held pursuant to the Administrative Procedure Act. The director of the department and all parties to an appeal concerning county indicated ratios shall have the right of review from a decision.

The Department of Revenue shall annually determine and submit to each county assessor a preliminary indicated ratio for each county, and data provided by the county assessor in determining such ratios.

The department shall, upon request, review a county's preliminary indicated ratio with the assessor, a landowner, or owners of an intercounty public utility or private car company between the first and third Monday of August. After the third Monday in August, the department shall certify all county real and personal property ratios.

The department is required to examine the procedures used by assessors to value property. If an examination discloses other than market value as listed on the assessment rolls, and it is not corrected by the assessor after notification by the department, the department may adjust the ratio of that type of property and use it in determining the county's indicated ratio.

Any real or personal property in each county is subject to investigation and discovery for the purpose of assessment and valuation by the county assessor. In a case of refusal to access such property, the assessor will request assistance from the Department of Revenue.

New Rule Making Authority: The Department of Revenue shall adopt rules establishing appropriate statistical methods for annually updating property values.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
Senate	36	8	
House	90	4	(House amended)
Senate			(Senate refused to concur)
<u>Free Conference Committee</u>			
House	70	24	
Senate	34	8	

**EFFECTIVE:** April 20, 1982 (Sections 1, 2, 3, 4 and 5)

July 10, 1982 (all other sections)

**SB 3795**

C 149 L 82

**BRIEF TITLE:** Requiring the payment of premiums for health care services to the employer during labor disputes.

**SPONSOR:** Senator Sellar

**SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

Employee health insurance premiums are paid monthly by participating employers to health care service contractors (HCSC's). In the event of a labor dispute when the employee is not receiving compensation, payment of those premiums is provided by the employee directly to the HCSC. HCSC's find that this creates administrative difficulties, particularly with large employers, because HCSC's receive a check from each employee as opposed to receiving one check from the employer.

**SUMMARY:**

Employees may pay their health insurance premiums directly to the employer in the event of a labor dispute. The employer remains responsible for forwarding premiums to the HCSC.

**VOTES ON FINAL PASSAGE:**

Senate	47	0	
House	92	0	(House amended)
Senate	43	0	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 3847**

C 93 L 82

**BRIEF TITLE:** Revising laws relating to uniform allowance of organized militia.

**SPONSORS:** Senators Lee, Haley and Woody

**SENATE COMMITTEE:** State Government

HOUSE COMMITTEE: State Government

**BACKGROUND:**

Each commissioned officer in the state militia who is on the active list and not in federal service is paid an initial sum of \$100 as a uniform allowance. An additional uniform allowance of \$50 is paid annually for each 12 months service. Recent budget cutbacks have affected the mandatory uniform allowance payments.

**SUMMARY:**

The Adjutant General's authority to provide specified uniform allowances is made permissive.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	87	0 (House amended)
Senate	43	5 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 3913**

C 137 L 82

**BRIEF TITLE:** Authorizing presuit depositions and interrogatories in the investigation of unfair business practices.

**SPONSORS:** Senate Judiciary Committee  
(Originally Sponsored by Senators Talmadge, Hemstad and Williams)  
(By Attorney General Request)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

The Attorney General has authority under the Consumer Protection Act to investigate possible unfair business practices, such as anti-trust, monopoly and restraint of trade violations. If the Attorney General believes any person is in possession of written documents relevant to the investigation, he or she may issue a civil investigatory demand (CID) requiring the custodian of the records to produce them for inspection and copying.

Because unfair business practices are, however, rarely documented, compelling disclosure of written materials is ineffective to reach the truly probative evidence, which generally consists of verbal statements and

interactions between parties. Alternative methods of discovering information are required in order to conduct a thorough investigation.

**SUMMARY:**

A civil investigatory demand (CID) may include a request for answers to written interrogatories or to enable testimony on oral examination whenever the Attorney General has reason to believe a person has knowledge or information relevant to a pending unfair business practice investigation.

Statutes prescribing the content and service of a CID and the method of responding to a CID are modified to include these additional methods of prelitigation discovery.

Procedures for answering written interrogatories shall be the same as those provided in the civil rules for superior court. Procedures for conducting oral examinations shall be the same as those provided in the civil rules for superior court, except that the assistant attorney general conducting the examination may exclude all persons other than the person being examined, the person's counsel, and the officer before whom the testimony is being taken.

The court is given authority to impose such sanctions as are provided for in the civil rules for the superior court with respect to discovery motions.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	94	3

**EFFECTIVE:** June 10, 1982

**SB 3916**

C 13 L 82 E1

**BRIEF TITLE:** Requiring modification of shorelines classifications to reflect changed circumstances.

**SPONSORS:** Senators Quigg and Goltz

**SENATE COMMITTEE:** Parks and Ecology

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**BACKGROUND:**

Alterations of the natural shorelines, such as landfills, have created situations where some areas once on the

shoreline have become far removed from the shoreline area. However, some of the former areas are still controlled under the Shoreline Management Act (SMA). Some people believe that control of these areas under the SMA imposes an unreasonable burden and is not related to the purpose of the Act—to protect the shorelines of the state.

**SUMMARY:**

The Department of Ecology is required to recognize alterations of the natural condition of the shorelines and wetlands and to reclassify these areas when they are altered, regardless of whether the change occurs through manmade or natural causes.

Areas which were once considered shorelines under the Shoreline Management Act, but which no longer meet the definition of shoreline, will not be subject to the Shoreline Management Act.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate 37 12  
House 79 18 (House amended)

First Special Session

Senate 29 17  
House 72 17 (House amended)  
Senate (Senate refused to concur)  
House 89 0 (House receded)

**EFFECTIVE:** July 10, 1982

**SSB 3927**

C 94 L 82

**BRIEF TITLE:** Funding installation of railroad crossing protective devices.

**SPONSORS:** Senate Committee on Transportation (Originally Sponsored by Senators Charnley, Guess and Patterson) (By Utilities and Transportation Commission Request)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The Secretary of Transportation, or the governing body of a city, town or county, or any railroad whose road is crossed by a highway, may in the interests of

public safety, petition the Utilities and Transportation Commission (UTC) to require additional warning devices at such crossings. Upon receiving the petition, the UTC must hold a hearing where affected parties may present evidence. The UTC then determines whether additional warning devices are required. If additional devices are required, the UTC must apportion the total costs of installation and maintenance of the signals.

State statutes direct that installation costs not eligible for federal funding must be apportioned as follows: 60 percent grade crossing protective fund, 30 percent city, town, county or state, and 10 percent railroad. Maintenance shall be apportioned: 25 percent grade crossing protective fund, 75 percent railroad.

If federal funds are used in an installation of signals, the city, town, county or state must pay the balance of the cost for installation. When federal funds are used to fund signal changes, a sum equal to 60 percent of the total cost of the project is transferred from the grade crossing protective fund back to the motor vehicle fund. This transfer of funds does not occur until the project has been completed. This has caused delays in making the money available to the Department of Transportation to use in its highway construction program. Also, some of the smaller jurisdictions have had problems generating sufficient funds for their match in a timely manner.

**SUMMARY:**

When an order is issued for the installation of improved signals or warning devices, the UTC shall apportion installation and maintenance according to RCW 81.53.295, if the project qualifies for federal funding. For state highway projects, federal funds will pay 90 percent of the total project cost and the remaining 10 percent will be apportioned – 9 percent to the state motor vehicle fund and 1 percent to the grade crossing protective fund. For city, town or county projects, the UTC shall pay 1 percent from the grade crossing protective fund and these jurisdictions will pay nothing, since federal funds will cover 99 percent of the total project cost.

When federal funds are not used, the UTC shall apportion according to state law. The railroad shall submit a claim against the grade crossing protective fund upon completion of the installation and related work.

All petitions acted upon by the UTC prior to this act's effective date are not subject to its provisions.

Future Obligation: Within 90 days of the end of each fiscal year, the UTC shall report on the status of the

grade crossing protective fund to the Legislative Transportation Committee and Senate and House Committees on Transportation.

**VOTES ON FINAL PASSAGE:**

Senate	44	0
House	96	0 (House amended)
Senate	46	0 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 3944**

FULL VETO

**BRIEF TITLE:** Modifying the labor dispute disqualification for unemployment benefits.

**SPONSOR:** Senator Guess

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

The law as currently interpreted allows persons not working due to a labor dispute to collect unemployment compensation.

**SUMMARY:**

An employee is disqualified for unemployment compensation when unemployment is due to a labor dispute, except where it can be shown:

- (1) that the employee is not participating in, financing or directly interested in the dispute; and
- (2) the employee does not belong to a grade or class of workers which was participating in, financing or directly interested in the dispute immediately before the dispute.

**VOTES ON FINAL PASSAGE:**

Senate	26	22
House	54	44

**EFFECTIVE:** FULL VETO  
(See VETO MESSAGE)

**SSB 3946**

C 25 L 82 E1

**BRIEF TITLE:** Modifying the aircraft fuel excise tax.

**SPONSORS:** Senate Committee on Transportation  
(Originally Sponsored by Senator Talley)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The aircraft fuel excise tax rate is 2 cents per gallon, with the proceeds deposited in the Aeronautics Account of the general fund. These proceeds are insufficient to fund various aeronautics programs in the state transportation plan. Sales and use taxes are also paid on aircraft fuel, with the proceeds deposited in the general fund. Increasing the aircraft fuel tax would generate more revenue for the aeronautical program.

**SUMMARY:**

The aircraft fuel excise taxing method is changed to a percentage tax base. The rate is set at 3 percent of the weighted average retail sales price of fuel, to be expressed in cents per gallon. The initial tax will be 5 cents per gallon effective July 1, 1982. An exemption of the aircraft fuel excise tax is granted for local service commuter operations. Sales and use tax proceeds remain in the general fund.

Current statutes relating to aviation fuel tax exemptions for certified airlines who train their crews in Washington State are clarified. Additionally, aircraft used principally for the application of agricultural chemicals and that operate from private, nonstate-funded airfields are exempted from paying the aviation fuel tax.

An appropriation of \$773,000 is made from the aeronautics account of the general fund to the Department of Transportation for the 1981-83 biennium.

## VOTES ON FINAL PASSAGE:

Regular Session

Senate	36	9	
House	68	27	(House amended)
Senate			(Senate concurred in part)

First Special Session

Senate	32	11	
House	68	27	(House amended)

Free Conference Committee

House	74	14	
Senate	30	7	

EFFECTIVE: July 1, 1982

**SB 4025**

C 1 L 82 E1

BRIEF TITLE: Vacating Smith's Cove waterway.

SPONSORS: Senators Jones and Fleming

SENATE COMMITTEE: Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

## BACKGROUND:

Three waterways were established in the early 1900's, and all were designed to connect Lake Washington with saltwater. One of these was the Canal Waterway which essentially followed Horton Street across the tidelands to Beacon Hill, and the intention at that time was to dig a canal through Beacon Hill. Originally, Smith's Cove Waterway was designed to connect Salmon Bay to Elliot Bay; however, the existing canal was built from Shilshole to Salmon Bay.

Subsequent to the building of the locks at Shilshole, the Canal Waterway and the northern portion of the Smith's Cove Waterway were vacated by an act of the Legislature in 1913.

In 1942, the federal government condemned Pier 91 at the start of World War II and an additional part of Smith's Cove Waterway was vacated. Legislative precedence for the vacation process is established, since two of the waterways have already been vacated by legislative action.

There is no longer any need for the existence of the Smith's Cove Waterway as a navigational waterway. The Port of Seattle owns all of the abutting lands.

The Port wants to have the flexibility to further commerce in the area. There is a need to improve access to the terminal area to alleviate traffic problems.

## SUMMARY:

The portion of Smith's Cove Waterway not previously vacated in 1913 and 1942, belonging to the State of Washington, is vacated. Upon vacation of the waterway, the Department of Natural Resources is directed to determine the fair market value of the tidelands which abut the waterway. The fair market value will not be less than the average of at least two independent appraisals. The department is then directed to offer to sell the tidelands to the Port of Seattle at the fair market value. If the Port of Seattle agrees to purchase the tidelands, the proceeds from the sale will be deposited in the general fund, after reimbursement of the appraisal costs to the department's resource management cost account.

## VOTES ON FINAL PASSAGE:

Regular Session

Senate	46	1	
House	81	15	(House amended)
Senate			(Senate refused to concur)

First Special Session

Senate	37	9	
House	73	17	(House amended)
Senate	37	8	(Senate concurred)

EFFECTIVE: July 10, 1982

**SSB 4046**

C 131 L 82

BRIEF TITLE: Modifying testing procedures for brucellosis adult vaccinated cattle.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored by Senator Hansen)

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

## BACKGROUND:

Brucellosis can be an extremely damaging disease to the dairy industry. Experience in other states has shown that adult vaccination may be an effective measure to help eradicate the disease.

SUMMARY:

A program to vaccinate adult cattle against brucellosis may be established, in the manner and under the conditions prescribed by the Director of Agriculture, after a hearing and adoption of rules subject to the Administrative Procedure Act.

Adult vaccinated cattle shall be retested not less than 60 days nor more than 150 days after vaccination. Retesting and release from quarantine are to be under conditions prescribed by the director.

VOTES ON FINAL PASSAGE:

Senate 47 0
House 94 0

EFFECTIVE: June 10, 1982

SB 4064

C 146 L 82

BRIEF TITLE: Providing for annexation of "island" within sewer and water districts.

SPONSORS: Senators Lee and Talley

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

BACKGROUND:

A sewer or water district has no authority to initiate annexation of areas to the sewer or water district. Current annexation procedures require either (1) a special election after 20 percent of the registered voters within the area to be annexed petition the sewer or water district, or (2) a petition signed by 60 percent of the affected property owners within the area to be annexed with no election.

A special election is expensive and when there are absentee landowners it is difficult to acquire signatures of 60 percent of the property owners.

SUMMARY:

When there is, within a sewer or water district, unincorporated territory containing less than 100 acres and having at least 80 percent of the boundaries of such area contiguous to the sewer or water district, the board of commissioners of the sewer or water district may adopt a resolution to annex the territory, describe the area, and give notice by publication of a public hearing.

After the hearing and testimony, the board may annex the territory by resolution, but the effective date of the annexation cannot be less than 25 days from the date of the resolution to annex the area. Notice of the proposed effective date has to be published at least once weekly for two weeks in a newspaper of general circulation in the area.

If within 45 days after the board has adopted a resolution to annex, 10 percent of the voters within that area sign and file a referendum petition with the board of commissioners, the question of annexation has to be submitted to the voters of that area. The annexation will be deemed approved unless a majority of the voters are in opposition to the annexation.

If no referendum petition is filed within 45 days of the board's resolution to annex, the area annexed under the resolution will become part of the sewer or water district upon the date fixed in the resolution of annexation upon transmitting the resolution to the county legislative authority.

VOTES ON FINAL PASSAGE:

Senate 31 15
House 94 0

EFFECTIVE: June 10, 1982

SSB 4115

C 95 L 82

BRIEF TITLE: Revising laws relating to international banking facilities.

SPONSORS: Senate Committee on Financial Institutions and Insurance (Originally Sponsored by Senators Sellar and Wojahn)

SENATE COMMITTEE: Financial Institutions and Insurance

HOUSE COMMITTEE: Financial Institutions and Insurance

BACKGROUND:

An "alien bank" is a branch of a bank whose headquarters is outside of the United States but which operates in Washington according to a state charter pursuant to RCW 30.42. These banks generally engage in international trade financing.

Foreign banks may also operate in Washington under federal law, the International Banking Act of 1978.



Under federal law, foreign banks would be permitted to exercise substantially greater powers than they are permitted to do currently under Washington State law. Accordingly, expanding the powers of alien banks may discourage them from converting to federal charters for competitive reasons. Conversion would eliminate state control of these institutions.

International banking facilities (IBF's) are banking offices that engage in Euro-dollar transactions and are located outside the United States in such places as the Grand Cayman Islands where they are not subject to reserve requirements of the federal reserve system. In order to encourage the repatriation of international banking facilities, the Federal Reserve Board has prepared regulations permitting IBF's to conduct their activities within this country without being subject to reserve requirements. It is felt that exemption from certain state banking and tax requirements will encourage repatriation and will increase banking employment and international trade financing expertise in this state.

**SUMMARY:**

The Supervisor of Banking is given authority to approve of assets to be considered part of the allocated capital maintained within this state by an alien bank.

Alien banks are authorized to exercise lending powers currently possessed by state chartered banks and are authorized to act as a paying agent or trustee in connection with Washington state industrial revenue bonds if the user of the facility financed by the bonds is a foreign-owned entity. Certain alien banks are given the same power to solicit and accept deposits as state chartered banks, with certain qualifications on deposits under \$100,000. Other alien banks may accept deposits only from foreign governments, those doing business abroad, deposits related to international trade, etc. The capital maintenance requirements of alien banks are modified and the Supervisor is authorized to approve certain assets to be considered part of that requirement. Examination of the financial condition of alien banks by the Supervisor is substituted for the requirement for an annual audit by an accountant.

The liabilities of international banking facilities of alien banks, the deposits of which are exempt from reserve requirements of the federal reserve system, are excluded in determining state-imposed requirements for federal deposit insurance or additional capital maintenance deposits.

Financial institutions subject to reserve requirements of the federal reserve system are permitted to deduct from their B&O tax liability the gross receipts of an international banking facility.

International banking facilities are defined with reference to federal banking law.

**VOTES ON FINAL PASSAGE:**

Senate	35	14	
House	97	0	(House amended)
Senate	32	10	(Senate concurred)

**EFFECTIVE:** July 1, 1982

**SB 4133**

C 20 L 82 E1

**BRIEF TITLE:** Modifying the adjustments in compensation or death benefits payable under the industrial insurance system.

**SPONSORS:** Senators Quigg, Ridder and Sellar  
(By Governor Spellman Request)

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic  
Development

**BACKGROUND:**

The industrial insurance statutes provide an adjustment in worker compensation benefits for temporary total disability, permanent total disability and death from injuries or occupational diseases in 1979 and 1980 for workers who became eligible after July 1, 1971.

The adjustment is based on the proportion that the maximum amount of compensation payable at the time rights were established bears to the maximum amount payable on July 1, 1979 or July 1, 1980. Continued use of this ratio will grossly distort benefits in favor of those persons who established claims between July 1, 1971 and June 30, 1982.

**SUMMARY:**

On July 1, 1982 and July 1, 1983, worker compensation benefits for temporary total disability, permanent total disability and death from injuries or occupational diseases will be adjusted for workers whose eligibility was established between July 1, 1971 and July

1, 1981. This adjustment will be based on the proportion that the average monthly wage at the time rights were established bears to the maximum compensation payable on July 1, 1982 for the 1982 adjustment and July 1, 1983 for the 1983 adjustment.

The injured worker or survivor may apply to convert the unpaid balance of the worker's compensation into a lump sum payment. The balance of an injured worker's compensation earns interest at the rate of 8 percent.

The time period within which a claimant, as well as the department's director, must be notified regarding the denial of compensation is extended from seven to thirty days.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>		
Senate	48	0
<u>First Special Session</u>		
Senate	44	0
House	94	0 (House amended)
Senate	45	0 (Senate concurred)

**EFFECTIVE:** July 1, 1982

**SSB 4163**

C 54 L 82

**BRIEF TITLE:** Relating to natural resources.

**SPONSORS:** Senate Committee on Natural Resources (Originally Sponsored by Senator Gallagher)

**SENATE COMMITTEE:** Natural Resources

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**BACKGROUND:**

The Department of Natural Resources is given authority to lease state lands for agricultural purposes up to 25 years. Procedures are established to allow the department and the lessee to work out the terms of the lease agreement.

The fruit industry for apples, pears and other tree fruits, and the grape industry, which has vineyards planted for both wine grapes and market grapes, need a longer period for a lease agreement in order to secure financing for the development of the orchards and vineyards. It is almost impossible to develop any

tree fruit or vineyard industry in a period of 25 years, or to get long-term financing for large developments with anything less than a 55-year lease.

**SUMMARY:**

The Department of Natural Resources is authorized to issue 55-year land leases rather than 25-year land leases for tree fruits and for vineyards. The department is authorized to draw up the leases under the same conditions that exist for other agricultural leases. The department is also given the authority to modify an agricultural or grazing lease during its term if requested by the lessee and the department determines the modifications are in the best interests of the state.

**VOTES ON FINAL PASSAGE:**

Senate	35	9
House	95	0

**EFFECTIVE:** June 10, 1982

**SB 4199**

C 89 L 82

**BRIEF TITLE:** Establishing the Frances Haddon Morgan Children's Center as a state residential school.

**SPONSORS:** Senators Craswell, Gallagher, Gould and Moore

**SENATE COMMITTEE:** Social and Health Services

**INITIAL HOUSE COMMITTEE:** Human Services

**ADDITIONAL HOUSE COMMITTEE:** Institutions

**BACKGROUND:**

Frances Haddon Morgan Children's Center is a state institution for developmentally disabled children. It was established in 1972. The top priority of the institution is to serve autistic children. However, the Center also treats children with other developmental disabilities.

For a number of years, autistic children were treated for emotional rather than developmental disabilities. Autism is now recognized as a developmental disability and falls under the Division of Developmental Disabilities in the Department of Social and Health Services. State institutions for handicapped persons are listed in statute as state schools. The Center is not listed and should be.

**SUMMARY:**

The Frances Haddon Morgan Children's Center is added to the statutory list of state schools operated and maintained by the state for the education, guidance, care, treatment and rehabilitation of persons with a mental or physical handicap.

**VOTES ON FINAL PASSAGE:**

Senate	45	0
House	97	0

**EFFECTIVE:** June 10, 1982

**SSB 4200**

C 98 L 82

**BRIEF TITLE:** Revising the law on public works.

**SPONSORS:** Senate Committee on State Government  
(Originally Sponsored by Senators  
Metcalf, Rasmussen and Deccio)  
(By Department of General Administration  
Request)

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** Select Committee on  
Deregulation and Productivity

**BACKGROUND:**

Advertising and competitive bidding are required for state public works contracts estimated to exceed \$2,500. Some local governmental entities currently use small works rosters instead of formal bidding procedures for small projects. Experience has shown that small works rosters may lower the total cost of minor projects.

Except for those state agencies which have their own architectural staffs, the Department of General Administration provides supervision over most functions relating to the design and construction or alteration of state buildings. The department has requested that these powers be extended to cover all agencies, except for such "operational" structures as fish hatcheries. In turn, General Administration seeks authority to delegate any construction management functions to other agencies under certain conditions.

The Supervisor of Engineering and Architecture in the Department of General Administration must hold a Washington license to practice engineering or architecture, and must have 5 years of experience in the

state. The department would like more flexibility in the supervisor's qualifications.

For those contracts which are less than \$2,000, a public entity may, in lieu of bond, retain the entire contract price until 30 days after final acceptance or until receipt of all necessary releases. General Administration reports that small contractors often have difficulty in obtaining performance bonds and recommends that the bond requirement be eliminated for the small works roster.

**SUMMARY:**

A small works roster is created for the Departments of General Administration, Fisheries, and Game, and the Parks and Recreation Commission for state public works which are estimated to cost \$25,000 or less. Contracts awarded from the small works roster need not be advertised, but the agency must solicit at least 5 written quotations from contractors on the roster.

Whenever possible, the agency shall invite at last one quotation from a minority contractor who is qualified to perform the work. The agency shall award the work to the party with the lowest responsible quotation but may reject all quotations. If the agency is unable to obtain quotations from 5 qualified contractors on the roster, the project must then be advertised and competitively bid.

The Director of the Department of General Administration must adopt rules for the prequalification of contractors for the small works roster. Financial information regarding the prequalification process must be kept confidential. Agencies with small works rosters may adopt conforming rules.

The Department of General Administration is authorized to provide contract administration for functions relating to the design and construction or alteration of all state facilities except state and regional universities, The Evergreen State College, and those facilities used for "operational purposes." The director of the department may delegate the authority to supervise construction or design to any agency under certain conditions.

The qualifications for the Supervisor of the Division of Engineering and Architecture within General Administration are modified to require that the supervisor hold a Washington license to practice engineering or architecture, and have 5 years of experience.

For contracts of \$25,000 or less, a public entity and the contractor may agree to retaining 50 percent of the contract amount, in lieu of requiring a bond, until

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**SSB 4200**

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30 days after final acceptance or until receipt of all necessary releases.

The plans, specifications, and cost estimates must be approved by the public entity and the original or a certified copy filed permanently in the public entity's office before action is taken in awarding a contract for public works.

**VOTES ON FINAL PASSAGE:**

Senate	33	13	
House	92	6	(House amended)
Senate	34	13	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4201**

C 9 L 82 E1

**BRIEF TITLE:** Regulating the valuation of insurance and nonforfeiture of life insurance.

**SPONSORS:** Senate Committee on Financial Institutions and Insurance  
(Originally Sponsored by Senator Clarke)

**SENATE COMMITTEE:** Financial Institutions and Insurance

**INITIAL HOUSE COMMITTEE:** Financial Institutions and Insurance

**ADDITIONAL HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

The 46th Legislature adopted HB 735 (Chapter 157, 1979 Laws), a uniform act developed by the National Association of Insurance Commissioners (NAIC), designed to increase the maximum interest rate insurers may assume they will earn on their investments. It amended the state's standard valuation law and the standard nonforfeiture law for life insurance. The section of the act known as the "Standard Nonforfeiture Law for Individual Deferred Annuities" was vetoed. A number of states plus the District of Columbia have substantially adopted the uniform act.

Since the effective date of the Washington statute, the NAIC has updated the model act. This most recent revision gives the Insurance Commissioner additional responsibility for monitoring the adequacy of liability reserves due to changing interest rates. The act further allows insurance companies the option of varying

interest rate assumptions based upon an indexed formula.

**SUMMARY:**

The NAIC's model act, as amended, the "standard valuation law", which relates to the maximum interest rates insurers may assume they will earn on investments relating to life insurance, annuity, and pure endowment contracts are adopted.

The annual valuation of reserve liabilities (reserves) by the Insurance Commissioner is continued. Life insurance policies for the purposes of this valuation are segregated by type and certain significant dates. Mortality tables are specified and the Insurance Commissioner gains the authority to update mortality tables by regulation. Interest rate assumptions for policies issued prior to the effective date of the act remain in effect. New interest rate assumptions are made for policies issued after the effective date of the act. Insurance companies may adopt the interest rate assumptions of the updated act for new policies by annually filing changes with the Commissioner.

Interest rates that insurers may assume they will earn on investments for future years are defined by formula and indexed to the monthly average of the composite yield of seasoned corporate bonds as published by the Moody's Investor's Service, Inc.

Methods of calculating nonforfeiture/cash value benefits for life insurance are defined, and the NAIC "standard nonforfeiture law for life insurance" is included.

In addition to the technical language adopted, three new concepts are included.

First, interest rate assumptions are indexed as they are in the reserve valuation section at a rate of 1.25 times the valuation rate rounded to the nearest .25 percent.

Second, the act speaks to a new concept of life insurance plans with future premium determinations (variable rate policies), and increases the responsibilities of the Insurance Commissioner.

Third, uniform annual contract charges or policy fees specified in the policy are dropped from the calculations for paid up nonforfeiture benefits or cash values.

The NAIC model act, "standard nonforfeiture law for individual deferred annuities" is adopted. This law requires a paid up annuity benefit, as specified, or a cash surrender benefit in the event of termination of payments on the annuity by the purchaser.

The Insurance Commissioner is given authority to establish filing fee for insurance rates and forms, in amounts not to exceed \$20.00 per filing designed to cover the expenses of regulating insurance rates and forms.

**New Rule Making Authority:** The Insurance Commissioner is given new rule making authority.

#### VOTES ON FINAL PASSAGE:

##### Regular Session

Senate	47	0	
House	96	2	(House amended)
Senate			(Senate refused to concur)

##### First Special Session

Senate	40	4	
House	93	1	(House amended)
Senate	45	0	(Senate concurred)

EFFECTIVE: July 10, 1982

## SSB 4216

C 18 L 82 E1

**BRIEF TITLE:** Modifying provisions relating to unemployment compensation.

**SPONSORS:** Senate Committee on Commerce and Labor  
(Originally Sponsored by Senator Quigg)

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic Development

#### BACKGROUND:

"Regular" unemployment benefits are available to eligible persons for up to 30 weeks. When the number of covered workers drawing benefits reaches a certain level, "extended benefits" become available to those who have exhausted their regular benefits. These extended benefits extend the upper limit of duration to 39 weeks of benefits. The cost of extended benefits is shared 50/50 between state trust funds and federal funds.

Many aspects of the state's unemployment compensation system are determined by federal law. Changes in federal law therefore require periodic changes in the state's unemployment compensation laws to prevent the loss of federal funds. The Employment Security Department has also recommended several changes which are not mandated by federal law.

In some cases, subcontractors have been determined to be the "employees" of other contractors for unemployment compensation purposes. In addition, present law provides that a contractor may be held liable for a subcontractor's delinquent unemployment compensation premiums (i.e., the premiums for coverage of the subcontractor's employees).

The Employment Security Department treats alcoholism as a disease, which may in limited cases be used as a defense to a "misconduct" disqualification from benefits.

The commission of a job-related gross misdemeanor does not in itself automatically disqualify an individual from receiving benefits (i.e., the gross misdemeanor may be found to constitute "misconduct", thereby disqualifying the individual, but later conviction or admission does not in itself disqualify the individual).

#### SUMMARY:

The payment of "additional benefits" to unemployed workers is authorized. Additional benefits may be paid to an eligible unemployed worker for up to 13 weeks, if the worker has exhausted "extended benefits" after July 1, 1980. The potential duration of all benefits is thereby extended to 52 weeks. The individual eligibility requirements for additional benefits are the same as for "extended benefits".

A system of "triggers" for the payment of additional benefits is established, based on economic conditions and approval by the Governor. Notwithstanding these triggers, however, additional benefits will be payable for a period of 13 weeks beginning shortly after the effective date of the act.

The cost of additional benefits will be borne primarily by the state trust fund. (Employers reimbursing the trust fund in lieu of paying unemployment taxes will be liable for the cost of additional benefits paid to their employees.)

No additional benefits will be payable after February 26, 1983. Federally-mandated changes are made in the criteria used for the payment of extended benefits. Also, an optional extended benefit "trigger" is removed (state's option). Changes are made in the state's unemployment compensation laws to address the impact of federal trade readjustment allowances and federally-approved training programs.

The Commissioner of the Employment Security Department is permitted to designate certain commissioners' decisions as precedents.

A system for the deduction of child support payments from unemployment compensation payments is established, as required by federal law.

An employer-employee relationship is deemed not to exist between contractors and subcontractors if several specified conditions are met. Additionally, a contractor is not liable for the delinquent unemployment compensation premiums of a subcontractor if the same specified conditions are met.

An employer-employee relationship is deemed not to exist between individuals performing services in a barber shop or hairdressing or cosmetology shop and the owner of such a shop, if the use of the facilities is contingent upon compensation to the shop owner and the individual performing the services receives no compensation or consideration from the shop owner.

Alcoholism may not be used as a defense to a misconduct disqualification from benefits.

The commission of a job-related gross misdemeanor shall automatically disqualify an individual from receiving benefits.

Unemployment compensation statutes dealing with leaving work voluntarily are tightened and limited to work-connected factors.

Termination Date: Benefits payable to "exhaustees" are not payable for weeks of unemployment beginning after February 26, 1983 unless extended by law.

**VOTES ON FINAL PASSAGE:**

First Special Session

Senate	40	0	
House	97	1	(House amended)
Senate	47	0	(Senate concurred)

**EFFECTIVE:** September 26, 1982 (Section 4)  
April 2, 1982 (all other sections)

**SB 4250**

PARTIAL VETO

C 35 L 82 E1

**BRIEF TITLE:** Relating to revenue and taxation.

**SPONSOR:** Senator Lee

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** none

**BACKGROUND:**

Due to the state's fiscal situation, additional revenues need to be raised.

**SUMMARY:**

The retail sales and use tax rate is decreased to 5.4 percent. (The rate reverts to 4.5 percent under current law on July 1, 1983.) The 5.4 percent rate includes the basic rate at 5.2 percent plus a 4 percent surtax. The retail sales and use tax is also extended to sales of food items except food purchased with food stamps. The effective date for these changes is May 1, 1982. The sales and use tax exemption for food items is reinstated July 1, 1983.

A 4 percent surtax is imposed on the following excise taxes: business and occupation (B&O), public utility, public utility district, tobacco, cigarette, beer and wine, liquor sales and ounce, real estate excise, leasehold, fish privilege, motor vehicle excise, conveyance and insurance premiums. The surtax terminates July 1, 1983. All revenues from the surtaxes shall be deposited into the state general fund.

Taxpayers who make monthly tax payments may remit an estimated amount of tax due. The estimated amount of tax remitted shall be at least the greater of 90 percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year.

A "triggering" mechanism, to control the amounts of revenue raised by the state, is included. If October revenue collections fall below \$2,855,000,000, the retail sales/use tax rate of 5.4 percent and the 4 percent surtax shall remain in effect until July 1, 1983. However, if October revenue collections equal or exceed \$2,855,000,000, the retail sales/use tax rate shall decrease to 5.2 percent and the 4 percent surtax shall be terminated effective November 1, 1982. No upward adjustment is provided.

A seller is entitled to a credit or refund for sales and use taxes paid on debts which are deductible as worthless for federal income tax purposes if a taxpayer files returns based on a cash receipts basis.

The Legislative Budget Committee is directed to review each tax preference for termination by June 30th of the year prior to the date established for termination.

At the end of the current biennium, the State Treasurer shall transfer from the general fund to the budget stabilization account an amount equal to the biennial revenue collections minus \$5,210,000,000.

The revenue package is estimated to raise \$272.7 million during the remainder of the 1981-83 biennium.

Termination Date: June 30, 1983.

#### VOTES ON FINAL PASSAGE:

##### First Special Session

Senate	25	22	
House	50	48	(House amended)
Senate	25	22	(Senate concurred)

**EFFECTIVE:** June 1, 1982 (Sections 28, 29 and 30)  
 July 1, 1982 (Sections 33 and 34)  
 January 1, 1983 (Sections 35, 36, 37 and 38)  
 April 19, 1982 (all other sections)

#### PARTIAL VETO SUMMARY:

The Governor's veto of Section 25 was merely a technical language veto and does not affect the overall content of the omnibus revenue and taxation measure. (See VETO MESSAGE)

## SSB 4285

### PARTIAL VETO

C 19 L 82 E1

**BRIEF TITLE:** Relating to social and health services.

**SPONSOR:** Senate Committee on Social and Health Services  
 (Originally Sponsored by Senator Deccio)

**SENATE COMMITTEE:** Social and Health Services

**HOUSE COMMITTEE:** Appropriations-Human Services

#### BACKGROUND:

The limited casualty program provides state funded medical care to individuals whose income and resources do not exceed a certain specified amount and who also do not qualify for any federal aid program. Under current law, benefits under the limited casualty program for persons who are medically indigent do not begin until a deductible of \$1,500 per person per year is satisfied in most cases. Many individuals under this program are not able to pay for

medical expenses totaling up to \$1,500, so this requirement is causing a hardship for some hospitals. It is particularly difficult for hospitals which treat large numbers of publicly funded patients. It has been suggested that this deductible should be lowered.

The rate of increase in reimbursement to nursing homes for inflation is set forth in statute. In order to provide that nursing home providers receive a comparable rate of increase for inflation that other vendors providing social or health services will receive, the nursing home inflation increase should be revised.

#### SUMMARY:

The deductible for the medically indigent persons, under the limited casualty program, is lowered from the current \$1,500 to \$500 per person per year. The composition of the deductible shall not be disproportionately borne by any one provider.

The inflation rate increases provided to nursing homes during fiscal year 1983 are revised to a rate consistent with that received by other vendors providing social services.

Chiropractic care is no longer excluded under medical assistance as an optional service.

Nursing homes may not bill the Department of Social and Health Services (DSHS) for services rendered to a recipient until they receive a letter of eligibility for the recipient. Nursing homes may, however, be reimbursed for services to recipients if the recipients are referred to the nursing home by DSHS prior to receiving such letter.

#### VOTES ON FINAL PASSAGE:

Senate	41	1	
House	94	0	(House amended)
Senate	47	0	(Senate concurred)

**EFFECTIVE:** April 3, 1982

#### PARTIAL VETO SUMMARY:

The Governor vetoed the proviso in Section 1, subsection (2)(c). This proviso mandated that the Department of Social and Health Services attempt to apportion the Limited Casualty Program's \$500 deductible among the health care providers. (See VETO MESSAGE)

**SB 4307**

C 79 L 82

**BRIEF TITLE:** Modifying civil service provisions relating to state park rangers.

**SPONSORS:** Senators Guess and Hansen

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

The seasonal nature of responsibilities for park rangers requires two distinct types of skills—dealing diplomatically with enforcement problems during the summer season when parks are heavily used, and performing semi-skilled maintenance or repair tasks during the slower winter months. The Parks and Recreation Commission has found that a six-month probationary period is not sufficient to test a new recruit's adaptability for both situations.

**SUMMARY:**

The standard six-month probationary period for civil service employees is extended to twelve months for entry level state park rangers.

**VOTES ON FINAL PASSAGE:**

Senate	32	11
House	91	3

**EFFECTIVE:** June 10, 1982

**SB 4313**

C 70 L 82

**BRIEF TITLE:** Authorizing increases in the compensation paid members of the youth development and conservation corps.

**SPONSORS:** Senators Fuller and Conner

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**BACKGROUND:**

When the state's Youth Development and Conservation Corps was established as a national model for work training in 1961, the state's minimum wage was approximately \$5 per day. More than a decade later,

Congress authorized a Youth Conservation Corps and a Young Adult Conservation Corps with federal funding.

Workers in the state program are still being paid at the original amounts, but frequently are assigned to work beside others who are paid at the federal minimum wage of \$3.35 per hour. Allowing the maximum compensation for participants with special skills or leadership responsibilities to rise to the state minimum wage (now \$2.30 per hour) would reduce this discrepancy.

**SUMMARY:**

In addition to the minimum compensation of \$25 a week for all enrollees in the Youth Development and Conservation Corps, those who have leadership responsibilities or special skills may be paid up to the minimum state wage.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	79	16

**EFFECTIVE:** June 10, 1982

**SB 4354**

C 203 L 82

**BRIEF TITLE:** Providing choices for personnel or civil service system for employees of combined city and county health departments.

**SPONSOR:** Senator Lee

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

Employees of a combined city and county health department may be included in the civil service and retirement plans of the city or county. There may be advantages to creating a personnel system for a combined city and county health department that is separate from the personnel system or civil service of either the county or city.

**SUMMARY:**

The employees of a combined city and county health department may be included in a personnel system for



the combined city and county health department that is separate from the personnel system or civil service of either the county or city.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	98	0

**EFFECTIVE:** June 10, 1982

**SB 4366**

C 138 L 82

**BRIEF TITLE:** Modifying penalties for unlawful issuance of checks or drafts.

**SPONSORS:** Senators Rasmussen and Craswell

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

Because of the costs involved in prosecuting bad check cases, the number of prosecutions for bad checks has dropped. It is asked that changes be made to increase the likelihood of restitution and punishment.

**SUMMARY:**

If the amount taken through bad checks is \$250 or less, it is a gross misdemeanor. Instead of the general statutory punishment for a gross misdemeanor (up to one year imprisonment and/or a fine of up to \$5,000), the following punishment is established: full restitution and a minimum fine of \$500. Confinement remains a sentencing option. At least \$50 of the fine cannot be suspended or deferred. If there is a second conviction within 12 months, the court may suspend or defer only that portion of the fine which is in excess of \$500.

The time allowed for arranging a settlement between the check signer and the check holder is decreased to twenty days from thirty days.

**VOTES ON FINAL PASSAGE:**

Senate	49	0
House	97	0

**EFFECTIVE:** June 10, 1982

**SSB 4369**

PARTIAL VETO

C 50 L 82 E1

**BRIEF TITLE:** Modifying appropriations for the 1981-83 fiscal biennium.

**SPONSORS:** Senate Committee on Ways and Means (Originally Sponsored by Senator Scott)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**SUMMARY:**

Appropriations and expenditures for the operations and capital projects of state agencies for the 1981-83 fiscal biennium are modified. (See Budget Highlights this report and Veto Message.)

**VOTES ON FINAL PASSAGE:**

First Special Session

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

Free Conference Committee

House	59	37
Senate	25	20

**EFFECTIVE:** April 20, 1982

**SSB 4418**

C 201 L 82

**BRIEF TITLE:** DSHS-financial responsibility.

**SPONSORS:** Senate Committee on Social and Health Services (Originally Sponsored by Senator Deccio)

**SENATE COMMITTEE:** Social and Health Services

**HOUSE COMMITTEE:** Appropriations-Human Services

**BACKGROUND:**

There is no common approach to the charging of fees for residential and non-residential services provided by the Department of Social and Health Services. The department has the authority to charge fees for some services, such as mental health services, but not for

other services, such as services to the developmentally disabled. The department has taken the position that fees should be charged for all services in order to provide equity and uniformity and to assure parental responsibility for the normal costs of raising a child. Many people feel this issue is worthy of indepth legislative study before any legislative action is taken.

License fees also lack uniformity. Many license fees, fixed in statute, do not cover the costs of administering the functions associated with licensing. The department would like the authority to charge these fees at a level sufficient to cover its costs associated with licensing.

Some federal laws and regulations relating to public assistance, food stamps and child support have been changed. Our state laws relating to these areas must be changed in order to be in conformity with federal law.

**SUMMARY:**

There are three major areas affected by this bill. They are: (1) a study of financial responsibility for residential and non-residential services; (2) licensing fees for service providers; and (3) changes in laws relating to social services, some of which are needed to conform with recent changes in federal laws.

**(1) Study of Financial Responsibility for Residential and Non-Residential Services**

A joint select committee on financial responsibility for residential and non-residential services is created. The joint committee is directed to study the equity and fairness among services provided to clients and families and fees charged to clients and services with similar needs. The committee must determine whether there is justification for differences in responsibilities of parents for residential services provided to children, and further determine whether fees for residential services are in excess or, or less than, what parents of similar income would likely expend for a child at home.

The study must also examine methods for instituting a common, uniform and consistent approach to charging fees for residential and nonresidential services provided by the department which includes, but is not limited to, the following considerations:

- (1) the ability of parents to pay for services;
- (2) financial considerations for encouraging parental contact with institutionalized children; and
- (3) appropriate offsets to any liabilities to be imposed on parents.

In addition, the study committee shall take the following into consideration when developing its recommendations:

- (1) methods to maximize support from third party payors including the military where appropriate;
- (2) the need to minimize disruption to the current service level because of diminished general state revenues;
- (3) the financial responsibility programs utilized by other states for similar services; and
- (4) the need to ensure that the financial obligations of the parent do not discourage the participation in necessary residential and nonresidential services.

The committee will be composed of 12 members, 6 from the House and 6 from the Senate. The members will be appointed by the Speaker of the House and President of the Senate, and there must be 3 members from each caucus from both houses.

**(2) Licensing**

The Secretary of the Department of Social and Health Services is given the authority to set fees for licenses at a level necessary to cover, but not exceed, the cost to the department for the licensure activity, including inspections. Licensing fees may be waived when they would not be in the interest of public health and safety or when they would be to the state's financial disadvantage. The licensing fees may be reviewed and commented on by DSHS advisory committees. Municipal corporations providing emergency medical care and transportation are exempt from licensing fees, and other emergency services may be charged only for their pro-rata share of the cost of licensure and inspection.

**(3) Changes in State Laws Relating to Social Services, Some of Which Are Needed to Conform with Recent Changes in Federal Laws.**

Public assistance and food stamp overpayments caused by fraud on the part of the recipient shall be a debt due to the state and may be deducted from subsequent assistance in an amount not to exceed 10 percent of the grant standard. Public assistance and food stamp overpayments caused by department error or non-fraudulent action of the recipient shall also be a debt to the state but may only be deducted from subsequent assistance payments at no more than 5 percent of the grant standard unless federal law requires otherwise.

The department may collect child support obligations from unemployment compensation benefits. Worker's compensation time loss benefits due to a recipient or his or her dependents must be subrogated to the Department of Social and Health Services in order to receive public assistance.

The department may charge a fee to persons who owe child support or spousal support when the department assists the spouse or child in collecting the delinquent support, and the spouse and child are not public assistance recipients. The fee may be waived if it is not possible to collect it or to facilitate payment of the delinquent support.

The department is directed to collect data and reconsider the appropriateness of the amounts charged for child support under the Office of Support Enforcement in DSHS.

The department is authorized to establish copayment, deductible or coinsurance requirements for recipients of medical assistance. The department may not, however, establish copayment, deductible or coinsurance for prescription drugs unless required by federal law.

Future Obligations: The joint select committee must report its findings, along with recommendations for legislative action, to the Speaker of the House and President of the Senate no later than January 17, 1983.

**VOTES ON FINAL PASSAGE:**

Senate	26	20
House	91	6 (House amended)
Senate	25	22 (Senate concurred)

**EFFECTIVE:** April 3, 1982

**SB 4425**

C 219 L 82

**BRIEF TITLE:** Revising the requirement for certain port district elections on the issue of increasing the number of commissioners to five.

**SPONSORS:** Senators Wojahn, Haley, Gaspard and Bottiger

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

In order to increase the number of port commissioners from three to five members, the population of a port district must be 500,000. The population is determined according to the latest United States census which is issued every ten years. Port commissioners are elected at large by all the voters in a port district. Pierce County port district is just under the 500,000 mark according to the 1980 census but according to the 1981 estimate by the state it has reached 500,000. The state presently uses its own estimate in a number of other areas such as taxes. If Pierce County could rely on the state's population estimate, it could increase the number of its port commissioners now rather than having to wait eight years for a new U.S. census.

**SUMMARY:**

The population of port districts may be determined by the latest United States regular or special census or by the official state population estimate. Increasing the number of commissioners may be put to the voters in a special port election.

**VOTES ON FINAL PASSAGE:**

Senate	35	12
House	97	0

**EFFECTIVE:** June 10, 1982

**SB 4436**

C 199 L 82

**BRIEF TITLE:** Providing for no implied warranty that livestock are free from disease or breedable.

**SPONSORS:** Senators Hansen and Goltz

**SENATE COMMITTEE:** Agriculture

**INITIAL HOUSE COMMITTEE:** Agriculture

**ADDITIONAL HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

The sale of livestock is presently subject to the Uniform Commercial Code. There are two major provisions of the Uniform Commercial Code which create implied warranties. The first is the implied warranty that goods are merchantable if the seller is a merchant. To be merchantable, the livestock must be fit

for the ordinary purposes for which the livestock are used. The second is when the seller has reason to know the purpose for which the goods are required and the buyer is relying on the seller's judgment to furnish suitable goods, there is an implied warranty that the goods shall be fit for such purpose.

**SUMMARY:**

Livestock are exempt from implied warranties created by the Uniform Commercial Code that they are free of disease, upon the condition that all state and federal animal health laws and regulations must be complied with and that the seller is not guilty of fraud, deceit or misrepresentation.

**VOTES ON FINAL PASSAGE:**

Senate	39	7	
House	67	30	(House amended)
Senate	40	4	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4437**

C 20 L 82

**BRIEF TITLE:** Modifying the laws governing commission merchants and dealers of agricultural products.

**SPONSORS:** Senate Committee on Agriculture (Originally Sponsored by Senators Hansen and Goltz)

**SENATE COMMITTEE:** Agriculture

**HOUSE COMMITTEE:** Agriculture

**BACKGROUND:**

Dealers and commission merchants of agricultural products are required to pay the seller within thirty days of taking delivery of the product, unless another time period is provided in a contract. Failure to pay within the time specified can be construed to be a violation of the Commission Merchants Act and punishable as a gross misdemeanor. Because of caseloads, prosecuting attorneys sometimes will not prosecute misdemeanor crimes. Public livestock markets feel the time period for payment of livestock should be shortened and that nonpayment be punishable as a felony in order to obtain prosecution.

**SUMMARY:**

Dealers are required to pay sellers of livestock within seven days from the date of delivery unless otherwise specified in the contract. Commission merchants are required to pay sellers of livestock within seven days of the date of sale unless otherwise mutually agreed.

Most violations of the Commission Merchant Act remain gross misdemeanors. The following violations cease being gross misdemeanors and become Class C felonies: (1) imposing false charges; (2) making fictitious sales or colluding to defraud a consignor; (3) intentionally making false statements about certain product attributes; and (4) intentionally failing to pay for products valued at more than \$250 in the time and manner provided by law.

**VOTES ON FINAL PASSAGE:**

Senate	42	5	
House	94	0	(House amended)
Senate	48	0	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4438**

C 194 L 82

**BRIEF TITLE:** Modifying the laws governing commission merchants.

**SPONSORS:** Senate Committee on Agriculture (Originally Sponsored by Senator Hansen)

**SENATE COMMITTEE:** Agriculture

**HOUSE COMMITTEE:** Agriculture

**BACKGROUND:**

Commission merchants and dealers in horses, mules and donkeys not sold for slaughter, such as those sold for pleasure or racing purposes, are presently exempt from the Commission Merchants Act. Horses, mules and donkeys sold for slaughter and other kinds of livestock are presently subject to the Commission Merchants Act which includes provisions for the licensing and bonding of dealers and commission merchants.

Bonding levels of dealers in livestock are dependent upon the annual gross dollar volume of sales.

**SUMMARY:**

The exemption for horses, mules and donkeys not sold for slaughter is narrowed so that only persons subject to regulation by the Horse Racing Commission are exempt from the license and bonding requirements of the Commission Merchants Act for activities which are subject to regulation by the Horse Racing Commission.

Dealers in livestock who employ agents are required to obtain a larger bond amounting to \$5,000 for each agent employed.

**VOTES ON FINAL PASSAGE:**

Senate	45	2	
House	98	0	(House amended)
Senate	46	1	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4449**

C 139 L 82

**BRIEF TITLE:** Increasing the number of judges in Clallam and Jefferson counties.

**SPONSORS:** Senate Judiciary Committee  
(Originally Sponsored by Senator Conner)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

Jefferson and Clallam Counties currently constitute a joint judicial district, sharing two full-time superior court judges. The need for an additional judge has been indicated by a weighted caseload analysis done by the Washington State Office of the Administrator of the Courts. The weighted caseload analysis is a study made of superior court filings, both historical and projected, in each county. Historical filings include civil, criminal, probate and mental illness filings from 1974 to 1981, and juvenile filings from 1979 to 1981.

During the 1981 legislative session, the Legislature authorized the creation of a new judicial position for the Ferry, Stevens and Pend Oreille Counties. Before the new position could be established, however, all three counties had to approve the position prior to the effective date of the act. The county of Pend Oreille found some ambiguity in costs to be charged to its

county, and therefore failed to act in time to authorize the new position. The three counties are now in agreement as to the funding and are requesting that the position be re-authorized by the Legislature.

**SUMMARY:**

The joint Clallam-Jefferson judicial district is divided into two separate judicial districts. Clallam County is to have two superior court judicial positions and Jefferson County is to have one superior court judicial position.

A new judicial position is re-authorized for the Ferry, Stevens and Pend Oreille Counties.

The additional judicial positions are not effective unless, prior to the effective date of the act, each county documents its approval of the additional position and agrees to pay traditional expenses of such judicial positions.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	98	0

**EFFECTIVE:** April 1, 1982

**SSB 4460**

C 55 L 82

**BRIEF TITLE:** Revising bicycle laws.

**SPONSORS:** Senate Committee on Transportation  
(Originally Sponsored by Senators Guess and Charnley)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

Cities and towns are authorized to regulate and license bicycles, to construct and maintain bicycle paths or roadways, and to make improvements on existing streets and roads to make them more suitable and safe for bicycle traffic.

The Transportation Commission and local authorities are authorized to prohibit use of bicycles on limited access roads and must erect and maintain traffic control devices on the limited access roadway where such restrictions are in effect.

The definition of a bicycle excludes devices with more than two wheels and adolescent bicycles with wheels less than 20 inches in diameter.

**SUMMARY:**

Bicycle facilities constructed or modified by counties, cities and towns must meet or exceed the standards of the State Department of Transportation.

Bicyclists may use the right shoulder of limited access highways except where prohibited. The Department of Transportation by order, or local authorities by ordinance or resolution, may prohibit use of the shoulders on limited access highways under their respective jurisdictions in urban areas or other sections of the highway where bicycle use is deemed unsafe.

Persons operating a bicycle and not traveling at a rate of speed equal to the flow of traffic must use the right side of the right through lane except while making turning movements or passing other bicycles traveling in the same direction. Bicycles may use the left side of a one-way roadway or highway other than a limited access highway provided it has two or more marked traffic lanes.

Persons operating bicycles are required to give certain hand signals while operating their bicycles.

**VOTES ON FINAL PASSAGE:**

Senate	44	5
House	94	0

**EFFECTIVE:** June 10, 1982

**SSB 4461**

C 129 L 82

**BRIEF TITLE:** Modifying time limits and evidence rules in actions involving the sexual abuse of children.

**SPONSORS:** Senate Judiciary Committee (Originally Sponsored by Senators Bluechel, Deccio, Charnley, Benitz, Fuller, Gallaghan, Gould, Guess, Haley, Jones, Lee, Patterson, Quigg, Sellar, von Reichbauer and Hemstad)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

The limitation of action statute sets time limits from the commission of a crime to the date of charging. For most felonies, prosecution must be commenced within three years of the commission of the crime. Because victims of child sexual abuse are often too young to articulate that they are a victim of a crime or to realize that they are a victim of a crime, it is urged that the statute of limitations for filing a sexual abuse action be extended to five years.

Hearsay statements are oral or written assertions made by a person outside of the trial or hearing offered in evidence to show their truth. In general, hearsay statements are not admissible in trials. There are, however, 23 specific exceptions to the hearsay rule. Each is grounded on the fact that the circumstances of the statement and/or its content provide enough reliability to give the evidence sufficient trustworthiness to allow its presentation to the judge or jury. It is asked that certain statements, having particularized guarantees of trustworthiness, made by children about sexual assaults made on them be allowed into evidence.

Child Protective Services (CPS) has asked for various changes in child abuse statutes to clarify their application.

**SUMMARY:**

The statute of limitations for filing charges relating to child sexual abuse is extended to five years after the commission of the offense.

A hearsay exception is created for use in criminal sexual abuse of children prosecutions. Certain statements made by children about sexual assaults made on them may be allowed into evidence. A hearing is required outside the presence of the jury in which the court is to determine whether the time, content, and circumstances of the statement have particularized guarantees of trustworthiness. Statements found reliable by the court are admissible into evidence if the child testifies or is unavailable as a witness and there is corroborative evidence of the act.

The proponent of the statement must give the adverse party notice of the intention to use the statement and the particulars of the statement. If any application of the hearsay exception in a particular case is held invalid, the applicability to other cases is not affected.

The statutory definition of incest is expanded to include two degrees of crime. Incest in the first degree, a class B felony, is sexual intercourse between certain

relatives. Incest in the second degree, a class C felony, is sexual contact between certain relatives.

The definition of dependent child, used in dependency proceedings, is refined to include a child abused or neglected by a person legally responsible for the care of the child.

When the court examines the need for shelter care for a child, all parties have the right to present testimony regarding the need or lack of need for shelter care. Hearsay evidence, out of court statements asserted in court for their truth, remain inadmissible in evidence.

The definitions of child abuse or neglect and sexual exploitation are expanded to include delineated actions by any person, not just by a person responsible for the child's welfare.

A hospital administrator or doctor who detains a child in a suspected child abuse case is required to notify law enforcement or child protective services (CPS) as soon as possible and in no event longer than 72 hours from the time law enforcement or the parent is notified of the intent to detain. Generally, under such circumstances, CPS will detain the child until the court assumes custody. Persons with a duty to report child abuse, such as teachers or social workers, must report suspected child abuse within seven days. The penalty for not reporting the child abuse is increased from a misdemeanor to a gross misdemeanor.

#### VOTES ON FINAL PASSAGE:

Senate	48	0	
House	93	0	(House amended)
Senate	47	1	(Senate concurred)

EFFECTIVE: June 10, 1982

## SB 4464

C 157 L 82

**BRIEF TITLE:** Modifying provisions relating to crab fishing.

**SPONSORS:** Senators Gallagher, Peterson, Sellar and Conner  
(By Department of Fisheries Request)

**SENATE COMMITTEE:** Natural Resources

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

#### BACKGROUND:

A license moratorium was enacted in 1980 for Puget Sound commercial crab fishing. The moratorium prevents an increase in the number of licenses, but does not reduce their number. Some holders of commercial crab fishing licenses believe the number of licenses should be decreased. Under present law, licenses will become generally transferable on July 1, 1982. Legislative action is required if the number of licenses is to be decreased. Legislative options to effect a decrease will be limited once licenses become transferable.

#### SUMMARY:

RCW 75.28.275, the statute that states commercial crabbing license requirements, is amended as follows: (1) license endorsement requirements stated in RCW 75.28.275(1)(a)-(d) are removed; (2) the date on which license endorsements may be transferred is delayed from July 1, 1982 to July 1, 1986, and which changes are restricted until that date are specified; (3) licenses are permitted to be endorsed for Puget Sound only if the vessel was endorsed for the district in the previous year (or, under limited circumstances, obtained such a license by transfer), and landed 1,000 pounds of crab during a specified two year period. The landing requirement takes effect for applications after January 1, 1984 and may be waived under specified circumstances; (4) a limit of 200 licenses for the Puget Sound crab fishery is established and the Director of the Department of Fisheries is permitted to issue new licenses within that limit; and (5) the director is allowed to issue a temporary permit to a vessel owner to allow use of a license endorsement on a leased or rented vessel.

#### VOTES ON FINAL PASSAGE:

Senate	31	18
House	97	0

EFFECTIVE: April 1, 1982

## SB 4466

C 152 L 82

**BRIEF TITLE:** Revising law on inspecting businesses that sell or handle wildlife.

**SPONSOR:** Senator Gallagher  
(By Department of Game Request)

**SENATE COMMITTEE:** Natural Resources

HOUSE COMMITTEE: Natural Resources and Environmental Affairs

BACKGROUND:

The Game Department presently has authority under RCW 77.12.090 to search, without warrant, any vehicle, container, tent, or camp suspected of containing evidence of a game violation. The department may, also under RCW 77.12.095, inspect, without warrant, the premises of licensed game farmers, taxidermists, and fur dealers, but the language does not extend to licensed commercial steelhead buyers or other businesses licensed under Title 77. About 100 licensed steelhead buyers operate in Washington in any one year. RCW 77.32.250 requires anyone licensed by the Game Department to produce required licenses, tags, punchcards, permits, or stamps upon request of a Wildlife Agent. A recent amendment to RCW 77.32.250 also requires license holders to display their wildlife. While this law permits the inspection of licensed steelhead buyers, future legal challenges could be avoided by adding language to RCW 77.12, which permits the inspection, without warrant, of any commercial enterprise that sells, stores, transports, or possesses wildlife.

"Wildlife" as defined at RCW 77.08.010(16) includes both wild animals and body parts of such animals.

SUMMARY:

Steelhead buyers, and any other businesses involved in commercial sale or storage of wildlife or game fish, are made subject to inspection, without warrant, by Game Department enforcement personnel under the expressed authority of RCW 77.12.095.

Warrantless inspection is authorized, at reasonable times and in a reasonable manner, of the wildlife and records of any commercial enterprise that by Department of Game license or permit sells, stores, transports or possesses wildlife.

VOTES ON FINAL PASSAGE:

Senate 45 2
House 95 0

EFFECTIVE: June 10, 1982

SB 4468

C 135 L 82

BRIEF TITLE: Revising laws concerning authorized deductions of retirement pay.

SPONSOR: Senator Scott

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations-General Government and Compensation

BACKGROUND:

Retired members of the Teachers' Retirement System (TRS) are not provided the opportunity to authorize deductions for health care benefits or deductions for payment of dues or other membership fees to retirement associations, unlike public employees retirees who are provided such an option.

SUMMARY:

A monthly deduction is allowed to be made from the retired teacher's benefit for the premium of a group health care benefit plan approved either by a school district or under the general retirement laws. A deduction is also allowed for the payment of dues or other membership fees to any retirement association composed of retired teachers and/or public employees pursuant to a written agreement between the director and the retirement association.

A deduction is allowed from a PERS retiree's benefit for any authorized group insurance plan monthly premium.

Rule making authority is delegated to the Director, Department of Retirement Systems.

RCW 41.32.680 is repealed which provided for deductions for health care plans.

New Rule Making Authority: The Director, Department of Retirement Systems, is required to adopt rules regarding the deductions from the monthly retirement benefit.

VOTES ON FINAL PASSAGE:

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

EFFECTIVE: June 10, 1982



**SSB 4469**

C 19 L 82

**BRIEF TITLE:** Advancing construction of interstate highways.

**SPONSORS:** Senate Committee on Transportation (Originally Sponsored by Senators von Reichbauer, Patterson, Hansen and Vognild)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The Transportation Commission restated its intent in September, 1981, to complete the interstate system, including I-82, I-90, I-182, and I-705. Washington will not receive adequate federal interstate funds in the 1982-84 time period to meet program requirements; but after 1985 federal revenues will exceed requirements. A programming technique that is established in federal law is called advance construction-interstate (ACI). The use of ACI will permit Washington to continue with an aggressive completion program.

The ACI technique permits a state to proceed with interstate construction projects by advancing state funds during periods when there are inadequate federal funds available. Later, when available federal funds exceed state requirements, these federal funds reimburse the state for funds it has advanced.

To use the ACI technique, Washington would have to sell up to a maximum of \$120 million in bonds over a several year period to obtain necessary state funds. The Legislature has already authorized \$325 million in bonds to pay the state's share of interstate projects. These bonds cannot be sold for ACI purposes, however.

Without the use of the ACI technique, it would be necessary to defer some interstate work from two to four years.

**SUMMARY:**

Authority is granted until December 31, 1985 to sell up to \$120 million of the existing \$325 million interstate bond authorization to accelerate construction of I-82, I-90, I-182, and I-705. The State Transportation Commission is required to consult with the Legislative Transportation Committee on the planned use of federal-aid apportionments received in federal fiscal year 1985 and subsequent years.

**VOTES ON FINAL PASSAGE:**

Senate	37	10
House	68	30

**EFFECTIVE:** March 10, 1982

**SB 4474**

C 56 L 82

**BRIEF TITLE:** Modifying provisions relating to witnesses in criminal proceedings.

**SPONSORS:** Senators Vognild, Gould, Talmadge, Woody and Metcalf

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

Spousal immunity protects communications between marital partners and prevents one spouse from testifying for or against the other without the other's consent. In a recent murder case, the prime witness for the state married the defendant prior to trial. The testimony was therefore barred by spousal immunity.

**SUMMARY:**

The spousal immunity privilege does not bar a spouse from testifying in a criminal action or proceeding against his or her spouse if the marriage occurred subsequent to the filing of formal charges against the defendant.

**VOTES ON FINAL PASSAGE:**

Senate	47	2
House	95	0

**EFFECTIVE:** June 10, 1982

**SB 4477**

C 156 L 82

**BRIEF TITLE:** Modifying provisions relating to volunteer work on state park lands.

**SPONSORS:** Senators Fuller and Zimmerman

**SENATE COMMITTEE:** Parks and Ecology

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

In 1929, the Legislature enacted RCW 43.51.130 through RCW 43.51.160 which required volunteer organizations to meet specified qualifications before doing any work at a state park. Any organization which desires to make improvements at a park must file an application with the Parks and Recreation Commission. The applicant must describe the improvement, state the name and the purpose of the organization the applicant represents, and the names and places of residence of the officers or committee members of the organization. The application must be accompanied by a certificate from a Superior Court judge of the appropriate county stating that the judge is familiar with the officers or committee of the organization and that the judge knows them to be persons of good repute.

If the commission determines that an improvement will benefit the public, then the applicant must also submit detailed plans and specifications for the improvement. The applicant must also file a surety bond with the Secretary of State in an amount set by the commission. The bond conditions are to stipulate that the applicant will make the improvements approved by the commission, pay all labor and material costs, and return to the State Treasury any revenues derived from the sale of timber or other park resources destroyed or used in making the improvement.

Individuals and organizations are now volunteering to make improvements and provide personal services at state parks. Some groups and individuals who are unable to bear the total cost of an improvement are volunteering to assist the state parks by contributing in part to the full cost of a project.

Some feel it is unrealistic to expect Superior Court judges to know the officers of any organization which may wish to volunteer to work at a state park. Requiring a Superior Court judge to investigate the background of every such organization places an unnecessary and costly responsibility on the court system. Also, it is considered impractical to require all volunteers to prepare detailed plans and specifications for their work. There is a need in many instances for volunteers to file a surety bond. However, the Parks and Recreation Commission feels that it would be better to grant the Commission discretionary authority to determine when volunteers should file bonds.

**SUMMARY:**

The improvements may not interfere with use of public lands or facilities by the public, and must be for the use of all members of the public.

The Parks and Recreation Commission may grant permits to individuals, groups, organizations, agencies, clubs and associations to improve state parks. Applications which describe the proposed improvement are to be submitted to the commission for review. Prior to granting a permit, the commission is to determine that the applicants are persons of good standing.

If the commission determines that a proposed improvement will substantially alter a park, then the applicants must submit detailed plans and specifications to the commission. If the commission determines that it is necessary, then the applicants must also file a bond with the Secretary of State in an amount specified by the commission. In addition, volunteers are no longer required to pay all the costs associated with improvements.

**VOTES ON FINAL PASSAGE:**

Senate	28	20	
House	94	0	(House amended)
Senate	33	15	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4481**

C 213 L 82

**BRIEF TITLE:** Revising review limitations of sewer or water district plans.

**SPONSORS:** Senate Committee on Local Government (Originally Sponsored by Senators Sellar and Talley)

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

The legislative authority of each county which rejects a sewer or water district comprehensive plan, or part thereof, is not required to state what statutory criteria the plan failed to meet. The advantage of requiring the reasons for rejection of a plan is that it is easier to bring the plan into conformity with statutory criteria when the deficiencies are clearly specified.

The local government legislative body which reviews the comprehensive plans of sewer and water districts may impose requirements as to the size of sewer systems or water supply facilities. It is believed that this is a decision requiring engineering expertise and that the sewer and water districts are more likely to possess this knowledge than the legislative body.

**SUMMARY:**

The county legislative body which rejects a sewer or water district's comprehensive plan, or any part thereof, will specifically state the reasons why the plan failed to meet the statutory criteria. The legislative body may not impose requirements restricting the maximum size of the sewer system or water supply facilities set forth in the comprehensive plan.

Any amendment or alteration to the sewer or water district comprehensive plan will be subject to approval as if it were a new plan without affecting the status of the original general comprehensive plan.

The construction or existence of sewer or water capacity in excess of the needs of the density allowed by zoning will not constitute grounds for any legal challenge to any county zoning decision.

**VOTES ON FINAL PASSAGE:**

Senate	46	2
House	88	10

**EFFECTIVE:** June 10, 1982

**SB 4483**

C 140 L 82

**BRIEF TITLE:** Prescribing penalties for assaults on transit drivers.

**SPONSORS:** Senators Hemstad, Talmadge and Wojahn

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

A person who assaults a transit operator is guilty of simple assault, a misdemeanor (90 days imprisonment and/or \$1,000 fine).

Because of the susceptibility of transit operators while operating or in control of a transit vehicle and the

danger to other passengers, it is believed that a misdemeanor penalty is not adequate punishment. Because of the number of assaults, it is also believed that a misdemeanor penalty is not an adequate deterrent.

**SUMMARY:**

The act of assaulting a transit operator while operating or in control of a vehicle owned or operated by a transit company is made a Class C felony (5 years imprisonment and/or a \$10,000 fine).

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	97	1

**EFFECTIVE:** June 10, 1982

**SB 4484**

C 71 L 82

**BRIEF TITLE:** Establishing commercial zones and terminal areas for trucks.

**SPONSORS:** Senators Haley, Charnley, Jones and Craswell

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The Interstate Commerce Commission (ICC) regulates the trucking industry hauling commodities interstate. The ICC has established commercial zones and terminal areas and exempted the industry from federal regulation while operating in these areas.

Initially, the commercial zones and terminal areas were based solely on a population/mileage ratio. Since then, a number of cities have been exempted from the ratio and the boundary lines for their commercial zones and terminal areas determined by the ICC. The ICC is continually reviewing commercial zone boundaries, with the last major revision in 1977.

Current statutes require that public convenience and necessity (PCN) be proven to establish commercial zones and terminal areas for intrastate operations. The Utilities and Transportation Commission, beginning in 1976, held hearings to establish PCN for commercial zones throughout the Puget Sound area. These hearings established a commercial zone for the

Seattle area identical to the then existing ICC zone. However, a finding of public convenience and necessity was not sustained for Tacoma or Everett.

**SUMMARY:**

There is established for each city and town within the state a commercial zone and terminal area identical to those established by the ICC pursuant to Section 10526(B)(1) of the Interstate Commerce Act.

Any common carrier having general freight authority between two points within a commercial zone on the effective date of the UTC rules designating the area of the zone shall have the authority to serve any points within the zone. Similarly, any carrier with general freight authority between a city or town inside a commercial zone or terminal area and a city or town outside such zone or area may, as part of intercity service, pick up and deliver any place inside the zone or area. Persons seeking authority to serve as a common carrier within a zone after promulgation of rules by the UTC designating the zone shall be subject to all of the requirements of law and UTC rules applicable to those seeking new or extended permit authority.

General freight operations within commercial zones and terminal areas remain subject to rate regulation by the UTC.

New Rule Making Authority: Within 90 days of the effective date of this bill, the UTC shall promulgate rules designating commercial zones and terminal areas established hereby.

The UTC may, by rule, expand any commercial zone or terminal area if it finds that public convenience and necessity requires such expansion.

**VOTES ON FINAL PASSAGE:**

Senate 36 13  
House 95 0

**EFFECTIVE:** June 10, 1982

**SB 4488**

C 96 L 82

**BRIEF TITLE:** Revising payment procedures of assessments for local improvements.

**SPONSORS:** Senators Zimmerman and Charnley

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Revenue

**BACKGROUND:**

There are two options for the payment of principal and interest on bonds issued in city local improvement districts. One is to pay all of the cost in one lump sum. The other option is to pay in "equal annual installments" which refers only to equal payments of the principal but not the interest. The interest payment will decline each year with the largest interest payment due with the initial installment. A third option providing for equal annual installments of principal and interest will make payment easier on the low income and elderly who may find it difficult to pay the larger installments required initially under the equal annual installments option referring only to principal.

**SUMMARY:**

Assessments levied against property under a bond issue may be paid in equal annual installments of principal and interest.

**VOTES ON FINAL PASSAGE:**

Senate 46 0  
House 94 1

**EFFECTIVE:** June 10, 1982

**SB 4491**

C 72 L 82

**BRIEF TITLE:** Permitting state appeals court judges to serve as judges pro tempore of the state supreme court.

**SPONSORS:** Senators Clarke, Talmadge, Newhouse and Wojahn  
(By Judicial Council Request)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

Article IV, Section 2A of the State Constitution permits any judge of a court of record to be a Supreme Court justice pro tempore. When the Court of Appeals was created and made a court of record, the statutes governing justices pro tempore were not updated.

**SUMMARY:**

A judge of the Court of Appeals may be appointed to serve as judge pro tempore of the Supreme Court.

A judge of the Court of Appeals will receive, in addition to his or her regular salary, reimbursement for subsistence, lodging and travel expenses in accordance with the rates applicable to state officers under RCW 43.03.050 and 43.03.060.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 95 0

**EFFECTIVE:** June 10, 1982

**SB 4492**

C 12 L 82 E1

**BRIEF TITLE:** Excluding all parking offenses from additional penalty assessments.

**SPONSORS:** Senators Clarke, Newhouse, Wojahn and Zimmerman  
(By Judicial Council Request)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

The Traffic Infractions Act imposes a \$25 penalty on a person who fails to respond to an infraction notice or who fails to pay a monetary penalty imposed by the court. It is unclear whether statutory assessments for the Criminal Justice Training Commission, the Traffic Safety Education Program, the Judicial Information System, and the Judicial Education Account apply to this penalty.

Legislation enacted during the 1981 Regular Session gave local jurisdictions the authority to determine the penalty for failure to respond to a notice of overtime parking. The Judicial Council has requested that this authority be expanded to all parking offenses.

**SUMMARY:**

The \$25 penalty imposed for failure to respond to a traffic infraction is exempt from the statutory assessments for the Criminal Justice Training Commission, the Traffic Safety Education Program, the Judicial Information System, and the Judicial Education Account.

A monetary penalty for failure to respond to a parking infraction may be set by the local authority, but the penalty shall not exceed \$25.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate 44 3  
House 65 31 (House amended)  
Senate (Senate refused to concur)

First Special Session

Senate 42 4  
House 51 42 (House amended)  
Senate (Senate refused to concur)  
House 57 30 (House receded)

**EFFECTIVE:** July 10, 1982

**SB 4493**

C 150 L 82

**BRIEF TITLE:** Permitting justice courts to impose fines up to \$1,000.

**SPONSORS:** Senators Clarke, Talmadge, Newhouse and Wojahn  
(By Judicial Council Request)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

As part of the Sentencing Reform Act of 1981, the Legislature increased the maximum fine for misdemeanors to \$1,000. A corresponding increase in authority for sentencing by the district courts was not made.

**SUMMARY:**

The district courts are given the authority to impose fines up to \$1,000 and a term of imprisonment of up to one year for misdemeanor violations.

**VOTES ON FINAL PASSAGE:**

Senate 43 0  
House 95 0 (House amended)  
Senate 48 0 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4501**

C 130 L 82

**BRIEF TITLE:** Modifying requirements for posting of prevailing wage statements by certain contractors.

**SPONSORS:** Senate Committee on Commerce and Labor  
(Originally Sponsored by Senators Guess, Hansen and Quigg)

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

A contractor on a public works contract exceeding \$10,000 must post information relating to the prevailing wage at the job site.

**SUMMARY:**

Contractors on certain projects for which there is no field office are exempted from the requirement of posting information at the job site relating to prevailing wage. They may instead post such information at their local office as long as they provide a copy of the wage statement to any employee on request. A statement of intent to pay prevailing wage should include the estimated number of workers required.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 94 0

**EFFECTIVE:** June 10, 1982

**SSB 4502**

C 136 L 82

**BRIEF TITLE:** Modifying funds apportioned by the superintendent of public instruction.

**SPONSORS:** Senate Committee on Ways and Means  
(Originally Sponsored by Senator Lee)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

Local school districts receive state funds on the basis of a 12 month schedule. This schedule provides 7 percent of the local district's entitlement to state funds in June followed by 9-1/2 percent in both July and August. The cash needs of local school districts do not coincide with this distribution of state funds.

**SUMMARY:**

The distribution of state funds is modified so that local districts receive 6 percent, 10 percent, and 10 percent of their entitlement to state funds during the months of June, July, and August, respectively.

It also provides that for the 1982-83 school year, the September, October, March and April payments shall be made in two equal payments. The first half will be made on the last business day of the month. The second half will be made on the fifteenth of the following month. Interest will be paid to local districts on these deferred funds at the state interfund loan rate as set by the State Finance Committee. This measure also allows local school districts to defer the receipt of up to 4 percent of their general apportionment payments for the 1981-82 school year until 1982-83. This potentially has the effect of increasing local special levies in those districts eligible for grandfather status. Payment of any locally deferred funds will be made in the June 1983 apportionment payment.

**VOTES ON FINAL PASSAGE:**

Senate 32 16  
House 97 0 (House amended)  
Senate 33 13 (Senate concurred)

**EFFECTIVE:** April 1, 1982 (Section 3)  
September 1, 1982 (all other sections)

**SSB 4505**

C 73 L 82

**BRIEF TITLE:** Deleting minimum charge for county treasurer investment service.

**SPONSORS:** Senate Committee on Local Government  
(Originally Sponsored by Senators Sellar and Talley)

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

In recent local government audits, the State Auditor has required counties to charge the minimum \$10 service fee on investments. The minimum fee is excessive because it often amounts to half the return on the investment. If the minimum service fee is abolished, those local jurisdictions investing through the county treasurer's office may gain a greater share of the return on their investments.

**SUMMARY:**

The \$10 minimum fee is eliminated. Instead, 5 percent of the interest earned on investments will be paid as a service fee to the county treasurer. However, fees of less than \$5 may be waived.

**VOTES ON FINAL PASSAGE:**

Senate	44	0
House	94	0

**EFFECTIVE:** June 10, 1982

**SB 4506**

C 74 L 82

**BRIEF TITLE:** Authorizing the state treasurer to alter certificate of deposit allocation.

**SPONSORS:** Senators Clarke and Rasmussen  
(By State Treasurer Request)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

Those funds designated as State Treasury surplus are to be allocated to a time certificate of deposit investment program and apportioned to Washington banks on a basis determined by the State Treasurer. A bank's assets, deposits, loans, capital structure and investments are among the criteria analyzed in determining the time certificate distribution. The traditional investment period is 90 days.

While the distribution formula is left to the Treasurer's discretion, the overall allocation formula is defined in the law: "... 5 percent of the three year average mean of general state revenues ... or 50 percent of the total surplus treasury investment availability, whichever is less."

The state's recent and continuing cash flow problems have caused the Treasurer to request greater latitude to deviate, when necessary, from the mandated allocation formula.

**SUMMARY:**

If the Treasurer determines that abiding by the statutory allocation formula will negatively affect the liquidity of state funds, the Treasurer may adjust the allocation formula.

**VOTES ON FINAL PASSAGE:**

Senate	47	1
House	96	0

**EFFECTIVE:** June 10, 1982

**SB 4507**

C 148 L 82

**BRIEF TITLE:** Extending the state treasurer's authority to invest treasury surplus.

**SPONSORS:** Senators Clarke and Rasmussen  
(By State Treasurer Request)

**INITIAL SENATE COMMITTEE:** Ways and Means

**ADDITIONAL SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

Whenever there is a temporary surplus of funds in the state treasury, the Treasurer is empowered to invest these funds in certain short term statutorily-designated securities.

The Treasurer is not permitted to invest in capital notes, debentures, or generally in negotiable certificates of deposit, or in commercial paper issued by large business corporations. In addition, the Treasurer is permitted to make deposits of surplus funds in domestic banking institutions only.

The Treasurer proposes an expansion of the statutory list of approved, short-term investment instruments, and a broadening of the treasury's investment market place.

**SUMMARY:**

The Treasurer may invest in negotiable certificates of deposit offered by any national or state commercial or

mutual savings bank, or savings and loan association, on the condition that the Treasurer adhere to policies and procedures followed by the State Investment Board. Similarly, the Treasurer may invest in commercial paper, contingent upon adherence to State Investment Board policies and procedures.

**VOTES ON FINAL PASSAGE:**

Senate 33 11  
House 58 40

**EFFECTIVE:** June 10, 1982

**SSB 4510**

C 7 L 82

**BRIEF TITLE:** Providing for recovery operations from Mt. St. Helens eruption.

**SPONSORS:** Senate Committee on Ways and Means (Originally Sponsored by Senators Quigg, Talley, Guess, Zimmerman, Fuller and Sellar)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Appropriations—General Government and Compensation

**BACKGROUND:**

The May, 1980 Mount St. Helens eruption caused serious damage over a large area. One of the effects was the washing of huge amounts of silt into several rivers. Siltation is continuing, and threatens severe consequences for transportation and utilities, public and private property, and lives in the Toutle, Cowlitz, Coweeman and Columbia River drainages, and, navigation on the Columbia River. Forty-five thousand people live in these potential impact areas. There is an immediate need for dredging, acquisition of sites for dredge spoils, funds to continue rehabilitation of affected areas, and further coordination among involved local, state and federal entities.

**SUMMARY:**

New sections are created and existing statutes are amended.

New sections:

- (1) make legislative findings that cooperative efforts should be launched to abate siltation,

caused by the Mount St. Helens eruption, that threatens property, lives and vital services;

- (2) form a legislative select committee consisting of six members from the House of Representatives and six members from the Senate to report to the Legislature at the beginning of the 1983 and 1984 regular sessions;
- (3) appropriate one million dollars from the general fund to the Department of Transportation to acquire dredge spoils sites and related incidental expenses thereto; and
- (4) declare that an emergency exists and that the laws take effect immediately.

Existing statutes are amended as follows:

1. RCW 43.01, State Officers—General Provisions, is amended to:
  - a) authorize the Department of Transportation to secure any lands or interest in lands by purchase or donation for dredge spoils sites, by means other than eminent domain;
  - b) authorize the public lands commissioner to declare surplus and sell land damaged by the eruption;
  - c) require all state agencies to cooperate with local governments, the Corps of Engineers and other federal agencies to plan dredge site selection, spoils removal, and all other phases of recovery operations;
  - d) require the transportation and emergency services departments to work with the Corps of Engineers and affected counties on site selection and site disposition; and
  - e) authorize state agencies to cooperate with the Corps of Engineers in dredging and dredge spoils deposit operations.
2. RCW 36.01, General Provisions (for counties), is amended to authorize all local governmental entities to:
  - a) cooperate with state and federal agencies in planning dredge site selection and spoils removal;
  - b) rezone as necessary to facilitate recovery operations;
  - c) manage and maintain involved lands and deposited dredge spoils; and
  - d) assist the Corps of Engineers in dredging and dredge spoils operations.



3. RCW 90.58, Shoreline Management Act of 1971, is amended to exempt authorized emergency recovery operations from the Shoreline Management Act until June 30, 1984. The applicable legislative authority, however, is to promptly notify the Department of Ecology of the emergency action and the emergent nature of the problem.
4. RCW 43.21C, State Environmental Policy Act, is amended to exempt authorized emergency recovery operations from the State Environmental Policy Act until June 30, 1984. The applicable legislative authority, however, is to promptly notify the Department of Ecology of the emergency action and the emergent nature of the problem.
5. RCW 89.16, Reclamation By State, is amended to exempt authorized emergency recovery operations from the ecology department requirements as to diking and drainage until June 30, 1984. The applicable legislative authority is to notify the Department of Ecology as in (3) above.
6. RCW 43.21, Department of Conservation, is amended to exempt authorized recovery operations from the ecology department water and flood control requirements until June 30, 1984. As in (3) above, the applicable legislative authority is to notify the Department of Ecology.
7. RCW 75.20, Restrictions As To Dams, Ditches, And Other Uses Of Waters and Waterways, provides specific directions to the Director of Fisheries and the Director of Game as to expediting flood-control dredging while continuing to protect the fish resource.

Future Obligation: The legislative select committee shall report to the Legislature at the beginning of the 1983 and 1984 Regular Sessions.

**VOTES ON FINAL PASSAGE:**

Senate	39	10	
House	97	0	(House amended)
Senate	39	7	(Senate concurred)

**EFFECTIVE:** February 27, 1982

**SB 4512**

C 141 L 82

**BRIEF TITLE:** Modifying the liability of railroad company employees.

**SPONSORS:** Senators Clarke, Talmadge, Hemstad and Hughes

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

In 1977, railroad companies were granted immunity for injury or death to persons trespassing on trestles and bridges. Railroad employees were not included in this immunity. In recent Supreme Court cases in other states, it has been held that similar statutes immunized the railroads from all responsibility for accidents along their tracks but that this immunity did not extend to railroad employees operating a train. Because of this omission, some railroad employees have had their property attached.

**SUMMARY:**

Immunity for injury or death to persons trespassing on trestles or bridges is extended to railroad company employees.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	94	0

**EFFECTIVE:** June 10, 1982

**SB 4522**

C 197 L 82

**BRIEF TITLE:** Modifying provisions relating to salmon fishing.

**SPONSORS:** Senators Gallagher, Conner and Fuller

**SENATE COMMITTEE:** Natural Resources

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**BACKGROUND:**

Persons who are not treaty Indian fishermen have participated with treaty Indian fishermen in the taking of food fish and shellfish. This practice affects the

allocations of fish to treaty Indian fishermen and others and the practice violates federal law. While the state has the manpower for enforcement, it presently lacks the authority to stop the practice.

**SUMMARY:**

A new section is added to RCW 75.12, "Taking of Food Fish, Shellfish," which gives state fisheries patrol officers the authority to prevent any non-treaty Indian fisherman from actually fishing or assisting in a fishing operation that is conducted in a treaty Indian fishery. Non-treaty Indian fishermen are also precluded from claiming a share of the catch from such fishery. Certain relatives of treaty Indian fishermen may assist in exercising treaty Indian fishing rights when a treaty Indian fisherman is present at the fishing site.

**VOTES ON FINAL PASSAGE:**

Senate	48	0
House	94	4

**EFFECTIVE:** June 10, 1982

**SB 4544**

C 215 L 82

**BRIEF TITLE:** Permitting the department of licensing to supply lists of vehicle owners for certain purposes.

**SPONSORS:** Senators von Reichbauer, Vognild and Benitz

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The disbursement of the list of motor vehicles registered in Washington would be of benefit to the citizens of the state in several instances. For example, it would (1) facilitate the recalling of motor vehicles with safety defects; (2) provide assistance to governmental agencies with respect to motor vehicle and traffic safety laws; and (3) produce prompt and up-to-date information regarding the ownership of a motor vehicle in order to more readily obtain financing for the purchase of the vehicle.

The public disclosure law prohibits furnishing lists to persons requesting them for "commercial purposes".

Questions have arisen whether businesses can be provided the motor vehicle registration list for the above described purposes.

**SUMMARY:**

The Department of Licensing is allowed to furnish lists of registered and legal owners of motor vehicles to the following:

- (1) The manufacturers of motor vehicles, or their authorized agents, to be used in carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, regarding safety-related defects in motor vehicles;
- (2) Any governmental agency, to be used by that agency or its authorized commercial agent solely in connection with traffic enforcement or traffic safety programs under the auspices of the agency. Only such parts of the list as are required for completion of the work required of the agent or contractor shall be provided to the agent or contractor.
- (3) Any business granting loans to finance the purchase of motor vehicles may request and receive information which pertains specifically to the ownership of those particular vehicles.

Manufacturers, government agencies, financial institutions, or their authorized agents or contractors, who use lists of registered and legal owners of motor vehicles for any purpose other than those authorized in this act are denied further use of these lists by the Department of Licensing.

**VOTES ON FINAL PASSAGE:**

Senate	47	1
House	78	17 (House amended)
Senate	43	1 (Senate concurred)

**EFFECTIVE:** April 3, 1982

**SSB 4545**

C 142 L 82

**BRIEF TITLE:** Exempting from the motor vehicle excise tax, vehicles used exclusively for elderly or handicapped ride-sharing.

**SPONSORS:** Senate Committee on Transportation  
(Originally Sponsored by Senators von  
Reichbauer, Gaspard, Benitz, Talley,  
Quigg and Gallagher)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

Until January 1, 1988, vans used regularly as ride-sharing vehicles by not fewer than seven persons are exempt from the 2.2 percent motor vehicle excise tax (MVET). A ride-sharing vehicle is a passenger motor vehicle with a seating capacity not exceeding 15 persons, including the driver, used for commuter ride-sharing or for ride-sharing for the elderly and the handicapped.

Some senior centers or social multi-service centers operate equipment larger than 15-passenger vans. If these groups purchase larger vehicles, the MVET exemption is lost. Handicapped groups argue that the required minimum of seven persons in a van is unfair to them since if many of the riders are confined to wheelchairs, it is not possible to carry seven persons in a van.

**SUMMARY:**

For the MVET exemption, the requirement that at least seven persons regularly use a van with a capacity not exceeding 15 persons is changed to provide that as few as five persons may use such van, if three or more of those persons are confined to wheelchairs while riding. This legislation also exempts from the MVET, a vehicle with a seating capacity greater than 15 persons, used exclusively for ride-sharing for the elderly and handicapped by not fewer than 7 persons including the driver.

Termination Date: Existing law provides that the exemptions for ride-sharing vehicles expire January 1, 1988.

**VOTES ON FINAL PASSAGE:**

Senate	47	0	
House	95	0	(House amended)
Senate	46	0	(Senate concurred)

**EFFECTIVE:** April 1, 1982

**SB 4547**

C 143 L 82

**BRIEF TITLE:** Permitting horseless carriage plates to be issued to pre-1941 vehicles.

**SPONSORS:** Senators von Reichbauer, Vognild and Quigg

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

Ten years ago, legislation was passed specifying that a vehicle manufactured in the year 1931 or earlier, used primarily as a collector's piece, was eligible for a special, commemorative license plate which cost \$25 for the life of the vehicle, in lieu of regular license plates.

Antique vehicle owners feel this is discriminatory because many of the antique vehicles used today for parade and show purposes and as collector pieces are of a 1940 vintage. The qualification for application has been changed from "a vehicle manufactured prior to 1931" to a vehicle "40 years old or older" by a number of states in order to keep the antique vehicle law in an up-to-date status.

**SUMMARY:**

Any motor vehicle manufactured more than 40 years ago, which is used primarily as a collector's item, may be issued a special commemorative license plate in lieu of regular license plates, provided the vehicle is in good running order.

The applicant for the special antique vehicle plate shall pay a fee of \$25 for a permanent license plate valid for the life of the vehicle, in addition to those initial fees required by law. (These fees include (1) a \$1 application fee; (2) a \$2 filing fee for title change; and (3) a \$1 fee for change of class. If the antique vehicle is not currently licensed, then the year's basic license fee and excise tax must be paid.)

The special commemorative "horseless carriage" license plates and the registration numbers assigned to such motor vehicles shall run in a separate numerical series and shall be of a color distinguishing them from the regular state license plates.

**VOTES ON FINAL PASSAGE:**

Senate	45	1
House	98	0

EFFECTIVE: June 10, 1982

**SB 4549**

C 57 L 82

**BRIEF TITLE:** Amending the transportation budget.

**SPONSORS:** Senators von Reichbauer, Talley and Guess  
(By Department of Transportation Request)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

During the 1981-83 biennium budget development process, an error was made by OFM regarding available motor vehicle fund revenues. As a result, OFM arbitrarily reduced the Department of Transportation's budget request by \$925,000 in order to balance the motor vehicle fund revenues.

The Department of Transportation, as a result of an internal study just completed, identified some major shortcomings in their capital program management system, particularly in the area of planning and control functions. The study recommends enhancement to the Department of Transportation's data processing systems in order to improve project estimating, scheduling, performance measurements and management controls.

The Department of Transportation budget for the 1981-83 biennium contained the following language:

"Allotments may be revised as provided in RCW 43.88.110, but the portion of an appropriation which has been initially allotted for the first fiscal year shall lapse at the end of the first fiscal year."

This same language was vetoed by Governor Spellman in the general fund agencies appropriation bill.

Department of Licensing proposes to purchase automated equipment for use by agents and subagents for processing vehicle title and license applications.

**SUMMARY:**

Appropriation authority to the Department of Transportation is increased by \$925,000 to reflect the amount cut by OFM during the 1981-83 biennium budget development process. An appropriation of \$500,000 is provided to begin the development of a

capital program management system. Section 27, Chapter 317, Laws of 1981 are amended to delete the requirement to lapse unexpended funds at the end of the first fiscal year of the biennium.

An appropriation of \$220,400 from the motor vehicle fund is made to the Department of Licensing to purchase equipment for processing vehicle title and license applications.

**VOTES ON FINAL PASSAGE:**

Senate	35	11
House	90	4

EFFECTIVE: March 22, 1982

**SSB 4550**

C 155 L 82

**BRIEF TITLE:** Revising requirements to facilitate checking compliance with game laws.

**SPONSORS:** Senate Committee on Natural Resources (Originally Sponsored by Senator Guess) (By Department of Game Request)

**SENATE COMMITTEE:** Natural Resources

**HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**BACKGROUND:**

The Game Department has been operating field checking stations statewide for nearly 50 years. These stations are manned by department personnel for the purposes of collecting biological data and checking hunters, anglers, and harvested game for possible violations of harvest regulations.

Checking stations are not controversial. They are supported by sports people and do not cause traffic problems since they are always adjacent to the main roadway. There is no clear authority in the statutes, however, for establishment of checking stations. There is no clear authority requiring hunters and fishermen to stop at checking stations and submit to inspection of licenses or harvested game, although the latter is granted by RCW 77.12.090 if there is reason to believe that a violation has occurred.

**SUMMARY:**

RCW 77.12, stating the powers and duties of the Game Commission, is amended by authorizing the

Game Department to establish checking stations and by requiring people passing through checking stations to stop and produce wildlife and licenses, permits, tags, stamps or punchcards. The checking stations must be plainly marked by signs and operated in a safe manner. They must also be operated by at least one uniformed wildlife agent. RCW 77.16, identifying prohibited acts and penalties in regard to wildlife, also is amended to make unlawful: (1) failure to obey checking station signs; (2) failure to report at a checking station when directed to do so; and (3) failure to produce wildlife or licenses, permits, tags, stamps or punchcards on request.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 98 0

**EFFECTIVE:** June 10, 1982

**SB 4551**

C 106 L 82

**BRIEF TITLE:** Revising laws relating to the state commission on equipment.

**SPONSORS:** Senators von Reichbauer, Hansen and Patterson

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The State Commission on Equipment is composed of the Chief of the State Patrol, the Director of the Department of Licensing, and the Secretary of the Department of Transportation. The Patrol Chief serves as chairman. Members are not permitted to be represented by a designee during commission meetings, nor is the commission authorized to delegate routine business to the commission Secretary.

The requirement for participation by these agency directors in all commission business is cumbersome, consumes considerable time away from their principal duties of agency management, and frequently results in the postponement of business to subsequent meetings due to the absence of a member because of scheduling conflicts.

**SUMMARY:**

The members of the State Commission on Equipment may designate their respective deputy director, deputy chief, or deputy or assistant secretary to conduct commission business in their absence. The Chief of the Patrol, as chairman, shall appoint either the Director of Licensing or the Secretary of Transportation as vice-chairman in his absence. The chairman or his designated vice-chairman must be present at each meeting.

The responsibilities of the Secretary of the commission are expanded to include issuing letters of appointment to tow operators and the administration of such other business as the commission shall specify.

**VOTES ON FINAL PASSAGE:**

Senate 42 3  
House 98 0

**EFFECTIVE:** June 10, 1982

**SB 4558**

PARTIAL VETO

C 80 L 82

**BRIEF TITLE:** Modifying industrial insurance coverage for owner-operators of trucks.

**SPONSORS:** Senators Quigg, Vognild and Newhouse

**SENATE COMMITTEE:** Commerce and Labor

**INITIAL HOUSE COMMITTEE:** Financial Institutions and Insurance

**ADDITIONAL HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

The practice in the trucking industry is for a common carrier to contract with a shipper for the transportation of goods. The common carrier then may contract with an independent owner-operator of a truck to do the actual transporting. The law has been interpreted as requiring the common carrier to cover the independent owner-operator with industrial insurance.

**SUMMARY:**

Independent owners and operators of trucks are exempted from the definition of worker, and therefore are exempted from mandatory industrial insurance coverage.

**VOTES ON FINAL PASSAGE:**

Senate 34 13  
House 94 0

**EFFECTIVE:** June 10, 1982

**PARTIAL VETO SUMMARY:**

The section which causes a conflict with EHB 454, which contains the same sections of existing law but with amendatory language, is vetoed to avoid difficulties in codification and future interpretation. (See VETO MESSAGE)

**SB 4559**

C 214 L 82

**BRIEF TITLE:** Modifying the state forms management program.

**SPONSORS:** Senators Lee, Rasmussen and Metcalf  
(By Department of General Administration Request)

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

The Forms Management Center within the Department of General Administration was created with the objective of eliminating unnecessary forms, increasing efficiency, and reducing paperwork and costs. The Department is required to coordinate a forms management program for all state agencies. Recent budget cutbacks, however, have resulted in the elimination of the Forms Management Division. The state has no statutory method for calculating the burden of forms administration upon which to base paperwork reduction decisions.

**SUMMARY:**

The act may be cited as the "Forms Reduction Act of 1982."

State agencies are defined to include the Departments of Licensing, Labor and Industries, and Revenue.

By July 30, 1983 and by July 30 of each even-numbered year thereafter, each of the three agencies must report the following information to the Office of Financial Management for the previous fiscal year: (1) the estimated total number of hours required to fill out each form and the estimated number of people

filling out each form; (2) the product of the numbers of hours multiplied by the numbers of people, which constitutes the form burden for the form; and (3) the sum of all form burdens for each agency, which constitutes the agency's form burden for the year.

For the fiscal year ending on June 30, 1984, each agency must satisfy the Director that it has reduced its form burden from 1983 by 15 percent. The Director may waive this requirement if necessary for the effective administration of the agency. An agency's form burden must not be increased beyond the 1984 level unless specifically authorized by the Director.

The Director must adopt rules governing the required reports, and must review each report for accuracy. If an agency does not comply with the 15 percent reduction in form burden and the permanent limit established thereby, the Director must place one-half of 1 percent of all funds appropriated to an agency in reserve. Such funds shall be held in reserve until the agency complies or the appropriation lapses.

Future Obligation: By November 1, 1983 and each November 1 thereafter, the Director shall provide a report to the House and Senate showing any agencies which have not complied with the act, together with each agency's form burden and the total statewide form burden.

Termination Date: The act shall expire June 30, 1987, unless extended by law for a fixed period.

**VOTES ON FINAL PASSAGE:**

Senate 45 0  
House 88 0 (House amended)  
Senate (Senate refused to concur)

Conference Committee

House 98 0  
Senate 33 0

**EFFECTIVE:** June 10, 1982

**SSB 4561**

C 162 L 82

**BRIEF TITLE:** Revising authorized limits for certain professional and other fees.

**SPONSORS:** Senate Committee on Commerce and Labor  
(Originally Sponsored by Senators Deccio and Moore)  
(By Department of Licensing Request)

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic  
Development

**BACKGROUND:**

The Department of Licensing is charged with setting fees for licensing the various professions in amounts which will match the anticipated expenses to be incurred in the administration of the laws relating to each profession. The department has asked for authority to set higher fees.

**SUMMARY:**

The maximum fees allowable have been raised in all categories of licenses under RCW 43.24.085.

The minimum fees in all categories of licenses under RCW 43.24.085 have been eliminated.

Charitable organizations are replaced in the lowest category of fees.

**VOTES ON FINAL PASSAGE:**

Senate	39	0	
House	89	9	(House amended)
Senate	43	0	(Senate concurred)

**EFFECTIVE:** June 10, 1982

## SSB 4562

C 161 L 82

**BRIEF TITLE:** Authorizing state participation in a multistate motor fuel tax agreement.

**SPONSORS:** Senate Committee on Transportation  
(Originally Sponsored by Senators von Reichbauer, Talley, Guess and Charnley)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

State tax auditors are authorized to audit the records of the owners of all interstate vehicles issued a fuel tax license for the use of tax-paid fuel in Washington State. When the home base of these interstate truck fleets is located in another state, the state of Washington bears the cost of the tax auditors' travel expenses to the state in which those records are located.

Interstate motor carriers operating throughout the United States are required by federal and state laws to file detailed reports regarding taxes and tax remittances for every state through which they travel. The general consensus is that this reporting is unnecessarily duplicative and burdensome.

When a licensed motor carrier purchases more tax-paid fuel in this state than the licensee uses in the state during a reporting period, there is no process at the present time by which any credit or remuneration can be provided for the amount of fuel not used here.

In the Highway Safety Act of 1980, Congress and the Federal Highway Administration questioned the accuracy of the states in the matter of the collection of fuel taxes. Washington, Arizona and Iowa were provided federal grants from FHWA to develop policies, procedures and model legislation for a multistate fuel tax compact providing an opportunity for cooperative licensing, tax collection, and auditing of interstate motor carriers among the states involved in the agreement.

The U.S. Department of Transportation and the Interstate Commerce Commission supported this concept in their recent 1982 report to Congress.

**SUMMARY:**

This enabling legislation will allow the state of Washington to join a multistate motor fuel tax compact for the purpose of cooperative licensing, tax collection, and auditing of interstate motor carriers.

The agreement entered into for the purpose of a motor fuel tax compact may determine the motor vehicle classes to be taxed, may establish the methods for base state licensing, revocation, and tax collection, may establish procedures for the granting of credits or refunds on the purchase of excess tax-paid fuel, may define the rules for bonding, establish tax reporting periods, penalties and interest for delinquent tax reporting, establish procedures for forwarding the money collected on behalf of another state to that state, record-keeping requirements for licenses, and any additional provisions which will facilitate the administration of the agreement. In the event that the terms of the agreement differ from the Revised Code of Washington, the Revised Code of Washington takes precedence.

Any licensee purchasing more tax-paid motor fuel in this state than the licensee uses in this state during a reporting period shall be allowed a credit for the excess tax-paid fuel purchased.

The agreement may require the department to perform audits of Washington-based motor carriers to determine whether the motor fuel taxes to be collected under the agreement were properly reported and paid to each state involved in the agreement. The agreement may authorize other states to perform audits on motor carrier owners based in their states on behalf of the state of Washington. This is not to preclude the state Department of Licensing from performing its own audits if it so desires. If the place of business is located outside this state, the department may be reimbursed for authorized per diem and travel expense.

The Department of Licensing may initiate and conduct investigations regarding any violations of the fuel tax agreement. The director is provided subpoena powers. In the event of a refusal to obey a subpoena, the court, upon application by the director, may issue an order to that person requiring him to appear and testify or suffer a contempt citation.

Judicial review and appeals under this chapter shall be governed by the Administrative Procedures Act and the Special Fuel Tax Act (RCW 82.38).

The agreement may require an exchange of information on the part of each state in the compact relative to the acquisition, sale, use, or movement of motor fuels. The Department of Licensing may provide to other states information relative to the persons licensed in Washington State under the agreement.

If any agreement entered into under sections 1-12 of this 1982 act is in conflict with Chapter 82.38, sections 1-12 of this 1982 act shall control.

New Rule Making Authority: The Department of Licensing is empowered to adopt rules necessary to implement any agreement entered into under this chapter.

VOTES ON FINAL PASSAGE:

Senate 43 2  
House 77 2

EFFECTIVE: April 1, 1982

**SSB 4566**

PARTIAL VETO

C 81 L 82

BRIEF TITLE: Modifying requirements for audits of agriculture marketing funds.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored by Senators Newhouse, Hansen, Benitz and Patterson) (By State Auditor Request)

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Agriculture

BACKGROUND:

The several statutes that create agricultural commodity commissions contain different provisions as to frequency of audit by the State Auditor, and a law defining the State Auditor's responsibility in regard to audit of those organizations is inconsistent with some of the agricultural commodity commission statutes.

SUMMARY:

The requirement that commodity commissions be audited annually is deleted from three statutes which create commodity commissions. Inserted is a provision calling for the State Auditor to conduct an audit at least once every five years.

VOTES ON FINAL PASSAGE:

Senate 42 2  
House 93 2

EFFECTIVE: June 10, 1982

PARTIAL VETO SUMMARY:

A section that may have exempted commodity commissions from the jurisdiction of the State Auditor was vetoed. (See VETO MESSAGE)



**SB 4569**

C 218 L 82

**BRIEF TITLE:** Implementing the law relating to investments as assets of domestic insurers.

**SPONSORS:** Senators Bluechel, Bauer, Bottiger and Newhouse

**SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

Domestic insurers are insurance companies organized under Washington state law. The financial activities of insurers are extensively regulated by state law both as to the types of assets that are considered in determining their financial condition and the investments that they are authorized to make.

Washington's insurance code was initially written (in 1947) when insurance was distinct from other types of business. The formation of insurance holding companies and the gradual expansion of insurance companies from traditional types of business have been two of the trends in the insurance industry. The National Association of Insurance Commissioners (NAIC) has model legislation dealing with these trends, the Insurance Holding Company System Regulatory Act, some of the provisions of which have been incorporated into Washington law.

Further changes in Washington law would facilitate the ability of domestic insurers to participate in these insurance industry developments by increasing organizational flexibility and expanding investment powers.

**SUMMARY:**

The Insurance Commissioner is authorized to allow good will to be considered an asset in determining the financial condition of an insurer. The requirement that a security may not be purchased above its market price is made inapplicable to the purchase of voting stock of a corporation being acquired as a subsidiary.

Insurance companies are authorized to own one or more subsidiaries engaging in a business, the stock of which would be eligible miscellaneous investments under current law. The percentage of assets limitation on miscellaneous investments is increased from 5 to 10 percent.

The provisions of law relating to prohibited investments are clarified.

**New Rule Making Authority:** The Commissioner is given rule making authority relating to including good will as an asset.

**VOTES ON FINAL PASSAGE:**

Senate	42	2
House	95	0

**EFFECTIVE:** June 10, 1982

**SB 4571**

C 75 L 82

**BRIEF TITLE:** Revising procedures for sale of property by port districts.

**SPONSORS:** Senators Bluechel, Moore and Talley

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

A port district cannot sell personal property under a contract although it is specifically authorized to sell real property under a contract. Most items of personal property which a port would sell are too expensive to be purchased without some kind of arrangement for payment over time. Consequently, the port districts would like the authority to sell personal property by contract.

**SUMMARY:**

Personal property is included within the procedures for the sale of property by port districts. When a purchaser of personal property defaults, the port district acquires the rights of a secured party. An increase from 1/10 to 4 percent of the total purchase price is required as a down payment and as annual payment until full payment is made.

**VOTES ON FINAL PASSAGE:**

Senate	47	1
House	95	0

**EFFECTIVE:** June 10, 1982

**SB 4584**

C 132 L 82

**BRIEF TITLE:** Putting Arabian horse racing under parimutuel betting system.

**SPONSORS:** Senators Hemstad, Hansen, Benitz and Quigg

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

Arabian horse racing was not included under the parimutuel system.

**SUMMARY:**

Arabian horse racing is allowed under the parimutuel system.

The interest on the additional 1 percent of the gross receipts of all parimutuel machines is to be distributed to nonprofit race courses and not be shared with county legislative authorities which operate agricultural fairs.

**VOTES ON FINAL PASSAGE:**

Senate	43	1
House	98	0 (House amended)
Senate	43	4 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 4599**

C 217 L 82

**BRIEF TITLE:** Modifying minimum mosquito control districts tax.

**SPONSORS:** Senators Zimmerman and Bauer

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

Mosquito control districts are permitted to levy a general tax on property of twenty-five cents per thousand dollars of assessed value. The districts do not generally require this much revenue for their operations.

**SUMMARY:**

The mosquito control districts are given the flexibility to levy a general tax on property of up to twenty-five cents per thousand dollars of assessed value.

**VOTES ON FINAL PASSAGE:**

Senate	44	0
House	95	0

**EFFECTIVE:** June 10, 1982

**SB 4602**

C 105 L 82

**BRIEF TITLE:** Modifying provisions relating to street lighting system.

**SPONSORS:** Senators Lee and Talmadge

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

Sewer and water districts have the authority to establish street lighting systems but lack the power to enforce collection of the service charges required to maintain the system. Because of the inability to collect service charges, one district has been very reluctant to provide the service. Therefore, in order to insure that street lighting systems will be provided in areas where they are needed, the districts request that they be given the power to collect service charges.

**SUMMARY:**

A sewer or water district may establish a street lighting system if it adopts a resolution proposing the system, delineates the boundaries and holds a public hearing on the resolution.

A street lighting system will not be established if a petition opposing the system is signed by 40 percent of the area voters and submitted to the board within 90 days after its decision.

Water and sewer districts may collect delinquent street lighting charges in the same manner as delinquent water or sewer service charges are collected.

**VOTES ON FINAL PASSAGE:**

Senate	44	0
House	93	1

EFFECTIVE: March 31, 1982

## 2SSB 4603

C 42 L 82 E1

**BRIEF TITLE:** Providing the means for the payment of public indebtedness on public improvements.

**SPONSORS:** Senate Committee on Ways and Means  
(Originally Sponsored by Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller)  
(By Governor Spellman Request)

**INITIAL SENATE COMMITTEE:** Local Government  
**ADDITIONAL SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Revenue

### BACKGROUND:

The Washington State Constitution, Article VII, Section 1, requires that all taxes be uniform on the same class of property within the territorial limits of the authority levying the tax. This limitation has prevented local governments from allocating a portion of their regular property taxes to finance public improvements. Financing public improvements from a portion of the regular property taxes has been used successfully for many years in a number of states.

### SUMMARY:

A portion of regular property taxes will be allocated, for limited periods of time, to assist in the financing of public facilities. Public improvements financing is necessary to encourage private development and to expand the public tax base.

Before the financing of public improvements is approved the following criteria must be satisfied:

1. The public improvement must be located within an urban area;
2. The public improvement will encourage private development;
3. The public improvement will increase the fair market value of property;
4. Private development will be consistent with existing comprehensive land use plans; and
5. Public improvement has been approved by the legislative authority of the city, town or county where the improvement will be located.

Apportionment of regular property tax revenues may not occur in a previously established apportionment district unless the financing agent of the public improvement concurs. Bonds which are payable in whole or in part from tax allocation revenues may not exceed 2 percent of the value of taxable property within the city or town where the public improvement will be constructed. Only regular property taxes may be apportioned.

In order to obtain an allocation of regular property taxes to finance a public improvement, information explaining the project, its cost, location and geographic tax base must be included in a proposed ordinance. Provision must also be made for three public hearings. Notice of the hearings and of any subsequently enacted ordinance is required.

Regular property taxes will be apportioned annually. The county assessor will determine the value of taxable property within the apportionment district. If an apportionment district is established in a year in which revaluation is not scheduled, the county assessor will value the property within the district at its true and fair value rather than performing a revaluation. The assessed valuation and property values will not increase until the regularly scheduled revaluation period. Only the increase above the revaluation will be allocated to the apportionment district. Apportionment will cease when the principal and interest on bonds issued to finance public improvements are paid off.

Tax allocation revenues may be applied to pay public improvement costs, principal and interest on bonds, bond funds or any combination thereof.

Tax allocation bonds may be issued at the discretion of the sponsor financing the public improvement. These bonds will not be the general obligation of or guaranteed by the full faith and credit of the sponsor or any other state or local government.

General obligation bonds, which are issued to finance public improvements and for which all or part of the principal and interest will be paid by tax increment financing, are subject to notice and hearing provisions and potential referendum by the voters on the ordinance authorizing the issuance of the bonds.

The increase in value of taxable property will not be included in the increase in assessed value for purposes of determining any limitation upon regular property taxes until the termination of the apportionment.

No legal action may be commenced after 30 days from the date of publication of notice of the enactment of a public improvement ordinance.

VOTES ON FINAL PASSAGE:

Regular Session

Senate 32 12

First Special Session

Senate 34 12

House 75 21 (House amended)

Senate 32 12 (Senate concurred)

EFFECTIVE: July 10, 1982

**SSB 4605**

C 128 L 82

**BRIEF TITLE:** Authorizing the department of revenue to contract for out-of-state auditing services.

**SPONSORS:** Senate Committee on Ways and Means (Originally Sponsored by Senator Scott)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

SHB 811, the revised 81-83 biennial budget, provides \$2.4 million to the Department of Revenue for expansion of both its in-state and out-of-state audit programs.

Nine of eleven authorized out-of-state auditor positions are filled and functioning in various cities nationwide, including Los Angeles, Minneapolis, Cleveland and New York City. All present out-of-state auditors are under civil service and are former in-state employees.

Based on a five-year history of out-of-state tax recoveries, the department projects an out-of-state revenue recovery of \$11.3 million less \$972,000 in costs associated with an audit staff increase of 15. The revenue projections are predicated on five positions being filled by March, 1982, and the remainder by June, 1982.

While the maximum base salary for revenue auditors is \$2,412/month, beginning July 15, 1981 a special assignment pay provision was initiated following approval by the State Personnel Board. Revenue auditors functioning out of state now receive an additional 10 percent, boosting their maximum salary to \$2,653/month. They also receive \$300/month to defray costs of renting and maintaining office space, and to

compensate for costs associated with living outside the home state. Each of these provisions serve as inducement for Washington's civil service employees to take on out-of-state assignments and supplemental payments cease once the employee is back in Washington. In a recent report, the State Auditor questioned the legality of the allowance provision in the absence of specific enabling legislation.

**SUMMARY:**

Should the Department of Revenue fail in reasonable attempts to fill out-of-state auditing positions with current in-state civil service employees, the Director is authorized to establish personal services contracts with individuals or businesses located out of state who will provide such services. The intent is that state employees will be given the initial opportunity to fill the positions.

A special allowance may be paid to out-of-state employees, whether under civil service or on contract, to compensate for supplemental costs incurred due to out-of-state residence and business activities. The Office of Financial Management must approve the amount or rate of such an allowance, and it is subject to legislative appropriation. Auditors in states contiguous to Washington are not eligible for these provisions since they operate out of domestic branch offices.

The bill contains an emergency clause and takes effect on March 1, 1982; the Governor signed the bill into law March 31, 1982.

**VOTES ON FINAL PASSAGE:**

Senate 46 1

House 96 2

**EFFECTIVE:** March 31, 1982

**SB 4619**

C 97 L 82

**BRIEF TITLE:** Requiring dissemination to doctors information on certain health problems of veterans.

**SPONSORS:** Senators Metcalf, Conner and Gallaghan

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** Human Services

**BACKGROUND:**

The chemical defoliant "Agent Orange" has been linked to physiological problems encountered by many veterans while in the service during the Viet Nam Era. A large number of veterans also have had difficulty readjusting to civilian life after the abnormal circumstances of combat duty, a condition commonly known as the "delayed stress syndrome."

Some questions have been raised as to whether physicians and mental health centers have sufficient information about the symptoms and possible treatment of problems associated with exposure to "Agent Orange." These problems have been under study by several universities and the Veterans Administration. Concern has also been expressed that available information about the "delayed stress syndrome" be disseminated widely throughout the state.

**SUMMARY:**

The Department of Veterans Affairs is directed to prepare and distribute, to all licensed physicians and mental health centers in the state, information on the symptoms and treatment of problems associated with exposure to "Agent Orange" and the "delayed stress syndrome." The section will expire on December 31, 1982.

**VOTES ON FINAL PASSAGE:**

Senate	46	0	
House	97	0	(House amended)
Senate	40	1	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 4634**

C 28 L 82 E1

**BRIEF TITLE:** Providing for adjustments in the apportionment of the state levy.

**SPONSOR:** Senator Scott

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

Adjustments to the state property tax levy are being made pursuant to an administrative rule adopted by the Department of Revenue in 1980.

**SUMMARY:**

Adjustments are allowed to be made to the immediately preceding state property tax levy after receipt of corrected valuation data to correct previously unknown errors in the original levy apportionment to the counties. The statewide levy amount is not affected, only the internal apportionment among the counties.

To accomplish the apportionment, the previous year's state levy is to be recomputed using the corrected valuation for all of the counties and any changes (additions or subtractions) to the present year's state levy. Changes in value include a final adjustment made by the Boards of Equalization, Board of Tax Appeals or a court of competent jurisdiction and also include additions of omitted property, other additions or deletions from the rolls or a change in the county ratio.

The Department of Revenue has enforcement authority to require compliance to its orders regarding the state levy.

Any refund made from the state levy is exempted from the 106 percent limitation, and adjustments are also not controlled by this limitation.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>			
Senate	45	0	
House	97	0	(House Amended)
Senate	40	4	(Senate concurred)

**EFFECTIVE:** April 8, 1982

**SB 4635**

C 12 L 82

**BRIEF TITLE:** Revising laws relating to LEOFF.

**SPONSORS:** Senators Bluechel and Gaspard  
(By Department of Retirement Systems Request)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

Each county having a population of 20,000 or more is to establish a disability board having jurisdiction over members of the Law Enforcement and Fire Fighters Retirement System (LEOFF). The board has five

members composed of: one member of the legislative body of the county; one member of a city or town legislative body located within the county which does not contain a city disability board; one fire fighter elected by fire fighters under the board's jurisdiction; one law enforcement officer elected by law enforcement officers under the board's jurisdiction; and one member of the public at large chosen by the other four members. This county board makes the initial ruling on the disability of LEOFF I membership.

The Attorney General has written an opinion stating fire fighters and law enforcement members of county boards may be LEOFF I or LEOFF II members, but a LEOFF II member may not vote on a disability issue.

The LEOFF II membership in counties is approximately 25%-30% and growing. This indicates a potential shortage of LEOFF I voting members in the future.

The LEOFF retirement board is still assigned duties which have been transferred to the Department of Retirement Systems.

**SUMMARY:**

LEOFF members are not required to be under the jurisdiction of the county board thereby allowing LEOFF II members voting rights on a board, if appointed.

Reference to the LEOFF retirement board is deleted and the Director, Department of Retirement Systems, is inserted.

**VOTES ON FINAL PASSAGE:**

Senate 43 1  
House 97 0

**EFFECTIVE:** June 10, 1982

**SB 4636**

C 13 L 82

**BRIEF TITLE:** Revising laws relating to correction of errors made under retirement systems.

**SPONSORS:** Senators Bluechel, Gaspard and Zimmerman  
(By Department of Retirement Systems Request)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

In the Law Enforcement and Firefighters System (LEOFF), Teachers' Retirement System (TRS), and Public Employees' Retirement System (PERS), the Department of Retirement Systems is directed to correct any error in the retirement records resulting in a member or beneficiary receiving more or less than he or she would have been entitled to receive had the records been correct. This direction is not limited by time.

**SUMMARY:**

In LEOFF, TRS and PERS, the Director of the Department of Retirement Systems can correct any errors appearing in the records of the respective retirement systems. If a beneficiary is receiving more than he/she would have been entitled to receive had the records been correct, the Director has a period of three years from the discovery of the error to collect the amount overpaid. If there was an underpayment, the underpayment is to be paid, with interest, from the time of the first benefit payment.

In the case of actual fraud, no monthly benefit will be reduced by more than 50 percent of the member's or beneficiary's corrected benefit.

Obligations of employers or members, until paid to the department, shall constitute a debt from the employer or member to the department, recovery of which will not be barred by laches (i.e., failure to do the required thing at the proper time) or statutes of limitation.

Record correction sections in LEOFF, TRS and PERS are repealed.

**VOTES ON FINAL PASSAGE:**

Senate 45 0  
House 97 0

**EFFECTIVE:** June 10, 1982

**SB 4638**

C 144 L 82

**BRIEF TITLE:** Providing for lump sum payments of retirement benefits.

**SPONSORS:** Senators Scott, Craswell, Bluechel and Zimmerman

(By Department of Retirement Systems  
Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations—General Gov-  
ernment and Compensation

**BACKGROUND:**

Within the Law Enforcement and Fire Fighters Retirement System (LEOFF), the Teachers' Retirement System (TRS), and the Public Employees Retirement System (PERS), the beneficiary may receive a benefit check, regardless of the amount.

**SUMMARY:**

A beneficiary in either LEOFF, TRS, or PERS may, at the option of the Director, Department of Retirement Systems, receive a lump sum benefit which will be the greater of either the actuarial equivalent of the monthly benefit to which the beneficiary is entitled or an amount equal to the individual's accumulated contributions. If the lump sum of accumulated contributions is given, interest accruing to such contributions are to be included.

A member is guaranteed the ability to return to membership status by reinstating all previous service by depositing the lump sum payment, with interest as computed.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	97	1

**EFFECTIVE:** June 10, 1982

**SB 4640**

C 52 L 82 E1

**BRIEF TITLE:** Revising laws relating to retirement from public service.

**SPONSORS:** Senators Scott, Zimmerman and Gaspard  
(By Department of Retirement Systems Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Ways and Means

**BACKGROUND:**

This is a housekeeping measure which brings several retirement systems either into compliance with recent law changes, corrects outdated language, or makes technical changes.

**SUMMARY:**

The disability provisions of the Judicial Retirement System, Judges Retirement Fund and the Public Employees Retirement System (PERS) are brought into compliance with SHJR 37 approved by the voters on November 4, 1980, which grants the Supreme Court the authority to determine that a justice is disabled and can no longer perform the duties of his/her office (see also SSB 3743).

Deductions in the judicial retirement systems for group insurance plans for retirees and their beneficiaries are authorized, and past administrative practices allowing the deductions are confirmed. In addition, new language provides the judges the same protection from garnishment or assignment of funds now stipulated under all other retirement systems or plans.

The 30/90 day advanced written notice requirements prior to retirement under the judges retirement fund, PERS and the State Patrol Retirement System (WSPRS) are deleted. Also, compulsive retirement provisions under PERS (i.e., age 70) are eliminated.

The State Treasurer is designated an ex-officio of the judges retirement system.

A clarification is included in Plan II of PERS, Teachers Retirement System (TRS), and Law Enforcement Officers and Firefighters Retirement System (LEOFF) that a person cannot receive a refund of contributions and a service or disability retirement allowance. Also, a minor language addition in LEOFF is made to add back language dealing with the contribution reporting system erroneously left out in previous legislation.

The TRS pension fund is combined with the pension reserve fund.

The "immediate" transfer of PERS and TRS terminated accounts into the respective income fund is allowed with the accounts re-established if the member/beneficiary requests it. A no longer used cost-of-living method in TRS/PERS is eliminated.

The TRS board designation whose authority is now assigned to the director, Department of Retirement Systems is eliminated. The mandatory requirement to move TRS expense fund contributions at the beginning of the fiscal year is eliminated, allowing the director to move the contributions as needed instead.

The quarterly movement of the appropriated employer contributions to TRS from the general fund to the Teachers' Retirement fund in the 1981-83 biennium is to be under the direction of OFM in its cash flow management responsibility. If these funds are moved less than quarterly, the Legislature is to appropriate funds to equal the interest lost.

The requirement in TRS that interest be credited on the previous year-end balance only is eliminated, allowing the director the option of establishing other schedules for crediting interest. The individual member's record is to be credited with accrued interest at least annually. An effective date of July 1, 1982 is provided.

The reference to a six-month probationary period in PERS is eliminated. This has not been in effect since June 30, 1965. The separate application/acceptance provision in PERS for elected officials and employees of a labor guild, association or organization is eliminated. The director cannot refuse entry, therefore there is no purpose in the language. Also, the provision is applicable to PERS Plan I only. All survivor options are excluded from being considered as prohibiting entry into membership, not merely the beneficiary allowance as provided under PERS. It excludes or provides optional exclusion for certain classes of employees.

The membership restoration provisions which have not been in effect since April 25, 1975 under PERS Plan I are eliminated. It clarifies that a Plan I member may withdraw his/her extra contributions at the time of retirement if vested out of service. It clarifies that a PERS Plan I member may return to eligible employment on a temporary basis for a period less than six months in duration and continue to receive a retirement allowance.

PERS statutory language is changed to coincide with the current billing procedures. It clarifies that state agencies, not OFM, are responsible for delinquent payments to PERS and that the agencies do not have the right to refuse to make their required contributions.

Subject to the required contributions, reinstatement of service for periods of suspension is allowed if a Washington State Patrol officer is acquitted by trial board. Other minor additions are made to the WSPRS definitions section for the sake of clarity or to reflect the director's or the department's authority under the Department of Retirement Systems statutes, including the director's authority to establish interest rates. There are technical corrections to eliminate the

requirement for prior service to be certified under WSPRS.

Outdated statutory language is eliminated and minor language changes are made for the sake of clarity in the WSPRS.

Instatement of WSPRS service credit is allowed for periods of service subsequent to recovery from disability. Instatement of service credit is allowed for disability periods for reinstated employees who were granted a disability allowance under WSPRS. Payment of the employee's contributions is required within five years of reinstatement or prior to retirement, whichever is first. The employer is to make normal contributions for the period being instated, also.

A statement of an employer's obligation to assist the department in administering the retirement system, including the distribution of information and carrying out of other duties that may be assigned, is added to the Department of Retirement Systems statutes. It requires employers, who through reporting errors cause a loss to any of the systems administered by the department, to make the payments that should have been made had the error not occurred. The director may also charge interest on the payment if applicable. The employer is authorized to collect the employee's share from the member; however, the employer is liable for the payment if the member fails to make it. It also applies when retroactive service credit, which was not previously established, is granted.

The WSPRS board's authority regarding the hiring of employees is eliminated. This authority is now vested in the director of the Department of Retirement Systems.

The PERS retirees are to have their final average compensation reviewed to determine if excess payment was provided in order to "balloon" the AFC. If it was, the responsible agency is to pay the excess amount of retirement benefit, in a lump sum, to the Department of Retirement Systems.

Future Obligation: Provisions are made for a legislative study of the LEOFF Retirement System in the following areas: (a) adequacy of the system; (b) actuarial soundness; (c) method of financing; (d) membership eligibility requirements; (e) administrative procedures; and (f) adequacy for workmen's compensation benefits.



Future Obligations: The LEOFF Retirement System review select committee shall present a report and recommendations to the Legislature by January, 1983.

Sunset Provision: The LEOFF Retirement System review select committee shall terminate upon the presentation of its report.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate 46 0  
 House 97 0 (House amended)  
 Senate (Senate refused to concur)

First Special Session

Senate 46 0  
 House 90 5 (House amended)  
 Senate 25 21 (Senate concurred)

**EFFECTIVE:** April 20, 1982 (Sections 9 and 34)  
 July 1, 1982 (all other sections)

**SB 4644**

C 58 L 82

**BRIEF TITLE:** Establishing the state investment board commingled trust fund.

**SPONSORS:** Senators Scott and Shinpoch

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

Eighteen separate trust and retirement funds are maintained within the State Treasury, including workers' compensation, retirement systems, and permanent funds from federal land grants. The State Investment Board manages each fund's investments on an individual basis.

**SUMMARY:**

The State Investment Board Commingled Trust Fund is created within the State Treasury.

Specific accounts will be established within the commingled fund to receive future investable cash flow and certain classes of assets from the 18 discrete trust and retirement funds.

These pooled assets may be utilized by the board, within existing legal constraints, to invest in common stocks, real estate equity, and treasury bonds, among others.

In return, each individual trust/retirement fund will receive unitized value on its pro rata share of any given investment, the earnings of which may either be applied towards subsequent investments or used for cash flow purposes.

**VOTES ON FINAL PASSAGE:**

Senate 44 2  
 House 95 0

**EFFECTIVE:** June 10, 1982

**SB 4660**

C 221 L 82

**BRIEF TITLE:** Revising procedures for administrative rule-making notices and statements of purpose.

**SPONSORS:** Senators Lee, Shinpoch, Deccio and Gaspard  
 (By Joint Committee on Administrative Rules Request)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

The Administrative Procedure Act, RCW 34.04 et. seq., establishes procedures for agencies to follow when performing certain acts. If an agency intends to change, repeal, or adopt an administrative rule, the Administrative Procedure Act requires the agency to send notice and other information to the Code Reviser, the Rules Review Committee, the Secretary of the Senate, and the Chief Clerk of the House of Representatives. Higher education institutions must follow similar steps. Because the Rules Review Committee does the actual legislative review, it is asked that the requirements that notice of proposed rules be filed with the Secretary of the Senate and the Chief Clerk of the House be deleted.

**SUMMARY:**

The notice and statement of purpose of a rule required under the Administrative Procedure Act is to be filed directly with the Rules Review Committee.

The statement of purpose is required to cite statutory authority for adopting the rule and the specific statute it is intended to implement.

**Future Obligation:** Each state agency is required to identify agency rules originally adopted to conform to a federal law which has been subsequently modified. By November 1, 1982 and each year thereafter each agency is to report to OFM a list of such rules and the actions taken by the agency with regard to the rules. OFM is to compile such information and submit it to the Legislature.

**VOTES ON FINAL PASSAGE:**

Senate	46	1	
House	93	1	(House amended)
Senate	48	0	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4663**

C 222 L 82

**BRIEF TITLE:** Relating to timber sales.

**SPONSORS:** Senate Committee on Natural Resources (Originally Sponsored by Senator Gallagher)

**SENATE COMMITTEE:** Natural Resources

**INITIAL HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**ADDITIONAL HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

The forest products industry is severely depressed. Market prices for timber are lower than the prices payable under many existing contracts for sale of state timber. This has placed an economic hardship on some timber buyers. Because of present low prices and weak demand for lumber, timber harvesting is down, resulting in higher unemployment in forest products and related industries.

**SUMMARY:**

The Department of Natural Resources is authorized to extend the time for timber removal provided by contract without charges required by RCW 79.01.132. The extension is one day for every day the purchaser engages in removal of timber on the sale of any state contract made between January 1, 1978 and July 1, 1980, and for the remainder of 1980 for "Lincoln day blowdown" timber. Credits may be granted until

December 31, 1983 and used until December 31, 1984. The department shall designate up to 60 percent of 1982 and 1983 sales as sales on which purchasers may earn the extension price credit. Extension payments go to the beneficiary of the extended contract.

As to contracts for more than \$20,000, 100 percent of the extension fees paid on contracts made between January 1, 1978 and July 1, 1980, or any time in 1980 for "Lincoln day blowdown" timber, is eligible for credit against payments on the extended contract. Where extension fees are paid on a contract before the effective date of this act, an equivalent free extension is allowed on the same contract, the duration of extension not to exceed one year.

A purchaser may default on contracts for up to 15 million board feet without liability beyond his initial bid deposit, extension fees, bond deposits, and interest charges. A \$2500 fee is imposed for costs of reselling timber covered by defaulted contracts. A credit on future purchases or extension fees is given for the value of roadwork performed by the buyer.

Contracts already in default may be extended or defaulted pursuant to this act upon payment of an extension fee for the period from the date of expiration of the contract, or last extension, to the date of application for extension or default. The commissioner shall adopt rules to implement the act.

The interest rate on extensions shall not exceed 13 percent per annum.

The act does not apply to timber damaged by the Mount St. Helens eruption.

The above portions of the act take effect immediately upon signature by the Governor and the act expires December 31, 1984, but rights created under the act continue.

Contracts for sales of state timber are to include provisions for adjustment of the sales price to reflect changes in market conditions occurring after the date of sale. When the market index increases or decreases, the sales price of timber harvested during the quarter is increased or decreased by one half of the difference in the index.

A price indexing advisory committee is established. The committee will be composed of two House members, two Senate members and seven members chosen by the Commissioner of Public Lands representing the Department of Natural Resources, the timber products industry, the trust beneficiaries and the general public.

The bill contains a severability clause.

Future Obligations: The Department of Natural Resource is to report its proposed rules for price indexing to the Legislature prior to the 1983 session.

**VOTES ON FINAL PASSAGE:**

Senate	29	18	
House	68	30	(House amended)
Senate	26	22	(Senate concurred)

**EFFECTIVE:** April 3, 1982 (Sections 2, 3, 4, 5, 6, 7, 8 and 9)  
 April 1, 1983 (Section 13)  
 June 10, 1982 (all other sections)

## SSB 4675

C 24 L 82 E1

**BRIEF TITLE:** Relating to school district transportation.

**SPONSORS:** Senate Committee on Education  
 (Originally Sponsored by Senator Kiskaddon)

**SENATE COMMITTEE:** Education

**HOUSE COMMITTEE:** Education

**BACKGROUND:**

The school transportation allocation formula is scheduled to take effect September 1, 1982. When the enacting legislation was passed, the Legislature directed the Office of the Superintendent of Public Instruction to present information indicating how the new formula would financially affect school districts. The information revealed that there would be wide disparities among districts as to their proportional shares of transportation monies under the allocation system when compared to the present reimbursement system. Therefore, a funding phase-in was proposed. In addition, it was felt that the unique transportation problems experienced by many school districts should be dealt with more specifically in the formula.

**SUMMARY:**

During the 1982-83 school year, no school district will receive an increase or reduction in funds of over 3 percent of what it received the previous year as

adjusted to its proportional share of funds appropriated by the Legislature for the 1982-83 school year.

While school districts may use transportation moneys for field trips, the formula does not allocate money for field trips.

The Superintendent of Public Instruction is authorized to create up to eight differential rates statewide in order to recognize costs incurred by school districts that are not under the district's direct control. A restricted passenger load factor is added to the list of statewide differential rates.

Transportation payments to school districts will be made in accordance with the general apportionment payment schedule.

Any school district whose numbers of eligible students change 10 percent or more from the October 15 reporting date and whose change is maintained for 20 consecutive school days or more may submit revised data to the Superintendent of Public Instruction in order to receive additional transportation funds, if the funds are available.

The Superintendent of Public Instruction is required to submit a report detailing continued development of the transportation formula to the Senate and House Education Committees no later than December 15, 1982.

Future Obligation: The Superintendent of Public Instruction is required to submit a report to the Senate and House Education Committees no later than December 15, 1982.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate	46	1	
House	86	9	(House amended)
Senate			(Senate refused to concur)

First Special Session

Senate	42	3	
House	81	9	(House amended)
Senate			(Senate refused to concur)

Free Conference Committee

House	90	1	
Senate	40	0	

**EFFECTIVE:** September 1, 1982 (Sections 2 and 3)  
 July 10, 1982 (all other sections)

**SB 4680**

C 133 L 82

**BRIEF TITLE:** Requiring the sheriff's civil service commission to schedule hearings and issue written opinions within certain time periods.

**SPONSORS:** Senators Hemstad and Fuller

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

There have been delays in acting upon requests for investigation of disciplinary actions and in the rendering of decisions in those cases by the sheriff's office civil service commission. Legal action in these cases can only be pursued if the available administrative remedies have been exhausted. The exhaustion rule requires the rendering of a final decision by the commission. Consequently, if there is no decision rendered, an employee is foreclosed from seeking legal redress.

**SUMMARY:**

A public hearing must be held within 30 days after the sheriff's office civil service commission receives a written request for an investigation. The commission must issue a written decision within 10 days after the close of the investigation.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 98 0

**EFFECTIVE:** June 10, 1982

**SB 4681**

C 154 L 82

**BRIEF TITLE:** Appropriating funds to the department of natural resources.

**SPONSORS:** Senators Zimmerman, Charnley, Bluechel, Deccio, Hemstad and Guess

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** General Government and Compensation

**BACKGROUND:**

The Legislature adopted Chapter 189, Laws of 1981 which established a Natural Heritage Program under the Department of Natural Resources. This act appropriated \$130,000 to DNR to carry out the act for fiscal year 1982. Among other activities, this program acts as a clearinghouse for all natural heritage information required on an Environmental Impact Statement. When such services are requested, a fee is charged.

**SUMMARY:**

An appropriation from the general fund in the amount of \$100,000 (of which \$40,000 is from federal funds) is made to the Department of Natural Resources. Any receipts from the sales of service and data from the natural heritage data bank will be credited to the appropriate program and treated as a recovery of expenditures.

**VOTES ON FINAL PASSAGE:**

Senate 47 1  
House 88 5

**EFFECTIVE:** June 10, 1982

**SSB 4684**

C 153 L 82

**BRIEF TITLE:** Authorizing the director of agriculture to take emergency measures against plant pests and diseases.

**SPONSORS:** Senate Committee on Agriculture (Originally Sponsored by Senators Newhouse, Benitz, Zimmerman and Hansen)  
(By Department of Agriculture Request)

**SENATE COMMITTEE:** Agriculture

**INITIAL HOUSE COMMITTEE:** Agriculture

**ADDITIONAL HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

There have been recent discoveries of gypsy moths and apple maggots in the State of Washington. In eastern states, gypsy moth infestations have resulted in the defoliation of large areas of leaf trees in both urban and rural areas. Gypsy moths have been discovered in four counties in the state. Apple maggot

was discovered for the first time in Washington state in 1981. The fly lays its eggs just beneath the skin of the apple, where the larvae develops. An outbreak of an apple maggot infestation could cause a quarantine of Washington grown apples.

The Department of Agriculture feels that additional authority is needed to establish an effective control and eradication program.

**SUMMARY:**

The Governor is empowered to find potential for an infestation of plant pests or diseases which would affect life, health, property or economic well-being, and order emergency control measures, including but not limited to aerial spraying.

The state Director of Agriculture, following the Governor's approval, is empowered to apply emergency measures to prevent or control plant pests and diseases, and may enter into agreements with individuals and companies to implement those measures. The Director of Agriculture will appoint a committee to advise him on the development of criteria for determining when an emergency situation exists and the procedure for implementing emergency measures. The committee will give recommendations to the director by July 1, 1982.

Provision in current law that horticultural pest and disease control boards may not order destruction of any plant is removed.

An appropriation is made for the purpose of insect detection and control. An emergency is declared and an effective date of April 1, 1982 stated. A severability clause is enacted.

**VOTES ON FINAL PASSAGE:**

Senate	48	0
House	88	8 (House amended)
Senate	38	5 (Senate concurred)

**EFFECTIVE:** April 1, 1982

**SB 4690**

C 145 L 82

**BRIEF TITLE:** Recognizing current practices in county road administration.

**SPONSORS:** Senators von Reichbauer, Guess and Hansen

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

Counties support changes in several statutes affecting county road administration.

**SUMMARY:**

The amount above which bids must be called for to purchase equipment from the county road fund or equipment and rental revolving fund is changed from \$1,000 to \$3,500. Classification of county roads and individuals' titles are updated to reflect current terminology used in state law and by the Urban Arterial Board and the federal government.

Authorization is made for temporary closures of state highways, county roads or city streets for periods of up to 12 hours without the publication and posting of a notice.

Private individuals or corporations are authorized to construct, improve and/or maintain county roads or to pay to have such work done by the county. All such improvements must be performed in compliance with adopted county standards and under the supervision of the county engineer.

**VOTES ON FINAL PASSAGE:**

Senate	42	6
House	98	0 (House amended)
Senate	45	0 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 4691**

C 100 L 82

**BRIEF TITLE:** Making technical corrections in the law of comparative fault and contribution among tortfeasors.

**SPONSORS:** Senators Talmadge, Bottiger and Hemstad

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

The 1981 Legislature enacted a comprehensive reform of the tort law in Washington. A system of comparative fault replaced comparative negligence, and the right of contribution among tortfeasors replaced the

more limited right of indemnity between active/passive tortfeasors. Some technical clarifications in the law are needed.

A savings clause/effective date section was established in the law. While the act applies generally to all claims arising after the effective date of the act (July 26, 1981), the right of contribution was also made retroactive to all claims arising before the effective date of the act in which trial had not yet begun, except those in which a settlement or release agreement had been entered between a plaintiff and defendant.

The act also repealed indemnity rights for parties who had entered into a settlement prior to the effective date, but left such parties with no right of contribution; there is concern that this denies party defendants any ability to allocate financial and legal responsibility among themselves.

Where a claim arose before July 26, 1981 and the parties have attempted to settle a case, the right to indemnity or contribution may not now be discharged by a reasonableness hearing as provided in statute.

Finally, it is unclear from the language what liability standard will be applied to those claims which arose prior to the effective date of the act.

**SUMMARY:**

The right to indemnity is established as to active/passive tortfeasors when a release has been signed for a claim arising prior to July 26, 1981.

Where a claim arose before July 26, 1981 and the parties have attempted to settle a case, the right to indemnity or contribution may now be discharged by a reasonableness hearing as provided by law.

The pre-1981 comparative negligence standards apply for claims prior to July 26, 1981. Comparative fault applies to claims arising after July 26, 1981.

**VOTES ON FINAL PASSAGE:**

Senate	45	2
House	96	1

**EFFECTIVE:** March 31, 1982

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**SSB 4692**

C 77 L 82

**BRIEF TITLE:** Implementing a program of motorcycle operator training and safety education.

**SPONSORS:** Senate Committee on Transportation  
(Originally Sponsored by Senators  
Gallaghan and Vognil)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

In 1975, there were 107,097 registered motorcycles in the State of Washington. Today the number has grown to 133,150. The number of motorcycle fatalities in 1975 was 51. In 1979, the number rose to 119. In 1980, 120 fatalities occurred.

The Citizens Advisory Committee on Highway Safety believes one reason for the increase in the number of motorcycles is fuel efficiency. Not only are motorcycles being used for recreational purposes, but for many cyclists they have become a primary mode of transportation. The Citizens Advisory Committee on Highway Safety feels that most motorcycle deaths occur during the first year of operation and that if a person was properly taught to ride a cycle, the accident rate would be reduced. Additionally, this organization believes that there is a marked difference in maneuverability and control depending on the motorcycle's cubic centimeter engine displacement. Requiring a different road examination for motorcycles with different engine displacements would allow the Department of Licensing to observe the applicant's ability to handle the motorcycle and possibly reduce accidents.

**SUMMARY:**

Three motorcycle endorsement categories are established based on engine displacement of the motorcycle. A person may not operate a motorcycle with a larger displacement than authorized by his or her endorsement.

Persons wishing to ride a motorcycle or who wish to obtain a higher endorsement may be issued an instruction permit by the Department of Licensing and must pass a motorcycle endorsement examination emphasizing maneuvers prior to receiving an endorsement.

One dollar of each fee for motorcycle endorsement examinations, renewal or new category of endorsement

is deposited in the Motorcycle Safety Education Account of the Highway Safety Fund.

Several equipment requirements are established including the following: (a) motorcycles must be equipped with operable front and rear brakes, except motorcycles over 25 years old need not have a front brake if it was originally manufactured without one. No front brake is required for motorcycles manufactured prior to 1931; (b) both left and right side mirrors are required, except mirrors on motorcycles over 25 years old are not required if the motorcycle was originally manufactured without mirrors, and no mirrors are required on motorcycles manufactured prior to 1931; and (c) it is unlawful to sell a motorcycle helmet not approved by the State Commission on Equipment.

The Director of the Department of Licensing must implement a voluntary motorcycle operator training and education program subject to approval by the Legislative Transportation Committee by April 1, 1983. The Director is authorized to contract with public and private agencies to implement this program.

A 5-member motorcycle safety education advisory committee is created to assist the Director of the Department of Licensing in developing and monitoring the motorcycle operator training and education program.

#### VOTES ON FINAL PASSAGE:

Senate	42	6
House	92	3

EFFECTIVE: June 10, 1982

### SSB 4697

C 107 L 82

**BRIEF TITLE:** Authorizing payroll deductions for IRA's.

**SPONSORS:** Senate Committee on State Government (Originally Sponsored by Senators Quigg, Bluechel, Hemstad, Deccio, Craswell, Metcalf, McCaslin, Patterson, Talmadge, Moore, Woody, McDermott, Jones, Gallagher, von Reichbauer, Benitz, Hayner, Zimmerman, Hurley, Gould, Fuller, Lee, Kiskaddon, Goltz, Wojahn, Williams, Vognild, Talley, Rasmussen, Peterson, Lysen, Hansen,

Gaspard, Charnley, Bottiger, Bauer and Sellar)

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** State Government

#### BACKGROUND:

Salary deductions are authorized for medical, life, and several other types of insurance at the request of any state or local employee. The employee's authorization request must be approved by the state employee's department head and filed with the Department of Personnel, or in the case of political subdivisions with the auditor of the political subdivision.

#### SUMMARY:

Any employee of the state or any of its political subdivisions, or any institution supported by either of these entities, may authorize a salary deduction for an individual retirement account selected by the employee or the employee's spouse. Authorization must first be approved by the state employee's department head and filed with the Department of Personnel, or in the case of political subdivisions of the state, with the auditor of the political subdivision. State employees are given a further option to participate in IRA plans offered by the Committee for Deferred Compensation.

#### VOTES ON FINAL PASSAGE:

Senate	46	1
House	94	0 (House amended)
Senate	48	0 (Senate concurred)

EFFECTIVE: June 10, 1982

### SB 4701

C 151 L 82

**BRIEF TITLE:** Requiring health maintenance organizations to contribute to a reserve fund to cover insolvency.

**SPONSORS:** Senators Sellar and Ridder

**SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

A health maintenance organization (HMO) is an organization that provides comprehensive medical care for subscribers by employing or contracting with health care professionals and maintaining facilities for patient treatment. Subscribers and/or their employers make advance payments on a periodic basis for these services. There are currently six HMOs in Washington with over 325,000 enrollees.

There has been national concern that certain HMOs do not have the financial strength to meet their obligations. According to an HMO industry study completed in 1981, about one-third of HMOs are in some form of financial difficulty. Three HMOs in Washington have become insolvent. The National Association of Insurance Commissioners (NAIC) has promulgated amendments to its model HMO act to deal with the problem of HMO solvency.

**SUMMARY:**

The bill generally follows the NAIC model act recommendations for HMO solvency. Uncovered expenditures that would be the obligation of the subscriber in the event of insolvency are defined. HMOs are required to deposit \$150,000 as a funded reserve with the Insurance Commissioner to guarantee the payment of uncovered expenditures.

In order to become certified by the Insurance Commissioner to initiate business, an HMO is required to establish a reserve fund which, after a transition period, must equal 25 percent of its estimated, annual uncovered expenditures. An alternative way to meet the solvency standard is established based upon the net worth of the HMO: either \$1 million of net worth other than fixed assets, or at least \$5 million, including such assets. The Commissioner is empowered to waive the deposit requirements when satisfied that an HMO is financially viable. Amounts on deposit with the Commissioner can be returned to the HMO when net worth solvency standards are met.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 91 2

**EFFECTIVE:** January 1, 1983

**SB 4705**

C 45 L 82 E1

**BRIEF TITLE:** Authorizing the use of credit cards for state purchases.

**SPONSORS:** Senators Gallagher, Rasmussen, Shinpoch, Deccio, Metcalf, Quigg, Vognild and Haley

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

With some exceptions, the Department of General Administration purchases and disposes of materials, supplies, services, and equipment needed for all state institutions, departments, institutions of higher learning, and offices of elected and appointed officials. The department may delegate to state agencies the purchasing authority up to a specific dollar amount.

Overall state policy for purchasing and material control functions includes time limit standards for the issuance of material. Some delays in the issuance of needed materials might be avoided if state agencies and departments were allowed to purchase them by credit card.

Some state employees do not take advantage of the lower prices available at self-service islands when purchasing gasoline for state motor vehicles.

**SUMMARY:**

The Director of the Department of General Administration is required to develop a system which enables state agencies and departments to use credit cards to make purchases. The Director is authorized to contract with one or more financial institutions located within the state to administer the credit cards.

State employees must use self-service islands when purchasing gasoline for state motor vehicles whenever possible.

**New Rule Making Authority:** The Director shall adopt rules concerning distribution and use of credit cards, available credit limits, payment of bills, and any other rule necessary to administer or implement the credit card program for state agencies and departments.



## VOTES ON FINAL PASSAGE:

Regular Session  
Senate 45 0

First Special Session  
Senate 43 2  
House 97 1 (House amended)  
Senate 39 0 (Senate concurred)

EFFECTIVE: July 10, 1982

**SB 4706**

C 82 L 82

**BRIEF TITLE:** Designating SR 504 the Spirit Lake Memorial Highway and correcting its route description.

**SPONSORS:** Senators Talley, Quigg and Gallagher

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

State Route No. 504 formerly ran 49 miles from an intersection with SR 5 near Castle Rock, by way of Spirit Lake to Mount St. Helens. When Mount St. Helens erupted in May, 1980, much of SR 504 was destroyed. From the junction at SR 5 (Milepost 0) and 12 miles to the west, the highway is intact. Though the highway is open to traffic, additional work is needed to reconstruct portions of 504 from Milepost 12 past the junction with SR 505 at Milepost 15 to Milepost 19. The department is now planning reconstruction of the highway from Milepost 19 to the United States Corps of Engineers debris dam at Milepost 29. Spirit Lake is located at approximately Milepost 45.

SR 504 continues to serve area residents and logging operations. An evaluation is now under way to determine the future uses of the Mount St. Helens area, which may affect highway improvements needed in the area. An effort is being made to provide public access to the debris dam area in the summer of 1982.

**SUMMARY:**

State Route 504 is designated the Spirit Lake Memorial Highway, in honor of those killed by the 1980 eruption of Mount St. Helens. The eastern five miles

of SR 504 that were closest to Mount St. Helens are deleted. The eastern terminus of the highway, formerly at Mount St. Helens, would be at the former Spirit Lake.

The Department of Transportation (DOT) is authorized to provide for the construction of an extension of State Route 504 from Milepost 20 to the vicinity of the Corps of Engineers debris dam on the north fork of the Toutle River. The department is authorized to enter into an agreement, with the principal owner of the necessary right of way for the highway, to provide that the owner construct the highway extension and parking facilities as specified by the department.

The owner of the right of way is required to convey to the state right of way for the highway extension a minimum of 150 feet in width together with areas for public parking facilities as designated by the DOT. The department then shall reimburse the present owner of the right of way for the actual cost of construction of the highway extension and the public parking facilities. Construction of the highway extension and parking facilities must be completed within one year after the effective date of the act. Provision is made for the department to acquire necessary right of way from the Department of Natural Resources. Expenditures for this highway shall come from appropriations for Category A construction projects.

## VOTES ON FINAL PASSAGE:

Senate 45 0  
House 97 0 (House amended)  
Senate 44 0 (Senate concurred)

EFFECTIVE: March 27, 1982

**SSB 4708**

C 32 L 82

**BRIEF TITLE:** Implementing laws relating to horse racing.

**SPONSORS:** Senate Committee on Ways and Means (Originally Sponsored by Senators Jones, McDermott, Deccio, Bottiger, Benitz and McCaslin)  
(By Horse Racing Commission Request)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Ways and Means

**BACKGROUND:**

Fees charged to individuals by the Horse Racing Commission have not been revised since their implementation in 1933.

The daily handle (gross receipts) of non-exotic races (no daily double, quinella, trifecta or exacta betting) is distributed as follows:

Handle	State	Meet	Breeder Award	Betting Pool
\$500,001 or more*	5.0%	10.0%	1.0%	84.0%
\$500,000 or less	4.0%	11.0%	1.0%	84.0%

\*State receives 4.5% on first \$500,000

For exotic races, the distribution is as follows:

Handle	State	Meet	Breeder Award	Betting Pool
\$500,001 or more	6.0%	10.88%	2.12%	82.0%
\$120,001-500,000	6.0%	11.10%	1.90%	82.0%
\$120,000 or less	2.0%	14.00%	—	84.0%

**SUMMARY:**

The Commission is given authority to license owners, trainers, jockeys and attendants for a period of not more than two years, and the fee for the license is to cover administrative expenses. Also, licenses for meets which gross more than \$50 million shall be \$500 per day. Licenses for meets grossing less than \$50 million or in their first year of operation shall be \$200 per day.

For non-exotic races, the distribution of the daily handle is as follows:

Handle	State	Meet	Breeder Award	Betting Pool
\$500,001 or more	5.0%	10.0%	1.0%	84.0%
\$400,001-500,000	4.0%	11.0%	1.0%	84.0%
\$300,001-400,000	3.5%	11.5%	1.0%	84.0%
\$250,001-300,000	3.0%	12.0%	1.0%	84.0%
\$200,000-250,000	2.0%	13.0%	1.0%	84.0%
\$199,999 or less	1.0%	14.0%	1.0%	84.0%

For exotic races, the distribution of the daily handle would be as follows:

Handle	State	Meet	Breeder Award	Betting Pool
\$500,001 or more	6.0%	10.88%	2.12%	82.0%
\$120,001-500,000	6.0%	11.10%	1.90%	82.0%
\$120,000 or less	2.0%	14.00%	1.00%	83.0%

**VOTES ON FINAL PASSAGE:**

Senate 41 7  
House 95 1

**EFFECTIVE:** March 16, 1982

**SB 4713**

C 33 L 82

**BRIEF TITLE:** Adjusting the distribution formula for the motor vehicle fund.

**SPONSORS:** Senators Patterson, Hansen, Zimmerman and Bottiger

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

22.78 percent of total fuel tax revenues in the motor vehicle fund are distributed among the 39 counties in accordance with the following distribution formula: 10 percent equal distribution; 30 percent cost factor; 30 percent registered motor vehicles; 30 percent needs factor. The distribution formula has been under study since 1978.

**SUMMARY:**

The distribution formula for total fuel tax revenues is revised as follows: 10 percent equal distribution factor; 30 percent population factor; 30 percent cost factor; 30 percent needs factor. Technical changes are made to the methods of computing the cost factor and the needs factor.

The state Department of Transportation, with the advice and assistance of the County Road Administration Board, is responsible for computing the counties' allocation factors based on the revised distribution formula, and notifying the counties of such factors by September 1 of each year. To carry out these responsibilities, 2/10ths percent of the total fuel taxes distributed to all 39 counties is provided to the state Department of Transportation.

The limitation that the fuel tax allocation factors cannot be more than 5 percent above, or 5 percent below, the previous factors is retained. In addition, a "floor" is enacted that ensures that no county will receive less than 85 percent of the actual revenues distributed in calendar year 1981.

**VOTES ON FINAL PASSAGE:**

Senate 44 4  
House 93 5

**EFFECTIVE:** June 10, 1982

**SSB 4716**

C 35 L 82

**BRIEF TITLE:** Revising filing procedures, fee schedules, and requirements for laws administered by the Secretary of State.

**SPONSORS:** Senate Judiciary Committee  
(Originally Sponsored by Senator Clarke)  
(By Secretary of State Request)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

In addition to other functions, the Secretary of State serves as the state's chief corporation officer. The Secretary of State's office registers and licenses all corporations — domestic and foreign, profit and nonprofit. It records and files all documents related to corporation matters, including processing annual license renewal fees. The office also files charter documents, maintains files on corporation names, and answers requests for information relating to mergers, new corporation formulation, and dissolutions. As of September 1981, there were more than 76,000 active profit corporations and more than 29,000 active nonprofit corporations on file in the Secretary of State's office.

A corporate task force, established in 1981, studied the operations of the office of the Secretary of State and concluded that the system is complex, outmoded, paper-based, and suffers from workload growth that has greatly outpaced staff and facility support group growth. They further found that the statutes governing the operations of the office are often outmoded or cumbersome.

**SUMMARY:**

The operations of the office of the Secretary of State are modernized.

First, procedures for registering profit, nonprofit, domestic and foreign corporations are clarified and simplified. Signature requirements are changed to allow an officer of the corporation to sign alone rather than multiple or notarized signatures. The filing date relates back to the first date the documents were received in acceptable form, not to the date of issuance. Requirements regarding agents are also clarified: agents may only be appointed with their consent and,

if appointed without consent, they may resign. Although a corporation's registered office must be at a specific geographic address, a mailing address may also be given for mail deliveries. Foreign corporations no longer need to file the articles of incorporation, they just need to file their certificate of authority. Other filing and paper procedures are similarly simplified.

Second, involuntary dissolution procedures are clarified and simplified. The Superior Court may still dissolve a corporation, by the Attorney General's request, in cases of fraud or continued abuse of the corporate authority. Effective January 1, 1983, corporations may also be dissolved, after notice, for (1) failing to make required filings or pay license fees, and nine months have elapsed since the due date; (2) failing to pay taxes for one year; or (3) failing to maintain a current registered office and registered agent filing. An expired corporation does not retain an automatic right to the former corporate name and must pay back fees upon reinstatement. Delinquent corporations may cure their delinquency at any time before dissolution. In addition, special procedures are established to dissolve nonprofit corporations for which a 1969 statutory notice was returned unclaimed.

Third, fees and penalty fees are adjusted. Some of the fees are increased, some of the fees are lowered. In addition, the Secretary of State is authorized to charge for special services, such as "rush" processing, over the counter service, and archival searches. The annual filing deadlines are now staggered in an effort to spread the workload throughout the year.

Fourth, the Secretary of State is given rule making authority as necessary to administer the profit and nonprofit corporation laws.

Fifth, the Secretary of State is required to work with interested groups to determine whether any of the irregular nonprofit corporation statutes are in need of modification.

Sixth, corporations in existence on July 1, 1967 are now permitted by less than a unanimous vote of the shareholders of a corporation having cumulative voting on July 1, 1967, to limit or eliminate cumulative voting in the election of directors.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	98	0

**EFFECTIVE:** January 1, 1983 (Sections 39, 45, 46, 52, 61, 63 and 201)  
July 1, 1982 (all other sections)

**SB 4717**

C 32 L 82 E1

**BRIEF TITLE:** Giving free copies of state statutes and rules to legislative committees.

**SPONSORS:** Senators Lee, Shinpoch and Metcalf

**SENATE COMMITTEE:** State Government

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

The State Law Librarian is required to distribute 2,000 hard cover and 4,000 paperback copies of session laws to a variety of federal, state and local officials.

Sets of House and Senate journals must be distributed, among others, to each member of the Legislature and must also be placed on legislators' desks during sessions. The current price which may be charged for regular session laws is \$15, and for special sessions, \$10.

It has been suggested that the distribution of session laws and journals could be reduced to provide a cost savings, and the price for journals should be increased.

The Statute Law Committee may loan 15 sets of the Revised Code of Washington for the use of Senate committees and 20 sets for House committees under existing law.

The Code Reviser must furnish the Washington State Register and Washington Administrative Code free of charge to certain elected state officials including legislators, county law library trustees, and certain members of the press. Senate and House committees are not included in this free distribution.

After each legislative session the Statute Law Committee must provide one set of session laws to certain specified individuals and entities. The Senate and House committees are not included.

**SUMMARY:**

Hard cover session laws will no longer be provided without charge to each federal executive department nor to a number of other officials formerly specified. The number is reduced from 2,000 to 600 or such additional copies as may be necessary. The number of paperback copies is reduced from 4,000 to 3,000.

The specific requirement that each member of the Legislature receive sets of House and Senate journals

is deleted, and the requirement that the journals be placed on legislators' desks is revised to such numbers as directed by the Chief Clerk of the House and the Secretary of the Senate. The price for regular session journals is increased to \$35 plus postage, and for special sessions is revised to a price determined by the State Printer to cover costs of paper, printing, binding and postage.

The Statute Law Committee may loan sets of the Revised Code of Washington to Senate and House committees as required by the Secretary of the Senate and Chief Clerk of the House, but not to exceed 25 for the Senate and 35 to the House. The Code Reviser must make the Washington State Registers and Washington Administrative Code available to the Secretary of the Senate and Chief Clerk of the House, but may not exceed the number of standing committees in each body for committee use. The Statute Law Committee is directed to furnish the Secretary of the Senate and Chief Clerk of the House sets of session laws after each legislative session, as required for committee use.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate	49	0	
House	90	0	(House amended)
Senate			(Senate concurred in part)

First Special Session

Senate	43	3	
House	91	0	(House amended)
Senate			(Senate refused to concur)

Free Conference Committee

House	94	0	
Senate	45	2	

**EFFECTIVE:** July 10, 1982

**SB 4718**

C 134 L 82

**BRIEF TITLE:** Revising laws regulating veterinarians.

**SPONSORS:** Senators Moore, Haley and Metcalf

**SENATE COMMITTEE:** Agriculture

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

Animal technicians are prohibited from diagnosing, prescribing, or performing surgery, other than inoculations, on any animals. Examinations for licensing veterinarians are given in this state only in May and persons graduate from the veterinarian school in June. The law requires that the person be a graduate before taking the license examination.

A requirement exists that the veterinary school be recognized by the American Veterinarian Medical Association and that the school evidence the fact that the person has attended lectures, instruction and taken examinations for at least four years.

**SUMMARY:**

The secretary-treasurer of the Veterinary Board is to be chosen from the members of the board.

The prohibition that animal technicians not "diagnose, prognose, prescribe, or perform surgery" is eliminated. Functions authorized to be performed by animal technicians will be determined by rules promulgated by the Veterinary Board of Governors.

The time to apply to take the veterinary licensing examination is changed from 30 days before the date of examination to 60 days. The education requirement is changed to "official transcripts or other evidence of graduation from a veterinary college."

**VOTES ON FINAL PASSAGE:**

Senate	48	0
House	94	0 (House amended)
Senate	41	0 (Senate concurred)

**EFFECTIVE:** July 1, 1982 (Section 2)  
June 10, 1982 (all other sections)

**SSB 4728**

C 216 L 82

**BRIEF TITLE:** Authorizing the issuance of short-term obligation by municipal corporations.

**SPONSORS:** Senate Committee on Financial Institutions and Insurance  
(Originally Sponsored by Senators Sellar and Wojahn)

**SENATE COMMITTEE:** Financial Institutions and Insurance

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

Municipal corporations engage in short-term borrowing through the use of warrants. Representatives of local government believe that municipal corporations should be authorized to have greater flexibility in the type and manner of issuing short-term debt.

**SUMMARY:**

Short-term obligations of municipalities need not be handled through fiscal agencies.

Municipal corporations, as defined, are authorized to issue short-term obligations in anticipation of the receipt of revenues, taxes, grants, or the sale of general obligation or other types of bonds for maturities not to exceed three years. The governing body of the issuing authority is authorized to set the terms, conditions, and other features of the obligations.

Short-term obligations can be renewed or refunded if not outstanding for more than three years but if payable from taxes, they shall not be renewed to a date later than six months after the end of the fiscal year in which they were originally issued.

Obligations in anticipation of taxes or general obligation bonds must pledge the full faith and credit of the issuing municipality.

The total short-term obligations authorized, when added to other non-voted debt, may equal the constitutional debt ceiling.

The period of notice required to be given before the sale by certain municipalities of general obligation bonds is reduced to ten days and the number of published notices is reduced to two.

Bonds with a total value less than \$15 million issued after voter approval may be issued with interest rates greater than that contained in any ballot proposition and any bonds so issued are declared to be valid.

**VOTES ON FINAL PASSAGE:**

Senate	47	2
House	97	0 (House amended)
Senate	43	5 (Senate concurred)

**EFFECTIVE:** April 3, 1982

**SB 4748**

PARTIAL VETO

C 26 L 82 E1

**BRIEF TITLE:** Permitting breweries and wineries to conduct courses in beer and wine.

**SPONSORS:** Senators Benitz, Charnley and Newhouse

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

Breweries, wineries or wholesalers are not allowed to provide beer or wine for instructional uses.

Limits are placed on beer importers or wholesalers not licensed in this state from having an interest in a class A licensed retail business.

**SUMMARY:**

Breweries, wineries or wholesalers are allowed to instruct licensees on the subject of beer or wine, and they may furnish beer or wine in conjunction with the instruction. Such instruction may be held either at the premises of the brewery, winery or wholesaler, or at the licensees' premises, or elsewhere.

An importer or wholesaler not licensed in this state is not prohibited from having an interest in a class A retail business or from owning any of the property upon which the business is conducted so long as the importer or wholesaler does not have either financial or property interests affecting more than ten such licenses.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>			
Senate	44	4	
House	94	1	(House amended)
Senate			(Senate refused to concur)

<u>First Special Session</u>			
Senate	37	6	
House	93	2	(House amended)
Senate			(Senate concurred in part)

<u>Free Conference Committee</u>			
House	88	0	
Senate	29	13	

**EFFECTIVE:** July 10, 1982

**PARTIAL VETO SUMMARY:**

The Governor vetoed provisions allowing an importer or wholesaler not licensed in this state to have an interest in a class A retail business on the basis that it would violate the original "tied-house" provisions of the state liquor control laws, and would establish a dangerous precedent for future piecemeal amendments. (See VETO MESSAGE)

**SB 4749**

C 99 L 82

**BRIEF TITLE:** Repealing voter qualifications previously found unconstitutional.

**SPONSORS:** Senators Haley, Wojahn, Lee, Gould and Hayner

**SENATE COMMITTEE:** Constitutions and Elections

**HOUSE COMMITTEE:** Ethics, Law and Justice

**BACKGROUND:**

Statute law for the state of Washington began in 1854 with the first territorial Legislature. Laws were adopted by that Legislature according to the Federal Constitution and the case law interpretations of that time. Following statehood in 1889, the original laws were incorporated into Washington statute and ultimately in 1941 into the Revised Code of Washington as it appears today.

One original section of territorial law (RCW 42.04.021) established qualifications for voting and for holding office in the territory and for a subsequent period in the state. Those qualifications have been superseded by the Constitution of the United States, the State Constitution and later statutory enactments.

**SUMMARY:**

The obsolete provisions contained in RCW 42.04.021 regarding qualifications of voters and the requirements for holding office are repealed. Valid provisions setting standards for voting and holding office are contained elsewhere in the State Constitution and in statute.

**VOTES ON FINAL PASSAGE:**

Senate	46	1
House	97	0

**EFFECTIVE:** June 10, 1982

**SSB 4750**

C 212 L 82

**BRIEF TITLE:** Authorizing the Department of Licensing to enter into the nonresident violators compact.

**SPONSORS:** Senate Committee on Transportation  
(Originally Sponsored by Senators Scott, Goltz and von Reichbauer)  
(By Department of Licensing Request)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

The total number of out-of-state drivers who are given traffic citations while in the state and who fail to appear or post bond for the tickets is excessive. The resulting revenue loss to the courts and the state has been estimated at \$1 million per year.

At the present time, the Department of Licensing does not keep a record of out-of-state drivers receiving traffic citations within the state.

Only a few of the Washington courts of limited jurisdiction make an attempt to contact the out-of-state drivers who have ignored the Washington traffic citations.

Twenty-nine states to date have chosen to solve this nonresident traffic citation problem by joining the Nonresident Violators Compact. Six additional states adopted enabling legislation for entrance into the compact in the last 12 months. The NRVC is an agreement among states to assure the nonresident receiving citations for traffic violations in a member state the same treatment accorded resident motorists.

**SUMMARY:**

The Washington State Department of Licensing is authorized to enter into the Nonresident Violators Compact.

The Nonresident Violators Compact provides for a reciprocal program to assure that motorists licensed in one jurisdiction receive due process and comply with traffic citations issued for violations occurring in another jurisdiction.

The terms of the Compact provide that a motorist licensed in a party jurisdiction shall not be required to post collateral to secure appearance if the driver gives her/his personal recognizance to comply with the citation.

The Washington State Department of Licensing, after notification from another state that a Washington motorist has failed to appear or post bond for a traffic infraction, shall suspend the motorist's driver's license until evidence of compliance with the terms of the traffic citation has been furnished the department.

A Board of Compact Administrators has been established consisting of one representative from each party jurisdiction appointed by the Governor.

The Compact is declared effective when adopted by at least two jurisdictions. It provides that entry may be made by a prescribed resolution of ratification executed by the Department of Licensing and submitted to the Board. It permits withdrawal by written notice.

It exempts parking or standing violations, highway weight limit violations, and hazardous materials transportation violations.

The Washington State Department of Licensing is authorized and encouraged to execute a reciprocal agreement with the Canadian province of British Columbia, and with any other state which is not a member of the Compact. The agreement must be first reviewed and approved by the Legislative Transportation Committee.

The Department of Licensing shall report on a yearly basis to the Legislative Transportation Committee its progress on entering into the Nonresident Violators Compact and in obtaining similar agreements with British Columbia and other non-member states. The first such report shall be due on October 1, 1982.

The Department of Licensing shall not renew the license until a reinstatement fee of \$20 has been paid.

New Rule Making Authority: The Department of Licensing shall adopt rules for the administration of this act.

**VOTES ON FINAL PASSAGE:**

Senate	43	2
House	93	1

**EFFECTIVE:** June 10, 1982

**SSB 4775**

C 202 L 82

**BRIEF TITLE:** Expanding the duties of the state patrol section in identification.

**SPONSORS:** Senate Judiciary Committee  
(Originally Sponsored by Senators  
Newhouse and Shinpoch)

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** State Government

**BACKGROUND:**

When hiring an employee whose functions involve custody of cash, negotiable items or confidential business information, employers often check with local law enforcement agencies to determine if the employee has a conviction record. Employers are obtaining local conviction records of employees from local law enforcement agencies.

Employers, however, have no access to the Washington State Patrol identification system which maintains a compilation of local, statewide, and national conviction records.

**SUMMARY:**

Employers may request from the Washington State Patrol a transcript of the conviction records of employees whose functions involve custody of cash and negotiable items or access to confidential business information or national security information. Conviction records may be disclosed to an employer to assist in an investigation of employee misconduct if the misconduct constitutes a penal offense.

The State Patrol may charge fees for disseminating such records. Employees are to be notified if the employer has received conviction records from the State Patrol.

Conviction records may only be used by persons involved in hiring, background investigation or job assignment and only for the purposes specified in the act.

A person may sue for injunctive relief, damages and attorneys fees if conviction records are used for an unauthorized purpose.

Employees of law enforcement agencies are not subject to legal action if they disseminate information on conviction records.

The act is not to be construed in a manner which will frustrate the policy of the state to encourage and contribute to the employment and rehabilitation of felons.

New Rule Making Authority: The Washington State Patrol is to adopt rules to implement this act.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	94	0 (House amended)
Senate	40	2 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4786**

C 204 L 82

**BRIEF TITLE:** Modifying the community mental health services act.

**SPONSORS:** Senate Committee on Social and Health Services  
(Originally Sponsored by Senators Lee, Hayner, Deccio, Scott and Wojahn)

**SENATE COMMITTEE:** Social and Health Services

**HOUSE COMMITTEE:** Appropriations-Human Services

**BACKGROUND:**

The existing Community Mental Health Services Act, RCW Chapter 71.24, does not provide clear direction for the administration and delivery of mental health services. The law provides little direction or accountability for services or the management of services.

Many people feel that the roles of the state, counties and mental health service providers need to be more clearly set forth in law and that there should be greater accountability for the management and delivery of mental health services funded by the state.

**SUMMARY:**

The Department of Social and Health Services (DSHS) is designated as the state mental health authority. The Secretary of DSHS may provide for public, client and licensed service provider participation in developing the state mental health program. The department must:

- 1) develop a biennial state mental health program which incorporates county needs assessments



and service plans, as well as state services for the mentally ill. The department may also develop a six-year state mental health plan;

- 2) assure that county community mental health programs provide access to treatment for the counties' residents who are acutely mentally ill, chronically mentally ill and seriously disturbed, in that order of priority;
- 3) adopt rules which establish state minimum standards for the management and delivery of mental health services;
- 4) assure coordination of services for individuals released from a state hospital;
- 5) establish a standard contract or contracts to be used by the counties;
- 6) develop and maintain an information system to be used by the state and counties, which includes an individual patient tracking system. The system may not include patients' case history files and must safeguard client confidentiality;
- 7) license mental health service providers;
- 8) establish criteria to evaluate the performance of counties in administering mental health programs;
- 9) propose in its biennial budget document the formulas used to distribute state funds to counties for the priorities delineated. The formula must be based on the county needs assessments;
- 10) assure that the special needs of minorities, children, the elderly, disabled and low income persons are met within the above prioritization; and
- 11) establish a standard auditing procedure which minimizes paperwork requirements.

Counties must:

- 1) submit biennial needs assessments beginning January 1, 1983 and mental health service plans which incorporate all services provided for by the state minimum standards and which provide access to treatment for the county's residents who are acutely mentally ill, chronically mentally ill and seriously disturbed, in that order of priority;
- 2) have a program which provides: (a) outpatient services; (b) emergency care, 24 hours a day; (c) day treatment or other partial hospitalization; (d) screening for patients being considered for

admission to state mental health facilities to determine appropriateness of admission; (e) consultation and education services; (f) residential and inpatient services, if the county chooses to provide such services, and community support services;

- 3) contract as needed with licensed service providers. Counties may be licensed service providers if no licensed service provider, other than psychiatrists, psychologists and psychiatric nurses, exists in the county and the county meets licensing requirements;
- 4) monitor and perform biennial fiscal audits of licensed service providers with whom the county has contracted;
- 5) use not more than 2 percent of state funds for administrative costs. This administrative lid does not apply to federal funds;
- 6) coordinate services for individuals who have received mental health services in the community and who become patients at a state mental hospital;
- 7) maintain patient tracking information in a central location for the chronically mentally ill; and
- 8) assure that the special needs of minorities, children, the elderly, disabled and low-income persons are met within the priorities specified.

Counties may appoint mental health advisory boards and set the duties and length of terms of members of the boards. Counties with a population greater than 125,000, or a combination of counties with a joint program with an aggregate population of 125,000 or more may have one full-time employee, whose salary shall not be subject to the 2 percent administrative lid, to staff a county mental health advisory board.

Counties may also do the following: (1) in the absence of a licensed service provider entity, become a licensed service provider entity pursuant to minimum standards in order to provide services not available from other licensed service providers; and (2) operate as a licensed service provider, if it deems that doing so is more efficient and cost effective than contracting for services. The county may do so only if it complies with departmental rules which determine when a county provided service is more efficient and cost effective. If a county acts as a licensed service provider, the Secretary of DSHS shall administer the program.

The state will exercise any county's authority if the county fails to perform any of its responsibilities.

Persons eligible for general assistance are eligible for mental health services only under the provisions of this chapter.

The majority of the existing Community Mental Health Services Act is repealed, except those sections dealing with funding. Ninety-five percent of the amount appropriated by the state for community mental health services must go to counties. The remaining 5 percent may be used by the department for community demonstration projects, emergency needs and technical assistance. The department must provide a biennial accounting of the use of these funds.

Fees may be charged to recipients of community mental health services on a sliding fee scale based upon ability to pay.

The Secretary of DSHS may allow the nonresidential use of state institutions by counties, community service organizations, nonprofit corporations or any group or association for care to be provided to patients released from a state mental hospital.

All internal references to the Community Mental Health Services Act (RCW Chapter 71.24) in the drug and alcohol rehabilitation chapter (RCW Chapter 69.54) are repealed.

New Rule Making Authority: Prior to September 1, 1982, the Department of Social and Health Services must adopt rules necessary to implement this act. The proposed rules must be submitted to the appropriate legislative committees prior to adoption.

**VOTES ON FINAL PASSAGE:**

Senate	42	3	
House	97	0	(House amended)
Senate	41	1	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4824**

C 21 L 82 E1

**BRIEF TITLE:** Providing separate chapters of laws of aquatic lands.

**SPONSORS:** Senate Committee on Natural Resources (Originally Sponsored by Senators Gallagher, Zimmerman and Peterson)

**SENATE COMMITTEE:** Natural Resources

**INITIAL HOUSE COMMITTEE:** Natural Resources and Environmental Affairs

**ADDITIONAL HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

The multitude of statutes pertaining to aquatic lands appear in many different titles, and have been amended in a piecemeal fashion making use of the laws very complex for the public, user groups and enforcement agencies.

**SUMMARY:**

All aquatic lands laws are reorganized and recodified under a single title. The following are substantive changes to the existing aquatic lands laws:

A statute presently imposing a lid on lease increases for harbor areas of 6 percent per year is expanded to apply to leases of tidelands, shorelands, beds of navigable waters and waterways, and is to be based on the rental fee in effect on January 1, 1981. The provision in present law is eliminated that the increase could be more than 6 percent if an independent qualified appraiser finds that a greater increase is justified based upon local comparable land values. A provision is added which exempts docks used only for personal recreation use by the upland owner from rental fees charged by the state. The expiration date of this section is extended from July 1, 1982 to July 1, 1983.

A task force comprised of members of private and public entities affected by the administration of aquatic lands is selected by the chairman of the joint legislative committee. The task force is to make recommendations to the Committee.

The section creating the joint legislative committee on aquatic lands and the section imposing a 6 percent limit on leases of aquatic lands and exempting personal docks is to take effect immediately. The remainder of the bill is to take effect on July 1, 1983.

Future Obligations: A joint legislative committee to study aquatic land laws, and management and appraisal policies of the state is formed consisting of three members of the House and three members of the Senate. The chairman is to be elected by committee members. The committee is to report its findings by January 1, 1983 to the respective House and Senate Natural Resources Committees.

## VOTES ON FINAL PASSAGE:

Regular Session

Senate 46 3  
House 87 11 (House amended)

First Special Session

Senate 43 1  
House 93 0

EFFECTIVE: April 3, 1982 (Sections 176 and 179)  
July 1, 1983 (all other sections)

**SSB 4826**

C 101 L 82

BRIEF TITLE: Modifying provisions relating to  
lights on law enforcement vehicles.

SPONSORS: Senate Committee on Transportation  
(Originally Sponsored by Senators Pat-  
terson, Gallaghan, Peterson and Hansen)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

## BACKGROUND:

Only publicly-owned police vehicles of police depart-  
ments, sheriffs' offices, and the Washington State  
Patrol are authorized to be equipped with blue lights  
in conjunction with alternately flashing red lights or in  
lieu of red lights. Other law enforcement vehicles,  
including fisheries and game patrol vehicles, are not  
authorized to use blue lights separately or in conjunc-  
tion with flashing red lights.

## SUMMARY:

The Commission on Equipment is authorized to des-  
ignate the color and type of lights and the type of  
siren to be used on law enforcement vehicles.

Vehicles other than school buses, private carrier buses  
and authorized law enforcement or emergency vehicles  
are prohibited from using, or having mounted, lights  
prescribed by the Commission on Equipment for the  
aforementioned vehicles.

## VOTES ON FINAL PASSAGE:

Senate 46 0  
House 96 2

EFFECTIVE: March 31, 1982

**SB 4831**FULL VETO

BRIEF TITLE: Designating shorelines of statewide  
economic significance.

SPONSORS: Senators Jones, Bottiger, Vognild, Bauer,  
Quigg and Sellar

SENATE COMMITTEE: Commerce and Labor

HOUSE COMMITTEE: Labor and Economic  
Development

## BACKGROUND:

The Department of Ecology has the authority to dis-  
allow shoreline projects which have obtained the nec-  
essary local approval.

## SUMMARY:

The Legislature finds that shorelines of statewide eco-  
nomic significance should be identified and utilized for  
intense development, and that economic considera-  
tions may take priority over environmental  
considerations.

Cherry Point, near Bellingham, is identified as a  
shoreline of statewide economic significance.

Adjustments to or segments of a master plan program  
relating to such shorelines become effective upon local  
government approval and are not subject to depart-  
mental or Shorelines Hearing Board review. Applica-  
tions for substantial development and conditional use  
permits may be heard concurrently with proposals to  
amend local master programs. Court affirmation of a  
local government decision is required unless the deci-  
sion is unconstitutional, exceeds statutory authority,  
was adopted without compliance to applicable proce-  
dures, or is arbitrary and capricious.

Local governments must require such mitigating mea-  
sures which they determine will reduce adverse  
impacts to natural resources. Local governments must  
consider statutory preferred uses including economic  
loss to the state due to damage to the environment,  
fisheries and related interests and proper assurance of  
mitigation. A pipeline terminus may not be placed  
upon shorelines of statewide economic significance. A  
permit issued for development of such shorelines may  
not be transferred without the approval of the local  
government. If any project undertaken upon such  
shorelines is not completed, the Attorney General or  
county prosecuting attorney may bring a civil action

to restore the shoreline to its original use. The Attorney General may bring a civil action in superior court to enforce the implementation of mitigating measures.

Developments for such shorelines are exempted from hydraulic project permit requirements.

When approving substantial development permits on shorelines of statewide economic significance, local governments must require an applicant to provide housing and water access for the Department of Fisheries and the UW School of Fisheries to study the impact of the development on fisheries.

Local governments must also require orders for work contemplated by the permit to be in hand before any landfill may take place.

A shoreline of statewide economic significance extends 750 feet seaward of the line of extreme low tide, but may extend to 2000 feet if necessary for mitigation measures.

Only amendments, adjustments and/or segments adopted after the effective date of this act shall become effective.

Permits issued pursuant to this act shall not be transferred without concurrency of the local government.

The power of the Attorney General or prosecuting attorney to bring a civil action to restore a shoreline on which a project has been abandoned is made permanent.

Termination Date: July 1, 1984

**VOTES ON FINAL PASSAGE:**

Senate	34	13	
House	50	46	(House amended)
Senate	34	14	(Senate concurred)

**EFFECTIVE:** FULL VETO  
(See VETO MESSAGE)

**SSB 4841**

C 27 L 82 E1

**BRIEF TITLE:** Relating to winter recreation.

**SPONSORS:** Senate Committee on Ways and Means  
(Originally Sponsored by Senator Bluechel)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

This state's winter recreation facilities are becoming very popular, but the state has not fully developed its winter tourism industry adequately to respond to the demand as has been done in the state of Idaho and the province of British Columbia.

**SUMMARY:**

The Washington State Winter Recreation Commission is established and is to be composed of 13 members: one member from each caucus of the Legislature, one representative from the Parks and Recreation Commission, one representative from the Department of Commerce and Economic Development, one representative from the Department of Natural Resources, two representatives from the industry, two representatives from the environmental community, one representative of cities, and one representative of counties. All non-legislative members are appointed by the Governor. One of the legislative members is to be chosen as chairperson.

The Commission is to study and identify potential sites for new winter recreational development and to facilitate the trading of land for existing or new winter recreation areas with appropriate public agencies. It will also recommend a supervisory management structure which would oversee these lands. It will establish an advisory committee which is to be balanced in terms of point of view and interests represented.

The Commission is to cease to exist as of midnight, January 1, 1987. All powers, duties and functions are to be transferred to the recommended management structure.

The act is to be liberally construed.

The Commission is to present an interim report to the Legislature by January 10, 1983, on its progress to date.

Future Obligations: (1) The Commission is to recommend a management structure to oversee lands acquired or to be acquired for winter recreational purposes; (2) The Commission is to establish an advisory committee on winter recreational activity and tourism; (3) The Commission is to provide an interim report to the Legislature by January 10, 1983.

Sunset Provision: The Commission is to cease to exist as of midnight, January 1, 1987.

## VOTES ON FINAL PASSAGE:

First Special Session		
Senate	25	17
House	56	41

EFFECTIVE: July 10, 1982

**SSB 4846**

C 76 L 82

**BRIEF TITLE:** Authorizing the department of ecology to acquire and operate the Lake Osoyoos International Water Control Structure.

**SPONSORS:** Senate Committee on Agriculture  
(Originally Sponsored by Senators  
Wilson, Newhouse and Hansen)

**SENATE COMMITTEE:** Agriculture

**HOUSE COMMITTEE:** Agriculture

**BACKGROUND:**

The present dam located on the lower end of Lake Osoyoos on the Okanogan River has been found unsafe by the Corps of Engineers. The present dam impounds water into British Columbia as well as in the state of Washington.

**SUMMARY:**

The Department of Ecology is authorized to construct, operate and maintain a new dam to replace the existing dam. The power of eminent domain is granted to the Department of Ecology and is limited to acquiring property for the dam site and access to the site. The Department of Ecology may contract with other public or municipal entities to perform the construction, operation and maintenance of the project. Legislative intent is expressed that the cost of construction, operation and maintenance be shared equally by Washington State and British Columbia.

Of the funds appropriated to the Department of Ecology in the 1981 budget, up to \$3 million may be expended with an equal amount of matching funds from the Province of British Columbia for design and construction of the dam. The funds shall not be obligated for the proposed project until British Columbia makes a binding commitment to provide matching funds.

## VOTES ON FINAL PASSAGE:

Senate	44	3
House	95	0

EFFECTIVE: June 10, 1982

**SSB 4852**

C 102 L 82

**BRIEF TITLE:** Modifying provisions on delinquent irrigation district assessments.

**SPONSORS:** Senate Committee on Agriculture  
(Originally Sponsored by Senators  
Hansen, Newhouse and Wilson)

**SENATE COMMITTEE:** Agriculture

**HOUSE COMMITTEE:** Agriculture

**BACKGROUND:**

The first half of irrigation district assessments are due by April 30 and the second half by October 30. Each half of the assessment becomes delinquent if not paid. County treasurers wish that the provisions for computing interest rates for delinquent assessments be made uniform with property taxes.

**SUMMARY:**

Irrigation assessment payment dates are changed. Delinquent assessments are charged interest on a monthly basis.

## VOTES ON FINAL PASSAGE:

Senate	49	0
House	95	0

EFFECTIVE: April 15, 1982

**SSB 4859**

C 211 L 82

**BRIEF TITLE:** Permitting prepayment of retail sales and use taxes imposed by cities, counties and metropolitan municipal corporations.

**SPONSORS:** Senate Committee on Local Government  
(Originally Sponsored by Senators  
Guess, McCaslin, Hurley and Moore)

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

There is a question as to whether or not political subdivisions and the Department of Revenue possess the authority to accept prepayment of local sales and use taxes. Legislation granting the authority would resolve any doubt.

**SUMMARY:**

Retail sales and use taxes imposed by cities and counties may be prepaid but may not be deposited with the Department of Revenue. The prepayment of taxes may be authorized by a resolution or ordinance. Counties and cities may use the revenues received in connection with large construction projects for any purpose within their authority, including to mitigate the socio-economic impact caused by that project.

The taxpayer may, with the concurrence of the legislative authority, designate a particular fund against which such prepayment of tax will be made.

The definition of "treasurer or other legal depository" refers to the treasurer or legal depository of a county or city.

**VOTES ON FINAL PASSAGE:**

Senate	46	1	
House	94	0	(House amended)
Senate	41	0	(Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4864**

C 31 L 82 E1

**BRIEF TITLE:** Mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon.

**SPONSORS:** Senate Committee on Local Government (Originally Sponsored by Senators Goltz and Kiskaddon)

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Appropriations-General Government and Compensation

**BACKGROUND:**

The lease of school sites owned by the Department of Natural Resources is an inefficient use of school district funds. It is more efficient economically for the districts to purchase the sites. The authorization to purchase such sites expired on January 1, 1981.

**SUMMARY:**

School districts may purchase school sites owned by the Department of Natural Resources or lease the same at fair rental value.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>	
Senate	45 0
<u>First Special Session</u>	
Senate	46 0
House	98 0

**EFFECTIVE:** July 10, 1982

**SB 4905**

C 104 L 82

**BRIEF TITLE:** Modifying provisions relating to the governing bodies of merged special purpose districts.

**SPONSORS:** Senators Lee, Bauer and Wilson

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

The commissioners of a water or sewer district must resign when their district merges or consolidates with another district. This can inhibit the merger process.

**SUMMARY:**

Water commissioners of districts which have been merged into sewer districts or consolidated into one water district will serve out their unexpired terms of office. The term of office will be adjusted to account for the expiration of terms and/or resignations after which the commissioners will serve for six years.

Sewer commissioners of districts which have been merged into water districts will be subject to the same requirements stated above for water commissioners.

The cost of an improvement which may be paid by a flood control district force account is \$2500.

The annual election for a flood control district will be held on the first Tuesday after the first Monday in February.

The election officers for each precinct of a flood control district will consist of the inspector and two judges. These officers will be known as the election board.

A certificate containing the voting pool list and tallies will be sent to the director of the Department of Ecology and a copy will be retained by the inspector.

The ballots will be entered on the tally lists by a member of the election board. The director of the Department of Ecology will receive a copy.

The ballots will no longer be kept unopened for at least six months.

A flood control district may enter into a contract without public bidding if the price is less than \$2500.

**VOTES ON FINAL PASSAGE:**

Senate 48 1  
 House 95 0 (House amended)  
 Senate 47 1 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 4909**

C 108 L 82

**BRIEF TITLE:** Modifying provisions relating to the solid waste advisory committee.

**SPONSOR:** Senator Fuller

**SENATE COMMITTEE:** Parks and Ecology

**HOUSE COMMITTEE:** Local Government

**BACKGROUND:**

The Department of Ecology desires more input on dangerous waste handling and resource recovery. It is believed that this objective will be achieved by the addition of members to the Advisory Committee who are knowledgeable in the subject.

**SUMMARY:**

The Solid Waste Advisory Committee will advise the Department of Ecology on the development of programs and regulations for dangerous waste handling and resource recovery and also make recommendations as to improvements in existing methods. The Committee will be increased from nine to eleven members. The director shall include among the membership representatives of activities from which dangerous wastes arise, and additionally, representatives of the State Patrol's Hazardous Materials Technical Committee.

**VOTES ON FINAL PASSAGE:**

Senate 46 2  
 House 96 0 (House amended)  
 Senate 39 2 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SSB 4917**

C 160 L 82

**BRIEF TITLE:** Redefining superintendent of public instruction position on state board of education.

**SPONSORS:** Senate Committee on Education (Originally Sponsored by Senator Kiskaddon)

**SENATE COMMITTEE:** Education

**HOUSE COMMITTEE:** Education

**BACKGROUND:**

Statutes regulating the State Board of Education do not permit the Board to elect its president or to employ its secretary. Rather, the Superintendent of Public Instruction is designated as president and employs the secretary.

It was recently recommended in a Legislative Budget Committee audit and affirmed by the Board that this relationship between the Board and Superintendent be modified to help the Board function more independently.

**SUMMARY:**

The State Board of Education is directed to annually elect a president and vice president and to appoint the person to serve as ex officio secretary.

**VOTES ON FINAL PASSAGE:**

Senate 28 20  
House 95 2 (House amended)  
Senate 26 21 (Senate concurred)

**EFFECTIVE:** June 10, 1982

**SB 4919**

C 59 L 82

**BRIEF TITLE:** Making an appropriation to the employment security department.

**SPONSORS:** Senators Quigg, Hemstad and Fuller  
(By Department of Employment Security Request)

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Appropriations-Human Services

**BACKGROUND:**

In order to enable the Employment Security Department to provide adequate services, funds are needed for productivity improvements and maintenance of essential services.

**SUMMARY:**

The sum of \$2,800,000 is appropriated from the administrative contingency fund to the Employment Security Department for maintenance of essential services and for investments in capital and equipment.

**VOTES ON FINAL PASSAGE:**

Senate 43 2  
House 86 7

**EFFECTIVE:** March 22, 1982

**SB 4947**

C 109 L 82

**BRIEF TITLE:** Revising procedures for appeals regarding industrial insurance.

**SPONSOR:** Senator Newhouse  
(By Board of Industrial Insurance Appeals Request)

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

The law relating to the appeals process for industrial insurance is unclear.

**SUMMARY:**

The appellant is required to serve a copy of the notice of appeal on the director and Board of Industrial Appeals. The board will transmit copies to all parties who participated in proceedings before the board.

The chairman of the Board of Industrial Appeals is made an ex officio member of the Worker's Compensation Advisory Committee.

A petition for judicial review is the exclusive means for appeal from notices of assessment.

An individual affected by a Department of Labor and Industries decision, order or award may file a written request for reconsideration by the department rather than appeal directly to the board.

The date a petition for review is received by the board in Olympia is the date filing is perfected for purposes of determining if filing was timely.

A decision and order is deemed adopted but is not subject to judicial review if it is not formally signed on the day following expiration of the period for filing for review.

A denial of a petition for review or a final board decision and order upon appeal becomes final if the worker, beneficiary employer, or other person fails to file an appeal in superior court within 30 days.

Hearings examiners have their title changed to industrial appeals judges. Industrial insurance benefits may be transferred by a worker to an account in a financial institution.

**VOTES ON FINAL PASSAGE:**

Senate 48 0  
House 98 0

**EFFECTIVE:** June 10, 1982



**SB 4952**

C 103 L 82

**BRIEF TITLE:** Authorizing a metropolitan municipal corporation to charter an electric streetcar on rails operating within a city.

**SPONSOR:** Senator von Reichbauer

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

Chartering of electric streetcars operated by metropolitan municipal corporations is not specifically authorized by RCW 35.58.020.

**SUMMARY:**

Metropolitan municipal corporations are specifically authorized to charter electric streetcars on rails operated entirely within a city.

**VOTES ON FINAL PASSAGE:**

Senate	47	1
House	90	0

**EFFECTIVE:** June 10, 1982

**SB 4956**

C 210 L 82

**BRIEF TITLE:** Regulating the disposition of historic ferries.

**SPONSORS:** Senators Williams, von Reichbauer, Charnley and Hansen

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Transportation

**BACKGROUND:**

During the summer of 1981, the state ferry system determined that the M.V. Vashon was surplus to the operational needs of the ferry system; and, in September, 1981, the State Office of Surplus Property issued a call for bids.

Prior to bid opening, considerable interest was expressed in preserving the vessel as an historical attraction. Bid opening was subsequently canceled, and the Vashon was evaluated by the State Historic Preservation Officer and found to be eligible for nomination to be placed on the State and National Registers of Historic Places. Discussions between the Department of Transportation, General Administration and the State Office of Historic Preservation followed to develop a procedure for offering the vessel only to persons proposing a use consistent with its historic significance.

A review of state laws governing disposal of surplus state property led to the conclusion that no legal authority presently exists for disposal of surplus vessels other than by public sale to the highest bidder.

**SUMMARY:**

The Department of Transportation is authorized to dispose of surplus ferries which have been placed on the State Register of Historic Places by a procedure designed to ensure the purchaser will preserve and maintain the vessel as an historic property.

The Department shall accept proposals only from governmental entities or nonprofit corporations or associations which are dedicated to the preservation of historic properties. The contract of sale must be approved by the State Historic Preservation Officer and shall require the preservation and maintenance of the historic ferry. Title to the ferry shall revert to the state in the event the Secretary of Transportation determines that the contract conditions have been violated. The department will evaluate all qualified proposals and select the proposal determined to be most advantageous to the state.

Should no qualifying proposals be received, the historic ferry shall be disposed of by the Department of General Administration according to general laws governing disposal of surplus state property.

**VOTES ON FINAL PASSAGE:**

Senate	46	2
House	88	3

**EFFECTIVE:** April 3, 1982

**SSB 4963**

C 3 L 82 E1

**BRIEF TITLE:** Authorizing an extended industrial development levy by port districts.

**SPONSORS:** Senate Committee on Transportation (Originally Sponsored by Senators von Reichbauer and Talley)

**SENATE COMMITTEE:** Transportation

**HOUSE COMMITTEE:** Labor and Economic Development

**BACKGROUND:**

In 1955, the Legislature provided authority for public port districts to create an industrial development district and to develop land within their boundaries to attract industry. To accomplish this, in 1957 ports were given the authority to levy a tax of up to 45 cents per thousand dollars of assessed valuation, for any six consecutive years, later amended to any six years.

Since 1955, more than 15 port districts have established industrial development districts and a number have collected the tax. Because these levies were for six years, they have since expired and are no longer available for use by many port districts.

**SUMMARY:**

The number of years a port district may impose an industrial development levy, not exceeding 45 cents per thousand dollars of assessed valuation, is extended from six to 12 years. A provision is made for a referendum on the seventh through twelfth years of the levy if, within 90 days of the port providing notice of the levy, 8 percent of the voters voting in the last election for Governor sign a petition to put the levy on the ballot.

The industrial development levy is separated from other regular property taxes imposed by port districts for the purpose of calculating the 106 percent levy limitation. The first industrial development levy imposed by a port district after the effective date of the act is exempted from the 106 percent levy limitation.

**VOTES ON FINAL PASSAGE:**

Regular Session

Senate	33	13	
House	84	12	(House amended)
Senate			(Senate refused to concur)

First Special Session

Senate	31	13	
House	78	13	(House amended)
Senate			(Senate refused to concur)
House	77	19	(House receded)

**EFFECTIVE:** April 1, 1982

**SB 4972**

C 49 L 82 E1

**BRIEF TITLE:** Relating to local government finance.

**SPONSOR:** Senator Zimmerman

**SENATE COMMITTEE:** Local Government

**HOUSE COMMITTEE:** Rules

**BACKGROUND:**

The current reductions in federal and state aid to local governments have sharply curtailed the ability of these entities to provide basic services to their residents. New sources of revenue need to be provided so that the public health, welfare and safety are adequately protected.

The building and construction industry has also been hard hit by current economic conditions. Some contend that the imposition of fees by several cities and a few counties in the state on housing developments and other construction projects beleaguer an already troubled industry. Restrictions on the imposition of development fees would provide much needed assistance for the industry.

**SUMMARY:**

The Legislature recognizes the concern local governments have regarding the financing of vital services to the public, and intends that these services be seen as top priorities by the local governmental entities.

No city or town may impose a franchise fee or any type of fee upon the light and power, telephone, or gas distribution businesses except for regular business and occupation taxes and administrative expenses incurred because of these businesses. Franchise fees

imposed by contract prior to the effective date of this act are not prohibited.

The rate of tax imposed on the privilege of conducting an electrical energy, natural gas, or telephone business may not be increased on those business activities occurring before the effective date of the increase. A proposed rate change may take effect sixty days after enactment of the ordinance establishing the change.

Because the development fees provision is enacted into law, municipal utility tax rates are limited to 6 percent unless an increase is approved by a majority of the voters. Procedures are outlined for phasing down current municipal utility tax rates in excess of 6 percent by requiring cities or towns to reduce the rate each year according to prescribed formulas.

Development fees are substantially restricted so that no county, city, town or municipal corporation may impose a tax or fee on any construction project. However, dedications of land and easements shown to be reasonably necessary as a direct result of the development are permitted. Voluntary agreements authorizing a payment in lieu of a dedication of land are permitted, provided that the payment is held in a reserve account, only expended for capital improvements, and is expended within five years. A payment not expended within five years will be refunded with interest. However, if the developer is responsible for a delay beyond five years, the refund will be without interest.

All payments must be reasonably necessary as a direct result of the proposed development.

Reasonable fees to cover governmental expenses in processing development applications, reviewing plans or preparing environmental impact statements are still permitted. Special assessments on property specifically benefited thereby are permitted.

General purpose local governments may continue to impose utility system development charges without expansion or contraction of their existing authority.

Special purpose districts, pursuant to RCW Chapters 54, 56, 57 and 87 (PUDs, water, sewer, irrigation), are specifically excluded from the restrictions placed on development fees.

The imposition of business and occupation taxes and sales and use taxes by cities and towns are not precluded, but counties are not authorized to impose business and occupation taxes.

The city business and occupation sales tax authority is limited to .2 percent of gross receipts or income. Any city whose business and occupation tax rate on sales on January 1, 1982 was higher than .2 percent and any

city which has separate classifications for various businesses or services will be limited to a maximum increase in the January rate of 10 percent, not to exceed an annual incremental increase of 2 percent of the current rate. Business and occupation surtaxes in effect on January 1, 1982 will expire either on December 31, 1982 or by the local ordinance expiration date. Cities imposing a license fee or business and occupation tax on retail sales must report the rate and revenues received annually to the Department of Revenue. Business and occupation tax rates in excess of these provisions may be approved by a majority vote of the qualified voters of any city or town.

The Municipal Research Council is required to conduct a survey of all business and occupation tax rates in the state. The survey results will be reported to the Legislature by July 1, 1982.

Because the development fees provision is enacted into law, cities and counties are authorized to levy a real estate excise tax not exceeding one-quarter of 1 percent. This authorization is intended to replace the loss of revenue from the restriction on system development charges. Those entities which do not levy the additional one-half of 1 percent sales tax are authorized to levy a second real estate excise tax not exceeding one-half of 1 percent.

One percent of the proceeds from the real estate excise tax shall be allocated to the county for its costs incurred in collecting the tax. The proceeds from the first one-quarter real estate excise tax levied in lieu of development fees will be used for capital purposes, while any additional real estate excise tax levied in lieu of the additional half-cent sales tax will be used for general government purposes.

The real estate excise tax will be a lien upon real property.

The taxes levied under this act are the obligation of the seller and may be enforced through an action of debt against the seller or in the manner of a foreclosure of a mortgage.

The treasurer of the county within which the real property is located (which was sold to satisfy the real estate excise tax) will act as an agent for the city imposing the tax. A process for the collection of real estate excise taxes is established.

The taxes authorized in this section must comply with the body of law concerning imposition of real estate excise taxes by the state.

Because the development fees provision is enacted into law, a county or city may levy up to an additional one-half of 1 percent sales tax. In the event a sales

and use tax is imposed by both a county and a city within the county, the county will receive 15 percent of the city tax revenue.

A credit against the county tax for the full amount of any city sales or use tax upon the same taxable event is required in any county ordinance imposing sales and use taxes.

An initiative process is authorized for: the first time imposition of any business and occupation tax, as well as any increase in the tax after the effective date of this act; imposition of an additional sales tax; imposition of any real estate excise tax in excess of one-quarter of 1 percent. If the voters already possess the general power of initiative, the initiative procedure will conform to that standard. If the voters do not possess the power of initiative, the procedure shall be in compliance with the initiative petitions provided for code cities.

A procedure for allocating the motor vehicle excise tax to cities and counties is established. Of the seventeen percent of all MVET receipts already allocated to cities, 65 percent will be apportioned on the basis of population and 35 percent will be apportioned to the municipal sales and use tax equalization account. An additional two percent of the MVET receipts will be allocated to the county sales and use tax equalization account.

The State Treasurer will apportion to each county imposing the existing sales and use tax at the maximum rate and receiving less than \$150,000 from the tax in the previous year, an amount from the county equalization account sufficient to equal \$150,000 when added to the revenues received the previous year. These same counties will be entitled to receive an additional amount from the equalization fund so that their total sales tax revenues will equal 70 percent of the statewide weighted average per capita level of revenues for unincorporated areas. Counties which receive this distribution, and which also impose the additional sales and use tax for an entire calendar year, may be entitled to another equivalent distribution. All of the distributions from the equalization account are subject to the following limitations:

- (1) revenues distributed may not exceed an amount equal to 70 percent of the statewide weighted average per county level of revenues for the unincorporated areas of all counties;
- (2) if inadequate revenues exist in the equalization account, then the distributions will be reduced ratably among the counties; and

- (3) if revenues in the account exceed the amount required for equalization, then the additional revenues will be credited and transferred to the state general fund.

A "municipal sales and use tax equalization account" is created into which the revenues from the apportionment of the motor vehicle excise taxes are placed.

The State Treasurer will apportion to each city not imposing the additional sales and use tax an amount equal to 65 percent of the MVET allocation to cities multiplied by 35/65. Each city which does impose the existing sales and use tax at the maximum rate, but receives less than 70 percent of the statewide weighted average per capita level of revenues for all cities, will receive an amount from the municipal equalization account sufficient to bring it up to the 70 percent figure. Cities which receive this second distribution may be entitled to a third distribution. To qualify for this third distribution, the additional sales tax must be imposed at the maximum rate for the entire calendar year. If the tax is not imposed for the full year, the cities will receive prorated allocations proportionate to the number of months the tax was imposed.

The distributions from the equalization account are subject to the following limitations:

- (1) if inadequate revenues exist in the equalization account, then the distributions will be reduced ratably among the cities; and
- (2) if the equalization account exceeds its necessary revenues, then the additional revenues will be apportioned among the cities which impose a sales and use tax.

Funding for fire district services will be considered by county legislative authorities when levying the optional taxes authorized in this act.

Future Obligation: The Municipal Research Council will conduct a survey of the business and occupation tax rates throughout the state and report on the results to the Legislature by July 1, 1982. The Local Government Committees of both houses of the Legislature will study fire district services and funding thereof and report on the results to the Legislature by December 31, 1982.

VOTES ON FINAL PASSAGE:

<u>First Special Session</u>	
Senate	29 17
House	75 23

EFFECTIVE: July 1, 1982 (Section 5)  
April 20, 1982 (all other sections)

**SB 4992**

C 41 L 82 E1

**BRIEF TITLE:** Modifying the tax advisory council.

**SPONSORS:** Senators Hayner and Scott

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Rules

**BACKGROUND:**

The Tax Advisory Council consisting of 15 members was last appointed in December, 1965 by Governor Evans. The Council was last convened in the summer of 1967 for the purpose of continuing its study of Washington's tax structure.

**SUMMARY:**

The Tax Advisory Council shall consist of 12 members appointed by the Governor who represent major segments of the state's economy, and at least one member shall be chosen from each congressional district of the state. In addition, the President of the Senate and the Speaker of the House of Representatives shall each appoint two members, one from each caucus of the respective house.

The Council shall survey and analyze all aspects of state tax structures and policies. Recommendations of the Council shall be submitted to the Governor and the Senate and House Committees on Ways and Means at least one month prior to the convening of each regular session of the Legislature.

All references to sections of the Internal Revenue Code of 1954 shall include all amendments thereto adopted on or before the effective date of this act.

**VOTES ON FINAL PASSAGE:**

First Special Session

Senate	40	1	
House	86	6	(House amended)
Senate	41	0	(Senate concurred)

**EFFECTIVE:** July 10, 1982

**SB 4995**

C 44 L 82 E1

**BRIEF TITLE:** Relating to joint operating agencies.

**SPONSOR:** Senator Gould

**SENATE COMMITTEE:** Energy and Utilities

**HOUSE COMMITTEE:** none

**BACKGROUND:**

Certain contracting requirements in statute have led to inefficiencies and added costs in the construction of nuclear generating projects by joint operating agencies. These losses have been occasioned by delays inherent in the time required to complete all mandated steps in statutory contracting procedures. Having to replace defaulting or poorly performing contractors are cases in point. Revision to contracting procedures to allow more flexibility can result in schedule improvements and cost savings.

**SUMMARY:**

Existing statutes are amended to provide flexibility in procurement actions for joint operating agencies constructing or operating a nuclear power plant. Joint operating agencies are authorized to set up a specified procedure for purchasing items costing between \$5,000 and \$75,000 without using sealed bids. Expedited contracting procedures are permitted when specified emergencies arise which need to be dealt with more quickly than sealed bid procedures would allow.

Noncompetitive procurement is permitted when competition is not feasible. An example is when only one vendor markets a needed product.

Prequalification of bidders is mandated. Joint operating agencies are permitted to contract for work without using sealed bids for defaulted contracts, terminated contracts, or consolidated contracts, if the procedure will save money or substantially expedite the completion of the project.

When it is impractical to draft an invitation for bids with definitive specifications a procedure is established to award contracts to procure material without sealed bids. An identical procedure is established to replace defaulted or terminated contracts or to consolidate contracts. Negotiations to clarify the items being purchased are permitted. Contracts will be executed according to the following procedure:

1. The joint operating agency will request proposals from prequalified bidders and advertise the request;
2. A preproposal conference is held to describe the details of the contract requirements;
3. Proposals are made;
4. All responsible proposers are invited to discussions to clarify contract requirements and revisions to proposals are permitted at this time; and
5. The final proposals are evaluated and the most advantageous one is selected.

The prequotation conference process is expanded to permit supplemental discussions and revised quotations. Roles, responsibilities and obligations of new and old contractors are defined by the joint operating agency during the prequotation conference. Contracts may be fixed price or cost-reimbursable, but cost-plus contracts are not allowed. Contractors who default or are terminated must receive notification, payment for work performed, and termination costs.

In all cases where the exceptions to competitive sealed bid contracting procedures are to be used, the operating agency must certify in writing to the Legislative Budget Committee within 30 days after the contract is signed that the contract is in the public interest, why it is, and must estimate the cost or schedule savings compared to using competitive sealed bid procedures.

The joint operating agency is permitted to audit the contractors' books and recover costs if the quotation was based on inaccurate, incomplete or noncurrent pricing data.

Whenever a joint operating agency awards a contract without sealed bidding, a report and certification must be given to the Senate and House Committees on Energy and Utilities of the Washington State Legislature and the Legislative Budget Committee.

Sunset Provisions: This bill contains a Sunset clause and expires on December 31, 1987 or on the date construction is completed on those plants under construction on January 1, 1982.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>		
Senate	29	18
House	83	13

**EFFECTIVE:** April 20, 1982

**SB 4996**

C 43 L 82 E1

**BRIEF TITLE:** Relating to joint operating agencies.

**SPONSOR:** Senator Gould

**SENATE COMMITTEE:** Energy and Utilities

**HOUSE COMMITTEE:** none

**BACKGROUND:**

In 1981 the Legislature passed a law which required any joint operating agency constructing a nuclear power plant to appoint four outside members to an 11 member executive board. The executive board was given statutory authority over the management of any plants under construction. Three prominent corporate officials accepted appointments to the executive board with the understanding that Washington Nuclear Projects No. 4 and No. 5 would be mothballed. Instead, the board of directors decided to terminate those two plants. The 1981 law gave the executive board authority only over the construction of the projects. Decisions over the termination of plants No. 4 and No. 5 reverted to the 23 member board of directors. Plants No. 4 and No. 5 were "twinned" with plants No. 1 and No. 3 respectively. Therefore, decisions affecting the termination of plants No. 4 and No. 5 will affect the construction decisions of plants No. 1 and No. 3.

The three outside members resigned from the board because they felt that splitting the decisions for the construction and termination of the five plants between the executive board and the board of directors was unworkable. In addition, the law did not protect the outside directors from personal liability lawsuits for good faith decisions. It is widely believed that experienced businessmen will be reluctant to serve on the executive board unless these problems are corrected.

**SUMMARY:**

The Board of Directors has the authority to make the final decision to purchase, acquire, construct, terminate or decommission a nuclear power plant. The members are appointed by each member utility and serve as agents thereof.

The Executive Board has all other powers and duties not vested in the Board of Directors, including all actions subsequent to the final decisions of the Board of Directors. The members of the Executive Board will represent all the ratepayers affected by the joint

**SSB 5007**

C 51 L 82 E1

operating agency and its projects instead of representing the interests of their utilities, the Washington Public Power Supply System and the participants. The Executive Board members are no longer agents of their utilities.

The Executive Board will consist of eleven members. Five members will be appointed by the board of directors from members of the board. Six members will be outside directors. Three outside directors will be appointed by the board of directors, and the remaining three will be appointed by the Governor with Senate confirmation. Outside directors will be removable only for cause. Inside directors will be removable by the board. The six outside directors will serve four year staggered terms. The five inside directors will serve four year terms. The Executive Board will choose its own chairman.

The executive board shall conduct its business in a manner which in its judgment is in the interests of all ratepayers affected by the joint operating agency and its projects.

Board members are immune from civil liability for good faith errors in judgment. The members will be defended by WPPSS in any civil suit challenging their decisions, provided the reasonable person standard is adhered to.

The members of the Executive Board will be selected within 60 days from the effective date of the act.

Continuity of employees, contracts, rules and rights is provided for.

The state specifically disclaims any liability for any WPPSS' obligations.

Meetings held by or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency are subject to the open meetings laws.

The duties of the WPPSS treasurer are expanded. The treasurer is responsible for advising the Board on all financial matters.

The common law doctrine of incompatibility of offices is voided for members of the board of directors or the executive board of a joint operating agency.

**VOTES ON FINAL PASSAGE:**

<u>First Special Session</u>	
Senate	25 19
House	60 35

EFFECTIVE: April 20, 1982

**BRIEF TITLE:** Relating to compensation for public employees.

**SPONSORS:** Senate Committee on Ways and Means  
(Originally Sponsored by Senator Scott)

**SENATE COMMITTEE:** Ways and Means

**HOUSE COMMITTEE:** Appropriations - General Government and Compensation

**BACKGROUND:**

Personnel practice in public employment allows for the payment of unused accrued vacation time. In state service, this is limited to 30 days.

**SUMMARY:**

Any agency or department of state government, or any political subdivision of state government, is prohibited from making any lump-sum payment for unused or accrued vacation leave upon termination of employment except in the case of death. Contracts, where necessary, may provide a method whereby all accumulated vacation leave may be taken as vacation leave.

The 30-day maximum annual accrual for state employees is left intact.

The members of the Law Enforcement Officers' and Firefighters' Retirement System and the members of the retirement systems of the cities of Seattle, Spokane and Tacoma are exempted from the provisions of the act.

Agencies and departments of the state are to develop a method whereby all vacation granted to employees is taken as vacation.

This act shall not have the effect of terminating or modifying any existing contractual rights.

This act is to take effect July 1, 1982. The bill contains a severance clause.

**VOTES ON FINAL PASSAGE:**First Special Session

Senate	37	10	
House	72	18	(House amended)
Senate			(Senate concurred in part)
House			(House refused to recede in part)
Senate	40	4	(Senate concurred)

EFFECTIVE: July 1, 1982

**SJM 115**

**BRIEF TITLE:** Opposing the imposition of user fees to fund federal navigation projects.

**SPONSORS:** Senators Bauer, Patterson, Talley, Hansen, Quigg, Benitz, Sellar, Hayner and Zimmerman

**SENATE COMMITTEE:** Local Government

**INITIAL HOUSE COMMITTEE:** Local Government

**ADDITIONAL HOUSE COMMITTEE:** Rules

**BACKGROUND:**

Congress is considering a number of bills concerning waterway user fees. These bills would shift full responsibility for the U.S. Army Corps of Engineers' costs of maintaining ports and waterways to local jurisdictions and users. The impact of user fees will result in a loss of about \$750 million to the Pacific Northwest's economy and a loss of 15,000 jobs.

**SUMMARY:**

The Washington State Legislature petitions the President and Congress of the United States to maintain the present system of full federal funding of existing port systems and to oppose the imposition of user fees.

Acknowledgement is made of the revenue which the federal treasury receives from customs, fees, tariffs and import duties.

**VOTES ON FINAL PASSAGE:**

<u>Regular Session</u>	
Senate	44 3
<u>First Special Session</u>	
Senate	41 1
House	86 9

**SSJM 118**

**BRIEF TITLE:** Petitioning Congress to oppose further reductions in federal funds for postsecondary student assistance programs.

**SPONSORS:** Senate Committee on Higher Education (Originally Sponsored by Senators Hansen, Patterson, Hemstad, Charnley, Benitz and Goltz)

**SENATE COMMITTEE:** Higher Education

**HOUSE COMMITTEE:** Rules

**BACKGROUND:**

Federal budget cuts for fiscal 1981-82 are phasing out Social Security aid for college students. Funds are reduced by \$1.3 billion forcing 761,000 students to look for other assistance.

The Education Department's aid for postsecondary education is reduced by 11 percent, eliminating assistance for 400,000 students in the 1982-83 school year. Moreover, President Reagan's fiscal 1983 budget recommends further cuts in postsecondary assistance.

Since state and local governments lack the resources to make up for the federal cuts, many argue it will be difficult for low and middle income students to continue their education past high school, and that postsecondary education will be accessible only to the wealthy.

**SUMMARY:**

Congress is requested to oppose severe reductions in federal postsecondary student assistance programs and continue to support accessibility to postsecondary education for all qualified students.

Congress is requested to maintain a top priority for federal aid in order to help sustain access for students to higher education. It is also requested that Guaranteed Student loans be made available to needy undergraduate and graduate students and that need-based Federal Student Financial Aid be funded for fiscal 1982 and 1983 at the amounts established for fiscal 1982 in the Omnibus Budget Reconciliation Act of 1982.

The Washington State Legislature endorses the efforts of Congress and its study commission to assess current student financial aid programs and to make appropriate changes to those programs.

**VOTES ON FINAL PASSAGE:**

Senate	46	0
House	92	6

**SSJR 143**

**BRIEF TITLE:** Providing the means for the payment of indebtedness on public improvements.

**SPONSORS:** Senate Committee on Local Government (Originally Sponsored by Senators



Gallaghan, Fleming, Bottiger,  
Zimmerman, Hemstad, Bauer and  
Benitz)  
(By Governor Spellman Request)

INITIAL SENATE COMMITTEE: Local Government  
ADDITIONAL SENATE COMMITTEE: Constitutions  
and Elections

SECOND ADDITIONAL SENATE COMMITTEE:  
Ways and Means

HOUSE COMMITTEE: Revenue

**BACKGROUND:**

Tax increment financing, or "community redevelopment financing," permits an incorporated city or town, or unincorporated urbanized area to make public improvements in a section of the urban area with the revenue generated by the issuance of non-general obligation bonds. The bond debt is paid back through an ad valorem tax on the increased value of the real property within the section being improved. Theoretically, a portion of the urban area is thereby redeveloped, the tax base expanded, and no extra burden on the taxpayers is imposed.

Article VII, Section 1 of the Washington State Constitution requires that all taxes be uniform on the same class of property within the territorial limits of the authority levying the tax. This clause could impose a constitutional barrier against a legislative grant of authority to urbanized areas for the implementation of tax increment financing. There is concern that the allocation of tax revenues under such financing might not be considered "uniform" under judicial scrutiny.

**SUMMARY:**

The authority granted by the Legislature to levy ad valorem real property taxes for the payment of public obligations incurred for public improvements is limited to cities and counties. Public improvements are restricted to redevelopment of urban areas.

The ad valorem tax base is broadened to include taxes levied by port districts and public utility districts. The constitutional amendment does not authorize counties and cities to provide public improvements which they cannot otherwise provide nor does it authorize the use of eminent domain beyond the limits authorized in the constitution.

General obligation bonds, issued pursuant to the tax increment financing mechanism, are subject to public hearing and notice requirements. The use of the tax increment financing mechanism to pay principal and

interest on general indebtedness is subject to potential referendum approval by the voters.

Following the enactment of tax increment financing into law, the Legislature may only amend the act by a vote of 60 percent of the members elected to each house. Such amendment will be subject to a referendum petition.

**VOTES ON FINAL PASSAGE:**

Regular Session  
Senate 34 12

First Special Session  
Senate 34 12  
House 73 22 (House amended)  
Senate 36 11 (Senate concurred)

**SCR 127**

**BRIEF TITLE:** Requesting actions be filed in the Supreme Court against unsound monetary policies.

**SPONSORS:** Senators Metcalf, Vognild, Rasmussen, Moore, McCaslin, Pullen, Guess, Hansen, Bauer, Lysen, Craswell and Fuller

**SENATE COMMITTEE:** Rules

**HOUSE COMMITTEE:** Financial Institutions and Insurance

**BACKGROUND:**

Concern has been expressed that the congressional delegation of the power to Federal Reserve to create money and set interest rates is not authorized by the United States Constitution. A test case before the U.S. Supreme Court might resolve the question of whether such delegation is a contributor to current inflation and high interest rates.

**SUMMARY:**

The resolution declares the intention that separate actions be filed in the U.S. Supreme Court challenging the constitutionality of the delegation of power to the Federal Reserve System to create money and seeking an independent audit of the Federal Reserve System.

**VOTES ON FINAL PASSAGE:**

Senate (adopted)  
House (adopted)

## **SCR 138**

**BRIEF TITLE:** Establishing a Joint Select Committee on Expo '86.

**SPONSORS:** Senators Goltz, Jones and Quigg

**SENATE COMMITTEE:** Commerce and Labor

**HOUSE COMMITTEE:** Rules

**BACKGROUND:**

A World Exposition on Transportation and Communications (Expo '86) is being held in British Columbia in 1986. It is expected to attract 13 million people and will last five months.

**SUMMARY:**

A Joint Select Committee of eight persons, two from each caucus of each house, is to be chosen to take advantage of opportunities or mitigate problems associated with being a neighbor of the host province of Expo '86.

Future Obligations: The Joint Select Committee on Expo '86 is to report its findings and recommendations to the 1983 Regular Session of the Legislature.

**VOTES ON FINAL PASSAGE:**

First Special Session

Senate	46	0
House	98	0

## **SCR 143**

**BRIEF TITLE:** Establishing a joint select committee to study the management options and potential uses of the Milwaukee Road.

**SPONSORS:** Senators Guess, Bluechel and Charnley

**SENATE COMMITTEE:** Rules

**HOUSE COMMITTEE:** Rules

**BACKGROUND:**

Washington State recently acquired the Milwaukee Road, a 100 foot right-of-way of abandoned railroad line which stretches from Easton, Washington to the Idaho border. There is a need now to determine the most appropriate uses of the property.

**SUMMARY:**

A joint select committee composed of two members of each caucus of the two houses of the Legislature is formed to study the management options and potential uses of the Milwaukee Road property. The Departments of Game, Fisheries, Agriculture, Natural Resources, Ecology and Transportation, the State Energy Office, the Association of Washington Counties and the Parks and Recreation Commission are requested to cooperate with the committee.

Future Obligation: The committee is directed to reports its findings and recommendations to the 1983 Regular Session of the Legislature.

**VOTES ON FINAL PASSAGE:**

First Special Session

Senate adopted

House	92	4	(House amended)
Senate	43	1	(Senate concurred)

# VETO MESSAGES



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## State of Washington

JOHN SPELLMAN, Governor

March 27, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to  
Section 1 (1) (b) Second Substitute House Bill No.  
987 entitled:

"AN ACT Relating to school district employees."

This section would prohibit school boards from paying  
school employees for unused vacation leave.

Since other state employees are not similarly restricted,  
it is inequitable to single out one group of employees  
for differential treatment. Any reform in this area  
should be uniform.

With the exception of Section 1 (1) (b), which I have  
vetoed, the remainder of Second Substitute House Bill No.  
987 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

March 27, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section Senate Bill No. 4558 entitled:

"AN ACT Relating to industrial insurance coverage."

Section 2 of this bill contains current statutory language with no amendments. This presents a conflict with Engrossed House Bill 454, which also contains this section of existing law but with amendatory language. I have vetoed Section 2 in order to avoid difficulties in codification and future interpretation of this section of the Code.

With the exception of Section 2 which I have vetoed, Senate Bill No. 4558 is approved.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

March 27, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to  
Section 4 Substitute Senate Bill No. 4566 entitled:

"AN ACT Relating to agriculture and  
marketing."

Section 4 exempts agricultural commodity commissions from paying for audits performed by the State Auditor. Exempting commodity commissions from the requirement to reimburse the State Auditor for services received is inequitable and an unwarranted exception to the established policy of agencies paying for services received. It is particularly inappropriate in that this bill provides for a reduction in the frequency of required audits by the State Auditor from annual audits to at least one audit every five years.

By exempting agricultural commodity commissions from the definition of a "state department" Section 4 could also exempt these commissions from the jurisdiction of the State Auditor for purposes of departmental audits.

I have therefore vetoed Section 4. The remainder of Substitute Senate Bill No. 4566 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 1, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 6, 7, and 8  
House Bill No. 826 entitled:

"AN ACT Relating to the law revision commission."

This bill authorizes a new commission to propose reforms of our laws.  
The legislature, however, has not funded the Commission. I am vetoing  
those sections which authorize per diem, hiring of staff, and  
contracting with consultants because there are no supporting funds for  
those provisions.

Respectively submitted,



John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

April 3, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to  
Sections 6 and 7 of Substitute House Bill No. 58  
entitled:

"AN ACT Relating to local government"

Sections 6 and 7 would restrict the membership of  
joint city-county housing authorities. Absent fuller  
discussion of the issue -- which did not occur during  
public hearings on this bill -- my inclination is to  
allow the local governments that establish the joint  
authorities to determine the most appropriate member-  
ship of the authorities.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

April 3, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one paragraph of  
Second Substitute House Bill No. 378 entitled:

"An ACT Relating to the Regulation of Cosmetology"

The paragraph beginning on page 10, line 24, and ending on page 11,  
line 2, would require public postsecondary schools, as a precondition  
for the issuance of a cosmetology school location license, to perform  
extensive market surveys. The purpose of these market surveys would  
be to demonstrate either unmet demand for cosmetologists or unsatisfactory  
servicing of current students.

Our community colleges routinely conduct market surveys before  
establishing new programs. This is a matter of prudent management.  
Thus, this statutory requirement is not necessary. In addition, this  
paragraph contains standards which would be difficult to enforce,  
creates duplicate roles for the Department of Licensing and the  
Community College Board, and may lead to inequitable treatment of  
students in certain areas of the state.

With the exception of the paragraph referenced above, 2SHB 378 is  
approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 3, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 3 and 4 of  
House Bill No. 851 entitled:

"AN ACT Relating to eligibility for services from the  
developmental disabilities division of the department  
of social and health services"

Section 3 of this Act is the current Federal definition of developmental  
disabilities, which is designated in Section 4 to take effect March 1,  
1983. When this occurs the Federal definition will be in conflict with  
another definition of developmental disabilities also contained in the  
bill. I have vetoed Sections 3 and 4 to avoid difficulties in future  
interpretation of this section of the Code.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 3, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 11, 12, and 17 of Substitute House Bill 875 entitled:

"AN ACT Relating to state government"

Sections 11, 12, and 17 would effect the termination of the Model Litter Control and Recycling Program on June 30, 1983. In order to comply with the provisions of the Sunset Act, a review of the program would have to be completed by June 30, 1982. Such a short time period is not adequate for a full review of the program.

With the exception of Sections 11, 12, and 17 Substitute House Bill 875 is approved.

Respectfully submitted

A handwritten signature in black ink, appearing to read "John Spellman", written over the typed name and title.

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

April 3, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to  
subsections (1) and (3) of Section 4 of Substitute  
House Bill No. 891 entitled:

"AN ACT Relating to medicare supplemental  
health insurance"

I have signed into law the main body of the bill.  
However, subsections (1) and (3) of Section 4 would  
repeal two current statutes which I feel should re-  
main law. These are RCW 48.66.030 and RCW 48.66.140,  
both of which contain important consumer protections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 3, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 8 subsection  
(3) Senate Bill No. 3446 entitled:

"AN ACT Relating to incorporation proceedings  
for cities and towns"

Subsection (3) of Section 8 would severely limit the authority of a newly incorporated city to establish its property tax rate at a level sufficient to provide basic services. The lower tax rate that would result from implementation of subsection (3)(b) is less than the \$3.375 per \$1,000 of assessed value authorized for other Washington cities. I have therefore vetoed Subsection (3) of Section 8.

With the exception of Subsection (3) of Section 8, which I have vetoed, the remainder of Senate Bill No. 3446 is approved.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 3, 1982

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Senate Bill No. 3944 entitled:

"AN ACT Relating to Unemployment Compensation"

Senate Bill No. 3944 would represent a departure from established labor management practices in the State of Washington and would present the potential of abuse in terms of denial of unemployment benefits to non-strikers out of work because of an employer lock-out in the absence of a labor dispute and work stoppage.

Engrossed House Bill No. 660, which passed the House in 1981, addresses the problems this bill attempts to correct in a more precise manner and would be acceptable to me.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

April 3, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to the proviso contained in Section 1, subsection 2(c) Substitute Senate Bill No. 4285 entitled:

"AN ACT Relating to social and health services"

The intent of this proviso is admirable. It would attempt to establish an equitable distribution of the \$500 deductible in the medically indigent program among all providers. In practice, however, the proviso would result in administrative complexity and a slowdown in cash flow to the providers. This would be more detrimental than the marginal benefits which might accrue if the proviso were implemented.

With the exception of the proviso in Section 1, subsection 2(c) which I have vetoed, Substitute Senate Bill No. 4285 is approved.

Respectfully submitted,



John Spellman  
Governor





## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 3, 1982

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Engrossed Senate Bill  
No. 4831 entitled:

**"AN ACT Relating to shoreline areas"**

Engrossed Senate Bill No. 4831 would establish an approach of an unusual and unwarranted nature for exempting specific industrial projects from procedures established by the Shoreline Management Act. The bill would also severely restrict state level shoreline permit review and approval procedures established by a vote of the people in 1972.

As drafted, ESB 4831 exempts one company from established state law and restricts the Shoreline Management Act's appeal process by eliminating state government from the review and approval process. This is an example of exactly that kind of uncoordinated and piecemeal approach that the act was originally designed to prevent.

Legislation by exemption is poor practice. Consistency, uniformity, and equity in the application of law are essential. To set precedent by doing otherwise serves to undermine public trust and faith in state laws and the state law making process.

It is also disruptive and unwarranted to attempt to circumvent state shoreline protection laws in this manner. Many other companies have successfully obtained shoreline development permits by following the guidelines and procedures established by the Shoreline Management Act. To provide a special statutory exemption to a single company is disruptive to the process, establishes a dangerous precedent, is unfair to other entities that have worked within the process, and may be unconstitutional.

The only possible justification for this law is the promise of new jobs at a time they are desperately needed. There is significant doubt that there would be a short-term net increase in jobs were the project to proceed. There is no doubt that the damage to the Shoreline Management Act and the dangers to fishing and the state's role under the Federal Coastal Zone Management Act would be long lasting.

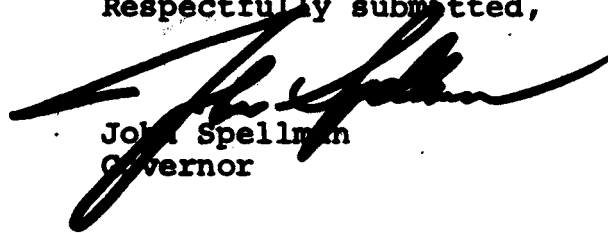
To the Senate of the  
State of Washington  
Page two

April 3, 1982

The considerable controversy generated by ESB 4831 indicates that there may be problems with the state's shoreline management procedures. It is recognized that the Shoreline Management Act was adopted nearly ten years ago and that times have changed. The act may unreasonably restrict economic growth in times of severe recession. In order to identify problems with the act and to develop realistic solutions, I would welcome a legislative study to determine the need for modifications of the law.

For these reasons, I have vetoed Engrossed Senate Bill No. 4831.

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

April 6, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section of Engrossed Senate Bill No. 4748 entitled:

"AN ACT Relating to beer and wine"

Section 3 of ESB4748 contains an undesirable provision regarding out-of-state liquor importers and wholesalers. In direct violation of the intent of RCW 66.28.010, out-of state liquor importers and wholesalers would be permitted to have financial interests in Class A retail liquor licensed establishments in the state of Washington.

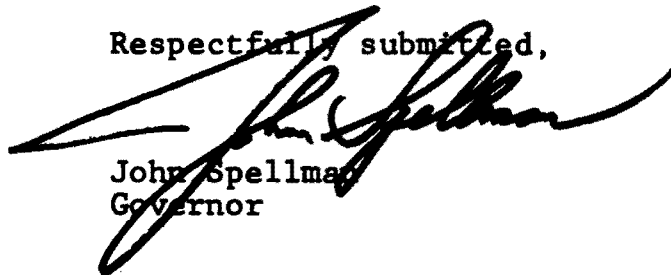
RCW 66.28.010, together with liquor licensing regulations, absolutely and specifically precludes any manufacturer or distributor of liquor from having any kind of a financial interest in a licensed retail outlet. The language of RCW 66.28.010 regarding the financial relationships within the state's liquor industry has not changed since the original Washington State Liquor Control Act was adopted by the legislature in 1933. It was the intent of the legislature to absolutely prohibit the "tied-house" arrangements of the pre-prohibition days.

If enacted, Section 3 of ESB 4748 would violate the original tied-house provisions of the states liquor control laws and establish a dangerous precedent for future piecemeal amendments to RCW 66.28.010. This statute is an integral part of the state's liquor control laws. Piece meal modifications, such as, Section 3 of ESB 4748, will weaken liquor control statutes and threaten the integrity of the entire liquor control system.

To the Honorable, the Senate  
of the State of Washington  
Page Two  
April 6, 1982

With the exception of Section 3, which I have vetoed, the  
remainder of Engrossed Senate Bill No. 4748 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman", written in a cursive style. The signature is positioned above the printed name and title.

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 19, 1982

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 25 of ESB 4250 entitled:

"AN ACT Relating to revenue and taxation"

Section 25 stipulates that revenues received under RCW 66.24.210(2) and 66.24.290(2) shall not be deposited into the liquor revolving fund. This is both unnecessary and superfluous since sections 23 and 24 dedicated the ~~gurtax~~ proceeds to the General Fund and provide for the transferring of receipts to the General Fund.

With exception of Section 25, which I have vetoed, the remainder of ESB 4250 is approved.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 20, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 14, 15, and 16(2) Second Substitute House Bill No. 124, entitled:

"AN ACT Relating to public employment; amending certain sections of RCW 28B and RCW 41.04 and other sections and declaring an emergency."

Section 14 directs that the state general fund full-time equivalent employment of any state agency during any month not exceed the average monthly state general fund FTE employment of the previous calendar year or the state general fund FTE employment of the same month of the previous year. Section 14 also limits replacement of state general fund-supported employees to 50 percent of those leaving employment after December 31, 1981.

Employee attrition does not occur evenly between agencies. Agencies with high turnover would be severely affected, particularly in view of staffing reductions that have already occurred. The hiring freeze imposed by Section 14 is overly restrictive: it does not allow for exceptions to meet critical needs; nor does it allow for the planning and control that is essential to good management. In addition, the exempting provisions of this bill result in an unfair burden being placed on the remainder of state government. For these reasons, I have vetoed Section 14.

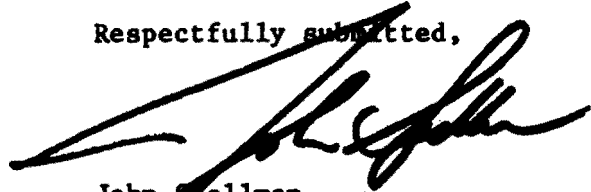
Section 15 requires agencies to report every six months to the Office of Financial Management (OFM) the number of vacancies created and positions filled. OFM must present this information to the legislature 15 days thereafter. To require additional paperwork of questionable purpose and value is not appropriate during times of budgetary and staffing reductions. The OFM presently collects and distributes sufficient information to keep the legislature and me adequately informed as to the status of state agency staffing.

To the Honorable, the House  
of Representatives of the  
State of Washington  
April 20, 1982  
Page 2

Subsection (2) of Section 16 is a study requirement related to Section 14 and is therefore unnecessary.

With the exceptions noted above, Second Substitute House Bill No. 124 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 20, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 30 of House  
Bill No. 600, entitled:

**"AN ACT Relating to crimes"**

The Implied Consent Law, passed by the voters of this state in 1969,  
provides that a person's privilege to drive is conditioned on a promise  
to take a breathalyzer test when suspected of driving under the  
influence of alcohol. Failure to take the test results in a six-month  
loss of license.

Section 30 would undermine the Implied Consent Law. It would permit  
persons who refuse the breathalyzer and who subsequently are found  
guilty of DWI to apply for an occupational driver's license.  
Ironically, those who were acquitted of the charges could not apply for  
the occupational permit.

If we are to have an Implied Consent Law--and I believe we should--we  
must enforce it. There must be a clear consequence to refusing the  
breathalyzer; otherwise, the Implied Consent Law will be intolerably  
weakened.

With the exception of Section 30, which I have vetoed, House Bill No.  
600 is approved.

Respectfully submitted,



John Spellman  
Governor





# State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 20, 1982

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. 829, entitled:

"AN ACT Relating to elected officials"

The words "or identifying information" on page 1, line 15, are ambiguous. It is not clear whether they refer to information identifying an elected official or information identifying a ballot issue. If the latter interpretation were accepted, the previous part of the sentence would prohibit local elected officials from using standard letterhead to distribute any printed information to the electorate within 90 days of an election.

There are proper administrative functions, including the general distribution of government information on a wide variety of subjects, that should not come to a 90-day standstill simply because the official in charge is facing an election.

While the intent of preventing mailing abuses by elected officials is admirable, this bill goes too far, and would inhibit legitimate functions of government. I would welcome more carefully drawn legislation.

For these reasons I have vetoed HB 829.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 20, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 30 of  
Substitute House Bill No. 1226, entitled:

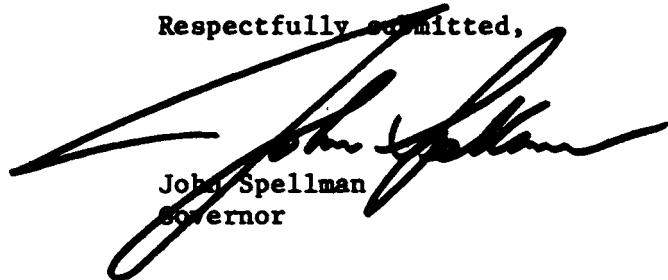
"AN ACT Relating to public employees"

I have vetoed Section 30 on pages 27 and 28, and all references to  
Section 30 on pages 13, 15, 23, 24, 25, and 27.

Section 30 calls for legislative review and approval of the proposed  
administrative rules for implementing the act. Failure of the legislature  
to approve the rules would void several sections of the act. In addition  
to presenting some constitutional issues relating to the functions of  
the legislative and executive branches, implementation of this section  
creates too much uncertainty as to when or whether the law will become  
effective.

With the exception of Section 30 and the references to it, which I have  
vetoed, Substitute House Bill No. 1226 is approved.

Respectfully submitted,



John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

April 20, 1982

To the Honorable, the House  
of Representatives of the  
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to Section 16, subsection 60 of Substitute House Bill No. 1230, entitled:

"An Act Relating to Appropriation"

New language in Section 16, subsection 60 would require the Department of Fisheries to locate eight salmon-rearing pens at McNeil Island. This is a good idea, which the Department of Fisheries is working to implement. But such a project may violate our agreement with the Federal government regarding the use of McNeil Island. If, for this reason, the pens at McNeil Island are not possible, the funds should be used for pens elsewhere. The new language would not permit this; vetoing it will permit the Director of Fisheries to make the best use of his limited funds.

With the exception of Section 16, subsection 60, which I have vetoed, House Bill No. 1230 is approved.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor



## State of Washington

JOHN SPELLMAN, Governor

April 20, 1982

OFFICE OF THE GOVERNOR

To the Honorable, the Senate  
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to several provisions Substitute Senate Bill No. 4369, entitled:

"AN ACT Relating to appropriations"

I have vetoed Section 15, making an appropriation "FOR THE GOVERNOR - MINORITY AND WOMEN'S AFFAIRS" in its entirety. This section will not be necessary as I have also vetoed Section 16, thus leaving intact the existing minority offices.

I have vetoed Section 16, amending the appropriation "FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS" in its entirety. Important and sensitive programs would be eliminated without the opportunity for public input and considered legislative evaluation. Furthermore, the legislature has not provided any statutory mechanism for the establishment of an alternate organization.

I have vetoed Section 43, subsection (6), which requires that any caseload savings lapse at the end of each calendar quarter. This section conflicts with Section 47(4), which allows the transfer of up to \$7.0 million into the Administration program. It is also unnecessarily restrictive because it prevents any use of savings to offset further losses in Federal funds.

I have vetoed Sections 49 and 57. These sections would have repealed the appropriation for the Commission for the Blind and transferred it to the Department of Social and Health Services, authorizing DSHS to provide services to the blind. This would have the effect of nullifying existing law in RCW 74.16; which requires the Commission for the Blind to distribute funds and provide services to the blind. In effect, the legislature would have placed the dollars with DSHS, while leaving the statutory responsibility for the provision of services with the Commission for the Blind.

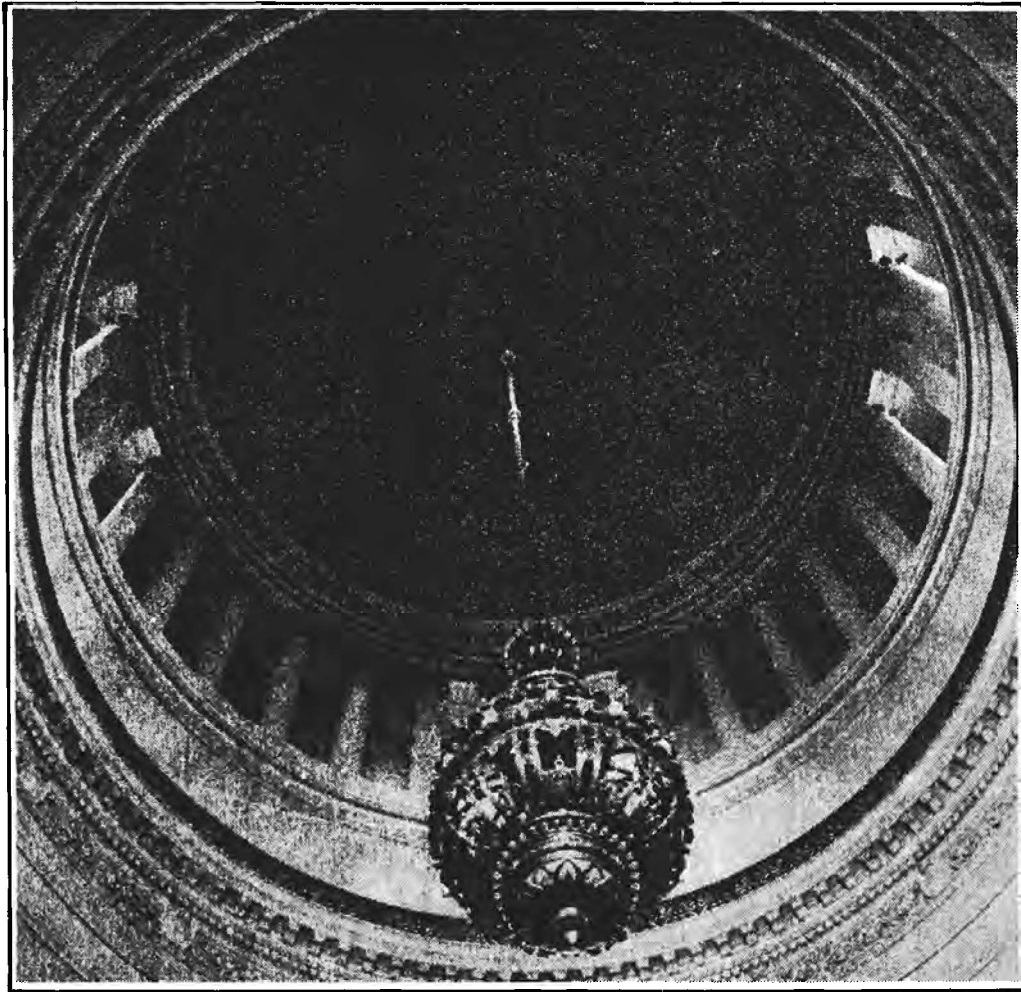
With the exceptions noted above, Substitute Senate Bill No. 4369 is approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Spellman".

John Spellman  
Governor

# SUNSET LEGISLATION



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The original sunset schedule did not list any agencies or programs for termination during 1982. Therefore, there was no requirement for legislative review of any new audit reports. However, the following actions were taken regarding entities terminated in 1981. (Detailed information on the following bills is contained in other sections of this report.)

### SB 4250

The Select Joint Committee on Sunset Review is required to develop legislation for a scheduled termination of selected state tax exemptions, exclusions, deductions, credits, deferrals or preferential rates. This schedule, based on a Department of Revenue report of existing "tax preferences," will begin in 1984 and will continue for a period of four years.

The Legislative Budget Committee and the Office of Financial Management are required to conduct a review of scheduled "tax preferences" and report to the Legislature in the year preceding the termination date. Legislative review of these reports is mandated through joint hearings of the Senate and House of Representatives Ways and Means Committees. In the same manner as other entities scheduled for sunset termination, the Legislature must enact legislation to continue or modify a scheduled "tax preference." If no legislation is enacted, the "tax preference" will terminate.

### HB 572

Transfers the duties of the State Voting Machine Committee, which was terminated on June 30, 1981, to the Office of the Secretary of State.

### SHB 762

Eliminates a number of defunct, inoperative or purely advisory boards, commissions, and councils.

### SHB 837

Establishes an incentive pay program for state employees which terminates on June 30, 1987.

### SHB 875

The following entities are added to the sunset termination schedule and will terminate on the dates noted, unless extended by law:

- Board of Pharmacy-June 30, 1984
- Board of Accountancy-June 30, 1984
- Department of Emergency Services-June 30, 1984
- Department of Veterans Affairs-June 30, 1988
- Hospital Commission-June 30, 1984

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## Sunset Legislation

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The State Veterans Affairs Committee scheduled termination date is extended to June 30, 1988 to coincide with the scheduled termination date for the Department of Veterans Affairs.

The provisions regarding scheduled termination of the Model Litter Control and Recycling Program on June 30, 1983 was vetoed by the Governor.

The termination date of the Washington Sunset Act is extended from June 30, 1984 to June 30, 1990.

### SHB 923

Creates the State Office of Voluntary Action and sets a sunset date for the agency on June 30, 1985.

### FUTURE ACTION

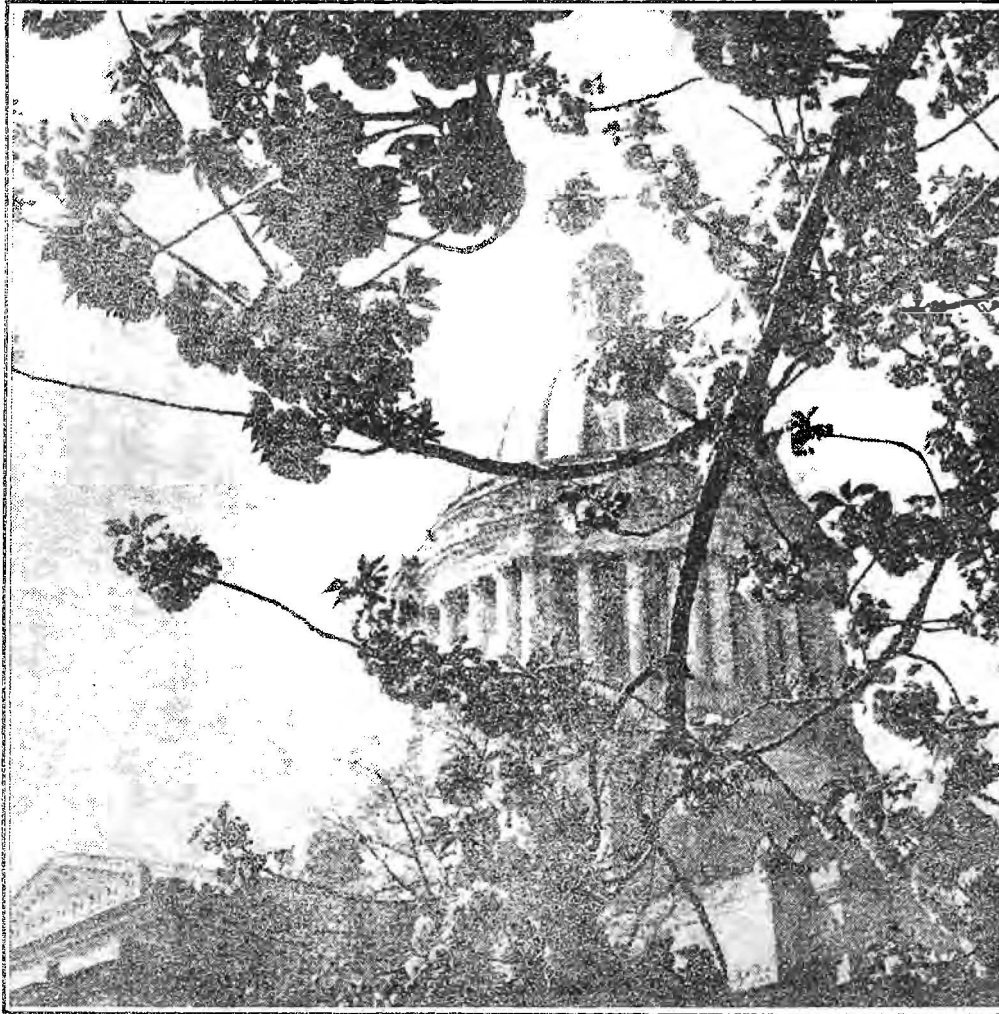
In accordance with the provisions of the Washington Sunset Act of 1977, as amended by SHB 875, the Legislative Budget Committee is preparing fiscal and program audits of 22 agencies and programs. Those audit reports will be submitted to the 1983 Legislature and, unless extended by law, the entities will terminate on June 30, 1983.

### AGENCIES/PROGRAMS--1983 TERMINATION

Asian-American Affairs Commission  
Barbering and Men's Hairstyling Regulation  
Cosmetology Regulation  
Criminal Justice Planning Agency  
Department of Labor and Industries Contract and Registration Program  
Division of Criminal Justice  
Eastern Washington Historical Society  
Economic Assistance Authority  
Municipal Research Council  
Office of Archaeology and Historic Preservation  
Planning and Community Affairs Agency  
Snowmobile Advisory Council  
State Advisory Committee to Department of Social and Health Services  
State Board of Health  
State Capitol Historical Association  
Traffic Safety Commission  
Veterinary Board of Governors  
Washington Archaeological Research Center  
Washington State Commission for the Blind  
Washington State Historical Society  
Washington State Public Broadcasters Commission  
Washington State School Directors Association



# BUDGET HIGHLIGHTS



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## General Fund Revenue and Expenditure Reconciliation -1981-83 Biennium

		\$ in millions
Beginning Fund Balance (Balance at End of 1979-81 Biennium)	\$	5.6
Revenues: 1981-83 Biennium		
March 4, 1981 Revenue Forecast		7,243.9
Revenue Adjustments:		
September Revised Forecast	\$ (601.7)	
November Revised Forecast	(96.9)	
Inheritance Tax Repeal	(42.9)	
November Special Session	542.3	
December Revised Forecast	(144.2)	
February Revised Forecast	<u>(187.6)</u>	
SUBTOTAL		(531.0)
1982 Legislative Actions:		
ESB 4250 - Omnibus Revenue Act	270.8	
HB 784 - Tuition and Fees for Higher Education	21.0	
All Other (Including LEOFF Interest Transfer)	<u>(13.3)</u>	
SUBTOTAL		<u>278.5</u>
<b>TOTAL REVISED REVENUE</b>		<b>\$6,997.0</b>
Expenditures:		
1981-83 Original Appropriations		7,249.0
Adjustments:		
November Special Session	(231.8)	
Technical Adjustments	<u>.6</u>	
SUBTOTAL		(231.2)
1982 Legislative Actions		
SB 4369 (Adjusted for HB 784 and Reappropriations)	(149.3)	
All Other	<u>8.7</u>	
		<u>(140.6)</u>
<b>TOTAL REVISED EXPENDITURES</b>		<b>\$6,877.2</b>
<b>REVISED BALANCE: 1981-83 BIENNIUM</b>		<b>\$ 119.8</b>

## 1982 Regular and First Special Sessions - Revenue Legislation Summary

\$ in thousands		General Fund State	General Fund Federal	General Fund Total	All Other Funds	Total All Funds
SHB 174	Podiatrists licensing (unfunded)	\$ --	--	\$ --	--	\$ --
3SHB 179	Child abuse neglect council	293.8	--	293.8	--	293.8
SHB 268	Unpaid parking fines (effective FY 85)	--	--	--	--	--
HB 286	Displaced homemaker program	341.3	--	341.3	--	341.3
SHB 313	Business inventories tax	(55.0)	--	(55.0)	--	(55.0)
2SHB 378	Cosmetology regulations (unfunded)	--	--	--	--	--
SHB 436	State auctioneers comm.	45.0	--	45.0	--	45.0
HB 537	Occupational driver's license	--	--	--	95.4	95.4
SHB 571	Alcoholic beverage control	(147.0)	--	(147.0)	--	(147.0)
HB 623	Vets free license plates	(43.6)	--	(43.6)	(16.8)	(60.4)
HB 765	Excise tax registration fee	527.0	--	527.0	--	527.0
HB 768	Corrections department prov.	283.5	--	283.5	--	283.5
SHB 778	Professional licensing	(37.5)	--	(37.5)	--	(37.5)
HB 784	Tuition & fee charges	21,022.0	--	21,022.0	5,357.0	26,379.0
HB 795	L&I user fees	185.0	--	185.0	--	185.0
HB 796	Apprenticeship program review	267.0	--	267.0	--	267.0
SHB 808	500-man med. security center	--	--	--	13,408.0	13,408.0
HB 822	UCC article 9	1,500.0	--	1,500.0	--	1,500.0
SHB 840	Sales tax exempt, permit fee	150.0	--	150.0	--	150.0
HB 896	Snowmobile regulations	--	--	--	33.2	33.2
HB 964	Real estate excise taxation	2,000.0	--	2,000.0	--	2,000.0
SHB 1012	DNR surveys/maps fee	(40.0)	--	(40.0)	161.5	121.5
SHB 1015	Convention center Seattle	--	--	--	104,353.0	104,353.0
HB 1017	Camping clubs	22.3	--	22.3	--	22.3
HB 1092	Unfair cigarette sales tax	61.0	--	61.0	--	61.0
SHB 1131	Commercial feed act revised	--	--	--	29.3	29.3
SB 3394	Cogeneration facilities	(92.0)	--	(92.0)	--	(92.0)
ESB 3737	Winter recreation activities	--	--	--	74.5	74.5
SSB 3783	Physical revaluation property	1,925.0	--	1,925.0	--	1,925.0
SB 3946	Aircraft fuel excise tax	--	--	--	700.0	700.0
SSB 4115	International banking facilities	(50.0)	--	(50.0)	--	(50.0)
SB 4250	Revenue and taxation	270,800.0	--	270,800.0	--	270,800.0
SSB 4369	Supplemental budget bill	(21,828.0)	--	(21,828.0)	21,828.0	--
SB 4418	Financial recovery act	1,000.0	--	1,000.0	--	1,000.0
SB 4507	State treasurer/treasury surplus	273.5	--	273.5	359.7	633.2

## 1982 Regular and First Special Sessions - Revenue Legislation Summary

\$ in thousands

	General Fund State	General Fund Federal	General Fund Total	All Other Funds	Total All Funds
SSB 4545 MVET exemptions	(61.7)	--	(61.7)	(7.6)	(69.3)
ESSB 4663 Timber sales program modify	--	--	--	(74,200.0)	(74,200.0)
SB 4681 Natural resources/appropriation	8.0	40.0	48.0	--	48.0
ESSB 4692 Motorcycle operator training	--	--	--	230.0	230.0
SSB 4708 Horse racing	414.2	--	414.2	467.0	881.2
SSB 4716 Secretary of State	\$ (256.4)	--	\$ (256.4)	--	\$ (256.4)
SSB 4750 Nonresident violators compac	--	--	--	392.0	392.0
SSB 4775 State Patrol identified duty	44.3	--	44.3	--	44.3
SSB 4786 Community mental health services (unfunded)	--	--	--	--	--
	\$278,551.7	\$40.0	\$278,591.7	\$ 73,264.2	\$351,855.9

## 1982 Regular and First Special Sessions - Appropriation Legislation Summary

		\$ in thousands				
		General Fund State	General Fund Federal	Total General Fund	All Other	Total All Funds
2SHB 124	Public Employment (Retirement)	\$1,300.0	-	\$1,300.0	-	\$1,300.0
3SHB 179	Child Abuse Neglect Council (Governor)	150.0	-	150.0	-	150.0
HB 183	Centennial Commission (Wa Cent Comm)	25.0	-	25.0	-	25.0
HB 286	Displaced Homemaker Program (CPE)	244.0	-	244.0	-	244.0
HB 375	Automotive Repairs Regulation (Rev/DOL)	14.3	-	14.3	-	14.3
SHB 436	State Auctioneers Comm (DOL)	45.0	-	45.0	-	45.0
HB 454	Workers Comp Vocat Rehab (Several)	-	-	-	1,195.7	1,195.7
HB 768	Corrections Department Prov (DOC)	148.0	-	148.0	-	148.0
HB 784	Tuition & Fee Charges (CPE)	550.0	-	550.0	-	550.0
HB 795	L & I User Fees (L & I)	754.0	-	754.0	-	754.0
HB 796	Apprenticeship Prog Review (L&I)	534.0	-	534.0	-	534.0
HB 822	UCC Article 9 (DOL)	692.0	-	692.0	-	692.0
2SHB 828	Crime Victims Compensation (L & I)	300.0	-	300.0	3,200.0	3,500.0
SHB 837	Incentive Pay, State Employees (DOP)	-	-	-	50.0	50.0
HB 894	Razor Clam Program Funds (Fisheries)	118.0	-	118.0	-	118.0
HB 907	Administrative Hearings Office (Office Admn Hearings)	-	-	-	3,166.0	3,166.0
SHB 923	Voluntary Action Center (PCAA)	82.5	-	82.5	-	82.5
HB 1013	Small Business Innovators (Commerce & Ec)	45.0	-	45.0	-	45.0
HB 1017	Camping Clubs (DOL)	21.0	-	21.0	-	21.0
HB 1092	Unfair Cigarette Sales Tax (Revenue)	70.7	-	70.7	-	70.7

## 1982 Regular and First Special Sessions - Appropriation Legislation Summary

			\$ in thousands				
			General Fund State	General Fund Federal	Total General Fund	All Other	Total All Funds
SHB 1130	Uniform Crime Reports Program (CJTC)		-	-	-	85.0	85.0
HB 1162	Geoduck Management Plan (DNR)		-	-	-	187.0	187.0
SB 3609	Ed Policies, Structures Comm (Temp Comm)		25.0	-	25.0	-	25.0
SB 3737	Winter Recreational Activities (Parks)		-	-	-	30.0	30.0
SSB 3946	Aircraft Fuel Excise Tax (DOT)		-	-	-	773.0	773.0
SSB 4369*	Supplemental Budget (Several)		[149,278.0]	[12,384.0]	[161,662.0]	[32,664.0]	[194,326.0]
SSB 4502	Funds Apportioned by SPI (SPI)		2,200.0	-	2,200.0	-	2,200.0
SB 4510	St. Helens Recovery (DOT)		1,000.0	-	1,000.0	-	1,000.0
SB 4549	Transportation Budget Adjustment (DOT/DOL)		-	-	-	1,645.4	1,645.4
SB 4681	Natural Resources/Approp (DNR)		60.0	40.0	100.0	-	100.0
SSB 4684	Plant Pests/Disease Action (Agriculture)		300.0	-	300.0	-	300.0
SSB 4692	Motorcycle Operator Training (DOL)		-	-	-	50.0	50.0
SB 4919	Employment Security Approp (Employ Sec)		-	-	-	2,800.0	2,800.0
	TOTAL OPERATING		\$[140,599.5]	\$[12,344.0]	\$[152,943.5]	\$[19,481.9]	\$[172,425.4]
SHB 808	500 Man Med Security Center (DOC)		-	-	-	13,230.0	13,230.0
SHB 1015	Convention Center Seattle (Corporation)		-	-	-	99,000.0	99,000.0
SHB 1230	Capital Appropriations Mod (Several)		-	-	-	215,946.5	215,946.5
	TOTAL CAPITAL		-0-	-0-	-0-	\$328,176.5	\$328,176.5
	TOTAL ALL		\$[140,599.5]	\$[12,344.0]	\$[152,943.5]	\$308,694.6	\$155,751.1

\*Funds include adjustments for the passage of HB 784 and technical adjustment for DSHS reappropriation.

## Washington State 1981-83 Operating Budget - Total Washington State

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
LEGISLATIVE	36,903		310	37,213	39,050
JUDICIAL	33,460		359	33,819	26,038
GENERAL GOVERNMENT	733,981	10,723	848,789	1,593,493	1,424,146
SPECIAL APPROP	198,000	20,507	41,344	259,939	3,793
HUMAN RESOURCES	1,688,921	1,296,956	485,552	3,441,429	2,331,456
NATURAL RESOURCES	115,112	27,820	464,935	607,867	370,875
TRANSPORTATION	23,457	11,039	495,724	530,221	467,300
TOTAL EDUCATION	4,076,262	291,679	742,457	5,110,398	4,368,648
PUBLIC SCHOOLS	3,028,480	257,519	18,199	3,304,198	2,703,416
COMM COLLEGES	374,449	271	38,911	413,631	392,686
HIGHER EDUCATION	641,658		678,364	1,320,022	1,206,733
EDUCATION OTHER	31,675	33,889	6,983	72,547	65,811
TOT WASHINGTON STATE	6,876,184	1,658,723	3,079,472	11,614,379	9,681,304



## Washington State 1981-83 Operating Budget - Total Judiciary & Legislative

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
TOTAL LEGISLATIVE	36,903		310	37,213	39,050
HOUSE OF REP	15,944			15,944	17,710
SENATE	13,846			13,846	14,743
LEGIS BUDGET COM	1,390			1,390	956
LEAP COMMITTEE	1,145			1,145	991
STATE ACTUARY	287			287	265
STATUTE LAW COM	4,291		310	4,601	4,201
TOTAL JUDICIARY	33,460		359	33,819	26,038
SUPREME COURT	5,630			5,630	5,609
LAW LIBRARY	1,608			1,608	1,427
COURT OF APPEALS	7,720			7,720	6,610
JUDICIAL QUAL COMM	254			254	
COURT ADMR	18,120		359	18,479	12,147
JUDICIAL COUNCIL	129			129	244
<b>TOTAL LEG &amp; JUD</b>	<b>70,363</b>		<b>669</b>	<b>71,032</b>	<b>65,087</b>

## Washington State 1981-83 Operating Budget - General Government

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
OFF OF GOV	3,249			3,249	2,827
LT GOVERNOR	197			197	212
SECRETARY OF STATE	3,740		1,135	4,875	3,949
INDIAN ADVISORY CNCL	105			105	152
ASIAN-AM ADV CNCL	105			105	161
MEXICAN-AM AFFAIRS	105			105	125
MINORITY & WOMEN AFFAIRS					
STATE TREASURER			5,161	5,161	4,266
STATE AUDITOR	1,849	352	5,580	7,781	7,120
ATTORNEY GENERAL	3,956		18,537	22,493	21,137
OFF FINANCIAL MGMT	11,160	6,300	50	17,510	32,052
ST INVESTMENT BOARD			1,075	1,075	
DEPT OF PERSONNEL			9,164	9,164	9,401
DATA PROCESS AUTH	386		418	804	1,072
DEFBR COMP COMM	30			30	30
DEPT OF REVENUE	36,147		3,228	39,375	35,689
TAX APPEALS BRD	858			858	768
DEPT OF GEN ADMIN	6,310		22,155	28,465	31,017
INSURANCE COMM	7,043			7,043	6,729
STATE REUS FOR DIST	175,908		311,605	487,513	434,907
FEDERAL REUS FOR DIST		79	34,966	35,045	72,250
BOND RETIRE & INT			330,376	330,376	248,430
PUB DISCLOSURE COMM	870			870	860
STATE CAPITOL COM					20
GAMBLING COMM			4,481	4,481	3,489
PERSONNEL APPEALS BD			617	617	
DEPT RETIREMENT SYS	470,950		9,085	480,035	400,078
ST FINANCE COM					1,069
NUN RESEARCH CNCL	1,197			1,197	880
UNIFORM LEG COMM					20
ST BRD OF ACCTNCY	539			539	517
BOXING COMMISSION	62			62	59
CEMETERY BOARD			56	56	56
HORSE RACING COMM			2,138	2,138	1,883
LIQUOR CONTROL BRD			72,032	72,032	64,928
PHARMACY BOARD	937			937	1,352
UTILITY & TRANS			16,774	16,774	14,864
UOL FIREMEN BOARD			157	157	122
DEPT EMERGENCY SERV	975	2,227		3,202	13,210
MILITARY DEPT	6,140	1,764		7,904	7,180
PUB ENPL REL COMM	1,138			1,138	1,207
WASH CENTENNIAL COMM	25			25	
<b>GENERAL GOVERNMENT</b>	<b>733,981</b>	<b>10,723</b>	<b>848,789</b>	<b>1,593,493</b>	<b>1,424,146</b>

## Washington State 1981-83 Operating Budget - Total Special Appropriations

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
SPEC APP TO GOV	2.180			2.180	624
RELATED CLAIMS	1.553		273	1.825	525
SUNDRY CLAIMS	1.668	61	100	1.828	391
SALARY ADJUSTMENTS	110.389	20.446	40.972	171.807	
K-12 SALARY ADJUST	112.299			112.299	
PRODUCTIVITY SAVINGS	-30.000			-30.000	
VOL LEAVE INCENTIVE					
<b>TOT SPECIAL APPROPS</b>	<b>198.088</b>	<b>20.507</b>	<b>41.344</b>	<b>259.939</b>	----- 3.793

## Washington State 1981-83 Operating Budget - Dept. of Social & Health Services

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
JUVENILE REHABILITATION	56.346	739		57.085	53.562
MENTAL HEALTH	133.683	20.713	922	155.318	128.860
DEVELOPMENTAL DISABILITY	134.347	61.093		195.440	172.521
NURSING HOMES	167.275	167.327		334.602	275.087
INCOME MAINTENANCE	308.198	319.194		627.392	665.670
COMMUNITY SOCIAL SERVICE	131.151	60.976	105	192.232	185.929
MEDICAL ASSISTANCE	253.219	212.081		465.300	423.693
PUBLIC HEALTH	32.938	50.028	32.742	115.708	103.901
VOCATIONAL REHABILITATION	15.666	27.468		43.134	44.183
ADMIN/SUPPORTING SERVICE	56.017	44.191	75	100.283	94.879
COMMUNITY SERVICES ADMIN	100.661	126.524	48	227.233	219.221
DSHS REAPPROPS	18.627	13.662	250	32.539	33.633
300-MISCELLANEOUS					
<b>DEPT OF SOCIAL &amp; HLTH SU</b>	<b>1.408.128</b>	<b>1.103.996</b>	<b>34.142</b>	<b>2.546.266</b>	<b>2.401.139</b>

## Washington State 1981-83 Operating Budget - Total Human Resources

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
DEPT OF CORRECTIONS	211.931		525	212.456	141.468
DEPT SOC & HLTH SER	1,408.128	1,103.996	34.142	2,546.266	2,401.139
VETERANS AFFAIRS	14.285		2.496	16.781	16.212
PLAN & COMM AFFAIRS	4,289	28.152		32.441	20.603
HUMAN RIGHTS COMM	2,413	517		2,930	4.257
IND INS APPEALS BRD	35		4,824	4,859	3,454
CRIM JUST TRNG CH			5,605	5,605	4,395
DEPT L & I	9,272		86,437	95,709	76,423
PRISON TERMS & PAROLES	2,223			2,223	2,117
HOSPITAL COMM	474	128	915	1,517	1,645
DEPT EMPLOY SECURITY	1,997	158,908	121,734	282,639	290,188
COMM FOR BLIND	2,468	5,254	396	8,118	7,329
JAIL COMMISSION	704		225,313	226,017	12,227
SENTENCING COMM	598			598	
ADMIN HRGS OFF	105		3,166	3,271	
<b>TOT HUMAN RESOURCES</b>	<b>1,658,921</b>	<b>1,296,956</b>	<b>485,552</b>	<b>3,441,429</b>	<b>2,981,456</b>

## Washington State 1981-83 Operating Budget - Natural Resources Total

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
STATE ENERGY OFFICE	1.005	4.641		5.646	6.360
OCEANOGRAPHIC COMM					380
COL RIV GORGE COMM	66			66	70
DEPT OF ECOLOGY	17.515	14.380	249.944	281.839	97.587
ENERGY FAC SITE EU CNC			3.790	3.790	3.001
PARKS & RECREATION	24.349	185	7.370	31.904	31.181
ARCH/HIST PRESERU	288	205		493	2.919
OUTDR RECREATION COMM			29.350	29.350	13.636
ENVIRON HEARINGS OFFICE	573			573	636
ENVIROMTL POLICY CNCL	42			42	
COMM & EC DEVELP DEPT	8.140	391	1.810	10.341	7.530
DEPT OF FISHERIES	33.750	5.777	1.900	41.427	43.983
DEPT OF GAME			50.606	50.606	41.406
NATURAL RESOURCE DEPT	20.835	1.464	90.530	112.829	93.267
DEPT OF AGRICULTURE	8.521	777	29.635	38.933	28.425
WINTER REC COMM	28			28	
<b>NATURAL RESOURCES TOTAL</b>	<b>115.112</b>	<b>27.820</b>	<b>464.935</b>	<b>607.867</b>	<b>370.875</b>

## Washington State 1981-83 Operating Budget - Total Transportation

8 in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
BRD PILOTAGE COMMS			55	55	47
STATE PATROL	11.701		90.402	102.103	88.772
TRAFFIC SAFETY COMM			8.798	8.798	7.938
DEPT OF LICENSING	10.068		65.478	75.546	62.786
DEPT OF TRANSPORT	1.689	11.039	261.776	274.504	240.884
CNTY ROAD ADMIN BRD			254	254	213
URBAN ARTERIAL BRD			68.961	68.961	66.653
TOLL BRIDGE AUTH					
TOT TRANSPORTATION	23.457	11.039	495.724	530.221	467.300

## Washington State 1981-83 Operating Budget - Education Total

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
PUBLIC SCHOOLS	3,028,480	257,519	18,199	3,304,198	2,703,416
COMM COLLEGE TOTAL	374,449	271	38,911	413,631	392,686
HIGHER EDUCATION	641,658		678,364	1,320,022	1,206,733
UNIV OF WASH	284,218		547,566	831,784	746,781
WASH STATE UNIV	172,524		99,390	271,914	258,096
EASTERN WASH UNIV	53,843		8,147	61,990	57,158
CENTRAL WASH UNIV	48,341		8,755	57,096	53,745
THE EVERGREEN ST COLL	24,984		2,285	27,269	23,894
WESTERN WASH UNIV	57,748		12,222	69,970	67,059
EDUCATION OTHER	31,675	33,899	6,983	72,547	65,811
COMPACT FOR EDUC	61			61	50
CNCL POSTSEC EDUC	20,680	3,684	20	24,384	17,332
PUBLIC BROADCASTING	124	8		132	146
COMM FOR VOC EDUC	1,682	27,157		28,839	29,242
HE PERSONNEL BRD	135		1,214	1,349	1,296
STATE LIBRARY	6,426	2,147	5,585	14,158	13,821
STATE ARTS COMM	1,191	893		2,084	2,150
ST HIST SOCIETY	525		36	561	641
E WA ST HIST SOCIETY	440		75	515	623
ST CAPITOL HIST ASSN	387		53	440	510
TEMP COMM ED POL. STR&MGMT	25			25	
<b>EDUCATION TOTAL</b>	<b>4,076,262</b>	<b>291,679</b>	<b>742,457</b>	<b>5,110,398</b>	<b>4,368,648</b>



# Washington State 1981-83 Operating Budget - Public Schools

\$ in thousands

	GENERAL FUND STATE	GENERAL FUND FEDERAL	ALL OTHER FUNDS	1981-83 TOTAL ALL FUNDS	1979-81 TOTAL ALL FUNDS
OFFICE OF SPI	11.945	5.981	460	18.386	20.620
GEN APPORTIONMENT	2,587.069		4.000	2,591.069	2,098.059
MISCELLANEOUS	-15.674			-15.674	
TRANSPORTATION	147.300			147.300	153.227
VOC-TECH INSTITUTES	41.323			41.323	37.959
FOOD SERVICES	6.432	69.744		76.176	68.255
HANDICAPPED	119.921	27.200		147.121	168.261
TRAFFIC SAFETY EDUCATION			13.740	13.740	13.004
EDUC SERVICE DIST ISD	3.946			3.946	10.188
SPECIAL PROGRAMS	109.160			109.160	
INST EDUCATION	15.361	5.560		20.921	18.810
ELEM & SECONDARY ED ACT		114.660		114.660	106.906
INDIAN EDUCATION		600		600	1.888
ADULT BASIC EDUCATION		3.235		3,235	2.988
CAREER EDUCATION		505		505	287
ENCUMB FED GRANTS		30.034		30.034	-30.034
CARRY FORWARD CATEGORICAL	706			706	
EDUCATIONAL CLINICS	990			990	
<b>SUPT PUBLIC INSTRUCTION</b>	<b>3,028.480</b>	<b>257.519</b>	<b>18.199</b>	<b>3,304.198</b>	<b>2,703.416</b>

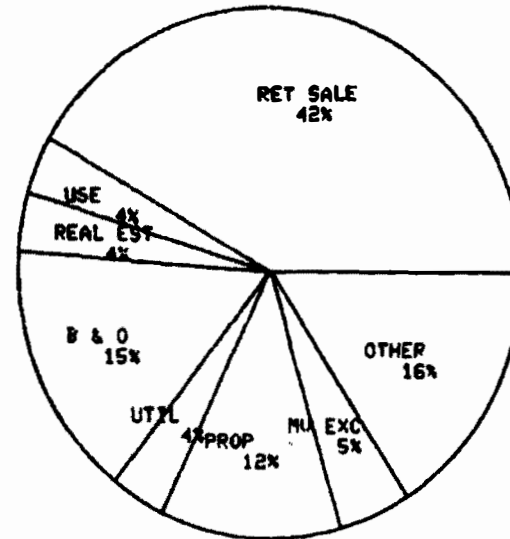
Comparative Information - Operating Budget - General Fund State - 1981-83 Biennium - Revenue Forecast

\$ in millions

**ORIGINAL REVENUE 1981-83**

RETAIL SALES	3,045	42%
USE TAX	259	4%
REAL ESTATE EXCISE	256	4%
B & O	1,122	15%
PUBLIC UTILITY	256	4%
PROPERTY TAX	845	12%
MOTOR VEHICLE EXCISE	340	5%
ALL OTHER	1,157	16%

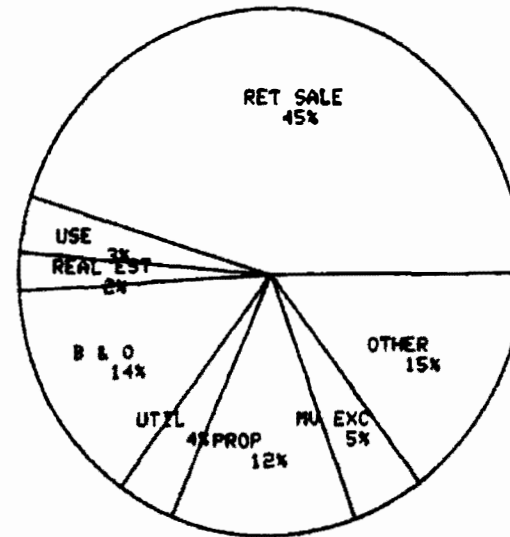
**LEGISLATIVE EXPECTATIONS 7,279 100%**



**REVISED LEG ASSUMPTIONS**

RETAIL SALES	3,168	45%
USE TAX	240	3%
REAL ESTATE EXCISE	164	2%
B & O	997	14%
PUBLIC UTILITY	262	4%
PROPERTY TAX	833	12%
MOTOR VEHICLE EXCISE	325	5%
ALL OTHER	1,041	15%

**REVISED EXPECTATIONS 7,028 100%**



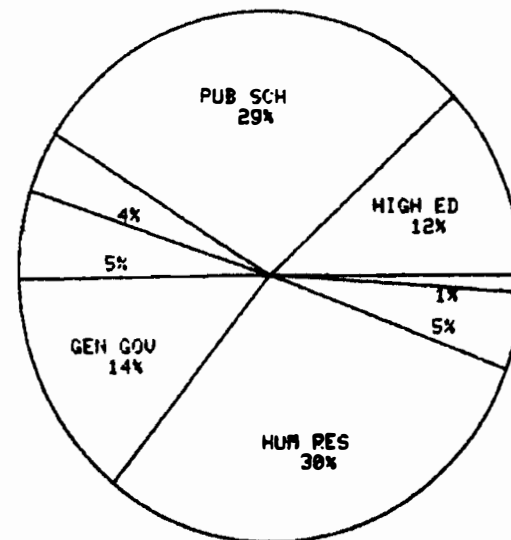
**Comparative Information - Operating Budget - Total All Funds Versus General Fund - State**

8 in millions

**REVISED 1981-83**

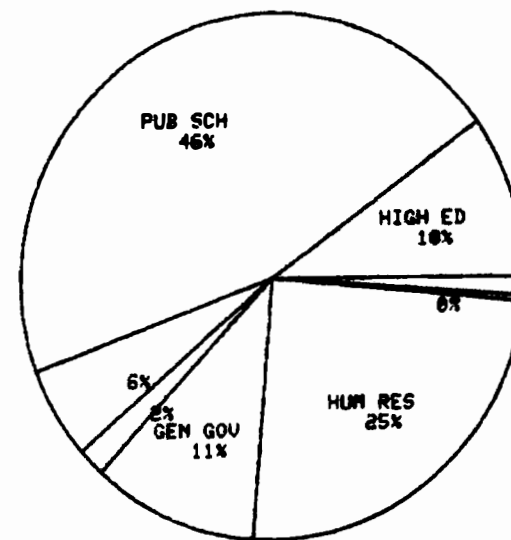
HIGHER EDUCATION	1,363	12%
PUBLIC SCHOOLS	3,418	29%
COMMUNITY COLLEGES	435	4%
NATURAL RESOURCES	620	5%
GENERAL GOVERNMENT	1,607	14%
HUMAN RESOURCES	3,501	30%
TRANSPORTATION	548	5%
ALL OTHER	121	1%

<b>TOTAL ALL FUNDS</b>	<b>11,614</b>	<b>100%</b>
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HIGHER EDUCATION	685	10%
PUBLIC SCHOOLS	3,142	46%
COMMUNITY COLLEGES	396	6%
NATURAL RESOURCES	122	2%
GENERAL GOVERNMENT	739	11%
HUMAN RESOURCES	1,689	25%
TRANSPORTATION	24	%
ALL OTHER	79	1%

<b>GENERAL FUND-STATE</b>	<b>6,876</b>	<b>100%</b>
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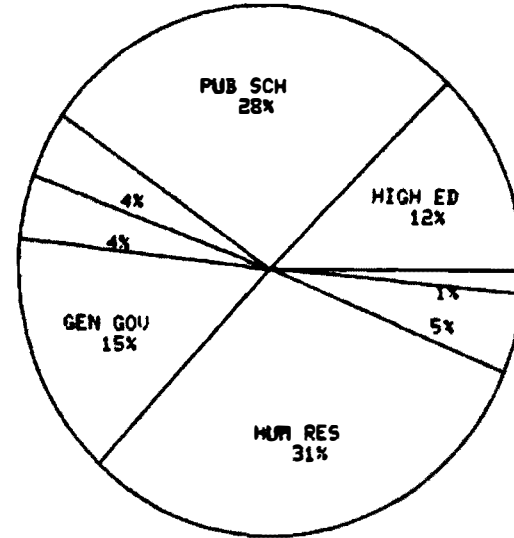
FUNCTIONAL AREAS INCLUDE DISTRIBUTED COMPENSATION INCREASES

Comparative Information - 1981-83 Operating Budget - 1979-81 Total Versus 1981-83 Revised

**TOTAL ALL FUNDS**

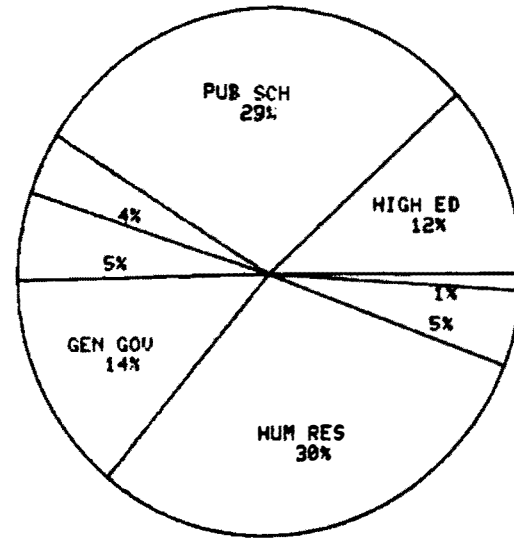
HIGHER EDUCATION	1,207	12%
PUBLIC SCHOOLS	2,703	28%
COMMUNITY COLLEGES	393	4%
NATURAL RESOURCES	371	4%
GENERAL GOVERNMENT	1,424	15%
HUMAN RESOURCES	2,981	31%
TRANSPORTATION	467	5%
ALL OTHER	135	1%

**1979-81 TOTAL 9,681 100%**



HIGHER EDUCATION	1,363	12%
PUBLIC SCHOOLS	3,418	29%
COMMUNITY COLLEGES	435	4%
NATURAL RESOURCES	620	5%
GENERAL GOVERNMENT	1,607	14%
HUMAN RESOURCES	3,501	30%
TRANSPORTATION	548	5%
ALL OTHER	121	1%

**REVISED 1981-83 11,614 100%**



FUNCTIONAL AREAS INCLUDE DISTRIBUTED COMPENSATION INCREASES

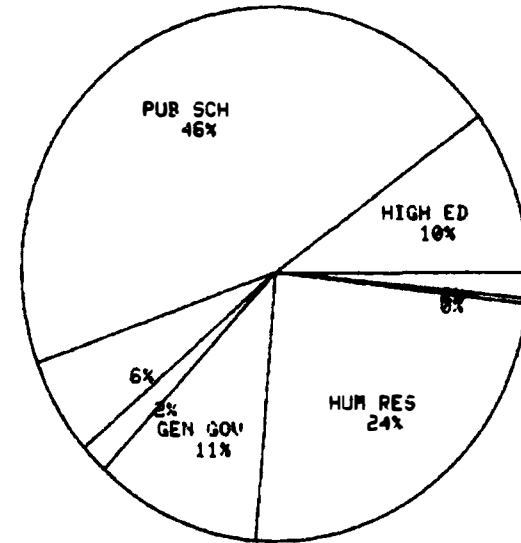
**Comparative Information - 1981-83 Operating Budget - Dec. 1981 Revised Versus April 1982 Revised**

\$ in millions

**GENERAL FUND-STATE**

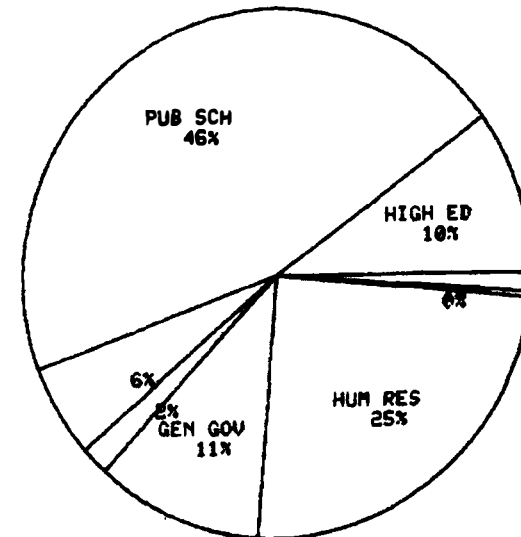
HIGHER EDUCATION	694	10%
PUBLIC SCHOOLS	3,195	46%
COMMUNITY COLLEGES	405	6%
NATURAL RESOURCES	126	2%
GENERAL GOVERNMENT	748	11%
HUMAN RESOURCES	1,715	24%
TRANSPORTATION	24	%
ALL OTHER	110	2%

**DEC 81 REVISED 1981-83      7,017 100%**



HIGHER EDUCATION	685	10%
PUBLIC SCHOOLS	3,142	46%
COMMUNITY COLLEGES	396	6%
NATURAL RESOURCES	122	2%
GENERAL GOVERNMENT	739	11%
HUMAN RESOURCES	1,689	25%
TRANSPORTATION	24	%
ALL OTHER	79	1%

**APR 82 REVISED 1981-83      6,876 100%**



FUNCTIONAL AREAS INCLUDE DISTRIBUTED COMPENSATION INCREASES

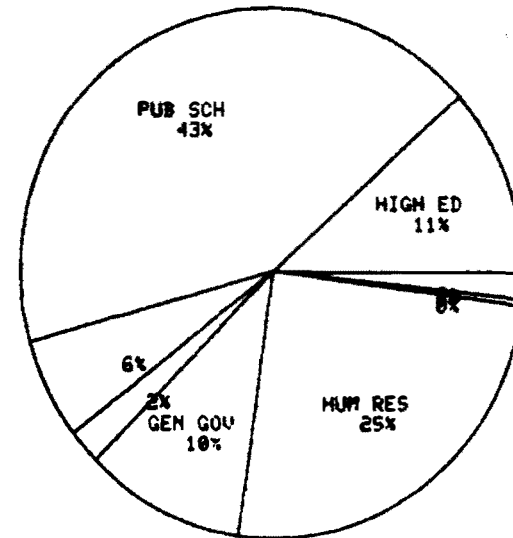
## Comparative Information - Operating Budget - 1979-81 Total Versus 1981-83 Revised

8 in millions

### GENERAL FUND-STATE

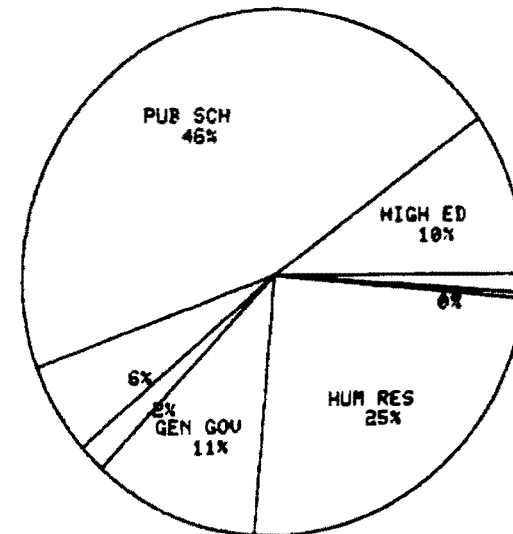
HIGHER EDUCATION	659	11%
PUBLIC SCHOOLS	2,454	43%
COMMUNITY COLLEGES	348	6%
NATURAL RESOURCES	121	2%
GENERAL GOVERNMENT	587	10%
HUMAN RESOURCES	1,449	25%
TRANSPORTATION	21	%
ALL OTHER	93	2%

<b>1979-81 TOTAL</b>	<b>5,732</b>	<b>100%</b>
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HIGHER EDUCATION	685	10%
PUBLIC SCHOOLS	3,142	46%
COMMUNITY COLLEGES	396	6%
NATURAL RESOURCES	122	2%
GENERAL GOVERNMENT	739	11%
HUMAN RESOURCES	1,689	25%
TRANSPORTATION	24	%
ALL OTHER	79	1%

<b>REVISED 1981-83</b>	<b>6,876</b>	<b>100%</b>
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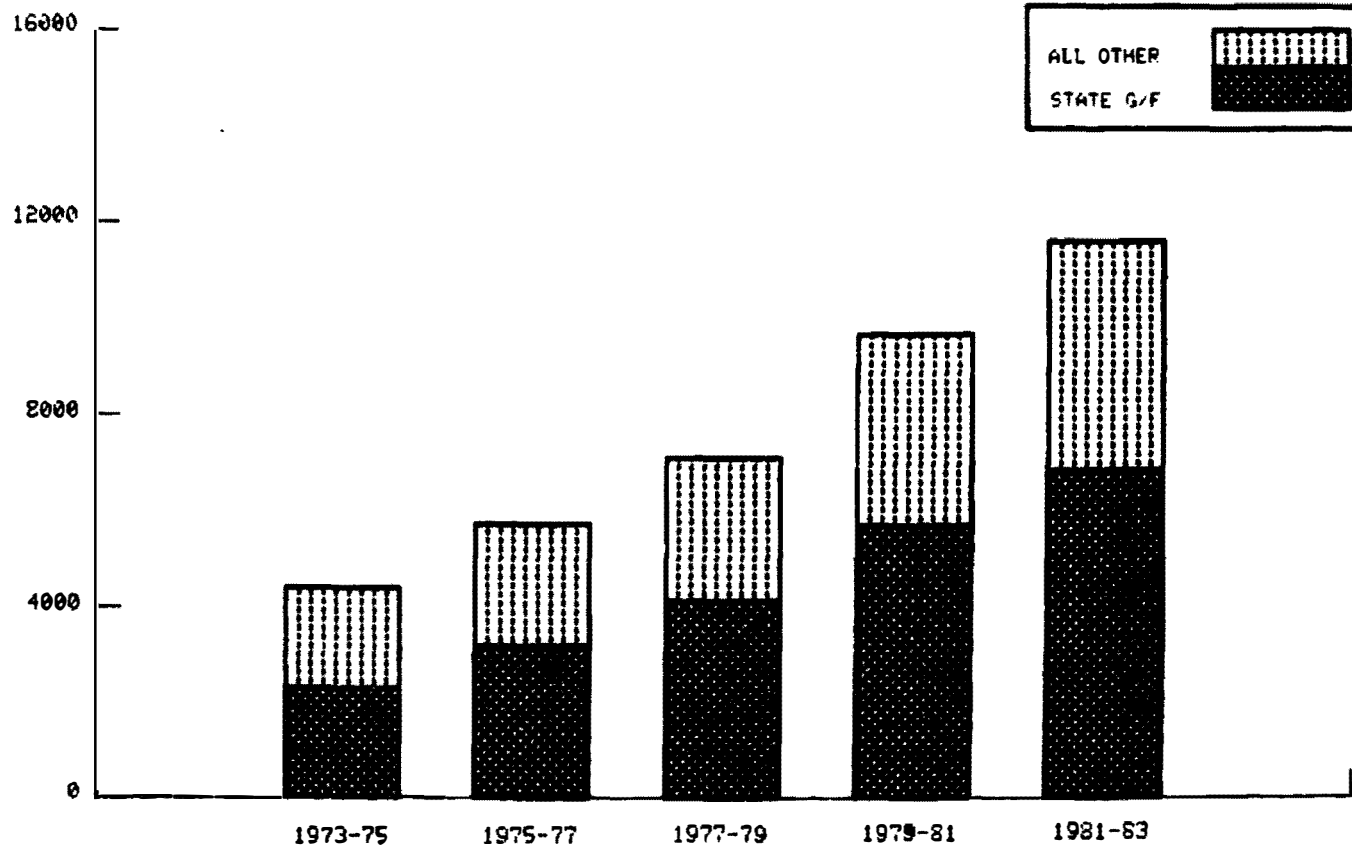
FUNCTIONAL AREAS INCLUDE DISTRIBUTED COMPENSATION INCREASES

## Comparative Information - Operating Budget - Total All Funds and General Fund - State

\$ in millions

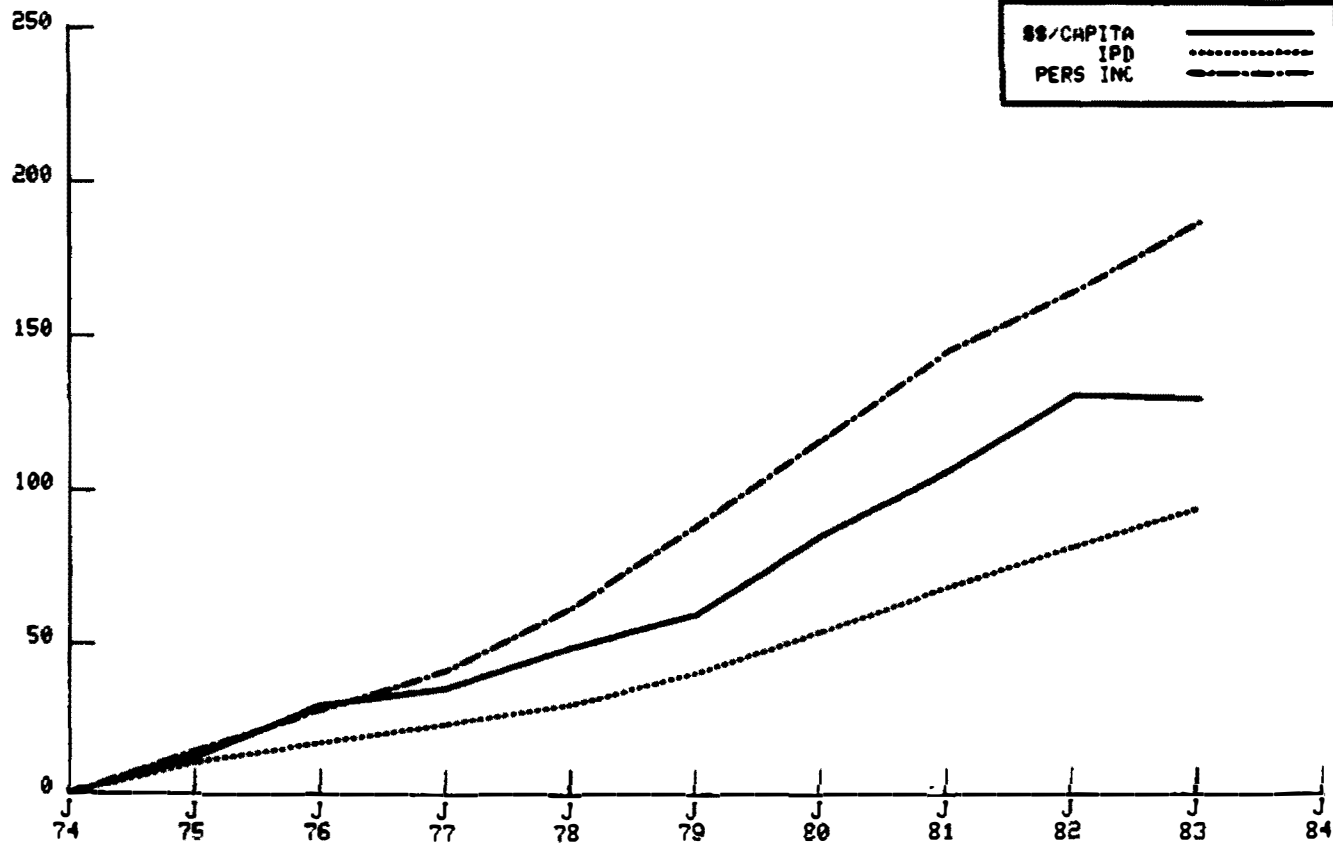
(1981-83 REVISED BUDGET)

	1973-75	1975-77	1977-79	1979-81	1981-83
STATE G/F	2.303	3.219	4.168	5.732	6.876
ALL OTHER	2.136	2.539	2.965	3.949	4.738
TOTAL	4.439	5.758	7.133	9.681	11.614



Percent Growth Comparison - \$\$ Per Capita, Implicit Price Deflator, Personal Income

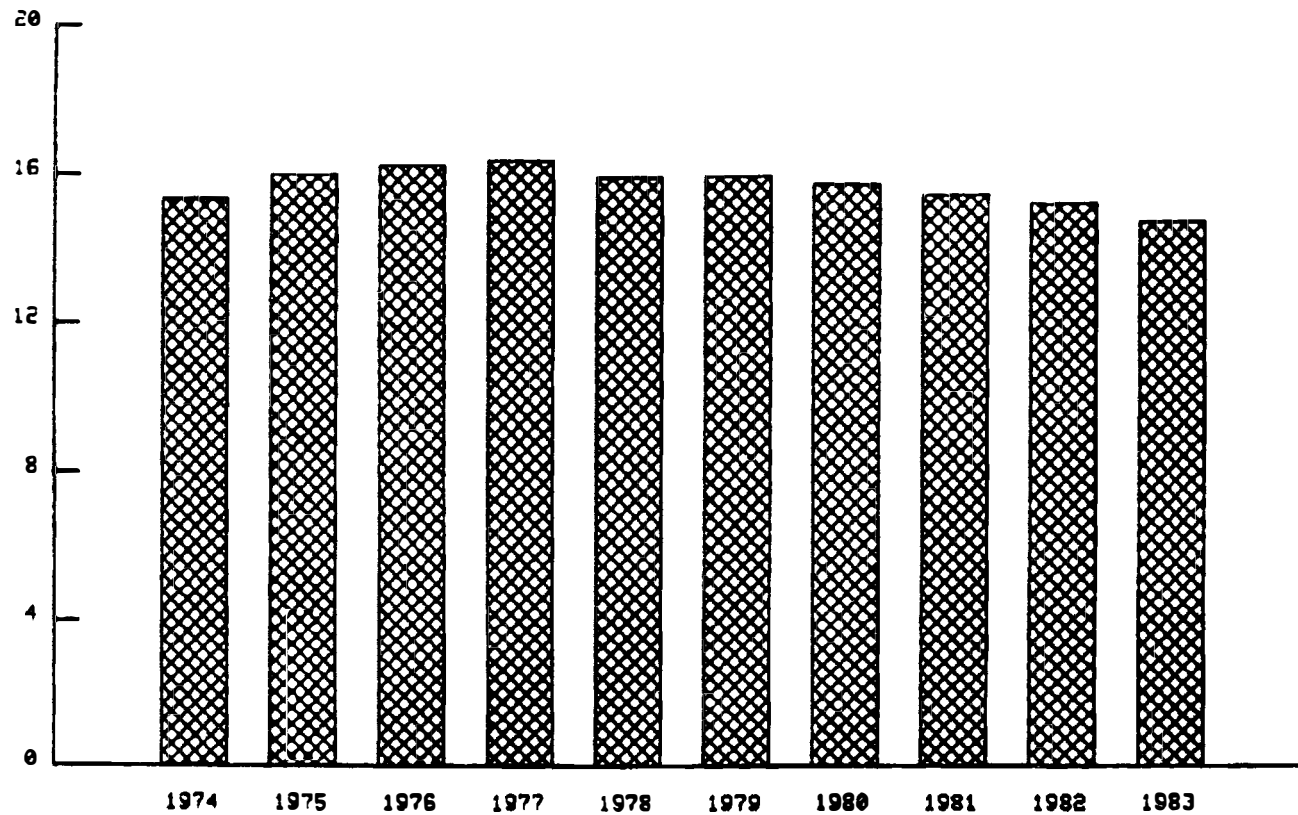
	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
\$\$/CAPITA		12.28	29.84	35.36	49.05	59.80	85.64	106.28	130.50	129.13
IPD		10.58	17.27	23.51	30.02	40.42	54.07	68.54	81.56	93.25
PERS INC		14.37	28.15	41.22	61.88	88.63	116.59	144.80	163.91	186.25





## State Employees Per 1000 Population

	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
FTE/1000 POP	15.3	16.0	16.2	16.3	15.9	15.9	15.7	15.4	15.2	14.7
FTE	53749	56966	58932	60647	60940	63382	64886	65258	64808	63108
POPULATION	3508700	3567000	3634900	3715400	3836200	3979200	4130200	4228600	4265400	4290700



## 1981-83 Biennial Operating Budget

### Overview

The original 1981-83 biennial operating budget for the State of Washington appropriated \$12.1 billion. General Fund-State dollars supported approximately \$6.9 billion of the total appropriation. Another \$1.8 billion in expenditures was supported by federal fund sources for a total General Fund appropriation of \$8.7 billion. Budget reductions adopted by the Legislature during the 1981 Second Extraordinary Session reduced the total budget by \$350 million to \$11.8 billion.

Facing a shortfall of General Fund revenues of approximately \$478 million, the Legislature this session found it necessary to again revise the 1981-83 budget by reducing State General Fund spending by \$152 million and increasing tax revenues by \$326 million.

In making reductions, the Legislature set the following priorities: (1) Continue to provide quality educational programs at all levels; (2) Ensure that the essential needs of the socially and physically disadvantaged are met; and (3) Reduce or eliminate those programs whose operations least affect the needs of the citizens of this state.

The 1981-83 State General Fund budget in nominal dollars is \$1,133 million, or 19.8 percent higher than 1979-81 expenditures. Major components of that increase can be summarized as follows:

	Biennium Increase \$ Amount (Millions)	Biennium Increase Percent
K-12 appropriation of monies previously considered local funds	\$ 253	4.4
Increased retirement systems budget	117	2.0
Increased distribution of state collected revenue to local government	40	0.7
Increased prison system budget	70	1.2
Increased public schools budget	320	5.6
Increased social & health services budget	151	2.6
Compensation increases public school & state employees (average increase less than 4% per year)	227	4.0
Reduced employment levels - replace only one-half of terminating employees	(30)	(0.5)
	\$1,148	20.0

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## 1981-83 Biennial Operating Budget

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The balance of state government agencies received essentially the same level of state general fund support (not inflated) in this budget as they did in the 1979-81 biennium. However, a constant level of dollar support does not provide for the same level of service as provided in the past biennium. For example, \$30 million of expenditures included in the 1979-81 total represents the cost of a 5 percent salary increase for state employees granted on October 1, 1980 (FY 1981). Maintenance of that salary increase through the 24 months of the current biennium will cost \$80 million. This same principle applies to increases in grant levels and vendor payments that were provided toward the end of the 1979-81 biennium. Another example concerns the natural resource and general government groups of agencies. Most of these agencies were initially budgeted at a level of 12 percent below the estimated requirement for maintaining 1979-81 service levels. Subsequently, the biennial appropriation was further reduced by 10.1 percent in the November/December 1981 legislative session. The 1982 session reduced these agencies' biennial budget levels by another 3 percent. The cumulative effect of these reductions is more than 25 percent because the 10 percent reduction took effect with only 18 months remaining in the biennium and the 3 percent reduction occurred with only 14 months remaining.

The major increases in programs occurred in prisons due to increasing populations, commerce and economic development for tourist promotion and industrial development, and in student financial aid because of increased tuition and operating fees.

The increase in K-12 funding is to allow maintenance of current service levels, while the DSHS increases reflect increased medical costs and increased populations in program areas such as mental health.

Although the increase of nearly 20 percent in budget capacity appears on the surface to be adequate for meeting inflationary pressures, most operations of state government will be operating at a reduced service level this biennium in comparison to the 1979-81 period.

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## General Government Highlights

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The General Government budget area includes both the legislative and judicial branches, and a diverse assortment of over 30 agencies within the executive's span of control. For the most part, General Government agencies are being required to reduce their 1981-83 State General Fund expenditures by 3 percent. In specific cases, where warranted, supplemental appropriations have been provided. Conversely, reductions of less than 3 percent have been approved.

Following are revisions of note to the General Government area of the biennial operating budget.

Office of Minority and Women's Affairs - This office is newly established within the governor's office. Its general mission will be to address concerns unique to Asians, Blacks, Indians, Mexican-Americans, other Washington minorities, and Women. Its specific responsibilities and office structure are to be determined by the governor. Implementation is expected in fiscal year 1983 upon termination of funding for the separate Commissions on Asian-American Affairs, Mexican-American Affairs, and the Indian Advisory Council.

Office of Financial Management/State Treasurer's Office - Supplemental funding is earmarked for the completion, implementation, and operation of the Agency Financial Reporting System (AFRS) and its integration with the Treasury Accounting System. It is assumed that AFRS will be operational in 109 agencies by July 1, 1983.

Energy Fair 1983 - Funding for development of a state exhibit is eliminated due to the Fair's cancellation.

Department of Revenue - Appropriations are reduced only for those programs in which cutbacks result in minimal or no loss to state revenue collections.

Legislative Budget Committee - Funding is provided for a study of program and course duplication at all levels of higher education and at all types of institutions. Funding is also provided for a grant to study the structure and management of education systems, from kindergarten through higher education.

Judicial Council - Funding is provided solely for fiscal year 1982. Effective July 1, 1982, the Council's functions are transferred to the Office of the Administrator for the Courts.

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## General Government Highlights

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Compensation - A salary adjustment of 7 percent for all employee groups during the second year of the 1981-83 biennium will be provided five months later than planned for state employees, and six months later than planned for school district employees. Both groups will receive their increases on June 30, 1983. Increased contributions for employee insurance programs will begin as originally planned on July 1, 1982.

Salaries - State employees will receive an increase of 7 percent effective June 30, 1983. School employees will receive an increase of 6.8 percent effective June 30, 1983.

Employee Health Insurance - The current rate, per employee per month is \$121. The rate effective on July 1, 1982, is \$137.

The Department of Social and Health Services appropriation was reduced by \$8.8 million in State General Funds. Every effort was made to minimize financial impacts on programs directly affecting its clients. In addition, several budget increases were granted to aid the elderly and medically indigent.

General - Inflationary increases scheduled in fiscal year 1983 for vendors have been reduced by 50 percent. Funding for six regional offices and eight small vocational rehabilitation offices is discontinued. Responsibility for services for the blind is transferred to the Department. Administrations of the Deaf and Blind Schools are consolidated. Discretionary reductions totaling \$7.0 million are required.

Medical Assistance - The deductible for the Medically Indigent Program is reduced from \$1,500 to \$500 per year.

Community Social Services - \$4.0 million in surplus funding is removed from the chore services program. Funding is provided to place a floor under ability-to-pay for chore services. Additional funding is provided for cost-shared day care for low-income working families.

Department of Corrections - \$3.7 million in unspent program support allotments is removed.

Blind Commission - Funding for the Commission is eliminated and its functions are transferred to the Department of Social and Health Services.

A 3 percent reduction to the State General Fund appropriation budget, totaling \$934,000, was made for all remaining human resources agencies. However, supplemental appropriations were granted for the following agencies: \$107,000 to the Planning and Community Affairs Agency for support of the Section 8 low-income housing program; \$1.998 million to Labor and Industries for the Victims of Crime Program; and \$25,000 to the Board of Prison Terms and Parole for increased workload coverage.

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This budget, as a proportion of the total state budget, requires the largest expenditure of General Fund-State dollars. As such, the Legislature has worked toward establishing controls on various cost components while maintaining its commitment to funding basic education. Student enrollment levels of 713,150 for the 1981-82 school year and 705,740 for the 1982-83 school year are assumed.

Total net reductions of State General Fund support amount to \$55.2 million or 1.7 percent; \$16.1 million or 0.5 percent are program adjustments. Salary, enrollment, and technical adjustments comprise the remainder.

Administrative costs of the Office of Superintendent of Public Instruction and Educational Service Districts are reduced by 3 percent and 1 percent respectively.

\$19.1 million of State General Fund support is provided to offset a shortfall in local, state, and federal timber revenues.

State revenues to school districts for general apportionment, salary and compensation increases, pupil transportation, vocational-technical institutes, food services, handicapped, institutional education, and special programs block grants are reduced by 0.5 percent for the 1981-83 biennium.

Support for educational clinics is reduced by 1 percent.

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**Education Highlights - Higher Education**

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Appropriations to the four-year institutions and the community college system are reduced by approximately one percent for a total of \$10.7 million. \$3.6 million is from General Fund-State sources. Reductions are made across the board to maximize institutional flexibility in implementing the reductions.

\$7,051,000 of the University of Washington Building Account is replaced with State General Funds to offset the shortfall of timber sales revenue. To the extent feasible, new faculty are to be hired in nontenure-track appointments. Expenditure limits are established for administrative programs to discourage the transfer of funds from instruction and student services into administration. Enrollments in community college ungraded courses for which operating fees are waived are discounted by up to 23 percent for 1983-85 budget development purposes. (Adult basic education is excluded from this provision.)



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## Natural Resources Highlights

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The Natural Resources agencies are, in general, required to reduce the 1981-83 State General Fund expenditures by 3 percent. These appropriation reductions total \$3.4 million.

Appropriations for the Department of Commerce and Economic Development were reduced by 1.1 percent. Funding was provided to create the Winter Recreation Commission.

A general budget reduction of transportation agencies has not been imposed. General fund appropriations to the Department of Transportation were reduced by 3.6 percent while the State Patrol and the Department of Licensing were reduced by 3 percent.

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## Operating Budget Veto Summary

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(SSB 4369, C50 L82 E1. See Veto Message)

### General Government

#### Office of Minority and Women's Affairs/Commission on Mexican American Affairs, Commission on Asian American Affairs, Governor's Office of Indian Affairs

The vetoes of Sections 15 and 16 are complementary since the Legislature intended that the Governor's Office of Minority and Women's Affairs serve as a consolidated successor to the three de-funded Minority Commissions. Lack of public input and legislative deliberation coupled with the absence of statutory structure for the new agency were the primary reasons cited for the Governor's action. As a result, the three existing agencies remain funded at the level included in the November, 1981 budget revision.

#### DSHS - Income Assistance Program

Section 43 (6) would have required the Department of Social and Health Services to transfer to the state general fund any funds saved as a result of actual public assistance caseloads falling below the estimates. The veto of this subsection allows the Department to retain any savings.

#### DSHS - Services for the Blind and the Commission for the Blind

Services for the blind were transferred in the budget from the Commission for the Blind to the Department of Social and Health Services. The Legislature failed to enact legislation required to implement this transfer. The veto of Sections 49 and 57 serves to negate the transfer of funds, leaving services for the blind under the Commission for the Blind.

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**Washington State Capital Budget - Summary**

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The appropriation for the fire service and training center is increased from \$3.9 million to \$6.4 million. \$600,000 are set aside for the construction of a marine fire training structure.

The Department of Ecology's appropriation authority is increased by \$196 million to include funding for Referendum 39 (Waste Disposal Facilities, 1980). The appropriation is based on the Department's prioritization of projects which currently includes a \$150 million grant for the expansion of the METRO-RENTON waste water project and 43 additional projects throughout the state.

Individual universities are appropriated the following funds:

\$837,000 for the Pullman/Washington State University waste water treatment plant improvements and \$568,500 to Central Washington University for minor capital and utilities improvements associated with energy conservation.

The Department of Natural Resources is appropriated the following funds:

\$275,000 to acquire rights of way access for land management, \$108,200 to construct and improve Cedar Creek and Sherman Valley Roads, and \$48,500 to construct and improve campsites, roads, trails and other recreation projects.

The Department of General Administration is appropriated the following funds:

\$332,000 to remodel the third and fourth floors of the Insurance Building for the Office of Financial Management and for relocation of Secretary of State functions, \$140,000 to convert the storage center in the basement of the Public Lands Building for use by Senate Support Services, \$1,000,000 to design and begin remodeling of the House Office Building, \$1.4 million to alter portions of the state modular office building at the Air Industrial Park for use by the State Printer, \$450,000 for design of alterations to the General Administration Building for use as office space and \$2,163,000 for Phase III of the Capital Lake rehabilitation project.

The Department of Social and Health Services (DSHS) is appropriated \$10 million from the state and local improvements revolving account for water supply facilities (Referendum 38). Fourteen municipal water supply projects statewide are currently on the approved list. The Department is authorized to proceed with 19 projects approved for Phase III of Referendum 37 (Handicapped Facilities).

The Department of Fisheries is encouraged to undertake enhancement projects which create employment opportunities, improve the streams and rivers of the state which are important to the state's natural stock of salmon, and develop and implement mini-modular mobile hatchery complexes. The Department may use up to \$5 million from the salmon enhancement construction account for this purpose. In addition, eight salmon rearing net pen complexes shall be located at McNeil Island.

The Washington State Parks and Recreation Commission is authorized to replace lost federal funds with funds from the outdoor recreation account within appropriated amounts.

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## Washington State Capital Budget - Summary

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The following priorities are established for issuance of bonds up to the statutory debt limitations:

Priority A - Existing contractual obligations.

Priority B - Remaining bond authority for:

- (1) Social and health services and corrections--1981
- (2) Jail improvement and construction--1979 and 1981
- (3) King County convention center, if enacted

Priority C - Remaining bond authority for:

- (1) Handicapped persons--training and rehabilitation facilities--1979
- (2) Community colleges--1981
- (3) Higher education facilities for the University of Washington--1981
- (4) Higher education facilities generally--1981
- (5) Fisheries facilities--1979 and 1981
- (6) Salmon enhancement facilities--1977
- (7) General administration, military and court of appeals facilities--1981
- (8) Outdoor recreation facilities--1981

Priority D - Remaining bond authority for:

- (1) Waste water facilities--1972, 1979 and 1980
- (2) Hospital and related facilities for the University of Washington--1981
- (3) Performing arts facilities, Olympia and Tacoma--1979
- (4) State fire training center--1979
- (5) Indian cultural facility--1975-76
- (6) Pacific Northwest festival facilities--1979

Priority E - Waste facilities 1980 and 1982.

## Washington State Capital Budget - Summary by Agency

\$ in thousands

AGENCY NAME	REVISED* RE-APPROPRIATION 1981-83	ORIGINAL NEW APPROPRIATION 1981-83	REVISED NEW APPROPRIATION 1981-83
Court of Appeals	.0	1,041.0	1,041.0
General Administration	5,406.0	23,952.0	29,466.3
Liquor Control Board	.0	.0	.0
Washington State Patrol	125.0	1,226.5	1,226.5
Criminal Justice Training Comm.	.0	.0	.0
Dept. of Labor and Industries	.0	.0	.0
Military Department	100.0	1,277.0	1,277.0
DSHS - Headquarters	26,938.0	4,555.9	14,555.9
DSHS - Juvenile Rehab.	1,940.0	2,913.1	2,913.1
DSHS - Mental Health	25,928.0	4,605.0	4,605.0
DSHS - Develop. Disabil.	15,448.0	34,598.5	34,598.5
Department of Corrections	11,695.0	56,052.8	56,052.8
Veterans Affairs	869.0	2,341.1	2,341.1
State Board of Education	133,800.0	184,700.0	184,700.0
State Board for Comm. Coll. Ed.	13,908.0	16,945.7	16,945.7
Commission for Voc. Education	4,159.0	.0	2,500.0
University of Washington	14,538.0	144,290.0	144,290.0
Washington State University	12,070.8	23,646.0	24,483.0
Eastern Washington University	4,882.0	7,730.0	7,730.0
Central Washington University	4,047.3	4,559.0	5,127.9
The Evergreen State College	95.0	1,913.0	1,913.0
Western Washington University	4,358.0	3,864.0	3,864.0
Eastern Washington St. Hist. Soc.	.0	.0	.0
Department of Transportation	.0	1,204,495.9	1,204,495.9
Department of Ecology	1,493.7	3,157.6	199,157.6
Parks and Recreation	6,674.9	7,504.0	7,504.0
Commerce and Economic Develop.	9,000.0	.0	.0
Department of Fisheries	22,624.6*	10,971.3	10,971.3
Department of Game	3,158.0	7,567.7	7,567.7
Department of Natural Resources	9,269.5*	15,531.4	15,914.6
Employment Security	.0	545.0	545.0
<b>TOTAL ALL AGENCIES</b>	<b>332,527.8</b>	<b>1,769,983.5</b>	<b>1,985,786.9</b>

# APPENDICES



<b>Bill Number-Session Law Table</b>	<b>285</b>
<b>Session Law Table-Bill Number</b>	<b>291</b>
<b>Governor's Proclamation - Special Session</b>	<b>297</b>
<b>Gubernatorial Appointments</b>	<b>298</b>
<b>Legislative Leadership</b>	<b>301</b>
<b>Standing Committee Appointments</b>	<b>302</b>

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## BILL NUMBER TO SESSION LAW TABLE

Bill No.	Title	Chapter No.
<b>HOUSE BILLS</b>		
SHB 15	Controlled substances-prop .....	C 171 L 82
HB 22	Explosives, sales to minors .....	C 111 L 82
SHB 40	Public disclosure reporting .....	C 60 L 82
HB 46	Shellfish pots protection .....	C 14 L 82
SHB 58	Code filing, local gov't .....	C 226 L 82 PV
SHB 70	Fish restoration projects .....	C 26 L 82
2SHB 124	Public employment .....	C 54 L 82 PVE1
HB 131	Minimum value requirement .....	C 27 L 82
SHB 135	Trees/unauth. destruction .....	C 28 L 82
SHB 174	Podiatrists licensing .....	C 21 L 82
3SHB 179	Child abuse, neglect council .....	C 4 L 82
HB 183	Centennial commission .....	C 90 L 82
SHB 221	Solid waste disposal dist .....	C 175 L 82
SHB 259	Recycled paper/state use .....	C 61 L 82
SHB 268	Motor vehicles/license renew .....	C 14 L 82 E1
HB 286	Displaced homemaker program .....	C 15 L 82 E1
HB 289	Police dogs/handler immunity .....	C 22 L 82
SHB 313	Business inventories tax .....	C 174 L 82
HB 330	Plats, near airports, notice .....	C 23 L 82
HB 357	Public records, preservation .....	C 36 L 82
HB 375	Automotive repairs regulated .....	C 62 L 82
2SHB 378	Cosmetology school licensure .....	C 225 L 82 PV
HB 381	Criminally insane/release .....	C 112 L 82
HB 385	Regulatory fairness act .....	C 6 L 82
HB 401	Direct student service prog .....	C 46 L 82
HB 410	County alcohol, drug program .....	C 193 L 82
SHB 419	Reforestation/notice obligat .....	C 173 L 82
SHB 436	Auctioneers licensing act .....	C 205 L 82
HB 442	Engineers & land surveyors .....	C 37 L 82
SHB 448	Pull-tab beverage containers .....	C 113 L 82
SHB 449	Water rights determination .....	C 15 L 82
SHB 452	Urban arterial brd members .....	C 209 L 82
HB 454	Workers' comp. vocat rehab .....	C 63 L 82
HB 457	Common carrier requirements .....	C 83 L 82
SHB 462	School property defacement .....	C 38 L 82
SHB 476	Library records .....	C 64 L 82
HB 500	Statutory references const .....	C 16 L 82
HB 554	Municipal utility financing .....	C 24 L 82
SHB 571	Beer & wine/alcohol content .....	C 39 L 82
HB 572	Voting devices sec. of state .....	C 40 L 82
SHB 593	Improper gov't acts/disclos .....	C 208 L 82
HB 600	Criminal law changes .....	C 47 L 82 PVE1
HB 621	Cruelty to animals .....	C 114 L 82
HB 623	Vets special license plates .....	C 115 L 82
SHB 626	Pornography, moral nuisance .....	C 184 L 82
2SHB 658	State facility energy conser .....	C 48 L 82
SHB 663	Init/ref petition require .....	C 116 L 82

**Bill Number to Session Law Table — 1982**

Bill No.	Title	Chapter No.	
<b>HOUSE BILLS—cont.</b>			
SHB 696	Municipal pension systems.....	C 166 L 82	
HB 720	Human remains/donees .....	C 9 L 82	
HB 728	Appraiser definition.....	C 117 L 82	
HB 736	SEIB multiple carriers .....	C 34 L 82	E1
HB 745	Threats, governor, successor .....	C 185 L 82	
SHB 751	Justices of peace part time .....	C 29 L 82	
HB 752	Motor carriers, taxation .....	C 169 L 82	
HB 757	Certificate of need program .....	C 119 L 82	
SHB 762	Boards/commissions/councils.....	C 163 L 82	
SHB 764	Property tax listing & pymt .....	C 29 L 82	E1
HB 765	Excise tax registration fee .....	C 4 L 82	E1
HB 768	Parole/probation services .....	C 207 L 82	
SHB 778	Professional licensing .....	C 227 L 82	
2SHB 784	Higher ed institutions .....	C 37 L 82	E1
SHB 787	Congressional redistricting .....	C 2 L 82	
HB 795	L&I users fees .....	C 38 L 82	E1
HB 796	Apprenticeship prog review .....	C 39 L 82	E1
SHB 808	Medium security correct. ctr .....	C 23 L 82	E1
SHB 810	GA dept facilities authority.....	C 41 L 82	
HB 822	UCC Article 9 .....	C 186 L 82	
SHB 823	Local imp. assessments .....	C 91 L 82	
SHB 824	Dental insurance benefits .....	C 168 L 82	
HB 826	Law revision commission .....	C 183 L 82	PV
2SHB 828	Crime victims compensation .....	C 8 L 82	E1
HB 829	Local public officials .....	Full Veto	
HB 832	Energy conser/irrigat. dist .....	C 42 L 82	
SHB 833	Savings & loan associations .....	C 3 L 82	
SHB 834	Game law violation penalties .....	C 31 L 82	
SHB 837	Incent. pay/state employees .....	C 167 L 82	
SHB 840	Sales tax exempt. permit fee .....	C 5 L 82	E1
HB 844	Collection agcy/public debts .....	C 65 L 82	
HB 847	Operating agencies, interest .....	C 1 L 82	
SHB 848	Child welfare services .....	C 118 L 82	
SHB 849	Sch dist/formation-consolida.....	C 191 L 82	
HB 851	Developmentally disabled.....	C 224 L 82	PV
SHB 852	Nursing homes .....	C 120 L 82	
HB 854	Gas tax omit from sale price .....	C 6 L 82	E1
SHB 855	Municipal corporation audits.....	C 206 L 82	
HB 859	ECPA permit approval .....	C 179 L 82	
HB 864	Court congestion task force .....	C 187 L 82	
SHB 868	Federal forest funds/distrib .....	C 126 L 82	
SHB 871	Funeral directors/contracts .....	C 66 L 82	
SHB 874	Criminal offender sentencing .....	C 192 L 82	
SHB 875	State agencies/sunset review .....	C 223 L 82	PV
SHB 878	Business license program .....	C 182 L 82	
HB 883	Hazardous mat incid liabil .....	C 172 L 82	
HB 884	Correcting double amendments .....	C 10 L 82	
SHB 887	Civil act/mandatory arbitr .....	C 188 L 82	
SHB 888	Ballot formats, uniform .....	C 121 L 82	
SHB 891	Medicare suppl ins regulat .....	C 200 L 82	PV
HB 894	Razor clam programs funds .....	C 178 L 82	

**Bill Number to Session Law Table — 1982**

Bill No.	Title	Chapter No.	
<b>HOUSE BILLS—cont.</b>			
HB 896	Snowmobile regulations . . . . .	C 17 L 82	
HB 897	Arbitration/court jurisdic . . . . .	C 122 L 82	
SHB 902	Insurance revisions . . . . .	C 181 L 82	
2SHB 906	Economic revitalization brd . . . . .	C 40 L 82	E1
HB 907	Administrative hearings ofc . . . . .	C 189 L 82	
HB 916	Interest rates on judgments . . . . .	C 198 L 82	
SHB 920	Occupational info. service . . . . .	C 43 L 82	
SHB 922	Prison overcrowding reform . . . . .	C 228 L 82	
SHB 923	Voluntary action center . . . . .	C 11 L 82	E1
SHB 931	Public works/funds release . . . . .	C 170 L 82	
HB 934	Credit unions . . . . .	C 67 L 82	
SHB 936	Banking holding company . . . . .	C 196 L 82	
HB 942	Asian-American affairs comm . . . . .	C 68 L 82	
SHB 946	Traffic safety commission . . . . .	C 30 L 82	
HB 947	Cattle assessments . . . . .	C 47 L 82	
HB 955	Public hospital districts . . . . .	C 84 L 82	
HB 964	Real estate excise taxation . . . . .	C 176 L 82	
SHB 965	Prison riot/local assistance . . . . .	C 49 L 82	
HB 980	Energy allow/pub ass't. rec . . . . .	C 127 L 82	
2SHB 987	Payments to school employees . . . . .	C 10 L 82	PVE1
HB 999	Island library districts . . . . .	C 123 L 82	
SHB 1006	Taking of property by gov't . . . . .	C 232 L 82	
SHB 1011	Appearance of fairness doc . . . . .	C 229 L 82	
SHB 1012	DNR surveys/maps fee auth . . . . .	C 265 L 82	
HB 1013	Small bus. innovators prog . . . . .	C 44 L 82	
SHB 1015	Convention center Seattle . . . . .	C 34 L 82	
HB 1017	Camping clubs . . . . .	C 69 L 82	
SHB 1024	Sheltered workshops/printing . . . . .	C 164 L 82	
HB 1036	Vendor payments/CC ed brd . . . . .	C 50 L 82	
SHB 1041	Foreign agricul. coop assns . . . . .	C 45 L 82	
SHB 1047	Dentist/nondental anesthesia . . . . .	C 51 L 82	
SHB 1063	Liquor licenses/permits . . . . .	C 85 L 82	
HB 1066	Criminal justice trng comm . . . . .	C 124 L 82	
HB 1067	Model traffic ordinance . . . . .	C 25 L 82	
HB 1072	State-employed chaplain . . . . .	C 190 L 82	
HB 1074	Banks/trust comp investments . . . . .	C 86 L 82	
HB 1084	State ed board/members terms . . . . .	C 7 L 82	E1
HB 1092	Cig sales below cost . . . . .	C 16 L 82	E1
HB 1099	Forest fire prot assessments . . . . .	C 55 L 82	E1
SHB 1109	Budget stabilization modif . . . . .	C 36 L 82	E1
SHB 1130	Uniform crime reports prog . . . . .	C 125 L 82	
SHB 1131	Commercial feed act revised . . . . .	C 177 L 82	
HB 1144	Remodeling jails/criteria . . . . .	C 87 L 82	
HB 1145	Sewer and water districts . . . . .	C 17 L 82	E1
SHB 1149	State fireworks law . . . . .	C 230 L 82	
SHB 1156	Arts/stadium/convention dist . . . . .	C 22 L 82	E1
HB 1162	Geoduck management plan . . . . .	C 180 L 82	
SHB 1165	Boards/comm Congress. dists . . . . .	C 30 L 82	E1
HB 1174	Jnt oper agcy/election costs . . . . .	C 88 L 82	
SHB 1226	Public employees . . . . .	C 53 L 82	PVE1
SHB 1230	Capital appropriations mod . . . . .	C 48 L 82	PVE1

**Bill Number to Session Law Table -- 1982**

Bill No.	Title	Chapter No.
<b>SENATE BILLS</b>		
SB 3156	Renewable energy systems .....	C 159 L 82
SB 3233	Vehicle accident reporting .....	C 52 L 82
SSB 3249	Public disclosure revisions .....	C 147 L 82
SB 3297	Anti-arson requirements ins .....	C 110 L 82
SSB 3361	Port dist. small works proj .....	C 92 L 82
SB 3394	Cogeneration facilities .....	C 2 L 82 E1
SB 3425	Uranium, thorium milling .....	C 78 L 82
SB 3446	Boundary review boards .....	C 220 L 82 PV
SB 3495	EMT's certification period .....	C 53 L 82
2SSB 3541	Oral medication, schools .....	C 195 L 82
SSB 3549	Unlicensed drivers, vehicles .....	C 8 L 82
SB 3587	Kindergartens/school year .....	C 158 L 82
SB 3609	Ed policies, structures comm .....	C 33 L 82 E1
SSB 3617	ASB funds use .....	C 231 L 82
SSB 3679	Guaranty funds/interest .....	C 5 L 82
SB 3737	Winter recreation activities .....	C 11 L 82
SSB 3743	Judicial retire/disability .....	C 18 L 82
SSB 3783	Physical revaluation prop .....	C 46 L 82 E1
SB 3795	Health care premium payments .....	C 149 L 82
SB 3847	Uniform allowance/militia .....	C 93 L 82
SSB 3913	Unfair bus prac deposition .....	C 137 L 82
SB 3916	Shoreline classifications .....	C 13 L 82 E1
SSB 3927	RR crossing protective dev .....	C 94 L 82
SB 3944	Unemp benefits labor dispute .....	Full Veto
SSB 3946	Aircraft fuel excise tax .....	C 25 L 82 E1
SB 4025	Smith's cove waterway .....	C 1 L 82 E1
SSB 4046	Cattle/brucellosis vac-test .....	C 131 L 82
SB 4064	Sewer, water annex. "island" .....	C 146 L 82
SSB 4115	Alien/international banking .....	C 95 L 82
SB 4133	Death benefits, indust ins .....	C 20 L 82 E1
SSB 4163	Ag leases, state lands .....	C 54 L 82
SB 4199	F H Morgan children's center .....	C 89 L 82
SSB 4200	Public works revisions .....	C 98 L 82
SSB 4201	Ins. val. & nonforfeiture .....	C 9 L 82 E1
SSB 4216	Unemployment compensation .....	C 18 L 82 E1
SB 4250	Revenue & taxation .....	C 35 L 82 PVE1
SSB 4285	Social & health services .....	C 19 L 82 PVE1
SB 4307	Park rangers/civil service .....	C 79 L 82
SB 4313	Youth develop/conser corps .....	C 70 L 82
SB 4354	City/county health dept .....	C 203 L 82
SB 4366	Unlawful issuance of checks .....	C 138 L 82
SSB 4369	Appropriations 1981-83 mod .....	C 50 L 82 PVE1
SSB 4418	SHS financial responsibility .....	C 201 L 82
SB 4425	Port district elections .....	C 219 L 82
SB 4436	Implied warranties/livestock .....	C 199 L 82
SSB 4437	Commission merchants .....	C 20 L 82
SSB 4438	Commission merchants .....	C 194 L 82
SSB 4449	Judges, Clallam-Jefferson .....	C 139 L 82
SSB 4460	Bicycle laws revised .....	C 55 L 82

**Bill Number to Session Law Table — 1982**

Bill No.	Title	Chapter No.	
<b>SENATE BILLS—cont.</b>			
SSB 4461	Child sex abuse, actions .....	C 129 L 82	
SB 4464	Commercial crab licenses .....	C 157 L 82	
SB 4466	Wildlife agent inspections .....	C 152 L 82	
SB 4468	Retirement pay deductions .....	C 135 L 82	
SSB 4469	Interstate highways constr.....	C 19 L 82	
SB 4474	Spouses, criminal proceed .....	C 56 L 82	
SB 4477	Volunteer work/park lands.....	C 156 L 82	
SSB 4481	Sewer/water districts/plans .....	C 213 L 82	
SB 4483	Assaults on transit drivers .....	C 140 L 82	
SB 4484	Commercial zones/term areas .....	C 71 L 82	
SB 4488	LID's, assessments payments .....	C 96 L 82	
SB 4491	Supreme court/judges pro tem .....	C 72 L 82	
SB 4492	Parking offenses .....	C 12 L 82	E1
SB 4493	Justice courts jurisdiction.....	C 150 L 82	
SSB 4501	Prevailing wage statements .....	C 130 L 82	
SSB 4502	Funds apportioned by SPI.....	C 136 L 82	
SSB 4505	County treas investment serv .....	C 73 L 82	
SB 4506	State treas/alter CD allocat.....	C 74 L 82	
SB 4507	State treas/treasury surplus.....	C 148 L 82	
SSB 4510	St. Helens/recovery oper .....	C 7 L 82	
SB 4512	Railroad trespass liability.....	C 141 L 82	
SB 4522	Treaty Indian Fisheries .....	C 197 L 82	
SB 4544	Vehicle owner lists/supplied.....	C 215 L 82	
SSB 4545	MVET exemptions/ride sharing .....	C 142 L 82	
SB 4547	Antique vehicle licenses .....	C 143 L 82	
SB 4549	Transportation budget adjust .....	C 57 L 82	
SSB 4550	Game Dept. check stations.....	C 155 L 82	
SB 4551	Commission on equipment.....	C 106 L 82	
SB 4558	Truck owner-operators .....	C 80 L 82	PV
SB 4559	Forms management program.....	C 214 L 82	
SSB 4561	Professional & other fees .....	C 162 L 82	
SSB 4562	Multistate fuel tax agree .....	C 161 L 82	
SSB 4566	Audits/ag marketing funds .....	C 81 L 82	PV
SB 4569	Assets of domestic insurers .....	C 218 L 82	
SB 4571	Port dists/property sales .....	C 75 L 82	
SB 4584	Arabian horse racing .....	C 132 L 82	
SB 4599	Mosquito control dist. tax .....	C 217 L 82	
SB 4602	Street lighting systems .....	C 105 L 82	
2SSB 4603	Payment, public improvements .....	C 42 L 82	E1
SSB 4605	Out-of-state auditing serv .....	C 128 L 82	
SB 4619	Veterans/health problems .....	C 97 L 82	
SB 4634	State levy adjustments .....	C 28 L 82	E1
SB 4635	LEOFF/county disability brds .....	C 12 L 82	
SB 4636	Retire sys/errors correction .....	C 13 L 82	
SB 4638	Lump sum payment/retirement .....	C 144 L 82	
SB 4640	Retirement from public serv .....	C 52 L 82	E1
SB 4644	Commingled trust fund .....	C 58 L 82	
SB 4660	Admin rule-making notices .....	C 221 L 82	
SSB 4663	Timber sales program modify .....	C 222 L 82	
SSB 4675	School dist trans. apport .....	C 24 L 82	E1
SB 4680	Sheriff's civil serv. comm .....	C 133 L 82	

**Bill Number to Session Law Table — 1982**

Bill No.	Title	Chapter No.	
<b>SENATE BILLS—cont.</b>			
SB 4681	Natural resources/approp . . . . .	C 154 L 82	
SSB 4684	Plant pests/diseases actions . . . . .	C 153 L 82	
SB 4690	County road administration . . . . .	C 145 L 82	
SB 4691	Tort feasons/compar. fault . . . . .	C 100 L 82	
SSB 4692	Motorcycle operator training . . . . .	C 77 L 82	
SSB 4697	IRA's/payroll deductions . . . . .	C 107 L 82	
SB 4701	HMO's reserve funds/bonds . . . . .	C 151 L 82	
SB 4705	Credit cards/state purchases . . . . .	C 45 L 82	E1
SB 4706	Spirit Lake Memorial Highway . . . . .	C 82 L 82	
SSB 4708	Horse racing/fees, receipts . . . . .	C 32 L 82	
SB 4713	MV fund distribution formula . . . . .	C 33 L 82	
SSB 4716	Secretary of State . . . . .	C 35 L 82	
SB 4717	State statutes/free copies . . . . .	C 32 L 82	E1
SB 4718	Veterinarians licensure . . . . .	C 134 L 82	
SSB 4728	Municip corps/short-term obl . . . . .	C 216 L 82	
SB 4748	Beer and wine instruction . . . . .	C 26 L 82	PVE1
SB 4749	Unconst voter prov. repealed . . . . .	C 99 L 82	
SSB 4750	Nonresident violators compac . . . . .	C 212 L 82	
SSB 4775	Conviction records release . . . . .	C 202 L 82	
SSB 4786	Community mental health serv . . . . .	C 204 L 82	
SSB 4824	Aquatic lands/separate chap . . . . .	C 21 L 82	E1
SSB 4826	Law enforce veh/siren-light . . . . .	C 101 L 82	
SB 4831	Shorelines/economic signifi . . . . .	Full Veto	
SSB 4841	Winter recreation commission . . . . .	C 27 L 82	E1
SSB 4846	Lake Osoyoos water control . . . . .	C 76 L 82	
SSB 4852	Irrigation dist/delinq asses . . . . .	C 102 L 82	
SSB 4859	Prepayment/sales-use taxes . . . . .	C 211 L 82	
SSB 4864	DNR land, ed institutions . . . . .	C 31 L 82	E1
SB 4905	Merged sewer/water districts . . . . .	C 104 L 82	
SB 4909	Solid waste advisory comm . . . . .	C 108 L 82	
SSB 4917	State education brd officers . . . . .	C 160 L 82	
SB 4919	Employment security approp . . . . .	C 59 L 82	
SB 4947	Industrial insurance appeals . . . . .	C 109 L 82	
SB 4952	Electric streetcar operation . . . . .	C 103 L 82	
SB 4956	Historic ferries disposition . . . . .	C 210 L 82	
SSB 4963	Ports/indust develop levies . . . . .	C 3 L 82	E1
SB 4972	Local gov't finance . . . . .	C 49 L 82	E1
SB 4992	Tax advisory council . . . . .	C 41 L 82	E1
SB 4995	Jt operating agencies . . . . .	C 44 L 82	E1
SB 4996	Jt operating agencies . . . . .	C 43 L 82	E1
SSB 5007	Vacation leave/pub emp . . . . .	C 51 L 82	E1

## SESSION LAW TO BILL NUMBER TABLE

Chapter No.	Title	Bill No.
<b>REGULAR SESSION</b>		
C 1 L 82	Operating agencies, interest .....	HB 847
C 2 L 82	Congressional redistricting .....	SHB 787
C 3 L 82	Savings & loan associations .....	SHB 833
C 4 L 82	Child abuse, neglect council .....	3SHB 179
C 5 L 82	Guaranty funds/interest .....	SSB 3679
C 6 L 82	Regulatory fairness act .....	HB 385
C 7 L 82	St. Helens/recovery oper. ....	SSB 4510
C 8 L 82	Unlicensed drivers, vehicles .....	SSB 3549
C 9 L 82	Human remains/donees .....	HB 720
C 10 L 82	Correcting double amendments .....	HB 884
C 11 L 82	Winter recreation activities .....	SB 3737
C 12 L 82	LEOFF/county disability brds .....	SB 4635
C 13 L 82	Retire sys/errors correction .....	SB 4636
C 14 L 82	Shellfish pots protection .....	HB 46
C 15 L 82	Water rights determination .....	SHB 449
C 16 L 82	Statutory references const. ....	HB 500
C 17 L 82	Snowmobile regulations .....	HB 896
C 18 L 82	JRS disability .....	SSB 3743
C 19 L 82	Interstate highways const. ....	SSB 4469
C 20 L 82	Commission merchants .....	SSB 4437
C 21 L 82	Podiatrists licensing .....	SHB 174
C 22 L 82	Police dogs/handler immunity .....	HB 289
C 23 L 82	Plats, near airports, notice .....	HB 330
C 24 L 82	Municipal utility financing .....	HB 554
C 25 L 82	Model traffic ordinance .....	HB 1067
C 26 L 82	Fish restoration projects .....	SHB 70
C 27 L 82	Minimum value requirement .....	HB 131
C 28 L 82	Trees/unauth. destruction .....	SHB 135
C 29 L 82	Justices of peace part time .....	SHB 751
C 30 L 82	Traffic safety commission .....	SHB 946
C 31 L 82	Game law violation penalties .....	SHB 834
C 32 L 82	Horse racing/fees, receipts .....	SSB 4708
C 33 L 82	MV fund distribution formula .....	SB 4713
C 34 L 82	Convention center Seattle .....	SHB 1015
C 35 L 82	Secretary of State .....	SSB 4716
C 36 L 82	Public records, preservation .....	HB 357
C 37 L 82	Engineers & land surveyors .....	HB 442
C 38 L 82	School property defacement .....	SHB 462
C 39 L 82	Beer & wine/alcohol content .....	SHB 571
C 40 L 82	Voting devices sec. of state .....	HB 572
C 41 L 82	GA dept facilities authority .....	SHB 810
C 42 L 82	Energy conser/irrigat. dist .....	HB 832
C 43 L 82	Occupational info. service .....	SHB 920
C 44 L 82	Small bus. innovators prog .....	HB 1013
C 45 L 82	Foreign agricul. coop assns .....	SHB 1041
C 46 L 82	Direct student service prog .....	HB 401
C 47 L 82	Cattle assessments .....	HB 947

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Chapter No.	Title	Bill No.
<b>REGULAR SESSION—cont.</b>		
C 48 L 82	State facility energy conser .....	2SHB 658
C 49 L 82	Prison riot/local assistance .....	SHB 965
C 50 L 82	Vendor payments/CC ed brd .....	HB 1036
C 51 L 82	Dentist/nondental anesthesia .....	SHB 1047
C 52 L 82	Vehicle accident reporting .....	SB 3233
C 53 L 82	EMT's certification period .....	SB 3495
C 54 L 82	Ag leases, state lands .....	SSB 4163
C 55 L 82	Bicycle laws revised .....	SSB 4460
C 56 L 82	Spouses, criminal proceed .....	SB 4474
C 57 L 82	Transportation budget adjust .....	SB 4549
C 58 L 82	Commingled trust fund .....	SB 4644
C 59 L 82	Employment security approp .....	SB 4919
C 60 L 82	Public disclosure reporting .....	SHB 40
C 61 L 82	Recycled paper/state use .....	SHB 259
C 62 L 82	Automotive repairs regulated .....	HB 375
C 63 L 82	Workers' comp. vocat rehab .....	HB 454
C 64 L 82	Library records .....	SHB 476
C 65 L 82	Collection agcy/public debts .....	HB 844
C 66 L 82	Funeral directors/contracts .....	SHB 871
C 67 L 82	Credit unions .....	HB 934
C 68 L 82	Asian-American affairs comm .....	HB 942
C 69 L 82	Camping clubs .....	HB 1017
C 70 L 82	Youth develop/conser corps .....	SB 4313
C 71 L 82	Commercial zones/term areas .....	SB 4484
C 72 L 82	Supreme court/judges pro tem .....	SB 4491
C 73 L 82	County treas investment serv .....	SSB 4505
C 74 L 82	State treas/alter CD allocat .....	SB 4506
C 75 L 82	Port dists/property sales .....	SB 4571
C 76 L 82	Lake Osoyoos water control .....	SSB 4846
C 77 L 82	Motorcycle operator training .....	SSB 4692
C 78 L 82	Uranium & thorium milling .....	SB 3425
C 79 L 82	Park rangers/civil service .....	SB 4307
C 80 L 82 PV	Truck owner-operators .....	SB 4558
C 81 L 82 PV	Audits/ag marketing funds .....	SSB 4566
C 82 L 82	Spirit Lake Memorial Highway .....	SB 4706
C 83 L 82	Common carrier requirements .....	HB 457
C 84 L 82	Public hospital districts .....	HB 955
C 85 L 82	Liquor licenses/permits .....	SHB 1063
C 86 L 82	Banks/trust comp investments .....	HB 1074
C 87 L 82	Remodeling jails/criteria .....	HB 1144
C 88 L 82	Jnt oper agcy/election costs .....	HB 1174
C 89 L 82	F H Morgan children's center .....	SB 4199
C 90 L 82	Centennial commission .....	HB 183
C 91 L 82	Local imp. assessments .....	SHB 823
C 92 L 82	Port dist. small works proj .....	SSB 3361
C 93 L 82	Uniform allowance/militia .....	SB 3847
C 94 L 82	RR crossing protective dev .....	SSB 3927
C 95 L 82	Alien/international banking .....	SSB 4115
C 96 L 82	LID's, assessments payments .....	SB 4488
C 97 L 82	Veterans/health problems .....	SB 4619
C 98 L 82	Public works revisions .....	SSB 4200



**Session Law to Bill Number Table — 1982**

Chapter No.	Title	Bill No.
<b>REGULAR SESSION—cont.</b>		
C 99 L 82	Unconst voter prov. repealed .....	SB 4749
C 100 L 82	Tort feasons/compar. fault .....	SB 4691
C 101 L 82	Law enforce veh/siren-light .....	SSB 4826
C 102 L 82	Irrigation dist/delinq asses .....	SSB 4852
C 103 L 82	Electric streetcar operation .....	SB 4952
C 104 L 82	Merged sewer/water districts .....	SB 4905
C 105 L 82	Street lighting systems .....	SB 4602
C 106 L 82	Commission on equipment .....	SB 4551
C 107 L 82	IRA's/payroll deductions .....	SSB 4697
C 108 L 82	Solid waste advisory comm .....	SB 4909
C 109 L 82	Industrial insurance appeals .....	SB 4947
C 110 L 82	Anti-arson requirements ins .....	SB 3297
C 111 L 82	Explosives/sales to minors .....	HB 22
C 112 L 82	Criminally insane/release .....	HB 381
C 113 L 82	Pull-tab beverage containers .....	SHB 448
C 114 L 82	Cruelty to animals .....	HB 621
C 115 L 82	Vets special license plates .....	HB 623
C 116 L 82	Init/ref petition require .....	SHB 663
C 117 L 82	Appraiser qualifications .....	HB 728
C 118 L 82	Child welfare services .....	SHB 848
C 119 L 82	Certificate of need program .....	HB 757
C 120 L 82	Nursing homes .....	SHB 852
C 121 L 82	Ballot formats, uniform .....	SHB 888
C 122 L 82	Arbitration/court jurisdic .....	HB 897
C 123 L 82	Island library districts .....	HB 999
C 124 L 82	Criminal justice trng comm .....	HB 1066
C 125 L 82	Uniform crime reports prog .....	SHB 1130
C 126 L 82	Federal forest funds/distrib .....	SHB 868
C 127 L 82	Energy allow/pub ass't. rec .....	HB 980
C 128 L 82	Out-of-state auditing serv .....	SSB 4605
C 129 L 82	Child sex abuse, actions .....	SSB 4461
C 130 L 82	Prevailing wage statements .....	SSB 4501
C 131 L 82	Cattle/brucellosis vac-test .....	SSB 4046
C 132 L 82	Arabian horse facing .....	SB 4584
C 133 L 82	Sheriff's civil serv. comm .....	SB 4680
C 134 L 82	Veterinarians licensure .....	SB 4718
C 135 L 82	Retirement pay deductions .....	SB 4468
C 136 L 82	Funds apportioned by SPI .....	SSB 4502
C 137 L 82	Unfair bus prac deposition .....	SSB 3913
C 138 L 82	Unlawful issuance of checks .....	SB 4366
C 139 L 82	Judges, Clallam-Jefferson .....	SSB 4449
C 140 L 82	Assaults on transit drivers .....	SB 4483
C 141 L 82	Railroad trespass liability .....	SB 4512
C 142 L 82	MVET exemptions/ride sharing .....	SSB 4545
C 143 L 82	Antique vehicle licenses .....	SB 4547
C 144 L 82	Lump sum payment/retirement .....	SB 4638
C 145 L 82	County road administration .....	SB 4690
C 146 L 82	Sewer, water annex. "island" .....	SB 4064
C 147 L 82	Public disclosure revisions .....	SSB 3249
C 148 L 82	State treas/treasury surplus .....	SB 4507
C 149 L 82	Health care premium payments .....	SB 3795

**Session Law to Bill Number Table — 1982**

Chapter No.	Title	Bill No.
<b>REGULAR SESSION—cont.</b>		
C 150 L 82	Justice courts jurisdiction .....	SB 4493
C 151 L 82	HMO's reserve funds/bonds .....	SB 4701
C 152 L 82	Wildlife agent inspections .....	SB 4466
C 153 L 82	Plant pests/diseases actions .....	SSB 4684
C 154 L 82	Natural resources/approp .....	SB 4681
C 155 L 82	Game Dept. check stations .....	SSB 4550
C 156 L 82	Volunteer work/park lands .....	SB 4477
C 157 L 82	Commercial crab licenses .....	SB 4464
C 158 L 82	Kindergartens, school year .....	SB 3587
C 159 L 82	Renewable energy systems .....	SB 3156
C 160 L 82	State education brd officers .....	SSB 4917
C 161 L 82	Multistate fuel tax agree .....	SSB 4562
C 162 L 82	Professional & other fees .....	SSB 4561
C 163 L 82	Boards/commissions/councils .....	SHB 762
C 164 L 82	Sheltered workshops/printing .....	SHB 1024
C 165 L 82	DNR surveys/maps fee auth .....	SHB 1012
C 166 L 82	Municipal pension systems .....	SHB 696
C 167 L 82	Incent. pay/state employees .....	SHB 837
C 168 L 82	Dental insurance benefits .....	SHB 824
C 169 L 82	Motor carriers, taxation .....	HB 752
C 170 L 82	Public works/funds release .....	SHB 931
C 171 L 82	Controlled substances-prop .....	SHB 15
C 172 L 82	Hazardous mat incid liabil .....	HB 883
C 173 L 82	Reforestation/notice obligat .....	SHB 419
C 174 L 82	Business inventories tax .....	SHB 313
C 175 L 82	Solid waste disposal dist .....	SHB 221
C 176 L 82	Real estate excise taxation .....	HB 964
C 177 L 82	Commercial feed act revised .....	SHB 1131
C 178 L 82	Razor clam programs funds .....	HB 894
C 179 L 82	ECPA permit approval .....	HB 859
C 180 L 82	Geoduck management plan .....	HB 1162
C 181 L 82	Insurance revisions .....	SHB 902
C 182 L 82	Business license program .....	SHB 878
C 183 L 82 PV	Law revision commission .....	HB 826
C 184 L 82	Pornography, moral nuisance .....	SHB 626
C 185 L 82	Threats, governor, successor .....	HB 745
C 186 L 82	UCC Article 9 .....	HB 822
C 187 L 82	Court congestion task force .....	HB 864
C 188 L 82	Civil act./mandatory arbitr .....	SHB 887
C 189 L 82	Administrative hearings ofc .....	HB 907
C 190 L 82	State-employed chaplain .....	HB 1072
C 191 L 82	Sch dist/formation-consolida .....	SHB 849
C 192 L 82	Criminal offender sentencing .....	SHB 874
C 193 L 82	County alcohol, drug program .....	HB 410
C 194 L 82	Commission merchants .....	SSB 4438
C 195 L 82	Oral medication, schools .....	2SSB 3541
C 196 L 82	Bank holding company .....	SHB 936
C 197 L 82	Treaty Indian Fisheries .....	SB 4522
C 198 L 82	Interest rates on judgments .....	HB 916
C 199 L 82	Implied warranties/livestock .....	SB 4436
C 200 L 82 PV	Medicare suppl ins regulat .....	SHB 891

**Session Law to Bill Number Table — 1982**

Chapter No.	Title	Bill No.
<b>REGULAR SESSION—cont.</b>		
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C 202 L 82	Conviction records release .....	SSB 4775
C 203 L 82	City/county health dept .....	SB 4354
C 204 L 82	Community mental health serv .....	SSB 4786
C 205 L 82	Auctioneer's licensing act .....	SHB 436
C 206 L 82	Municipal corporation audits .....	SHB 855
C 207 L 82	Parole/probation services .....	HB 768
C 208 L 82	Improper gov't acts/disclos .....	SHB 593
C 209 L 82	Urban arterial brd members .....	SHB 452
C 210 L 82	Historic ferries disposition .....	SB 4956
C 211 L 82	Prepayment/sales-use taxes .....	SSB 4859
C 212 L 82	Nonresident violators compac .....	SSB 4750
C 213 L 82	Sewer/water districts/plans .....	SSB 4481
C 214 L 82	Forms management program .....	SB 4559
C 215 L 82	Vehicle owner lists/supplied .....	SB 4544
C 216 L 82	Municip corp/s/short-term obl .....	SSB 4728
C 217 L 82	Mosquito control dist. tax .....	SB 4599
C 218 L 82	Assets of domestic insurers .....	SB 4569
C 219 L 82	Port district elections .....	SB 4425
C 220 L 82 PV	Boundary review boards .....	SB 3446
C 221 L 82	Admin rule-making notices .....	SB 4660
C 222 L 82	Timber sales program modify .....	SSB 4663
C 223 L 82 PV	State agencies/sunset review .....	SHB 875
C 224 L 82 PV	Developmentally disabled .....	HB 851
C 225 L 82 PV	Cosmetology school licensure .....	2SHB 378
C 226 L 82 PV	Code filing, local gov't .....	SHB 58
C 227 L 82	Professional licensing .....	SHB 778
C 228 L 82	Prison overcrowding reform .....	SHB 922
C 229 L 82	Appearance of fairness doc .....	SHB 1011
C 230 L 82	State fireworks law .....	SHB 1149
C 231 L 82	ASB funds use .....	SSB 3617
C 232 L 82	Taking of property by gov't .....	SHB 1006

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C 1 L 82 E1	Smith's cove waterway .....	SB 4025
C 2 L 82 E1	Cogeneration facilities .....	SB 3394
C 3 L 82 E1	Ports/indust develop levies .....	SSB 4963
C 4 L 82 E1	Excise tax registration fee .....	HB 765
C 5 L 82 E1	Sales tax exempt. permit fee .....	SHB 840
C 6 L 82 E1	Gas tax omit from sale price .....	HB 854
C 7 L 82 E1	State ed board/members terms .....	HB 1084
C 8 L 82 E1	Crime victims compensation .....	2SHB 828
C 9 L 82 E1	Ins. val. & nonforfeiture .....	SSB 4201
C 10 L 82 E1 PV	Payments to school employees .....	2SHB 987
C 11 L 82 E1	Voluntary action center .....	SHB 923
C 12 L 82 E1	Parking offenses .....	SB 4492
C 13 L 82 E1	Shoreline classifications .....	SB 3916
C 14 L 82 E1	Motor vehicles/license renew .....	SHB 268
C 15 L 82 E1	Displaced homemaker program .....	HB 286
C 16 L 82 E1	Cig sales below cost .....	HB 1092

**Session Law to Bill Number Table — 1982**

Chapter No.	Title	Bill No.
<b>FIRST SPECIAL SESSION—cont.</b>		
C 17 L 82 E1	Sewer and water districts .....	HB 1145
C 18 L 82 E1	Unemployment compensation .....	SSB 4216
C 19 L 82 E1 PV	Social & health services .....	SSB 4285
C 20 L 82 E1	Death benefits, indust ins .....	SB 4133
C 21 L 82 E1	Aquatic lands/separate chap .....	SSB 4824
C 22 L 82 E1	Arts/stadium/convention dist .....	SHB 1156
C 23 L 82 E1	Medium security correct. ctr .....	SHB 808
C 24 L 82 E1	School dist trans. apport .....	SSB 4675
C 25 L 82 E1	Aircraft fuel excise tax .....	SSB 3946
C 26 L 82 E1	Beer and wine instruction .....	SB 4748
C 27 L 82 E1	Winter recreation commission .....	SSB 4841
C 28 L 82 E1	State levy adjustments .....	SB 4634
C 29 L 82 E1	Property tax listing & pymt .....	SHB 764
C 30 L 82 E1	Boards/comm Congress. dists .....	SHB 1165
C 31 L 82 E1	DNR land, ed institutions .....	SSB 4864
C 32 L 82 E1	State statutes/free copies .....	SB 4717
C 33 L 82 E1	Ed policies, structures comm .....	SB 3609
C 34 L 82 E1	SEIB multiple carriers .....	HB 736
C 35 L 82 E1	Revenue & taxation .....	SB 4250
C 36 L 82 E1	Budget stabilization modif .....	SHB 1109
C 37 L 82 E1	Higher ed institutions .....	2SHB 784
C 38 L 82 E1	L&I users fees .....	HB 795
C 39 L 82 E1	Apprenticeship prog review .....	HB 796
C 40 L 82 E1	Economic revitalization brd .....	2SHB 906
C 41 L 82 E1	Tax advisory council .....	SB 4992
C 42 L 82 E1	Payment, public improvements .....	2SSB 4603
C 43 L 82 E1	Jt operating agencies .....	SB 4996
C 44 L 82 E1	Jt operating agencies .....	SB 4995
C 45 L 82 E1	Credit cards/state purchases .....	SB 4705
C 46 L 82 E1	Physical revaluation prop .....	SSB 3783
C 47 L 82 E1 PV	Criminal law changes .....	HB 600
C 48 L 82 E1 PV	Capital appropriations mod .....	SHB 1230
C 49 L 82 E1	Local gov't finance .....	SB 4972
C 50 L 82 E1 PV	Appropriations 1981-83 mod .....	SSB 4369
C 51 L 82 E1	Vacation leave/pub emp .....	SSB 5007
C 52 L 82 E1	Retirement from public serv .....	SB 4640
C 53 L 82 E1 PV	Public employees .....	SHB 1226
C 54 L 82 E1 PV	Public employment .....	2SHB 124
C 55 L 82 E1	Forest fire prot assessments .....	HB 1099

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## Governor's Proclamation - First Special Session

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### PROCLAMATION BY THE GOVERNOR

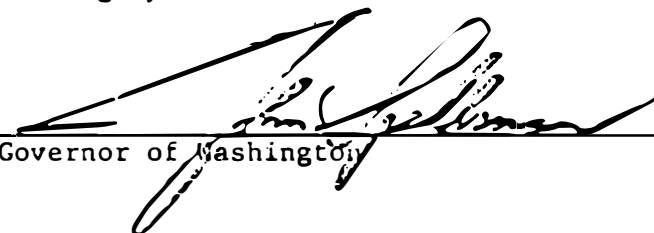
The Washington State Legislature has all but concluded the 1982 Regular Session without resolving the major issues critical to our state. It is therefore necessary for me to convene the legislature in extraordinary session for the purpose of addressing only the following:

- The state budget
- State and local revenues
- Unemployment insurance
- New state correctional facilities
- The Washington Public Power Supply System
- Ferry-labor relations
- Bills in dispute

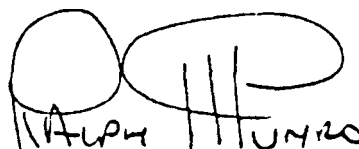
NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed ten days in the Capitol at Olympia at 12:00 noon on March 12, 1982.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11<sup>th</sup> day of March, A.D. nineteen hundred and eighty-two.

  
Governor of Washington

BY THE GOVERNOR:

  
Secretary of State

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# GUBERNATORIAL APPOINTMENTS CONFIRMED

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## EXECUTIVE AGENCIES

### CHIEF ADMINISTRATIVE LAW JUDGE

David R. LaRose

### DEPARTMENT OF CORRECTIONS

Amos E. Reed, Secretary

## MEMBERS OF BOARDS, COUNCILS, COMMISSIONS

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Marlee L. Naddy                      Philip A. Peter

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### EDMONDS COMMUNITY COLLEGE DISTRICT NO. 23

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### FORT STEILACOOM COMMUNITY COLLEGE DISTRICT NO. 11

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### GREEN RIVER COMMUNITY COLLEGE DISTRICT NO. 10

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### HIGHLINE COMMUNITY COLLEGE DISTRICT NO. 9

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### LOWER COLUMBIA COMMUNITY COLLEGE DISTRICT NO. 13

Kenneth A. Farland

### OLYMPIC COMMUNITY COLLEGE DISTRICT NO. 3

Richard T. Plaisance

### PENINSULA COMMUNITY COLLEGE DISTRICT NO. 1

Neil S. Potthoff                      Frederick B. Rosmond

### SEATTLE COMMUNITY COLLEGE DISTRICT NO. 6

Daniel V. Carbone

### SHORELINE COMMUNITY COLLEGE DISTRICT NO. 7

Tracy Owen

### SKAGIT COMMUNITY COLLEGE DISTRICT NO. 4

James E. Anderson                      James P. Bishop  
Elna I. deVries

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## Gubernatorial Appointments Confirmed

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### SPOKANE COMMUNITY COLLEGE DISTRICT NO. 17

Girard Clark

### TACOMA COMMUNITY COLLEGE DISTRICT NO. 22

Lawrence J. Faulk                  Robert E. Hunt, Jr.

### WENATCHEE COMMUNITY COLLEGE DISTRICT NO. 15

Mary Henrie                          Robert W. Prince

### WHATCOM COMMUNITY COLLEGE DISTRICT NO. 21

Paul D. Kenner                  Catharine C. Stimpson

### YAKIMA COMMUNITY COLLEGE DISTRICT NO. 16

Anthony Washines

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Norman F. Chamberlain	Ken Eikenberry
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### HEALTH CARE FACILITIES AUTHORITY

Ludwig Lobe

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### HUMAN RIGHTS COMMISSION

Symone B. Scales

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Chief Robert D. Panther	Jack H. Rogers

### STATE JAIL COMMISSION

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Jeffrey C. Sullivan	

### JUDICIAL QUALIFICATIONS COMMISSION

Greta Ann Bryan

### JUVENILE DISPOSITION STANDARDS COMMISSION

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Hunter E. John	Jill M. Kinney
N. Clifford Petersen	Paul W. Peterson
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Robert D. Hannah

### STATE PARKS AND RECREATION COMMISSION

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Al Hunter	

### STATE PERSONNEL BOARD

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### BOARD OF PHARMACY

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### PUBLIC DISCLOSURE COMMISSION

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Harold D. Clarke	Arthur F. Clifford, Jr.
H. Joseph Coleman	Paul D. Hansen
Charles V. Johnson	Norm Maleng
Warren Netherland	Donna D. Schram
Steve Scott	

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**Gubernatorial Appointments Confirmed**

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**STATE TRANSPORTATION COMMISSION**

Gerry B. Overton                  Bernice Stern

**UNIVERSITY OF WASHINGTON BOARD OF REGENTS**

Mary Gates

**COMMISSION FOR VOCATIONAL EDUCATION**

Reverend Samuel B. McKinney    Jon G. Thorpe

**WASHINGTON STATE UNIVERSITY BOARD OF REGENTS**

Robert B. McEachern              Kate B. Webster



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# 1982 Regular and First Special Session

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## of the Forty-Seventh Legislature

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### Legislative Officers and Caucus Officers

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#### House of Representatives

##### Republican Leadership

William M. Polk ..... Speaker  
Otto Amen ..... Speaker Pro Tem  
Gary Nelson ..... Majority Leader  
Earl F. Tilly ..... Majority Caucus Chairman  
Gene Struthers ..... Majority Whip  
Helen Fancher ..... Asst. Majority Leader  
Richard 'Doc' Hastings ..... Asst. Majority Leader  
Michael R. McGinnis ..... Asst. Majority Whip  
Roger Van Dyken ..... Asst. Majority Whip

##### Democratic Leadership

Wayne Ehlers ..... Democratic Leader  
Daniel Grimm ..... Democratic Caucus Chairman  
Dennis Heck ..... Democratic Floor Leader  
John L. O'Brien ..... Parliamentary Leader  
Marion Kyle Sherman ..... Democratic  
Caucus Vice Chairwoman  
Geraldine McCormick . Democratic Caucus Secretary  
Dick Nelson .... Democratic Organization Leader  
Wendell Brown ..... Democratic Whip  
John Erak ..... Assistant Democratic Whip

#### Senate

##### Officers

John A. Cherberg ..... President  
Sam C. Guess ..... President Pro Tempore  
George W. Clarke ..... Vice President Pro Tempore

##### Caucus Officers

###### Republican Caucus

Jeannette Hayner ..... Majority Leader  
John D. Jones ..... Caucus Chairman  
George W. Clarke ..... Floor Leader  
Alan Bluechel ..... Majority Whip  
Eleanor Lee ..... Assistant Caucus Chairman

###### Democratic Caucus

R. Ted Bottiger ..... Minority Leader  
George Fleming ..... Caucus Chairman  
A.N. 'Bud' Shinpoch ... Assistant Minority Leader  
Ruthe Ridder ..... Minority Whip  
Bruce A. Wilson ..... Caucus Vice Chairman  
R. Lorraine Wojahn ..... Caucus Secretary

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## STANDING COMMITTEE APPOINTMENTS

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1982

### HOUSE AGRICULTURE

Curtis P. Smith, Chairman  
Roger Van Dyken, Vice-Chairman  
Otto Amen  
Helen Fancher  
Pat Fiske  
Richard "Doc" Hastings  
Mike Padden  
Eugene A. Prince  
Shirley A. Galloway  
Wayne Ehlers  
P.J. "Jim" Gallagher  
Duane L. Kaiser  
Eugene V. Lux  
Helen Sommers

### SENATE AGRICULTURE

Irving Newhouse, Chairman  
Max E. Benitz  
John D. Jones  
Marcus S. Gaspard  
Frank "Tub" Hansen  
Bruce A. Wilson

### HOUSE APPROPRIATIONS - EDUCATION

Dan McDonald, Chairman  
Harry James, Vice-Chairman  
Richard H. Barrett  
Helen Fancher  
Gary Nelson  
Ren Taylor  
Delores E. Teutsch  
Frank J. Warnke  
John Eng  
Dan Grimm  
Dennis L. Heck  
James E. Salatino

see SENATE WAYS AND MEANS

### HOUSE APPROPRIATIONS - GENERAL GOVERNMENT

Bob Williams, Chairman  
Pat Fiske, Vice-Chairman  
Otto Amen  
Richard O. Barnes  
William H. Ellis  
Michael R. McGinnis  
Wilma Rosbach  
Alan Thompson  
Duane L. Kaiser  
Joseph E. King  
Peggy Joan Maxie  
Carol Monohon

see SENATE WAYS AND MEANS

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**Standing Committee Appointment - 1982**

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**HOUSE APPROPRIATIONS - HUMAN SERVICES**

Andrew Nisbet, Chairman  
Jeanette Berleen, Vice-Chairman  
Dan Dawson  
Joan Houchen  
Stanley C. Johnson  
James B. Mitchell  
Earl F. Tilly  
Mary Kay Becker  
Joanne J. Brekke  
Mike Kreidler  
Paul Pruitt  
Georgette Valle

see **SENATE WAYS AND MEANS**

see **HOUSE ETHICS, LAW AND JUSTICE**  
**HOUSE STATE GOVERNMENT**

**SENATE CONSTITUTIONS AND ELECTIONS**

Kent Pullen, Chairman  
George W. Clarke  
Susan E. Gould  
Jack Metcalf  
Paul Conner  
Ruthe Ridder  
Dianne Woody

**HOUSE EDUCATION**

Ren Taylor, Chairman  
Stanley C. Johnson, Vice-Chairman  
Emilio Cantu  
Lyle J. Dickie  
Bob Eberle  
William H. Ellis  
Harry James  
Jim Lewis  
Dan McDonald  
J. Vander Stoep  
Georgette Valle  
Seth Armstrong  
Rick S. Bender  
John Eng  
Shirley A. Galloway  
Lorraine A. Hine  
Peggy Joan Maxie  
Frank J. Warnke

**SENATE EDUCATION**

Bill Kiskaddon, Chairman  
Ellen Craswell  
Dick Hemstad  
Eleanor Lee  
George W. Scott  
R. Ted Bottiger  
Marcus S. Gaspard  
Phil Talmadge  
R. Lorraine Wojahn

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**Standing Committee Appointment - 1982**

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**HOUSE ENERGY AND UTILITIES**

Richard O. Barnes, Chairman  
Emilio Cantu, Vice-Chairman  
R.M. "Dick" Bond  
Lyle J. Dickie  
Bob Eberle  
Ray Isaacson  
Karen Schmidt  
Walt Sprague  
Steve Tupper  
J. Vander Stoep  
Dick Nelson  
Seth Armstrong  
Rick S. Bender  
Lorraine A. Hine  
Geraldine McCormick  
Gary H. Scott  
Marion Kyle Sherman  
Art Wang

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W.H. "Bill" Fuller  
Dick Hemstad  
Irving Newhouse  
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Al Williams  
Bruce A. Wilson  
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Noel Bickham  
Michael E. Patrick  
Karen Schmidt  
Earl F. Tilly  
Steve Tupper  
Shirley J. Winsley  
James E. Salatino  
Seth Armstrong  
Mary Kay Becker  
Barbara Granlund  
Paul Pruitt  
Art Wang

see **SENATE CONSTITUTIONS AND ELECTIONS**  
**SENATE JUDICIARY**

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Noel Bickham, Vice-Chairman  
R.M. "Dick" Bond  
Lyle J. Dickie  
Michael R. McGinnis  
Andrew Nisbet  
Wilma Rosbach  
Paul Sanders  
Eugene V. Lux  
John Eng  
Richard King  
Carol Monohon  
James E. Salatino  
Gary H. Scott

**SENATE FINANCIAL INSTITUTIONS AND INSURANCE**

George L. Sellar, Chairman  
Alan Bluechel  
George W. Clarke  
Ted Haley  
Kent Pullen  
Albert Bauer  
R. Ted Bottiger  
King Lysen  
R. Lorraine Wojahn

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**Standing Committee Appointment - 1982**

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**HOUSE HIGHER EDUCATION**

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Eugene A. Prince, Vice-Chairman  
Richard O. Barnes  
Irv Greengo  
Ray Isaacson  
Steve Tupper  
Bill Burns  
Richard King  
Nancy Rust  
Marion Kyle Sherman

**SENATE HIGHER EDUCATION**

Max E. Benitz, Chairman  
Sam C. Guess  
E.G. "Pat" Patterson  
George W. Scott  
Peter von Reichbauer  
Donn Charnley  
H.A. "Barney" Goltz  
James A. McDermott  
A.N. "Bud" Shinpoch

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Joan Houchen  
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Shirley J. Winsley  
Mike Kreidler  
Grace Cole  
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Frances C. North  
Paul Pruitt  
Lois Stratton  
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see **SENATE SOCIAL AND HEALTH SERVICES**

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Margaret J. Leonard, Vice-Chairman  
Jeanette Berleen  
C.R. "Dick" Nickell  
Gene Struthers  
Roger Van Dyken  
Brad Owen  
Barbara Granlund  
Gary H. Scott  
George W. Walk

see **SENATE SOCIAL AND HEALTH SERVICES**  
**SENATE JUDICIARY**

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**Standing Committee Appointment - 1982**

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see **HOUSE ETHICS, LAW AND JUSTICE**

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Dick Hemstad, Vice-Chairman  
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Irving Newhouse  
Kent Pullen  
Jerry M. Hughes  
A.N. "Bud" Shinpoch  
Phil Talmadge  
Dianne Woody

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Harold Clayton  
Bob Eberle  
S.E. "Sid" Flanagan  
Shirley W. Hankins  
Curtis P. Smith  
Joseph E. King  
Joanne J. Brekke  
Wendell B. Brown  
Grace Cole  
Avery Garrett  
Eugene V. Lux  
Carol Monohon

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Margaret Hurley  
Larry L. Vognild  
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Harry James  
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Earl F. Tilly  
Roger Van Dyken  
Lorraine A. Hine  
Wendell B. Brown  
Bill Burns  
Grace Cole  
Avery Garrett  
Mike Kreidler  
Frances C. North  
Lois Stratton

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Hal Zimmerman, Chairman  
W.H. "Bill" Fuller  
Susan E. Gould  
Eleanor Lee  
Bob McCaslin  
Albert Bauer  
Donn Charnley  
Don L. Talley  
Bruce A. Wilson

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**Standing Committee Appointment - 1982**

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**HOUSE NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS**

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W.H. "Bill" Garson, Jr.  
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James B. Mitchell  
C.R. "Dick" Nickell  
Bob Williams  
Simeon R. "Sim" Wilson  
Frances C. North  
Joanne J. Brekke  
John Erak  
John Martinis  
Brad Owen  
Nita Rinehart  
Lois Stratton  
Alan Thompson  
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see **HOUSE NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS**

**HOUSE REVENUE**

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Noel Bickham  
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Richard "Doc" Hastings  
Paul Sanders  
Nita Rinehart  
Wendell B. Brown  
Shirley A. Galloway  
Barbara Granlund  
Nancy Rust

**SENATE NATURAL RESOURCES**

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Peter von Reichbauer  
Hal Zimmerman  
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Lowell Peterson  
A.L. "Slim" Rasmussen  
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J.T. Quigg  
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H.A. "Barney" Goltz  
Frank "Tub" Hansen  
Jerry M. Hughes  
Margaret Hurley  
Al Williams

see **SENATE WAYS AND MEANS**

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## Standing Committee Appointment - 1982

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### HOUSE RULES

William Polk, Chairman  
Otto Amen  
Scott Barr  
R.M. "Dick" Bond  
Harold Clayton  
Helen Fancher  
S.E. "Sid" Flanagan  
Richard "Doc" Hastings  
Gary Nelson  
Gene Struthers  
Earl F. Tilly  
Simeon R. "Sim" Wilson  
Shirley J. Winsley  
Wayne Ehlers  
Richard King  
P.J. "Jim" Gallagher  
Dan Grimm  
Dennis L. Heck  
Peggy Joan Maxie  
Geraldine McCormick  
John O'Brien

see **HOUSE HUMAN SERVICES**  
**HOUSE INSTITUTIONS**

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R. Ted Bottiger  
George Fleming  
H.A. "Barney" Goltz  
Lowell Peterson  
A.N. "Bud" Shinpoch  
Don L. Talley

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Bob McCaslin  
Jack Metcalf  
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A.L. "Slim" Rasmussen  
Ruthe Ridder  
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**Standing Committee Appointment - 1982**

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Irv Greengo  
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Jim Lewis  
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C.R. "Dick" Nickell  
Walt Sprague  
George W. Walk  
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Duane L. Kaiser  
Dick Nelson  
John O'Brien  
Nita Rinehart  
Nancy Rust

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Paul Conner  
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James A. McDermott  
Ray Moore  
A.L. "Slim" Rasmussen

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Bob Eberle  
W.H. "Bill" Garson, Jr.  
Shirley W. Hankins  
Homer Lundquist  
Michael E. Patrick  
Eugene A. Prince  
Karen Schmidt  
Curtis P. Smith  
Walt Sprague  
John Martinis  
Rick S. Bender  
Bill Burns  
John Erak  
P.J. "Jim" Gallagher  
Avery Garrett  
Geraldine McCormick  
Brad Owen  
Marion Kyle Sherman  
George W. Walk

**SENATE TRANSPORTATION**

Peter von Reichbauer, Chairman  
E.G. "Pat" Patterson, Vice-Chairman  
George L. Sellar, Vice-Chairman  
Max E. Benitz  
Art Gallagher  
Sam C. Guess  
Bill Kiskaddon  
Jack Metcalf  
Donn Charnley  
Paul Conner  
Frank "Tub" Hansen  
King Lysen  
Lowell Peterson  
Don L. Talley  
Larry L. Vognild

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**Standing Committee Appointment - 1982**

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**HOUSE WAYS AND MEANS**

Rod Chandler, Chairman  
Gene Struthers, Vice-Chairman  
Irv Greengo  
Dan McDonald  
Andrew Nisbet  
Bob Williams  
Helen Sommers  
Mary Kay Becker  
Alan Thompson  
Frank J. Warnke

see also

**House Appropriations - Education**  
**House Appropriations - General Government**  
**House Appropriations - Human Services**  
**House Revenue**

**SENATE WAYS AND MEANS**

George W. Scott, Chairman  
Alan Bluechel  
Ellen Craswell  
Alex A. Deccio  
Ted Haley  
Jeannette Hayner  
John D. Jones  
Eleanor Lee  
Kent Pullen  
Hal Zimmerman  
Albert Bauer  
George Fleming  
Marcus S. Gaspard  
Jerry M. Hughes  
James A. McDermott  
Ruthe Ridder  
R. Lorraine Wojahn