

HOUSE JOURNAL  
OF THE  
Forty - Second Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened January 11, 1971

Adjourned Sine Die March 11, 1971



---

THOMAS A. SWAYZE, JR., *Speaker*  
THOMAS L. COPELAND, *Speaker Pro Tempore*  
MALCOLM McBEATH, *Chief Clerk*  
DONALD R. WILSON, *Assistant Chief Clerk*  
LOU ANN DILLARD, *Minute Clerk*

---

## INDEX

1st Day—Monday, January 11, 1971 . . . . .	Pages	1 to 24 incl.
2nd Day—Tuesday, January 12, 1971 . . . . .	Pages	25 to 33 incl.
3rd Day—Wednesday, January 13, 1971 . . . . .	Pages	33 to 52 incl.
4th Day—Thursday, January 14, 1971 . . . . .	Pages	53 to 71 incl.
5th Day—Friday, January 15, 1971 . . . . .	Pages	72 to 82 incl.
8th Day—Monday, January 18, 1971 . . . . .	Pages	82 to 92 incl.
9th Day—Tuesday, January 19, 1971 . . . . .	Pages	92 to 101 incl.
10th Day—Wednesday, January 20, 1971 . . . . .	Pages	102 to 110 incl.
11th Day—Thursday, January 21, 1971 . . . . .	Pages	111 to 135 incl.
12th Day—Friday, January 22, 1971 . . . . .	Pages	136 to 142 incl.
15th Day—Monday, January 25, 1971 . . . . .	Pages	142 to 150 incl.
16th Day—Tuesday, January 26, 1971 . . . . .	Pages	150 to 165 incl.
17th Day—Wednesday, January 27, 1971 . . . . .	Pages	166 to 179 incl.
18th Day—Thursday, January 28, 1971 . . . . .	Pages	180 to 187 incl.
19th Day—Friday, January 29, 1971 . . . . .	Pages	188 to 210 incl.
22nd Day—Monday, February 1, 1971 . . . . .	Pages	210 to 225 incl.
23rd Day—Tuesday, February 2, 1971 . . . . .	Pages	226 to 233 incl.
24th Day—Wednesday, February 3, 1971 . . . . .	Pages	234 to 249 incl.
25th Day—Thursday, February 4, 1971 . . . . .	Pages	250 to 260 incl.
26th Day—Friday, February 5, 1971 . . . . .	Pages	261 to 274 incl.
29th Day—Monday, February 8, 1971 . . . . .	Pages	274 to 285 incl.
30th Day—Tuesday, February 9, 1971 . . . . .	Pages	285 to 302 incl.
31st Day—Wednesday, February 10, 1971 . . . . .	Pages	303 to 312 incl.
32nd Day—Thursday, February 11, 1971 . . . . .	Pages	313 to 330 incl.
33rd Day—Friday, February 12, 1971 . . . . .	Pages	331 to 339 incl.
36th Day—Monday, February 15, 1971 . . . . .	Pages	339 to 356 incl.
37th Day—Tuesday, February 16, 1971 . . . . .	Pages	357 to 374 incl.
38th Day—Wednesday, February 17, 1971 . . . . .	Pages	374 to 386 incl.
39th Day—Thursday, February 18, 1971 . . . . .	Pages	387 to 410 incl.
40th Day—Friday, February 19, 1971 . . . . .	Pages	411 to 443 incl.
41st Day—Saturday, February 20, 1971 . . . . .	Pages	444 to 463 incl.
43rd Day—Monday, February 22, 1971 . . . . .	Pages	464 to 472 incl.
44th Day—Tuesday, February 23, 1971 . . . . .	Pages	473 to 489 incl.
45th Day—Wednesday, February 24, 1971 . . . . .	Pages	490 to 518 incl.
46th Day—Thursday, February 25, 1971 . . . . .	Pages	519 to 539 incl.
47th Day—Friday, February 26, 1971 . . . . .	Pages	539 to 547 incl.
48th Day—Saturday, February 27, 1971 . . . . .	Pages	548 to 577 incl.
50th Day—Monday, March 1, 1971 . . . . .	Pages	578 to 606 incl.
51st Day—Tuesday, March 2, 1971 . . . . .	Pages	607 to 627 incl.
52nd Day—Wednesday, March 3, 1971 . . . . .	Pages	628 to 663 incl.
53rd Day—Thursday, March 4, 1971 . . . . .	Pages	663 to 688 incl.
54th Day—Friday, March 5, 1971 . . . . .	Pages	688 to 701 incl.
55th Day—Saturday, March 6, 1971 . . . . .	Pages	702 to 711 incl.
57th Day—Monday, March 8, 1971 . . . . .	Pages	711 to 730 incl.
58th Day—Tuesday, March 9, 1971 . . . . .	Pages	731 to 743 incl.
59th Day—Wednesday, March 10, 1971 . . . . .	Pages	743 to 772 incl.
60th Day—Thursday, March 11, 1971 . . . . .	Pages	772 to 788 incl.

Compiled, Edited and Indexed by

MALCOLM McBEATH, *Chief Clerk*

Phyllis Mottman, *Secretary to Chief Clerk*

Eljo Sutherland, *Journal Clerk*

Charlene Diehl, *Assistant Journal Clerk*

# JOURNAL OF THE HOUSE

## STATE OF WASHINGTON

### FORTY-SECOND LEGISLATURE

#### FIRST DAY

#### NOON SESSION

House Chamber, Olympia, Wash., Monday, January 11, 1971.

The Chief Clerk of the House of Representatives of the Forty-first Legislature, Malcolm McBeath, called the House to order at 12:00 noon.

The Chief Clerk declared the House to be at ease.  
The Chief Clerk called the House to order.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Norman Lawson of the First United Methodist Church of Tacoma:

"Almighty and Everliving God, we, gathered here at the opening of this Forty-second Washington State Legislature, bow to acknowledge that Thou art the Lord of life.

"As this august body labors to consider what actions they may propose and make that may be for the good of the people of our state, cause each individual member to know that his responsibility calls for straight dealing and fairness. As these Representatives hammer out the necessary compromises that are a part of the legislative process, let the good of all be a rule abiding above gain for a few. As committees and party caucuses consider strategies, let an honest search for objectivity and the common welfare be uppermost. Knowing that the legislative process calls for hard decisions and, at times, division and polarization, maintain among us, we pray Thee, a willingness to be reasonable, to honor one another, and to respect personal integrity.

"Now we offer to Thee, O God, for Thy divine guidance and strength for each day, the Governor of our state, the Honorable Daniel Evans; the President of the Senate, Lieutenant Governor John Cherberg; the Speaker of the House; and our Senators and Representatives. Ordain this session of the legislature to greatness as eyes are lifted beyond faction and spirits are empowered to fight for truth and right.

"In the name of Him through whom God makes His appeal to us, even Jesus Christ of Nazareth, Amen."

The Chief Clerk appointed Representatives Bottiger and Julin to escort the Honorable Orris Hamilton, Chief Justice of the Washington State Supreme Court, to the rostrum.

The Chief Clerk: "I want to be one of the first to congratulate Chief Justice Hamilton. You have been Chief Justice for about one hour, sir. Congratulations.

"As Chief Clerk for the '69-'71 biennium, it gives me great pleasure to welcome you, the members of the Forty-second Legislature. We hope you will enjoy your new facilities as much as we have enjoyed seeing them become a reality. Your improved offices will allow you to do a better job. And the new and enlarged committee rooms will let the public participate to a greater extent. They will be able to get into a room where a public hearing is being held rather than being forced to stand in a hallway because of lack of space. The personal sacrifices many of you make by serving as legislators is understandable and is appreciated by the public."

## MESSAGE FROM THE SECRETARY OF STATE

Department of State, January 11, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE LEGISLATURE OF THE STATE OF WASHINGTON, OLYMPIA, WASHINGTON.

SIR:

I, A. Ludlow Kramer, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of the persons elected to the office of State Representative at the State General Election held in the several voting precincts of the State of Washington on the third day of November, 1970, as shown by the official returns of said election now on file in the office of Secretary of State, together with a list of persons recently appointed to the office of State Representative, and that all of the following are entitled to seats in the House of Representatives of the State of Washington at its Forty-second Biennial Session commencing on the eleventh day of January, A.D., 1971, as appears from said election returns:

## LIST OF REPRESENTATIVES ELECTED NOVEMBER 3, 1970

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1	Alan Bluechel	King, part
No. 1	Arthur C. Brown	King, part
No. 2A	Joe D. Haussler	Okanogan
No. 2B	William Schumaker	Pend Oreille, Stevens, Ferry
No. 3	Margaret Hurley	Spokane, part
No. 3	Wm. J. S. (Bill) May	Spokane, part
No. 4	Jim (Keenly) Kuehne	Spokane, part
No. 4	Walt O. Knowles	Spokane, part
No. 5A	Geraldine McCormick	Spokane, part
No. 5B	Edward T. Luders	Spokane, part
No. 6	A. J. (Bud) Pardini	Spokane, part
No. 6	Jerry C. Kopet	Spokane, part
No. 7	Edward F. Harris	Spokane, part
No. 7	Carlton A. Gladder	Spokane, part
No. 8A	Irving Newhouse	Yakima, part
No. 8B	Max Benitz	Benton, part
No. 9A	Robert F. Goldsworthy	Whitman
No. 9B	Otto Amen	Lincoln, Adams
No. 10	Joe Mentor	Island; Kitsap, part
No. 10	F. Pat Wanamaker	Island; Kitsap, part
No. 11A	Vaughn Hubbard	Asotin, Columbia, Garfield and Walla Walla, part
No. 11B	Thomas L. Copeland	Walla Walla, part
No. 12	Robert (Bob) Curtis	Chelan, Douglas
No. 12	Horace W. Bozarth	Chelan, Douglas
No. 13	S. E. (Sid) Flanagan	Grant, Kittitas
No. 13	Stewart Bledsoe	Grant, Kittitas
No. 14	Marjorie W. Lynch	Yakima, part
No. 14	Chet Hatfield	Yakima, part
No. 15	Keith J. Spanton	Yakima, part
No. 15	Sid W. Morrison	Yakima, part
No. 16A	Doris Johnson	Benton, part
No. 17	Albert Bauer	Klickitat, Skamania and Clark, part
No. 17	Harold S. Zimmerman	Klickitat, Skamania and Clark, part
No. 18	William (Bill) Paris	Cowlitz, Wahkiakum
No. 18	Alan Thompson	Cowlitz, Wahkiakum
No. 19	Robert L. (Bob) Charette	Pacific; Grays Harbor, part
No. 19	Eric O. Anderson	Pacific; Grays Harbor, part
No. 20	Elmer Jastad	Lewis; Grays Harbor, part
No. 20	Warren Smith	Lewis; Grays Harbor, part
No. 21	Dale E. Hoggins	Snohomish, part
No. 21	Bill Kiskaddon	Snohomish, part
No. 22	Hal Wolf	Thurston
No. 22	Floyd R. Conway	Thurston
No. 23	C. W. (Red) Beck	Kitsap, part
No. 23	Robert W. Randall	Kitsap, part
No. 24	Paul H. Conner	Clallam, Mason, Jefferson
No. 24	Charles R. Savage	Clallam, Mason, Jefferson

No. 25	Frank B. Brouillet	Pierce, part
No. 25	Leonard A. Sawyer	Pierce, part
No. 26	A. A. Adams	Pierce, part
No. 26	Thomas A. Swayze, Jr.	Pierce, part
No. 27	Lorraine Wojahn	Pierce, part
No. 27	Frank Marzano	Pierce, part
No. 28	Helmut L. Juelsing	Pierce, part
No. 28	Ned Shera	Pierce, part
No. 29	P. J. (Jim) Gallagher	Pierce, part
No. 29	R. Ted Bottiger	Pierce, part
No. 30	Norwood Cunningham	King, part
No. 30	Paul Barden	King, part
No. 31	H. Stan Bradley	King, part
No. 31	King Lysen	King, part
No. 32A	G. K. (Jeff) Douthwaite	King, part
No. 32B	Al Williams	King, part
No. 33	John L. O'Brien	King, part
No. 33	William (Bill) Chatalas	King, part
No. 34	John M. Rosellini	King, part
No. 34	Dave Ceccarelli	King, part
No. 35	John Merrill	King, part
No. 35	John Bagnariol	King, part
No. 36	Gladys Kirk	King, part
No. 36	Kenneth O. Eikenberry	King, part
No. 37	Michael K. Ross	King, part
No. 37	Peggy Joan Maxie	King, part
No. 38	Richard (Dick) King	Snohomish, part
No. 38	John Martinis	Snohomish, part
No. 39	Henry G. Backstrom	Snohomish, part
No. 39	Charles Moon	Snohomish, part
No. 40	James Costanti	San Juan, Skagit
No. 40	Duane L. Berentson	San Juan, Skagit
No. 41	Axel C. Julin	King, part
No. 42	Don Hansey	Whatcom
No. 42	Cas Farr	Whatcom
No. 42	Dan Van Dyk	Whatcom
No. 43	John B. Rabel	King, part
No. 43	Jim McDermott	King, part
No. 44	Donn Charnley	King, part
No. 44	Lois North	King, part
No. 45	Mark Litchman	King, part
No. 45	Robert A. Perry	King, part
No. 46	Paul Kraabel	King, part
No. 46	Scott Blair	King, part
No. 47	Gary Grant	King, part
No. 47	A. N. (Bud) Shinpoeh	King, part
No. 48	James E. Gilleland	King, part; Snohomish, 1 precinct
No. 49	Daniel G. Marsh	Clark, part
No. 49	Richard L. Smythe	Clark, part

I further certify that as of December 14, 1970, the Board of Franklin County Commissioners appointed CHARLES KILBURY to the position of State Representative, Legislative District 16B, to fill vacancy caused by the resignation of State Representative Dan Jolly.

Further, that as of December 30, 1970, the King County Council and the Board of Snohomish County Commissioners in joint session appointed JOHN D. JONES to the position of State Representative, 48th Legislative District, to fill the vacancy created by the resignation of State Representative Richard U. Chapin.

Further, that as of January 11, 1971, the King County Council appointed WILLIAM M. POLK to the position of State Representative, 41st Legislative District, to fill the vacancy created by the resignation of State Representative George W. Clarke.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this eleventh day of January, A.D., 1971.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER  
Secretary of State

The Clerk called the roll and all members were present.

The Chief Clerk declared the House to be at ease.

The Chief Clerk called the House to order.

## JOURNAL OF THE HOUSE

The Honorable Orris Hamilton, Chief Justice of the Supreme Court of the State of Washington, administered the oath of office to all members of the House of Representatives.

The Sergeant at Arms was instructed to distribute to all members their election certificates.

## RESOLUTION

## HOUSE RESOLUTION NO. 71-1, by Representative Bledsoe:

BE IT RESOLVED, That the rules which governed the House of Representatives during the Forty-first Legislative Sessions of 1969 and 1970 be adopted by this House as temporary rules of the Forty-second Legislative Session until permanent rules be adopted, and that the Committee on Rules and Administration be authorized and directed to formulate the permanent rules of the House for the present Session, and that the Committee on Rules and Administration act jointly with a like committee from the Senate to formulate joint rules.

Mr. Bledsoe moved adoption of the resolution and spoke in favor of its adoption.

## POINT OF ORDER

Mr. Sawyer: "Mr. Chief Clerk, I think there is an amendment to the rules pending on the desk."

The Chief Clerk: "Yes, there is. I have three amendments here. For the sake of continuity, I think we should take the second one first. It deals with Rule 84. Then you have an amendment dealing with Rule 86 and one dealing with Rule 87. That will keep them in order."

## POINT OF INFORMATION

Mr. Grant: "I think the only amendment that we intend to offer at this time is the amendment to Rule 86."

Mr. Grant moved adoption of the following amendment:

Amend House Rule 86 as follows: Strike paragraph 3 and insert "A record of all the votes of members in the Committee of the Whole shall be kept and retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person and inserted in the daily journal as a permanent record."

Representative Grant spoke in favor of adoption of the amendment, and Representative Newhouse spoke against it.

Mr. King demanded an electric roll call.

## RULING BY THE CHIEF CLERK

The Chief Clerk: "Mr. King, I am sorry. We do not have the electric roll call voting machine in operation. It won't be in operation for four or five days."

Mr. King demanded an oral roll call, and the demand was sustained.

Representative Sawyer spoke in favor of adoption of the amendment to House Resolution No. 71-1.

## RULING BY THE CHIEF CLERK

The Chief Clerk: "The roll call has been ordered, and we should not interrupt the roll call. What you are voting on is to support or reject the amendment by Representative Grant. The Clerk will call the roll."

## POINT OF INQUIRY

Mr. Beck: "Before we vote, will Mr. Newhouse yield to question?"

Representative Newhouse declined to yield to question.

Mr. Beck: "Mr. Chief Clerk, I understood him to say, and I just wanted to verify it, that when the body across the rotunda, in the Senate, removes this from their rules, then we will consider it. I wanted to know if that is what I understood."

The Chief Clerk: "Mr. Newhouse did not wish to respond."

Mr. Beck: "Well, then, I would suggest that we vote for this, because I do not like to have a club hanging over my head."

The Chief Clerk: "We are interrupting a roll call here."

#### POINT OF ORDER

Mr. Moon: "My point of order is that the previous question has not been called for. All that was called for was a roll call vote on the question."

#### RULING BY THE CHIEF CLERK

The Chief Clerk: "All I'm saying, Mr. Moon, is that the Chief Clerk has no set of rules to govern here. The House Rules do not apply to the running of this meeting. It is a simple majority type of thing. I'm just going the most direct way to get an answer and get off of here so you can elect a Speaker and get on with your business. Now if I have slighted somebody I am sorry, but can we not have the vote on the amendment by Mr. Grant?"

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Grant to House Resolution No. 71-1, and the amendment was lost by the following vote: Yeas, 48; nays, 51.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn-48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe; Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Swayze, Wanamaker, Wolf, Zimmerman-51.

The Chief Clerk stated the question before the House to be the adoption of House Resolution No. 71-1.

The resolution was adopted.

Nominations for Speaker of the House were declared to be in order.

The Chief Clerk recognized Mr. Smythe.

Mr. Smythe: "Mr. Chief Clerk, ladies and gentlemen of the House: It is my privilege to place in nomination the name of Thomas Swayze for Speaker of the House of Representatives. Tom Swayze is serving his fourth term in this House and has demonstrated his leadership capabilities in various roles. He is farsighted and innovative, with an eye for reform and progress as needed. He is a proven president, having served with distinction as Chairman of our State Government Committee. Tom Swayze is a quiet man (although his family may disagree); a man who has dedicated himself completely to this House and the affairs of State. He is a quiet and mature man, who demonstrates the toughness and the strength when it is required and necessary.

"I believe I can speak for everyone who has worked with Tom as well as for all of those who know him personally when I say they all respect him. He will lead us and serve us as Speaker during a period of time where strength and wisdom, seasoned with fairness, are necessary. I urge your support of Tom Swayze as Speaker of the House of Representatives."

The Chief Clerk recognized Mr. Juelling.

Mr. Juelling: "Mr. Chief Clerk, ladies and gentlemen of the House: I rise to second the nomination of Representative Tom Swayze for Speaker. Several days ago, some of my colleagues and I were at a luncheon. At the end of this luncheon we received a card which said, in effect, 'When you are up to your tail bone in alligators, it is easy to forget that the original objective was to drain the swamp.' I am sure that we all realize that the State of Washington has plenty of alligators that have to be tended to. I can think of no man who has the ability, the honesty, the integrity, the straightforwardness and the political acumen to lead us through these trying times than my colleague, Tom Swayze. I urge you to vote for Tom Swayze for Speaker."

The Chief Clerk recognized Mr. O'Brien.

Mr. O'Brien: "Mr. Chief Clerk, Chief Justice Hamilton, and ladies and gentlemen of the House: Today we are gathered and assembled for the primary purpose of settling the affairs of our State. We, all of us, have a golden opportunity, maybe a once in a lifetime opportunity, to select a gentleman who has served this legislature well. He is beginning his ninth term. He has served on all important committees of this House. He served not too many years ago on the President's Commission on Automotive Safety, so he has had national recognition. I am sure that if in your wisdom and good judgment you vote for Leonard A. Sawyer, you are doing something that you owe to the people of our State. As someone has stated (and I am not going to talk about alligators) now is the time to be statesmen and not politicians. You do have this great chance to select a man who will be fair, impartial, knows the issues, has a deep and keen feeling for all of us. And I am certain that this gentleman would not only preside in a fair and impartial manner, but he would preside with all the skill and parliamentary knowledge that someone should possess to serve all of us in a very fine and outstanding session. It is my great pleasure to nominate for Speaker of the House of Representatives, a great man, the Honorable Leonard A. Sawyer."

The Chief Clerk recognized Mr. Charette.

Mr. Charette: "Mr. Chief Clerk, ladies and gentlemen of the House: I rise to second the nomination of Representative Sawyer for Speaker of the House of Representatives. I probably have known Len as long as anyone in this room, having started (I won't tell, Len) undergraduate school, going through law school with Len and then our separate ways when we met again in the legislature.

"Len and his lovely wife, Beverly, have five children of various ages and these children are a real attribute to Len for the reason that they have wonderful personalities. They are real warm to meet and talk to. This is the thing that impresses me most about Len.

"I would like to make one other point in this nomination. I would suggest to you something that I am sure you are going to be hearing more than once during this legislative session. Approximately 54 percent of the people of the State of Washington voted for Democrats to the House of Representatives, and yet we only have 48 members. I would suggest to you that if the majority is truly to rule, Mr. Sawyer should be Speaker of the House of the Representatives."

The Chief Clerk recognized Mr. Goldsworthy.

Mr. Goldsworthy: "Chief Justice Hamilton, Mr. Chief Clerk, and ladies and gentlemen of the House: I am going to place the name of Tom Copeland in nomination for Speaker of the House. I do this with some real deep emotion and some mixed feelings on my part—probably more so than at any other time I have stood here on the floor of this House and talked to this legislative body. It is not generally that we have two people nominated from the majority party, to be placed in nomination for Speaker. But I do this gladly, even with my mixed feelings. I am going a little bit beyond areas of past protocol because I think this position of Speaker of the House deserves the most attention, the most consideration of any position that can be filled in the State of Washington.

"Now it has been no secret on that side of the aisle or this side of the aisle of discussions going on regarding this position. Traditionally it has been that any leader or any party's leader that is chosen for this position comes out as a strong man. In my time that I have served here, the Speakers of this House have always been very strong individuals, not only within their own party, but within the state structure. And I believe that in nominating Tom we are keeping with this tradition. In Tom Copeland we have a man who has proven himself under fire many, many times in this body. The only way you prove yourself under fire is to get shot at. I am talking then about an individual that served here in positions of authority and in positions of leadership, holding up the traditions of seniority, proving himself so ably that I have no hesitation whatsoever in standing here before my own party and the minority party and nominating a second man for this position.

"Now I would be a little negligent if I didn't just brief you very quickly on the reasons that I feel so strongly on this. I would ask some of you members who have been here for a long, long time to remember what it used to be like, trying to do your legislative duties and carry out the functions of your office and the demands of the people back home, with the facilities we had here. Where your only office was the seat you sat at, with no secretary but a secretary pool downstairs, with a very small pool—possibly you had to stand in line a long time to get any kind of secretarial help. So over the years, through Tom's leadership, since he was a Whip in the majority party, since he was Floor Leader of the majority party, Speaker Pro Tem of the majority party—Tom Copeland has initiated more caucus and legislative reforms than any individual who has ever served in this body. And the fact that you do your job now for your constituents and for the State a lot better than you ever have done in the past is due in large part to Representative Tom Copeland.

"So I just want to put him in here to preserve the integrity of this body. And if any man has worked his heart out to preserve that integrity, to preserve your effectiveness, it is Representative Tom Copeland. And I am very pleased to put his name for Speaker of this House."

The Chief Clerk recognized Mr. Copeland.

Mr. Copeland: "Mr. Chief Justice, Mr. Chief Clerk, and ladies and gentlemen: I



think the public, the members of the House of both parties need an explanation this morning. For those of you who know me well, know I try as best I can to serve in the capacity to which I am assigned. I did serve you for the last few months as your Speaker. I would like to have continued that role. By a vote of the caucus, the decision was made that Mr. Swayze would become our Speaker. I have had many people come to me and ask if I would like to participate in reversing this decision. And let me read in part a letter I wrote some time ago: 'I have never refused to accept a responsibility that I felt that I had the time and talent to fulfill. And again I shall not refuse this assignment, nor shall I refuse any responsibility.'

"But for those of you who are Republicans, in the interest of party harmony, I am going to decline this nomination and ask all Republicans to join with me in electing Tom Swayze. I do this with the full understanding that I accepted my commitments all the way down the line to every member of the Republican Party this past year. I made no deals with anybody. By the same token, I didn't win. But in losing it, I do it properly and proudly."

(Standing ovation)

### PERSONAL PRIVILEGE

Mr. Bledsoe: "Point of personal privilege, Mr. Chief Clerk. I make a point of personal privilege so that the written document of this meeting will show that: Mr. Copeland, we salute you. That's king-size."

### MOTION

On motion of Mr. Morrison, the nominations for Speaker of the House were closed.

### ROLL CALL

The Clerk called the roll for election of the Speaker of the House, and Mr. Swayze was elected Speaker by the following vote: Mr. Swayze, 51; Mr. Sawyer, 48.

Those voting for Mr. Swayze were: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraebel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Swayze, Wanamaker, Wolf, Zimmerman—51.

Those voting for Mr. Sawyer were: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinoch, Thompson, Van Dyk, Williams, Wojahn—48.

The Chief Clerk appointed Representatives Juelling, O'Brien and Shera to escort Mr. Swayze to the rostrum.

The Chief Clerk recognized within the bar of the House former State Representative Mrs. Thomas A. Swayze, mother of the Speaker, and requested that Representatives Kirk and Hurley conduct her to a place on the rostrum.

The Honorable Orris Hamilton, Chief Justice of the State Supreme Court administered the oath of office to Speaker Swayze.

The Speaker assumed the Chair.

The Speaker addressed the House with the following remarks:

"Thank you, Mr. Chief Clerk. Chief Justice Hamilton, Reverend Lawson, former Representative Swayze, colleagues, guests, ladies and gentlemen: You on the minority side of the aisle can take solace in one thing as a result of that vote. I get an awful lot of mail addressed to Representative Tom Sawyer.

"An old, old story seems appropriate at this particular time. Probably many of you have heard it ... about the two cows that were out in the pasture. And they watched the milk tanker drive away from the milk barn and head out to the highway. On the side of the tanker it had, 'Fresh milk, grade A, homogenized, pasteurized, 98 percent of the fat removed, enriched with vitamins A, B, C, D, thiamin, niacin and

riboflavin.' And one cow turned to the other and said, 'Makes you feel kind of inadequate, doesn't it?' And that perhaps is the way I feel at this moment. But I hope to become adequate, and thoroughly and totally acceptable as your Speaker and in this important position for the State of Washington before we adjourn several weeks from now.

"In addition to my mother, from whom I learned a great deal about the legislative process (and she can truly believe that that help and that guidance and that counseling, as well as the upbringing and the knowledge she gained in 14 years of service to this body, enabled me to do the type of a job which places me in the role of Speaker), I would like to introduce the other members of my family who are here. My wife, Marliss, and three of my four children, Sharon, Sandra and Glenn, over in the wings. I also have two sisters here who I would like to ask to step forward because one of them, Sue Rector, has flown up from Austin, Texas, where she now resides, for this ceremony. Sue, and my sister, Shirley Dearth. I would have been awfully disappointed if that trip up from Austin, Texas, had been for naught.

"I suppose at this point I should bring out a prepared text and read to you and talk to you about the great problems of the State of Washington and the problems which will be facing this legislature in the days to come. Those of you that know me know that isn't quite my style, and I think it would be extremely presumptuous on my part to do that anyway. In regard to the problems facing this State and their solutions, I am but one of you anyway—elected as one of the Representatives of this House, serving a particular legislative district. And I will participate along with you in reaching those decisions and those solutions. It would be highly presumptuous for me, looking out across this group and the experience and the wisdom that it represents, to suggest to you from here any of those solutions. But there is one thing that I can do, as Speaker of this House of Representatives, to aid in reaching those decisions and those solutions.

"I will strive from here and from my office to create a climate of deliberation, discussion and decision which will best serve you in making it easiest for you, yourselves, to reach those decisions and those solutions. I will attempt to create a climate and an efficiency of operation, with the help of my colleagues and the other leadership and the other positions of this House, to create a maximum situation where the input of each and everyone of you, whether you have been here 20 years or an hour and 20 minutes, can be fed into the deliberative process of this House before those decisions are reached. And to you, I make that pledge.

"My first association with the legislature was when I was a page back in 1945, and I have been associated with it in various capacities since that time. I have observed a number of Speakers. Back in those days, Speaker Reilly and Speaker Hamblen, with whom I served on the Joint Board of Ethics and still greatly admire, were ruling over this body. The last two sessions I have been privileged to serve under the gavel of Don Eldridge, whom I likewise regard as a great Speaker. It is my hope that in the observations of the conduct of this office, by those various individuals, that I will be truly prepared to fulfill the duties of this office in an efficient and a proper manner. I, of course, will not mold my conduct of this office after any prior Speaker, but will do so in a manner which I believe is best for all of you. I hope in that I will have your support and your suggestions at any time.

"With that, let us proceed with the organization of this House, the formulation of its structure, and the solutions to the problems of the State of Washington, and let us proceed together. Thank you."

The committee, consisting of Representatives Kirk and Hurley, escorted Mrs. Thomas A. Swayze from the rostrum.

The Speaker announced that nominations for Speaker Pro Tempore of the House of Representatives were in order.

The Speaker recognized Mr. Wolf.

Mr. Wolf: "Mr. Speaker, Mr. Chief Justice Hamilton, ladies and gentlemen of the House of Representatives: I would like to ask the Minute Clerk to play the tape back on Representative Goldsworthy's nomination speech and I'll amend it. I've written these notes rather carefully, because it is a real pleasure and an honor for me to be able to nominate a person who has been a very, very close friend of mine and all of yours for a great number of years.

"In 1957, in Walla Walla, an election took place which has helped shape the destiny of this House of Representatives. That was eight sessions ago. Tom has served not only the people of the State of Washington or of his legislative district, but you and me very capably for eight sessions. I think we all need to be reminded that he is sixth in seniority on both sides of this aisle, and as Representative Goldsworthy so capably outlined earlier today, even when I came a short, short time ago, we had eight secretaries and we dictated on the floor, with no possible way of answering our mail. And one of the funny things, of course, was that we had a tremendous lot of telephones. We had four of them—all in the boys' room—'65 to '70. Changes were made with the aid and help of both sides of the aisle—Mr. O'Brien, Mr. Charette—to

the point where now we are able to do our job as legislators, and able to prove to those people who elected us that this government will work—that they can get answers, that they can find out where we stand. We now have the opportunity of an office and a secretary, a chance to visit with somebody and explain our position. Probably the greatest innovation in my short time here has been the opportunity for truly public hearings—truly public hearings. I can remember hearings on committee bills, where, if you could get the committee in, you'd get about four people in the hall—they didn't even get to hear. So allowing the giving and energy it took to get us hearing rooms is one of the great attributes of Mr. Copeland.

"These and many, many more are tributes to the legislative ability, the legislative background, the capabilities and yours and my friendship with Tom Copeland.

"It's a real pleasure for me to nominate for the office of Speaker Pro Tem, a great legislator, a real gentleman, the Honorable Thomas L. Copeland."

The Speaker recognized Mr. Bledsoe.

Mr. Bledsoe: "Thank you, Mr. Speaker, ladies and gentlemen of the House: It is with a feeling of honor and pride and some humility that I place before you the name of my friend, Tom Copeland. Were it not for the vicissitudes of partisan politics in this session this morning, I am sure that in the hearts of all of us it would be our wish to make this nomination unanimous. Such being the facts of political life, there will be a contest. But I am quite sure, Tom, that you can accept from the membership of this body our salute on this side of the aisle and spirit of salute on the other side of the aisle—not only for your performance in sessions past (which have been demonstratively proven to us in the convenience in operation and efficiency of this body) but also and most importantly, and I think fresh in our minds, your incredibly fine performance for this body this day.

"It is my pleasure and privilege to salute you, sir, and second your nomination."

The Speaker recognized Mr. King.

Mr. King: "Thank you, Mr. Speaker, Chief Justice Hamilton, members of the Washington State House of Representatives: It is an honor to be nominated for a position even though we do follow party lines very closely and know ahead of time pretty well the way the vote turns out. It is also an honor to be asked to place a man's name in nomination, and we accept that honor only when we feel the people who are going to be nominated would do a good job in that position and have earned it. I feel thusly about Representative Gary Grant, who will be serving his fifth term in the Washington State Legislature, who has shown in those first four terms ability to create, ability to innovate new ideas, a genuine and real concern about human problems. It is for these reasons that I place in nomination the man our caucus elected as its organization leader for the position of Speaker Pro Tem."

The Speaker recognized Mr. May.

Mr. May: "Thank you, Mr. Speaker. Mr. Speaker, Chief Justice Hamilton, ladies and gentlemen of the House: It gives me a great deal of pleasure to second the nomination of Representative Gary Grant for the position of Speaker Pro Tem. He is young and is serving his fifth term. He has ability that should be utilized by the State of Washington, for the benefit of the State of Washington, and I am sure he will serve you well. Thank you."

## MOTION

On motion of Mr. Morrison, the nominations for Speaker Pro Tempore of the House of Representatives were closed.

## ROLL CALL

The Clerk called the roll, and Mr. Copeland was elected Speaker Pro Tempore of the House of Representatives by the following vote: Mr. Copeland, 52; Mr. Grant, 47.

Those voting for Mr. Copeland were: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Spera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—52.

Those voting for Mr. Grant were: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Douthwaite, Gallagher, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie,

May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—47.

The Speaker appointed Representatives Hubbard and Charette to escort Mr. Copeland to the rostrum, where the Honorable Orris Hamilton, Chief Justice of the Supreme Court, administered the oath of office to him.

Mr. Copeland: "I have but two very short remarks I would like to make. I think I am correct in the fact that I am making history today, serving you as Speaker for the shortest term ever. By the same token, I will be serving you as Speaker Pro Tem for the longest term ever.

"I also want to thank all of you who have helped and worked with me through the years in what I consider a magnificent up-date of the legislative process. I hope that we may continue this relationship. I am looking forward to this session. I am looking forward to 1971-'70 wasn't too good for me. But I have been sustained by a small motto that I might pass on to you. It simply states, 'illegitimus noncarborundum.'"

The Speaker announced that nominations for the office of Chief Clerk were now in order.

The Speaker recognized Mr. Farr.

Mr. Farr: "Mr. Speaker, Chief Justice Hamilton, ladies and gentlemen of the House of Representatives: I rise today to nominate Malcolm 'Dutch' McBeath as Chief Clerk of the House. Since his election in 1967, Mr. McBeath has served the House with efficiency, dedication and skill. His devotion to service has earned the respect of the men and women on both sides of the aisle and I am certain that you would wish to continue this operation in his hands. To continue this high caliber of service in this post is of utmost importance to the legislative process. I would ask your support and urge you to vote for Malcolm 'Dutch' McBeath. Thank you."

The Speaker recognized Mr. Harris.

Mr. Harris: "Mr. Speaker, Justice Hamilton, members of the House of Representatives: Today we embark upon the Forty-second Session of this Legislature. We are all aware of the challenges and the work which we face. Malcolm 'Dutch' McBeath will, in his own way, also face the job and the work ahead of us. We who know him, know him to be a dedicated and hard worker. We know him to deal fairly with us, without partisanship, and it is with pleasure and honor and pride that I second the nomination of Malcolm 'Dutch' McBeath as the Chief Clerk of this House of Representatives of the Forty-second Session of this Legislature."

The Speaker recognized Mr. Sawyer.

Mr. Sawyer: "Thank you, Tom Sawyer. Mr. Speaker and ladies and gentlemen of the House: It is with a great deal of pleasure that I rise to join with my colleagues across the aisle in seconding the nomination of Dutch McBeath. I think we have found Dutch to be very fair, along with being very efficient. And we certainly would hope, and it would be a change, if the other officers elected today would treat us with the same fairness, and same nonpartisan manner which we have found that Dutch has done. I would urge the colleagues on my side and the colleagues on the other side of the aisle to cast a unanimous ballot for Dutch McBeath."

## MOTION

On motion of Mr. Morrison, the nominations for Chief Clerk of the House of Representatives were closed and Malcolm McBeath was elected unanimously.

The Speaker appointed Representatives Kuehnle and May to escort Mr. McBeath to the rostrum, where the Honorable Orris Hamilton, Chief Justice of the State Supreme Court, administered the oath of office to him.

The Speaker announced that nominations for the office of Assistant Chief Clerk were in order.

The Speaker recognized Mr. May.

Mr. May: "Thank you, Mr. Speaker. Mr. Speaker, Chief Justice Hamilton: I rise to place in nomination the name of Donald R. Wilson for the position of Assistant Chief Clerk. He served in the Senate as Assistant Secretary for ten years, and he served us very well during the last session as Assistant Chief Clerk in the House of Representatives. He has been Parliamentarian for the Democratic Convention on several occasions, he is the Mediator for the National Mediation Board, and he is highly qualified. I think the qualified and excellent service he has rendered both Houses in

the past speak more highly of his abilities than any words I could use. Thank you very much."

The Speaker recognized Mr. Newhouse.

Mr. Newhouse: "Mr. Speaker, Mr. Chief Justice Hamilton: It is with a great deal of pleasure that I rise to second the nomination of Don Wilson for Assistant Chief Clerk. In doing so I would also like to cite kind of an unwritten rule which we established a few years ago to provide for continuity in this office, in that the party who has the majority names the Chief Clerk and they allow the privilege of naming the Assistant Chief Clerk to the other side so that we can have continuity in the change.

"With that, I would like to move that a unanimous ballot be cast for Don Wilson, Assistant Chief Clerk."

The motion by Mr. Newhouse was carried, and Donald R. Wilson was elected unanimously to the office of Assistant Chief Clerk.

The Speaker appointed Representatives Spanton and Randall to escort Mr. Wilson to the rostrum, where the Honorable Orris Hamilton, Chief Justice of the State Supreme Court, administered the oath of office to him.

The Speaker announced that nominations for the office of Sergeant at Arms were in order.

The Speaker recognized Mr. Goldsworthy.

Mr. Goldsworthy: "Thank you, Mr. Speaker, Mr. Chief Justice: It is a double pleasure to nominate Mr. Eugene Prince for the position of Sergeant at Arms. Double because I have known Gene a long time as a friend and a neighbor back in Whitman County, and because of his ability here as Sergeant at Arms during the past two sessions. Before that some of you will remember he acted as Assistant Chief Clerk. So the man definitely has proven his ability to perform the functions of his office in a tremendous fashion. It is a real pleasure that I nominate Gene to carry on the duties of Sergeant at Arms for the next session."

The Speaker recognized Mr. Amen.

Mr. Amen: "Mr. Speaker, Chief Justice Hamilton, members of the House: It is my pleasure to second the nomination of Gene Prince for the position of Sergeant at Arms. I think no more needs to be said to the members who have served here previously, so my few remarks are directed to the new members of the House. I am sure you will also learn to know him as a man of great devotion to his duties, as one who carries out his responsibilities in an excellent and also an impartial manner. I simply urge and recommend his election."

The Speaker recognized Mr. Grant.

Mr. Grant: "Thank you, Mr. Speaker. Mr. Speaker, Chief Justice Hamilton: We are not really following the script now. I think every other nominee who has been nominated today knew in advance that he was going to be nominated, but the candidate for Sergeant at Arms, that I place before you now, doesn't know his name is going to be entered as a candidate. I don't think he really expects to win either when we nominate him. The name I propose to you is that of Jack Woody.

"Jack Woody was born the day before the Fourth of July in Missoula, Montana, and has been celebrating his independence ever since. At the age of 12, while serving as a page in the Montana State House of Representatives, he was elected Honorary Speaker of that body, making three generations of his family to so serve. His grandfather, Judge Frank Woody, and his father, also Frank Woody, presided in that capacity during their terms of office as Democratic legislators.

"While residing in Spokane, Washington, he was honored as a member of one of the oldest political families in the northwestern United States. In 1940 he was active in the election of Congressman Henry M. Jackson and has continued his efforts on the Senator's behalf. Former Governor Mon C. Walgren was another candidate who received assistance from Jack, and the victory torchlight parade held in the City of Everett is still a fond memory to the people of that community.

"Returning to the State of Washington in 1964, he helped elect a Democratic Congressman, Lloyd Meeds from the Second District. Each legislator from the 38th District has benefited from the efforts of Jack Woody, whether they were proselyting in the Everett Elks bar during the cocktail hour, providing transportation to meetings, distributing materials, or raising campaign funds. Dick Taylor, Dick King, John Martinis, Senators Mardesich and Gissberg can attest to this.

"Jack Woody was recently the successful candidate for Democratic Precinct Committeeman in Everett, Precinct No. 23, defeating his wife, Helen, in a spirited contest by spreading the rumor that she was a member of the Women's Liberation Front. His daughter, Sally, is also a Snohomish County Precinct Committeewoman, and his daughter, Mary Jo, is a former State Committeewoman from Snohomish County.

"Jack was employed at the Washington State House of Representatives in the

1965 and 1967 sessions, and he is here with us again today. I urge your support of a heck of a Sergeant at Arms, Jack Woody."

The Speaker recognized Mr. Martinis.

Mr. Martinis: "Thank you, Mr. Speaker. Mr. Speaker, ladies and gentlemen of the House: It is hard to follow a speech like Gary just gave. I wish to second the nomination of Jack Woody. Jack Woody is a constituent of mine and, as Gary has, I've known Jack for all my political life. He is a very hard-working gentleman. He has had the experience of working here in the House and serving some of you elected officials. I think Mr. Jack Woody would make a wonderful Sergeant at Arms. I urge your support."

#### MOTION

On motion of Mr. Morrison, the nominations for Sergeant at Arms were closed.

#### ROLL CALL

The Clerk called the roll for election of the Sergeant at Arms, and Mr. Eugene Prince was elected Sergeant at Arms by the following vote: Mr. Prince, 51; Mr. Woody, 48.

Those voting for Mr. Prince were: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Those voting for Mr. Woody were: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—48.

The Speaker appointed Representatives Chatalas and Berentson to escort Mr. Prince to the rostrum, where the Honorable Orris Hamilton, Chief Justice of the State Supreme Court, administered the oath of office to him.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 71-2, by Representative Bledsoe:

BE IT RESOLVED, That the Speaker appoint a committee of three members of the House to notify the Senate that the House of Representatives is now organized and ready for business.

On motion of Mr. Bledsoe, the resolution was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Newhouse, Chatalas and Costanti to notify the Senate that the House of Representatives is now organized and ready for business. The committee retired.

HOUSE RESOLUTION NO. 71-3, by Representative Bledsoe:

BE IT RESOLVED, That the state treasurer and budget director be, and they are hereby directed, to draw their warrants for payment of the salaries of the employees of the House of Representatives and members' subsistence allowance every seventh day of the session, and they are hereby authorized and directed to deliver the warrants to the Chief Clerk of the House.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House, by and with the approval of the Speaker of the House, be authorized and directed to establish salaries of the employees of the House and to provide to each member the necessary supplies and materials required to operate the House.

On motion of Mr. Bledsoe, the resolution was adopted.

## INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 1, by Representatives Copeland, Jueling, Newhouse, Harris, and Bottiger (by Legislative Council request):

Commending upon retirement, Donald C. Sampson.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 1 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Representative Copeland spoke in favor of House Concurrent Resolution No. 1.

## POINT OF INQUIRY

Mr. Moon: "Mr. Speaker, I would like to concur with the remarks of Representative Copeland and would hope that at some time before this resolution goes to the Senate that the rules can be suspended so that additional members might also be included as sponsors of the resolution and that every member of this legislature join as a sponsor of the resolution."

The Speaker recognized Mr. Copeland.

Mr. Copeland: "Just as a matter of technicality, Mr. Moon, I think at the time the document is prepared we can circulate it for everyone's signature."

Representative O'Brien spoke in favor of adoption of the resolution.

House Concurrent Resolution No. 1 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 2, by Representative Bledsoe:

Notifying the Governor that the Legislature is organized.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 2 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Concurrent Resolution No. 2, the Speaker appointed Representatives Goldsworthy, Ross and Sawyer to notify the Governor, together with a similar committee appointed by the Senate, that the legislature is organized and ready for business.

HOUSE CONCURRENT RESOLUTION NO. 3, by Representative Bledsoe:

Joint sessions to receive Governor's message to the Legislature and the Governor's budget message.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 3 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, House Concurrent Resolution No. 3 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

## MOTION

On motion of Mr. Morrison, House Concurrent Resolution No. 1, House Concurrent Resolution No. 2 and House Concurrent Resolution No. 3 were ordered transmitted immediately to the Senate.

## POINT OF GENERAL INFORMATION

Mr. Bledsoe: "Point of general information, Mr. Speaker. In view of the hour and the possibility of concluding the introduction and first reading of bills in one continuous run and then being through for the day, rather than stopping for an hour and having to reconvene, I would ask the indulgence of the members, and at your direction, sir, that we proceed to complete our business. I am sure we can do this in short order and be out of here for good today by 3:00 p.m."

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1, by Representatives Smythe, Zimmerman and Kilbury:

An Act relating to taxation; providing for exemptions; and amending section 84.36.120, chapter 15, Laws of 1961 and RCW 84.36.120.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 2, by Representatives Kopet, McDermott and North:

An Act relating to autopsies and post mortems; amending section 11, chapter 188, Laws of 1953 and RCW 68.08.101; and amending section 29, chapter 247, Laws of 1943 and RCW 68.08.160.

Referred to Committee on Judiciary.

HOUSE BILL NO. 3, by Representatives Litchman, Perry, Bagnariol, Bozarth, Ceccarelli, Kilbury, Knowles and Wojahn:

An Act relating to revaluation of property; and adding a new section to chapter 84.41 RCW.

Referred to Committee on Revenue and Taxation.

## POINT OF ORDER

Mr. Litchman: "Mr. Speaker, I would like to ask you, under a point of order, as to whether it is necessary for us to move to suspend the rules so other names can be added inasmuch as all of these bills were prefiled and there are quite a few members of the House who would like to be added as sponsors."

## RULING BY THE SPEAKER

The Speaker: "The temporary rules which were adopted provide that, with the permission of the prime sponsor of the bill, additional sponsors may be put on the bills before they are actually transmitted from the rostrum to the committees. Therefore, unless a sponsor of the bill objects, additional names will be permitted without a specific motion."

## POINT OF INQUIRY

Mr. Litchman: "Mr. Speaker, on behalf of the new members, could you explain to the new members and the old members the procedure for adding your name to these bills?"

The Speaker recognized Mr. Copeland.

Mr. Copeland: "I would like at least to request of you, sir, and the Chief Clerk, because of this very unusual arrangement, that the Chief Clerk be instructed to hold the bills for 48 hours prior to transmitting them to the committee clerks so that we can at least grant the opportunity for every member to go ahead and scrutinize the bills and find those he wants to sponsor. Further, I would suggest that all persons who are the prime sponsors, if they want no other parties joining with them, notify the Chief Clerk. Otherwise the Chief Clerk may assume that all bills are open for additional sponsors. Beyond that point, this is the procedure we followed in the past in early introductions. Beyond that point, all additional sponsors will be named on a bill when it is printed again, whether it be on final passage, in the computer, or in any of the hard copies. So your name will appear as one of the sponsors at that time. I make this as a suggestion for the operation of the Chief Clerk's office—that we do have this 48-hour time."

The Speaker: "I appreciate the explanation. I would appreciate the holding in the Chief Clerk's office to be in the form of a motion, if you will so move."



## MOTION

On motion of Mr. Copeland, all bills that were prefiled were ordered held for 48 hours in the custody of the Chief Clerk, before transmittal to committees, for the purpose of adding additional sponsors.

HOUSE BILL NO. 4, by Representatives Conner, Kilbury and Savage:

An Act relating to primary elections; and amending section 29.18.110, chapter 9, Laws of 1965 and RCW 29.18.110.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 5, by Representatives Moon, Merrill, Adams, Bagnariol, Kilbury, Martinis, Van Dyk and Wojahn:

An Act relating to revenue and taxation and the budget; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.88 RCW.

Referred to Committee on Appropriations.

HOUSE BILL NO. 6, by Representatives Litchman, Bagnariol, Bradley, Ceccarelli, Hurley, Kirk, and Spanton:

An Act relating to education, including the transportation of students or pupils therefor; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 7, by Representatives Moon, Adams, Bauer, Douthwaite, Gallagher, Hurley, Kuehnle, Martinis, McCormick, Savage, Van Dyk and Wojahn:

An Act relating to vehicles; prohibiting the issuance of certificates of registration unless there is a valid driver's license or compliance with financial responsibility requirements; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.12 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 8, by Representatives Litchman, Anderson, Bagnariol, Gallagher and Marzano:

An Act relating to the support of state government; authorizing a state operated sweepstakes; establishing a sweepstakes commission and setting out its powers and duties; providing for a special fund; and setting forth an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 9, by Representatives Litchman, Kilbury and Knowles:

An Act relating to county government; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 10, by Representatives Brouillet, Bauer and Luders:

An Act relating to education and evidence of educational competence for certain public employment.

Referred to Committee on State Government.

HOUSE BILL NO. 11, by Representatives Haussler, Bozarth, Ceccarelli, Hurley, Martinis and Marzano:

An Act relating to dangerous drugs; amending section 1, chapter 6, Laws of 1939 as last amended by section 9, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.060; amending section 1, chapter 23, Laws of 1955 as last amended by section 2, chapter 71, Laws of 1967 and RCW 69.40.061; and adding new sections to chapter 69.40 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 12, by Representatives Hoggins and Brouillet (by Joint Committee on Education request):

An Act relating to parental or truant schools certain school boards are authorized to establish and maintain; repealing section 1, chapter 78, Laws of 1903 and RCW 13.12.010; repealing section 2, chapter 78, Laws of 1903 and RCW 13.12.020; repealing section 3, chapter 78, Laws of 1903 and RCW 13.12.030; repealing section 5, chapter 78, Laws of 1903, section 1, chapter 202, Laws of 1919 and RCW 13.12.040; repealing section 6, chapter 78, Laws of 1903 and RCW 13.12.050; repealing section 8, chapter 78, Laws of 1903 and RCW 13.12.060; repealing section 10, chapter 78, Laws of 1903 and RCW 13.12.070; repealing section 11, chapter 78, Laws of 1903 and RCW 13.12.080; repealing section 4, chapter 78, Laws of 1903 and RCW 13.12.090; repealing section 7, chapter 78, Laws of 1903 and RCW 13.12.100; and repealing section 9, chapter 78, Laws of 1903 and RCW 13.12.110.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 13, by Representatives Hoggins, Brouillet and King (by Joint Committee on Education request):

An Act relating to negotiations by certificated community college employees in school districts; and repealing section 28A.72.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.040.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 14, by Representatives Hoggins, Brouillet, Knowles and Luders (by Joint Committee on Education request):

An Act relating to school holidays, including programs suitable thereto; amending section 13, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.061; repealing section 28A.02.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.02.060; and repealing section 28A.02.070, chapter 223, Laws of 1969 ex. sess., section 101, chapter 176, Laws of 1969 ex. sess. and RCW 28A.02.070.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 15, by Representatives Hoggins, Brouillet and King (by Joint Committee on Education request):

An Act relating to education; amending sections 1 and 2, chapter 98, Laws of 1970 ex. sess. and RCW 28B.10.570 and 28B.10.571; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.87 RCW; and providing penalties.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 16, by Representatives Hoggins, Brouillet and Luders (by Joint Committee on Education request):

An Act relating to powers and duties of the superintendent of public instruction; and amending section 28A.41.170, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 3, Laws of 1969 ex. sess. and RCW 28A.41.170.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 17, by Representatives Hoggins and Brouillet (by Joint Committee on Education request):

An Act relating to the apportionment of public school funds for pupils who reside in a home or institution devoted exclusively to orphan children, said home being exempt from taxation under the laws of the state, and located in the school district such pupil attends; and repealing section 28A.48.060, chapter 223, Laws of 1969 ex. sess., section 112, chapter 176, Laws of 1969 ex. sess. and RCW 28A.48.060.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 18, by Representatives Hoggins, Brouillet, King, Knowles and Luders (by Joint Committee on Education request):

An Act changing internal references to "county" and/or "intermediate district" to "intermediate school district" within certain sections of the common school code; amending sections 28A.04.040, 28A.04.120, 28A.13.020, 28A.14.020, 28A.14.050, 28A.28.010,

28A.28.030, 28A.31.050, 28A.35.030, 28A.41.160, 28A.44.050, 28A.44.060, 28A.44.070, 28A.44.080, 28A.44.090, 28A.44.100, 28A.56.030, 28A.56.040, 28A.56.050, 28A.56.060, 28A.57.020, 28A.57.080, 28A.57.415, 28A.58.103, 28A.58.150, 28A.58.603, 28A.59.080, 28A.59.150, 28A.60.070, 28A.60.186, 28A.60.210, 28A.66.050, 28A.66.060, 28A.66.100, 28A.67.040, 28A.67.060, 28A.70.130, 28A.70.160, 28A.70.170 and 28A.88.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.040, 28A.04.120, 28A.13.020, 28A.14.020, 28A.14.050, 28A.28.010, 28A.28.030, 28A.31.050, 28A.35.030, 28A.41.160, 28A.44.050, 28A.44.060, 28A.44.070, 28A.44.080, 28A.44.090, 28A.44.100, 28A.56.030, 28A.56.040, 28A.56.050, 28A.56.060, 28A.57.020, 28A.57.080, 28A.57.415, 28A.58.103, 28A.58.150, 28A.58.603, 28A.59.080, 28A.59.150, 28A.60.070, 28A.60.186, 28A.60.210, 28A.66.050, 28A.66.060, 28A.66.100, 28A.67.040, 28A.67.060, 28A.70.130, 28A.70.160, 28A.70.170, and 28A.88.070; amending sections 19 and 20, chapter 34, Laws of 1969 ex. sess. and RCW 28A.21.105 and 28A.21.106; amending section 28A.24.150, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 20, Laws of 1970 1st ex. sess. and RCW 28A.24.150; amending section 28A.27.040, chapter 223, Laws of 1969 ex. sess. as amended by section 105, chapter 176, Laws of 1969 ex. sess. and RCW 28A.27.040; amending section 28A.58.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 283, Laws of 1969 ex. sess. and RCW 28A.58.100; amending section 28A.58.560, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 97, Laws of 1969 and RCW 28A.58.560; amending section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.080; amending section 28A.65.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.100; amending sections 28A.65.110, 28A.65.120 and 28A.65.150, chapter 223, Laws of 1969 ex. sess. as amended by sections 28, 29 and 33, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.110, 28A.65.120 and 28A.65.150; amending sections 34 and 30, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.153 and 28A.65.180; and amending section 4, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.040.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 19, by Representatives Litchman, Perry, Bagnariol and Gallagher: An Act relating to revenue and taxation; and amending section 84.56.020, chapter 15, Laws of 1961 as amended by section 3, chapter 216, Laws of 1969 ex. sess. and RCW 84.56.020.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 20, by Representatives Shinpoch, Bagnariol, Bauer, Douthwaite, Randall and Williams:

An Act relating to minimum wages; and amending section 1, chapter 294, Laws of 1959 as amended by section 2, chapter 18, Laws of 1961 ex. sess. and RCW 49.46.010.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 21, by Representatives Ceccarelli, Bagnariol, Barden, Charnley, Douthwaite, Gallagher, Goldsworthy, Harris, Luders, McCormick, Mentor, Perry, Randall, Rosellini, Williams and Wojahn:

An Act relating to the hunting of animals; defining crimes; and adding a new section to chapter 146, Laws of 1901 and to chapter 16.52 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 22, by Representatives Shinpoch, Bagnariol, Charnley and Maxie: An Act relating to packaging standards for bacon; and prescribing an effective date.

Referred to Committee on Agriculture.

HOUSE BILL NO. 23, by Representative Anderson:

An Act relating to unemployment compensation; and amending section 76, chapter 35, Laws of 1945 as last amended by section 1, chapter 321, Laws of 1959 and RCW 50.20.080.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 24, by Representatives May, Hurley, Johnson, Kilbury and Wolf:

An Act relating to regulation of railroad employees; adding new sections to chapter 81.40 RCW; repealing section 81.40.040, chapter 14, Laws of 1961 and RCW 81.40.040; repealing section 81.40.050, chapter 14, Laws of 1961 and RCW 81.40.050; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 25, by Representatives Moon, Merrill, Adams, Bagnariol, King, Knowles and Martinis:

An Act relating to revenue and taxation; amending section 1, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.050; amending section 82.04.310, chapter 15, Laws of 1961 and RCW 82.04.310; amending section 82.04.320, chapter 15, Laws of 1961 and RCW 82.04.320; amending section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330; amending section 1, chapter 145, Laws of 1965 ex. sess. and RCW 82.04.335; amending section 82.04.340, chapter 15, Laws of 1961 and RCW 82.04.340; amending section 82.04.350, chapter 15, Laws of 1961 and RCW 82.04.350; amending section 82.04.360, chapter 15, Laws of 1961 and RCW 82.04.360; amending section 82.04.370, chapter 15, Laws of 1961 as amended by section 4, chapter 293, Laws of 1961 and RCW 82.04.370; amending section 82.04.380, chapter 15, Laws of 1961 and RCW 82.04.380; amending section 82.04.390, chapter 15, Laws of 1961 and RCW 82.04.390; amending section 82.04.410, chapter 15, Laws of 1961 as amended by section 15, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.410; amending section 10, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.415; amending section 82.04.420, chapter 15, Laws of 1961 and RCW 82.04.420; amending section 82.04.425, chapter 15, Laws of 1961 as amended by section 9, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.425; amending section 1, chapter -- (HB --), Laws of 1971 and RCW 82.04.430; amending section 17, chapter 149, Laws of 1967 ex. sess. and RCW 82.04.432; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030; amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 17, chapter 173, Laws of 1965 ex. sess. and RCW 82.12.010; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 7, chapter 65, Laws of 1970 ex. sess. and RCW 82.12.030; amending section 82.16.050, chapter 15, Laws of 1961 as last amended by section 25, chapter 149, Laws of 1967 ex. sess. and RCW 82.16.050; amending section 1, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.010; amending section 2, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.020; amending section 3, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.030; amending section 4, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.040; amending section 5, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.050; amending section 6, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.060; amending section 7, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.070; amending section 8, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.080; amending section 9, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.090; amending section 10, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.100; amending section 11, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.110; amending section 1, chapter 34, Laws of 1969 and RCW 84.36.010; amending section 84.36.020, chapter 15, Laws of 1961 as amended by section 3, chapter 103, Laws of 1961 and RCW 84.36.020; amending section 84.36.030, chapter 15, Laws of 1961 as amended by section 1, chapter 137, Laws of 1969 and RCW 84.36.030; amending section 84.36.040, chapter 15, Laws of 1961 as amended by section 1, chapter 245, Laws of 1969 ex. sess. and RCW 84.36.040; amending section 84.36.050, chapter 15, Laws of 1961 as amended by section 1, chapter 55, Laws of 1970 ex. sess. and RCW 84.36.050; amending section 84.36.060, chapter 15, Laws of 1961 and RCW 84.36.060; amending section 84.36.070, chapter 15, Laws of 1961 and RCW 84.36.070; amending section 84.36.079, chapter 15, Laws of 1961 and RCW 84.36.079; amending section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; amending section 84.36.100, chapter 15, Laws of 1961 and RCW 84.36.100; amending section 84.36.110, chapter 15, Laws of 1961 and RCW 84.36.110; amending section 84.36.120, chapter 15, Laws of 1961 and RCW 84.36.120; amending section 1,

chapter 168, Laws of 1965 ex. sess. as amended by section 60, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.125; amending section 3, chapter 168, Laws of 1965 ex. sess. as amended by section 61, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.127; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; amending section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; amending section 84.36.130, chapter 15, Laws of 1961 and RCW 84.36.130; amending section 84.36.140, chapter 15, Laws of 1961 and RCW 84.36.140; amending section 84.36.150, chapter 15, Laws of 1961 as amended by section 32, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.150; amending section 84.36.160, chapter 15, Laws of 1961 and RCW 84.36.160; amending section 84.36.161, chapter 15, Laws of 1961 and RCW 84.36.161; amending section 84.36.162, chapter 15, Laws of 1961 and RCW 84.36.162; amending section 34, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.176; amending section 2, chapter 168, Laws of 1961 and RCW 84.36.181; amending section 84.36.190, chapter 15, Laws of 1961 and RCW 84.36.190; amending section 84.36.191, chapter 15, Laws of 1961 and RCW 84.36.191; amending section 84.36.210, chapter 15, Laws of 1961 and RCW 84.36.210; amending section 84.36.230, chapter 15, Laws of 1961 and RCW 84.36.230; amending section 1, chapter 179, Laws of 1963 and RCW 84.36.240; amending section 31, chapter 173, Laws of 1965 ex. sess. and RCW 84.36.250; amending section 43, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.260; amending section 1, chapter 117, Laws of 1967 ex. sess. and RCW 84.36.270; amending section 2, chapter 117, Laws of 1967 ex. sess. and RCW 84.36.280; amending section 3, chapter 117, Laws of 1967 ex. sess. and RCW 84.36.290; adding new sections to chapter 15, Laws of 1961 and to chapter 82.04 RCW; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; adding new sections to chapter 15, Laws of 1961 and to chapter 82.12 RCW; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.16 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 26, by Representative Conner:

An Act relating to boxing and wrestling; exempting from state athletic commission control amateur events promoted on a nonprofit basis or for charitable purposes; and amending section 2, chapter 48, Laws of 1951 and RCW 67.08.015.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 27, by Representatives Chatalas, Wolf and Kilbury (by State Treasurer request):

An Act relating to state government; increasing the state treasurer's faithful performance bond; and amending section 43.08.020, chapter 8, Laws of 1965 and RCW 43.08.020.

Referred to Committee on State Government.

HOUSE BILL NO. 28, by Representatives Chatalas, Wolf and Kilbury (by State Treasurer request):

An Act relating to state government; and amending section 43.08.120, chapter 8, Laws of 1965 and RCW 43.08.120.

Referred to Committee on State Government.

HOUSE BILL NO. 29, by Representatives Chatalas, Wolf, Kilbury and King (by State Treasurer request):

An Act relating to state government; allowing investment of state treasury surplus moneys in certain government sponsored corporations; amending section 43.84.080, chapter 8, Laws of 1965 as amended by section 1, chapter 211, Laws of 1967 and RCW 43.84.080; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 30, by Representatives Chatalas and Wolf (by State Treasurer request):

An Act relating to motor vehicles; and amending section 46.44.045, chapter 12, Laws

of 1961 as last amended by section 22, chapter 199, Laws of 1969 ex. sess. and RCW 46.44.045.

Referred to Committee on State Government.

HOUSE BILL NO. 31, by Representatives Marzano, Backstrom, Anderson, Adams, Gallagher, Bagnariol, Ceccarelli, Johnson, Kilbury, Knowles, Litchman, Martinis, McCormick, Savage and Wojahn:

An Act relating to veterans' benefits; providing for the payment of a bonus to certain veterans of the armed forces from the state of Washington from the current statutory excise tax on cigarettes and such additional means as the legislature shall provide; providing a burial allowance; amending section 2, chapter 272, Laws of 1959 and RCW 73.32.130; making an appropriation; providing penalties; and providing for submission of this act to a vote of the people.

Referred to Committee on State Government.

HOUSE BILL NO. 32, by Representatives Berentson, Moon, Costanti, Charnley, Douthwaite and Kilbury (by Legislative Council request):

An Act relating to environmental and outdoor recreation; establishing the Cypress Island Educational Reserve; and making an appropriation.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 33, by Representatives Pardini, Moon and Kilbury:

An Act relating to personal property taxes; amending section 84.60.020, chapter 15, Laws of 1961 and RCW 84.60.020; amending section 84.56.070, chapter 15, Laws of 1961 and RCW 84.56.070; and amending section 84.60.040, chapter 15, Laws of 1961 and RCW 84.60.040.

Referred to Committee on Local Government.

HOUSE BILL NO. 34, by Representatives Litchman, Bagnariol, Adams, Ceccarelli, Copeland, Luders, Martinis, Merrill, Randall, Shera and Spanton:

An Act relating to athletics, sports, and entertainment; dedicating the University of Washington football stadium to certain general public use under specified circumstances; providing for the control and management of the University of Washington football stadium; amending section 28B.20.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.130; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 35, by Representatives Gallagher, Berentson, Backstrom and Martinis:

An Act relating to the administration and enforcement of laws and rules and regulations of the game commission pertaining to steelhead trout; and adding a new section to chapter 77.16 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 36, by Representatives Mentor, Wanamaker, Randall, Barden, Charnley, Douthwaite, Hoggins, North and Shinpoch:

An Act relating to land areas along the Pacific Ocean and Puget Sound; amending section 1, chapter 54, Laws of 1935 and RCW 79.16.130; amending section 1, chapter 105, Laws of 1901 and RCW 79.16.160; amending section 1, chapter 110, Laws of 1901 and RCW 79.16.170; amending section 46.08.180, chapter 12, Laws of 1961 as amended by section 7, chapter 120, Laws of 1967 and RCW 43.51.680; adding a new section to chapter 43.51 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 37, by Representatives Mentor, Wanamaker and Randall:

An Act relating to higher education and authorizing a study thereof.

Referred to Committee on Higher Education.

HOUSE BILL NO. 38, by Representatives Mentor, Wanamaker and Randall:

An Act relating to revenue and taxation; amending section 84.36.030, chapter 15, Laws of 1961 as amended by section 1, chapter 137, Laws of 1969 and RCW 84.36.030; and amending section 2, chapter 137, Laws of 1969 and RCW 84.36.031.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 39, by Representatives Wojahn, Brown, Bauer, Charnley, Gallagher, King, McCormick, Savage and Van Dyk:

An Act relating to education and federal matching funds required under the national school lunch program; making an appropriation; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 40, by Representatives Newhouse, Moon, Berentson and Litchman (by Legislative Council request):

An Act relating to certain public lands; and amending section 112, chapter 255, Laws of 1927 and RCW 79.01.448.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 41, by Representatives Wojahn, Kirk, Sawyer, Kiskaddon, Adams, Charnley, Gallagher, Kilbury, King, Marsh, Martinis, McCormick, Van Dyk and Wolf:

An Act relating to the marketing of packaged bacon; adding new sections to chapter 69.04 RCW; providing for penalties; and declaring an effective date.

Referred to Committee on Agriculture.

HOUSE BILL NO. 42, by Representatives Grant, Douthwaite and Wojahn:

An Act relating to education; and amending section 28A.58.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 283, Laws of 1969 ex. sess. and RCW 28A.58.100.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 43, by Representatives Grant and Litchman:

An Act relating to unemployment compensation.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 44, by Representative Benitz:

An Act relating to county warrants; and amending section 36.22.100, chapter 4, Laws of 1963 and RCW 36.22.100.

Referred to Committee on Local Government.

HOUSE BILL NO. 45, by Representative Copeland:

An Act relating to seals of notaries public; and amending section 3, page 473, Laws of 1890 and RCW 42.28.030.

Referred to Committee on State Government.

HOUSE BILL NO. 46, by Representatives Marzano, Grant, Adams and Martinis:

An Act relating to motor vehicle financial responsibility; providing for the giving of proof of financial responsibility for the licensing and registration of motor vehicles; adding new sections to chapter 12, Laws of 1961 and to Title 46 RCW; and providing penalties.

Referred to Committee on Transportation.

HOUSE BILL NO. 47, by Representatives Berentson, Wolf and Newhouse (by Legislative Council request):

An Act relating to port districts; and providing a method for the dissolution of inactive port districts.

Referred to Committee on Local Government.

HOUSE BILL NO. 48, by Representatives Thompson, Newhouse, Berentson and King (by Legislative Council request):

An Act relating to the department of natural resources; and amending section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300.

Referred to Committee on Natural Resources and Ecology.

HOUSE, BILL NO. 49, by Representatives Kiskaddon, Wojahn, North, Barden, Charnley, Gallagher and Savage:

An Act relating to public school day care services.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 50, by Representative Jastad:

An Act relating to a state park; officially naming it; and requiring its proper designation.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 51, by Representatives Smythe, Bottiger and Morrison:

An Act relating to education; establishing a professional practice commission; establishing its duties; providing for the adoption, administration and enforcement of standards of professional practice; providing for the participation of representatives of certificated employees in developing and enforcing standards of certification; amending section 28A.70.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.005; amending section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as amended by section 145, chapter 176, Laws of 1969 ex. sess. and RCW 28A.70.140; and amending section 28A.70.170, chapter 223, Laws of 1969 ex. sess. and RCW 28A.70.170.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 52, by Representatives Van Dyk, Berentson, Haussler, Bauer and Hansey (by Legislative Council request):

An Act relating to the production of milk; and providing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 53, by Representatives Cunningham, Berentson and Conner (by Departmental request):

An Act relating to classified drivers licenses; amending section 1, chapter 20, Laws of 1967 ex. sess. as last amended by section 4, chapter 100, Laws of 1970 ex. sess. and RCW 46.20.440; and amending section 3, chapter 20, Laws of 1967 ex. sess. as amended by section 2, chapter 68, Laws of 1969 ex. sess. and RCW 46.20.460.

Referred to Committee on Transportation.

HOUSE BILL NO. 54, by Representatives Beck, Berentson and Wanamaker (by Departmental request):

An Act relating to reciprocal or proportional registration of vehicles; amending section 12, chapter 106, Laws of 1963 and RCW 46.85.120; amending section 16, chapter 106, Laws of 1963 and RCW 46.85.160; amending section 17, chapter 106, Laws of 1963 and RCW 46.85.170; amending section 19, chapter 106, Laws of 1963, as amended by section 33, chapter 281, Laws of 1969 ex. sess., and RCW 46.85.190; and adding new sections to chapter 106, Laws of 1963 and to chapter 46.85 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 55, by Representatives Berentson, Conner and Hubbard (by Departmental request):

An Act relating to administrative procedures; amending section 15, chapter 234, Laws of 1959 as last amended by section 1, chapter 71, Laws of 1967 ex. sess. and RCW 34.04.150; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 56, by Representatives Beck, Wanamaker and Wolf (by Departmental request):



An Act relating to revenue and taxation; amending section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1967 and RCW 82.36.010; amending section 82.36.230, chapter 15, Laws of 1961 as last amended by section 3, chapter 153, Laws of 1967 and RCW 82.36.230; amending section 82.36.400, chapter 15, Laws of 1961 as amended by section 6, chapter 153, Laws of 1967 and RCW 82.36.400; amending section 7, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.070; amending section 82.50.160, chapter 15, Laws of 1961 as amended by section 1, chapter 274, Laws of 1969 ex. sess. and RCW 82.50.160; adding a new section to chapter 10, Laws of 1967 ex. sess. and to chapter 82.42 RCW; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.50 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 57, by Representatives Wolf, Adams and Kopet (by Departmental request):

An Act relating to renewal of licenses; and adding a new section to chapter 43.24 RCW.

Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 1, by Representatives Moon, Merrill, Kilbury, King, Luders, Martinis, McDermott and Wojahn:

Providing for periodic review of tax exemptions.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 2, by Representatives Litchman, Anderson, Bagnariol, Marzano and Wojahn:

Providing a constitutional amendment to allow a state operated lottery.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 3, by Representatives Amen, Benitz, Bledsoe, Bozarth, Curtis, Farr, Gladder, Goldsworthy, Haussler, Lynch, Paris, Shera, Smythe, Spanton, Wanamaker and Wolf:

Limiting property taxes to one percent of true value.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 4, by Representatives Bozarth, Hurley, Chatalas, Backstrom, Adams, Amen, Anderson, Beck, Benitz, Conner, Curtis, Gallagher, Haussler, Kilbury, Knowles, Litchman, Martinis, May, McCormick and Savage:

Establishing assessed valuation of real and personal property at twenty-five percentum of the true and fair value of such property.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 5, by Representatives Bottiger, Lynch, Gallagher and Brouillet:

Removing the constitutional limitation of three hundred dollars in personal property exemptions.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 6, by Representatives Bledsoe, Backstrom, Curtis, Kuehne, Paris and Wolf:

Amending the Constitution to provide an upper limit of twenty-five percent of value on personal and real property taxes.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 7, by Representative Copeland:

Revising Article II of the Constitution relating to the legislature.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 8, by Representative Copeland:  
Revising Article III of the Constitution relating to the executive.  
Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 9, by Representative Copeland:  
Revising Article IV of the Constitution relating to the judiciary.  
Referred to Committee on Judiciary.

HOUSE JOINT RESOLUTION NO. 10, by Representative Copeland:  
Revising Article V of the Constitution relating to impeachment.  
Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 11, by Representative Copeland:  
Revising Article VI of the Constitution relating to elections.  
Referred to Committee on Elections and Apportionment.

HOUSE JOINT RESOLUTION NO. 12, by Representative Copeland:  
Revising Article IX of the Constitution relating to education.  
Referred to Committee on Education and Libraries.

HOUSE JOINT RESOLUTION NO. 13, by Representative Copeland:  
Revising Article XI of the Constitution relating to local government.  
Referred to Committee on Local Government.

HOUSE JOINT RESOLUTION NO. 14, by Representative Copeland:  
Revising Article XXII of the Constitution relating to legislative apportionment.  
Referred to Committee on Elections and Apportionment.

HOUSE JOINT RESOLUTION NO. 15, by Representatives Copeland and King:  
Revising Article XXIII of the Constitution relating to amendments and revisions.  
Referred to Committee on State Government.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Tuesday, January 12, 1971.

MALCOLM McBEATH, Chief Clerk.

THOMAS A. SWAYZE, JR., Speaker.

## SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 12, 1971.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Polk and Spanton who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Maurice Haehlen of the United Churches of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

January 11, 1971.

Mr. Speaker: The Senate has adopted:  
HOUSE CONCURRENT RESOLUTION NO. 1,  
HOUSE CONCURRENT RESOLUTION NO. 2,  
HOUSE CONCURRENT RESOLUTION NO. 3,  
and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE CONCURRENT RESOLUTION NO. 1,  
HOUSE CONCURRENT RESOLUTION NO. 2,  
HOUSE CONCURRENT RESOLUTION NO. 3.

## MESSAGES FROM THE SECRETARY OF STATE

Department of State, January 11, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE LEGISLATURE OF THE STATE OF WASHINGTON, OLYMPIA, WASHINGTON.

SIR:

The sponsors of five Initiatives to the Legislature have filed supporting signatures with my office on or before the statutory deadline as of December 31, 1970. The measures as captioned by the Attorney General are as follows:

- No. 38: Certain Cities—Greyhound Racing Franchises.
- No. 39: Licensing Dog Racing—Parimutuel Betting.
- No. 40: Litter Control Act.
- No. 43: Regulating Shoreline Use and Development.
- No. 44: Statutory Tax Limitation—20 Mills.

My statutory duty is now to cause the signatures supporting these initiatives to be compared against the signatures of registered voters on file in my office to determine whether or not the respective sponsors have submitted the necessary minimum number of valid and unduplicated signatures for certification.

The sponsors of Initiatives Nos. 40, 43, and 44 have filed a sufficient number of signatures to permit the application of the statistical sampling technique as authorized by the 1969 Legislature. However, because of a lesser number of signatures filed, it appears that it will be necessary to hand-check all signatures filed by the sponsors of Initiatives Nos. 38 and 39, both relating to dog racing.

For this reason, I anticipate that the status of Initiatives Nos. 40, 43, and 44 will be determined on or before February 1, 1971 and that the determination of the dog racing initiatives (Nos. 38 and 39) will follow as soon as possible.

In any event, as the canvassing of each initiative measure is completed, an official report will be given simultaneously to both branches of the Legislature.

Respectfully,  
A. LUDLOW KRAMER  
Secretary of State.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### COMMITTEE FROM THE SENATE

Senators Fleming, Murray and Jolly appeared at the bar of the House and reported that the Senate was organized and ready for business.

The committee retired.

#### JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.

The Speaker invited the Senators to seats within the House and instructed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate, and all members were present.

The Clerk called the roll of the House, and all members were present except Representative Polk who was excused.

The President of the Senate: "Mr. Speaker, members of the Washington State Legislature, ladies and gentlemen: The members of the Senate and the President wish to thank you for your cordial invitation to be with you this morning in what may very well be the most momentous joint session in the history of the state. In many respects it is always an enjoyable event to visit you with one of the most attractive features being the presence of so many lovely members of the House, on the distaff side of the ledger."

The President of the Senate appointed the following committee to escort the Justices of the Washington State Supreme Court from the State Reception Room to the bar of the House: Senators Gissberg, Woodall, Grieve and Atwood, and Representatives Harris, Charette, Litchman, Spanton and Eikenberry.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the Justices of the Washington State Supreme Court at the bar of the House, and the President invited them to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort the elected state officials from the State Reception Room to the bar of the House: Senators Connor, Knoblauch, Lewis and Clarke, and Representatives Barden, Brouillet, Conway and Lysen.

The committee retired.

The Sergeant at Arms of the Senate announced the arrival of the elected state officials at the bar of the House, and the President invited them to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to notify Governor Daniel J. Evans that the Senate and House are in Joint Session and are ready to receive his message: Senators Andersen, Bailey and Keefe, and Representatives Bluechel, McCormick and Smith.

The committee retired.

The President of the Senate: "Ladies and gentlemen, the President of the Senate should like the pleasure of presenting to you individually the Justices of the Washington State Supreme Court: Justice McGovern, Justice Neill, Justice Hale, Justice Hunter, Justice Rosellini, Justice Finley, Chief Justice Hamilton, Justice Wright and Justice Stafford.

"Now it is at this time a privilege and honor to present Mr. O'Brien, our State Treasurer; Mr. Cole, our Lands Commissioner; Mr. Graham, our Auditor; Mr. Gorton, our Attorney General; and Mr. Kramer, our Secretary of State."

The Sergeant at Arms of the House announced the arrival of Governor Daniel J. Evans at the bar of the House, and the President instructed the committee to escort him to a seat on the rostrum.

The President of the Senate: "Mr. Speaker, Governor Evans, honored members of the State Legislature: The purpose of this Joint Session of the Forty-second Legislative Session is to receive the State of the State Message from His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington. At this time it is the proud responsibility of the President to present His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington."

## MESSAGE OF GOVERNOR DANIEL J. EVANS TO THE LEGISLATURE

JANUARY 12, 1971

"Mr. President, Mr. Speaker, ladies and gentlemen of the legislature, and my fellow citizens:

"I sat in my office this morning putting the finishing touches on these remarks and heard coming from the radio the lead song from 'Hello, Dolly,' and was reminded of the lines from that song: '... how nice to have you here where you belong...' I hope that approximately three months from now your constituents will be saying the same thing.

"We gather here to begin this forty-second session of Washington's Legislature with the specter of Washington's economy all about us. We recall with some nostalgia the boom years of 1967, 1968, and 1969. Yet if we are going to deal adequately with today's problems it is important to examine how far we have come.

"During the past five years we have made great progress. I am not talking just about an administration, but about a courageous and responsive legislature. I am talking most of all about an increased citizen concern and involvement that has helped to insure progress. During these five years, Washington's budget has increased sharply, but state taxes have increased only by 3/10th of one percent in sales tax and the addition of the business and occupation tax to financial institutions. What is more important, our tax burden—the percentage of our citizens' income going to state and local taxes—is the lowest of the 13 western states; is 22nd among the 50 states of the nation, and has remained absolutely stable for the past five years. The important question, however, is neither how much spending has increased, nor what our tax burden is, but what we have accomplished as a state.

"During these five years we have added some 90,000 children to our common school system and over 82,000 new students to our growing system of higher education, more than doubling its size. We have created a Council on Higher Education to coordinate better the planning of education beyond high school, and have embarked on a statewide community college system that is now bringing this important element of higher education within commuting distance of over 90 percent of Washington's citizens. The first new four-year state college in over 70 years will open in a few months to provide new opportunity and innovation in education to Washington citizens.

"Ratable reductions in public assistance have been eliminated over these five years, and we are one of the few states in the nation to provide assistance at modern cost of living standards.

"A few years ago, over 1,400 retarded children were on the waiting list for our state schools for the retarded, but the addition of a new school for the profoundly retarded, and a system of group homes, sheltered workshops and community programs has essentially eliminated that waiting list, and has provided new hope to thousands of retarded children and their families. Modern approaches to our parole system and juvenile rehabilitation as well as probation subsidy and work relief programs have brought repeated national recognition to Washington's correction system.

"The legislature's willingness to fund a substantial increase in State Patrol strength and the people's determination to pass an implied consent law, helped to make 1969 and 1970 the two safest years on Washington's highways since we began keeping records 37 years ago. Several hundred people today are alive who might otherwise be dead if we had substituted neglect for leadership in this important field.

"All citizens, regardless of their race, religion or creed, have a better opportunity to work, to be educated, and to share in economic progress with others than ever before. This struggle for equality has been started in Washington State but is still far from being won.

"Ecological leadership has helped to insure that our children will enjoy a high quality physical environment in years to come. And most of all, we have been stimulated by increasing volunteer citizen participation which has been vital to the success of an increasing number of state programs.

"Credit for these accomplishments goes to an effective citizen and governmental team. I can think of no time when it is more important to understand what we have accomplished than now when we are questioning our own abilities and wondering what the future holds for Washington State.

"These, however, are just the beginnings. We have established beachheads of progress, but we are far from winning the war. Today's economic and financial difficulties may tempt us to commence a holding action and to draw back from exciting and innovative ideas with the cry that 'now is not the time.' But now, more than ever, is the time to prove that advancement can be made during times of adversity.

"1970 saw a dramatic contrast in approach to modern problems. The 91st Congress of the United States was a national disgrace. At the time this budget was being finalized, Congress had yet to enact seven major appropriation bills for the current fiscal year, let alone give any indication of revenue availability from the federal government during the period of this next biennium. The inability of Congress to act in a timely manner makes it nearly impossible for both state and federal agencies to plan their actions for the next six months, let alone the next three years. The two most innovative domestic programs in years were not even fully debated during this session. Revenue-sharing was not debated by either House, and welfare reform failed in the last chaotic days of Senate action. Encrusted by seniority and stagnated by procedure, the lethargic Congress has led many state and local governments to the brink of bankruptcy.

"Then in brilliant contrast, this legislature, in 32 days a year ago, seized national leadership in environmental quality, reorganized state government, modernized our unemployment compensation system, provided financial assistance to local governments, and presented to the voters proposals for tax reform and lowering the voting age. This is a better state today because of your actions in 1970.

"The needs of 1971 are even more vital. An executive request package of some 50 bills will soon be placed before you. These are measures that will help meet the hopes and expectations of our citizens and the concern over their human and physical environment.

"Of all of the tasks before us, none is more urgent than the revitalization of Washington's economy. Several bills will be introduced to provide this stimulus, the most important of which is the regional development authority. This authority could provide insurance for mortgage loans for industrial purposes, provide loans for public works planning and for the acquisition and development of industrial land, and reinstitute the sales tax credit on the cost of new industrial construction. This measure is also designed to help shape a policy which will encourage industrial growth in economically depressed and low growth areas.

"Associated with industrial development are the environmental protection act and the truth in pollution act which will help insure that industrial growth will not destroy our environment. These measures will require that all public agencies within the state conduct a review of their own programs and activities in order to measure their environmental acceptability. The truth in pollution act requires that all those who discharge waste into our waters and air must publicly disclose the nature and the amounts of these discharges. This act also drastically increases the penalties against those who pollute.

"By initiative the people have laid before the legislature the question of proper management of the shorelines of our state. While I agree with the general goals of that initiative, I will present a bill that will accomplish those same goals in a somewhat different fashion. I believe strongly that for a shoreline management program to be effective, it must have effective local involvement within the framework of state guidelines and surveillance. I hope that in dealing with these and the many other bills that relate to our environment, we continue to hold a position of leadership among the states of the nation in preserving for ourselves and the generations yet to come the high quality that we have traditionally enjoyed.

"Recent action by the Supreme Court of the United States extends the voting privilege to age eighteen for federal elections. I propose, therefore, that this legislature again submit to the people a proposal to lower the voting age for state and local election in this state to eighteen. It seems rather inconsistent that as of now a young person can vote for a congressman, a senator or a president, but not for a water district commissioner.

"I firmly believe that along with the privilege of voting should go the responsibilities of an adult, and therefore I endorse the proposal of our State Youth Commission to extend majority responsibilities to age eighteen. Responsibility and privilege go hand-in-hand.

"The cost and adequacy of health care deserve serious consideration by this legislature. One will bring us into compliance with the federal unemployment compensation act, and will provide special emergency benefits for this year only. Provisions of this act will add up to 13 additional weeks to the regular and extended benefit provisions of our existing state act. The second bill will provide unemployment compensation coverage for state employees on an immediate basis. It is important that the legislature take action on this legislation prior to the beginning of reduction in force which will, unfortunately, soon take place.

"The constitution declares that it is the paramount duty of the state to provide for the education of all children residing within its borders. We have failed to measure up adequately to this responsibility in the case of our many handicapped youngsters in the state. I am therefore proposing a mandatory education-for-the-handicapped bill with the recognition that only first-stage financing is available in the upcoming biennium. The commitment to this goal, however, is essential, and I urgently request your endorsement.

"The Attorney General's office has submitted a unit pricing proposal that will give great assistance to shoppers in accurately measuring the best buy, particularly in food items. Today's inflationary spiral makes such a system highly desirable.

"If there is a lessening of people's confidence in the political process, then much of it must come from the hypocrisy and the sham of campaign financing. I have examined many proposals for correction of this evil and have decided that only a full disclosure bill with no exceptions and no minimum amounts would be adequate. Such a bill will be submitted for your consideration.

"Five years ago, I suggested to the National Governors' Conference that we urge all states to pass a resolution calling for a constitutional convention which would have the

effect of forcing Congress to act on revenue-sharing. At that time I was counseled to wait and give Congress a chance to initiate action. We have waited long enough. Other states are initiating action, and I strongly urge this legislature to join in passing such a resolution so that, at the very least, the merits of revenue-sharing will be debated on the floors of Congress.

"For the fourth time, I will submit to you a proposal to create a Department of Transportation in our state. During the past five years you have taken great strides in the reorganization of state government. In the field of transportation, however, we have steadily fallen behind through failure to match progress being made in other areas. The bill that will be introduced this session is the end product of the work of a distinguished citizens committee for balanced transportation. Never has there been a more urgent need for this legislation than now.

"If annual sessions are desirable, then it is even more desirable to institute annual general elections in this state. The failure to do so in past years has cost the taxpayers of this state millions of dollars in additional interest and construction costs on bond issue projects and has delayed urgent votes on vital issues.

"In a separate budget message on Thursday, I will speak of our fiscal difficulties and measures to resolve the crisis.

"These and many other measures will be before you because of the outstanding work of such citizen task forces as the Urban Affairs Council and the Youth Commission, in addition to the exceptional work of the score of legislative interim committees.

"I realize that this is an arduous and demanding agenda, but I am confident that this task can be done with a high degree of objectivity and with dispatch.

"Proposals for annual sessions of Washington's legislature have been made before, and I will lay before you this session a simple constitutional amendment that will call for 90-day regular sessions in odd-numbered years; 30-day regular sessions in even-numbered years; and special sessions limited to 30 days. I believe it is now time for a measure such as this to be placed before the people for their decision.

"In the meantime, it will be my present intention to call this legislature back into session in January of 1972 to review progress on the budget and to resolve the new issues that will have arisen by then.

"I suggest that the House and the Senate jointly set by resolution a time goal now, for completion of this session such as 90 days—and work toward completion by that time. In my 1970 message to the legislature, I said:

"It is not the price of progress that the average citizen deplores; it is the price of politics. It is the debate without purpose, the delay without conscience and the unreasonable exercise of privilege and power that cause him to rise up in protest.

"You have come here today at the request of this administration, but in a much greater sense, we are all here to advance the cause of representative government, to demonstrate in full view of the people that this administration and this legislature can address themselves to the timely problems of the state."

"These words, I believe, are equally applicable today. The high stakes of political gamesmanship are of little moment compared with the real needs of Washington's citizens. Redistricting is an important issue and must be adequately resolved prior to the next election, but the issues of adequate financial care for the aged, the disabled and the blind, the education of our children, and adequate health for all of our citizens are paramount. It is incomprehensible to me that one should be equated with the other.

"As we face this session, we must all ask ourselves the difficult questions: Are we going to discard our concern for the quality of life in our state? Will we, as elected officials, run for the cover of inaction because we face difficult decisions? Are we going to turn away from the path of progress on which we have already embarked?

"We have just come through an extremely troubled time—a time of turmoil and stress; a time of anger and passion; a time of criticism and reaction. We are now in a period of economic stress and hardship for far too many citizens of this state. But we have learned much of the potential and the limits of state government during these difficult times. The programs proposed to this session of the legislature would bring a fulfillment of the opportunities that should be a part of every person's life here in Washington.

"These, then, are challenges. Do we now repudiate these challenges and pretend that we have solved the people's problems? Do we pretend that unemployment, hunger and poverty have disappeared? Do we ignore the foundation of modernization, reorganization and renewed planning just when they would allow us for the first time to say honestly we can do the job? Are we ashamed of the attempts we have made to make Washington first among our fifty states in the quality of life we provide our citizens? I think not. Instead, we can put our house in order and adopt a program of responsibility, of economy, of efficiency, and of compassion—one that will not by itself create a miracle, but coupled with our inevitable return to economic growth, can help to create a new profile of greatness for the State of Washington.

"Together let us make that promise of greatness a reality. Thank you."

The President of the Senate instructed the committee consisting of Senators Andersen, Bailey and Keefe, and Representatives Bluechel, McCormick and Smith to come forward and escort Governor Evans from the rostrum to his office.

The committee retired.

The President of the Senate instructed the committee consisting of Senators Connor, Knoblauch, Lewis and Clarke, and Representatives Barden, Brouillet, Conway and Lysen to come forward and escort the elected state officials from the House Chamber to the State Reception Room.

The committee retired.

The President of the Senate instructed the committee consisting of Senators Gissberg, Woodall, Grieve and Atwood, and Representatives Harris, Charette, Litchman, Spanton and Eikenberry to come forward and escort the Justices of the Washington State Supreme Court from the House Chamber to the State Reception Room.

The committee retired.

The President of the Senate: "Prior to leaving, Mr. Speaker, members and staff of the House of Representatives: The honorable members of the Senate and the President wish to thank you for your friendly hospitality and extend to each and every one of you a cordial invitation to visit the Senate and the office of Lieutenant Governor at any time convenient to you to indulge in the friendly libation of coffee. Thank you so much."

#### MOTION

On motion of Mr. Bledsoe, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore, and the members of the Senate to the Senate Chamber.

The House resumed its session.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 58, by Representative Bottiger:

An Act relating to revenue and taxation; and creating a new section.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 59, by Representative Bottiger:

An Act relating to civil service status for county employees in certain counties; creating a civil service commission to administer the act; setting forth the powers and duties of the commission; excepting certain employees therefrom; providing the basis for and methods of appointments and promotions; listing qualifications of applicants and tenure under civil service; listing grounds for dismissal, suspension, demotion or reduction in rank; defining procedure for dismissal, suspension or demotion; providing for appointing power to fill vacancies and fix compensation; permitting formation of employee associations or union; providing for payroll certification by commission; authorizing leaves of absence; providing for institution of civil suits; prohibiting certain acts; prohibiting participation in political activities; requiring cooperation of county officers and employees; providing funds for support of the commission; providing penalties; and providing an effective date.

Referred to Committee on Local Government.

HOUSE BILL NO. 60, by Representatives Bottiger, Hurley and Gallagher:

An Act relating to education and the organization of school districts; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 61, by Representatives Brown, Ceccarelli and Goldsworthy:

An Act relating to taxation; and adding a new section to chapter 15, Laws of 1961 and to chapter 83.20 RCW.

Referred to Committee on Revenue and Taxation.



HOUSE BILL NO. 62, by Representatives Gallagher, Barden and Jastad:

An Act relating to motor vehicle dealers and salesmen; amending section 6, chapter 74, Laws of 1967 ex. sess. as amended by section 2, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.041; and amending section 46.70.090, chapter 12, Laws of 1961 as amended by section 3, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.090.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 63, by Representatives Gallagher, Barden and Jastad:

An Act relating to motor vehicle dealers and salesmen; amending section 46.70.060, chapter 12, Laws of 1961 as last amended by section 26, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.060; amending section 10, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.083; and amending section 29, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.280.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 64, by Representative Conner:

An Act relating to capitol building lands; and amending section 1, chapter 293, Laws of 1955 as amended by section 1, chapter 129, Laws of 1965 and RCW 79.24.300.

Referred to Committee on State Government.

HOUSE BILL NO. 65, by Representatives Bottiger, Harris and Williams (by Legislative Council request):

An Act relating to motor vehicle liability insurance; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.22 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 66, by Representatives Bottiger, Harris and Knowles (by Legislative Council request):

An Act relating to the ascertainment of principal and income and the apportionment of receipts and expenses among income beneficiaries and remaindermen; to make uniform the law with reference thereto; repealing section 1, chapter 160, Laws of 1947 and RCW 23.74.010; and repealing section 2, chapter 160, Laws of 1947 and RCW 23.74.020.

Referred to Committee on Judiciary.

HOUSE BILL NO. 67, by Representatives Bottiger, Harris and Maxie (by Legislative Council request):

An Act relating to retail installment contracts; amending section 4, chapter 236, Laws of 1963 as last amended by section 1, chapter 2, Laws of 1969 and RCW 63.14.040; amending section 12, chapter 236, Laws of 1963 as last amended by section 2, chapter 2, Laws of 1969 and RCW 63.14.120; and amending section 12, chapter 234, Laws of 1967 and RCW 63.14.154.

Referred to Committee on Judiciary.

HOUSE BILL NO. 68, by Representatives Bottiger, Harris and Lysen (by Legislative Council request):

An Act relating to the solicitation of funds for charity; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 69, by Representatives Newhouse, Bledsoe and Moon (by Legislative Council request):

An Act relating to mobile home taxation; amending section 46.16.100, chapter 12, Laws of 1961 as amended by section 5, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.100; amending section 82.44.010, chapter 15, Laws of 1961 as last amended by section 4, chapter 121, Laws of 1967, and RCW 82.44.010; amending section 82.50.010, chapter 15, Laws of 1961 as amended by section 44, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.010; amending section 82.50.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1969 and RCW 82.50.020; amending section 82.50.030, chapter 15, Laws of 1961 as last amended by section 46, chapter 149, Laws of

1967 ex. sess. and RCW 82.50.030; amending section 82.50.040, chapter 15, Laws of 1961 as amended by section 47, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.040; amending section 82.50.050, chapter 15, Laws of 1961 as amended by section 48, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.050; amending section 82.50.070, chapter 15, Laws of 1961 as last amended by section 2, chapter 69, Laws of 1969 and RCW 82.50.070; amending section 82.50.101, chapter 15, Laws of 1961 as amended by section 50, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.101; amending section 82.50.105, chapter 15, Laws of 1961 as last amended by section 51, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.105; amending section 82.50.110, chapter 15, Laws of 1961 as last amended by section 52, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.110; amending section 82.50.120, chapter 15, Laws of 1961 as last amended by section 53, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.120; amending section 82.50.130, chapter 15, Laws of 1961 as amended by section 54, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.130; amending section 82.50.140, chapter 15, Laws of 1961 as amended by section 55, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.140; amending section 82.50.160, chapter 15, Laws of 1961 as amended by section 1, chapter 274, Laws of 1969 ex. sess. and RCW 82.50.160; amending section 82.50.180, chapter 15, Laws of 1961 as amended by section 56, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.180; amending section 82.50.190, chapter 15, Laws of 1961 as last amended by section 1, chapter 225, Laws of 1969 ex. sess. and RCW 82.50.190; amending section 82.50.200, chapter 15, Laws of 1961 as amended by section 58, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.200; amending section 84.36.110, chapter 15, Laws of 1961 and RCW 84.36.110; amending section 84.36.120, chapter 15, Laws of 1961 and RCW 84.36.120; adding new sections to chapter 46.01 RCW; adding a new section to chapter 46.12 RCW; adding new sections to chapter 46.16 RCW; adding a new section to chapter 46.70 RCW; adding a new section to chapter 82.50 RCW; adding new sections to chapter 84.40 RCW; repealing section 28, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.185; and providing penalties.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 70, by Representatives Bledsoe, Moon and Newhouse (by Legislative Council request):

An Act relating to revenue and taxation; amending section 50, chapter 262, Laws of 1969 ex. sess. and RCW 82.31.080; amending section 84.36.040, chapter 15, Laws of 1961 as amended by section 1, chapter 245, Laws of 1969 ex. sess. and RCW 84.36.040; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; and declaring an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 71, by Representatives Bledsoe, Kiskaddon and Moon (by Legislative Council request):

An Act relating to workmen's compensation; extending medical aid coverage to state volunteer workers; amending section 51.16.140, chapter 23, Laws of 1961 and RCW 51.16.140; and adding a new section to chapter 23, Laws of 1961 and to chapter 51.12 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 72, by Representatives Morrison, Newhouse, Hubbard, Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Blair, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Douthwaite, Farr, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kraabel, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, North, O'Brien, Paris, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Smith, Thompson, Van Dyk, Williams and Wojahn (by Executive request):

An Act relating to unemployment compensation; amending section 11, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.020; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; repealing section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127; establishing effective dates; and declaring an emergency.

## MOTIONS

On motion of Mr. Bledsoe, further consideration of House Bill No. 72 was deferred, and the bill was ordered placed on tomorrow's first reading calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Wednesday, January 13, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 13, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Maurice Haehlen of the United Churches of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, it has been brought to our attention, directly and indirectly, that standing committees are meeting. I am raising the question: Under what authority are standing committees holding meetings? To my knowledge you haven't made any appointments to the standing committees, and I would like to have you clarify that. House Rule No. 3 spells out the powers and duties of the Speaker. Reed's Rule No. 65 also states the appointment authority by the presiding officer. So there is quite a bit of concern about the fact that presumably some committees are holding meetings, without any specific authority, and without any committee appointments made by you. The minority side is at loose ends, not knowing what members are on the respective committees. We would like to have this entire matter clarified."

## RULING BY THE SPEAKER

The Speaker: "Thank you, Mr. O'Brien. The Temporary Rules, of course, have been adopted which provide for standing committees and their numbers. The Speaker has by public announcement appointed certain committee chairmen and vice chairmen. The Committee on Committees of both caucuses have been meeting to allocate their membership through the two committees. It is our desire that the business of this legislative session not be unduly delayed by the ability of these committees to organize, to meet, to start processing their particular bills. We are sure that you join with us in not wanting any undue delay in the progress of this legislative session. When we get to the fourth order of business, reports of special committees, there will be an announcement on the membership and makeup of the various committees. They will be handed out to the respective caucuses so that these committees can meet on schedule and organize, and notice will be served of formal amendment of our temporary rules tomorrow."

## NOTICE OF AMENDMENT TO TEMPORARY RULES

Mr. Newhouse gave notice that he would offer a proposed amendment to Temporary House Rule No. 79 on the next working day.

## POINT OF INFORMATION

Mr. Newhouse: "For the information of the caucus, I believe at this time or very shortly, lists of committees and membership are in your caucus and can be picked up at the proper time."

## POINT OF INFORMATION

Mr. Bledsoe: "Mr. Speaker, not to belabor the issue, but I would call Mr. O'Brien's attention to the Journal of the last session, page 93, where you will note that it was the 11th day of the 1969 session before the appointment of membership to the standing committees was announced from the rostrum at that time. We did proceed to operate with some amendments to the rules prior to that time. To quiet your concern, sir, notice was now served that we could be organized and be in business, formally, officially and to your complete satisfaction tomorrow. In the meantime, we would hope that you could join us in the informal get-togethers in committee rooms where we can sit around the table without roll calls and still discuss some of the business of the legislature."

## POINT OF INFORMATION

Mr. O'Brien: "I might call your attention, Mr. Bledsoe, to the fact that you amended the temporary rules on the first day of the legislative session two years ago, so we were fully aware of the numbers and members who would be assigned to the committees. This session, so far, we haven't had this knowledge. We don't know whether you have changed your committee structure, the number of members on the respective committees but they have been meeting informally, and they had some meetings this morning. This is completely contrary to the established precedent of this House. Also, when you did this, you should have amended the temporary rules to take care of this procedure. We should not be operating in the dark where the minority side has absolutely no knowledge of how you are operating, the number of members on the respective committees, but nevertheless they were served notices to attend committee meetings this morning."

## NOTICE OF AMENDMENT TO TEMPORARY RULES

Mr. Sawyer gave notice that he would offer proposed amendments to the Temporary House Rules on the next working day.

## MESSAGES FROM THE SENATE

January 12, 1971.

Mr. Speaker: The President has signed:  
HOUSE CONCURRENT RESOLUTION NO. 1,  
HOUSE CONCURRENT RESOLUTION NO. 2,  
HOUSE CONCURRENT RESOLUTION NO. 3,  
and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker: "House Concurrent Resolution No. 1 which was adopted by both houses and is to be presented to Don Sampson is on the Chief Clerk's desk for anyone who wants to sign it."

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House the Honorable Tom Allen, Mayor of the City of Olympia, and appointed Representatives Gilleland and Rosellini to escort him to the rostrum for remarks to the legislature.

The Speaker: "Mayor Allen, most of us are pleased to be back in Olympia for another very short stay and rapid session. I hope that you likewise are pleased to have us back. But always on the night of the Legislative Ball do you have to have such a snowfall?"

Mayor Allen: "Speaker Swayze and distinguished Representatives: It is a distinct pleasure for me to be here this morning to represent the people of the City of Olympia in welcoming you to this session of the legislature. We are always happy to see the legislature come to town because, although we have a reputation of being a somewhat provincial community, you people bring excitement; you bring snow; you bring hot air; you bring cold air; you bring all these goodies. Perhaps most of all, you bring a lot of that green stuff that you spread around here which our people would very much miss if you didn't show up. I might say that in Olympia we are very enthusiastic about this annual session business. We think this would be our answer to the depression as a matter of fact.

"My function here is to greet you for the citizens of Olympia and especially to invite you to the Legislative Ball which will be held tonight at the Evergreen Inn. The affair is a sellout. Regardless of the weather it is going to go on. We hope you will all get your best girls, or your best fellows, whoever they may be, and bring them to the party. If you can make it up there, we can sure get you down out of there.

"I hope your session is fruitful. I know you have many difficult and confusing problems to solve. I might suggest that, although we are provincial, almost anybody you might meet on the street can probably tell you how to solve all these problems. I really wouldn't pay too much attention to them, though, if I were you, because after all we aren't in the position.

"If you come to the party tonight, I hope you have a good time, and I will see you there. Thank you, Speaker Tom."

The Speaker: "Thank you, Mayor Allen."

The committee consisting of Representatives Gilleland and Rosellini escorted Mayor Allen from the rostrum.

#### MOTION

On motion of Mr. Newhouse, the House recessed until 1:45 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m.

The Clerk called the roll and all members were present.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### INTRODUCTION AND FIRST READING

#### MOTION

On motion of Mr. Copeland, the House deferred consideration of HOUSE BILL NO. 72, and the bill was placed at the bottom of today's first reading calendar.

HOUSE BILL NO. 73, by Representatives Douthwaite, Brown, Williams, Charette, Lysen, Charnley, McDermott, Maxie, Ceccarelli, Chatalas and Litchman:

An Act relating to elections; providing for the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; repealing section 29.18.140, chapter 9, Laws of 1965, section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; and prescribing penalties.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 74, by Representatives Bozarth, Copeland and Bottiger:

An Act relating to elections; and amending section 29.18.110, chapter 9, Laws of 1965 and RCW 29.18.110.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 75, by Representatives Bozarth, Copeland, Bottiger, Haussler and Randall:

An Act relating to the common schools; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 76, by Representatives Hoggins, Berentson, Wolf, Haussler and Bledsoe (by Legislative Council request):

An Act relating to land surveys; and providing a method for preservation of evidence thereof by establishing standards and procedures for monumenting and for recording a public record of surveys.

Referred to Committee on State Government.

HOUSE BILL NO. 77, by Representatives Beck, Wolf and Cunningham (by Departmental request):

An Act relating to motor vehicle dealers; amending section 6, chapter 74, Laws of 1967 ex. sess. as amended by section 2, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.041; amending section 7, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.051; amending section 46.70.060, chapter 12, Laws of 1961 as last amended by section 26, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.060; amending section 46.70.070, chapter 12, Laws of 1961 as last amended by section 27, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.070; amending section 9, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.082; amending section 10, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.083; amending section 46.70.090, chapter 12, Laws of 1961 as amended by section 3, chapter 63, Laws of 1969 ex. sess. and RCW 46.70.090; amending section 46.70.140, chapter 12, Laws of 1961 as amended by section 79, chapter 32, Laws of 1967 and RCW 46.70.140; and amending section 29, chapter 74, Laws of 1967 ex. sess. and RCW 46.70.280.

Referred to Committee on Transportation.

HOUSE BILL NO. 78, by Representatives Bledsoe, Bottiger, Goldsworthy and Litchman (by Departmental request):

An Act relating to state government; providing for a new department of emergency services; amending section 35A.38.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.38.010; amending section 3, chapter 178, Laws of 1951 as last amended by section 1, chapter 203, Laws of 1967 and RCW 38.52.010; amending section 2, chapter 178, Laws of 1951 as last amended by section 2, chapter 203, Laws of 1967 and RCW 38.52.020; amending section 4, chapter 178, Laws of 1951 as amended by section 3, chapter 203, Laws of 1967 and RCW 38.52.030; amending section 5, chapter 178, Laws of 1951 and RCW 38.52.040; amending section 6, chapter 178, Laws of 1951 and RCW 38.52.050; amending section 7, chapter 178, Laws of 1951 and RCW 38.52.060; amending section 8, chapter 178, Laws of 1951 and RCW 38.52.070; amending section 9, chapter 178, Laws of 1951 and RCW 38.52.080; amending section 10, chapter 178, Laws of 1951 and RCW 38.52.090; amending section 12, chapter 178, Laws of 1951 and RCW 38.52.100; amending section 13, chapter 178, Laws of 1951 as amended by section 1, chapter 210, Laws of 1955 and RCW 38.52.110; amending section 14, chapter 178, Laws of 1951 and RCW 38.52.120; amending section 15, chapter 178, Laws of 1951 as amended by section 2, chapter 145, Laws of 1953 and RCW 38.52.130; amending section 16, chapter 178, Laws of 1951 and RCW 38.52.140; amending section 18, chapter 178, Laws of 1951 and RCW 38.52.150; amending section 19, chapter 178, Laws of 1951 and RCW 38.52.160; amending section 20, chapter 178, Laws of 1951 and RCW 38.52.170; amending section 11, chapter 178, Laws of 1951 as amended by section 1, chapter 145, Laws of 1953 and RCW 38.52.180; amending section 3, chapter 223, Laws of 1953 and RCW 38.52.190; amending section 9, chapter 223, Laws of 1953 and RCW 38.52.200; amending section 4, chapter 223, Laws of 1953 and RCW 38.52.210; amending section 7, chapter 223, Laws of 1953 and RCW 38.52.240; amending section 8, chapter 223, Laws of 1953 and RCW 38.52.250; amending section 10, chapter 223, Laws of 1953 and RCW 38.52.260; amending section 11, chapter 223, Laws of 1953 and RCW 38.52.270; amending section 12, chapter 223, Laws of 1953 and RCW 38.52.280; amending section 13, chapter 223, Laws of 1953 and RCW 38.52.290; amending section 14, chapter 223, Laws of 1953 and RCW 38.52.300; amending section 15, chapter 223, Laws of 1953 and RCW 38.52.310; amending section 16, chapter 223, Laws of 1953 and RCW 38.52.320;

amending section 17, chapter 223, Laws of 1953 and RCW 38.52.330; amending section 18, chapter 223, Laws of 1953 and RCW 38.52.340; amending section 19, chapter 223, Laws of 1953 and RCW 38.52.350; amending section 20, chapter 223, Laws of 1953 and RCW 38.52.360; amending section 21, chapter 223, Laws of 1953 and RCW 38.52.370; amending section 22, chapter 223, Laws of 1953 and RCW 38.52.380; amending section 2, chapter 241, Laws of 1963 and RCW 40.10.020; amending section 43.31.200, chapter 8, Laws of 1965 and RCW 43.31.200; amending section 43.89.020, chapter 8, Laws of 1965 as amended by section 3, chapter 60, Laws of 1965 ex. sess. and RCW 43.89.020; amending section 46.16.340, chapter 12, Laws of 1961 as amended by section 23, chapter 32, Laws of 1967 and RCW 46.16.340; amending section 3, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.030; and adding a new section to chapter 38.52 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 79, by Representatives Curtis and Bozarth:

An Act relating to court reporters; and amending section 1, chapter 210, Laws of 1951 as last amended by section 1, chapter 95, Laws of 1969 and RCW 2.32.210.

Referred to Committee on Judiciary.

HOUSE BILL NO. 80, by Representatives Barden, Perry, Goldsworthy, Cunningham, Bagnariol, Brown, Shinpoch, Mentor, Beck and Lynch:

An Act relating to veteran's preference for public employment; and amending section 1, chapter 189, Laws of 1945 as last amended by section 2, chapter 269, Laws of 1969 ex. sess., and RCW 41.04.010.

Referred to Committee on State Government.

HOUSE BILL NO. 81, by Representatives Bottiger, Hoggins and Hurley:

An Act relating to the annual distribution of certain state funds to school districts by the state superintendent of public instruction; and amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 138, Laws of 1969 and RCW 28A.41.130.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 82, by Representatives Moon, Newhouse, Bledsoe and Benitz (by Legislative Council request):

An Act relating to joint operating agencies, removing certain tax exemptions, and requiring related reports; amending section 43.52.460, chapter 8, Laws of 1965 and RCW 43.52.460; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 83, by Representatives Harris, Bottiger, Eikenberry and Amen (by Legislative Council request):

An Act relating to arrest citations; amending section 46.64.015, chapter 12, Laws of 1961 as amended by section 70, chapter 32, Laws of 1967 and RCW 46.64.015; and amending section 46.64.030, chapter 12, Laws of 1961 as amended by section 72, chapter 32, Laws of 1967 and RCW 46.64.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 84, by Representatives Harris, Bottiger, Wolf, Barden and Litchman (by Legislative Council request):

An Act relating to charitable trusts and similar relationships; amending section 2, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.020; amending section 6, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.060; amending section 7, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.070; adding new sections to chapter 53, Laws of 1967 ex. sess. and chapter 19.10 RCW; and repealing section 3, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.030.

Referred to Committee on Judiciary.

## HOUSE BILL NO. 85, by Representatives Wolf, Smythe and Merrill:

An Act relating to cities and towns; providing for civil service appointments in fire and police departments; amending section 11, chapter 31, Laws of 1935 and RCW 41.08.100; and amending section 11, chapter 13, Laws of 1937 and RCW 41.12.100.

Referred to Committee on Local Government.

## HOUSE BILL NO. 86, by Representatives Zimmerman, Brouillet and Hoggins (by Joint Committee on Education request):

An Act relating to education; amending section 1, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.010; amending section 2, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.020; amending section 3, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.030; amending section 4, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.040; amending section 5, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.050; amending section 6, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.060; amending section 7, chapter 176, Laws of 1969 ex. sess., as amended by section 2, chapter 84, Laws of 1970 ex. sess. and RCW 28A.21.070; amending section 8, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.080; amending section 9, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.090; amending section 10, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.100; amending section 11, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.110; amending section 12, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.120; amending section 13, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.130; amending section 14, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.140; amending section 16, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.160; amending section 17, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.170; amending section 18, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.180; amending section 20, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.190; amending section 23, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.220; amending section 28A.24.080, chapter 223, Laws of 1969 ex. sess. as amended by section 104, chapter 176, Laws of 1969 ex. sess. and RCW 28A.24.080; amending section 28A.44.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.050; amending section 28A.44.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.060; amending section 28A.44.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.070; amending section 28A.44.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.080; amending section 28A.44.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.090; amending section 28A.44.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.100; amending section 28A.60.186, chapter 223, Laws of 1969 ex. sess. and RCW 28A.60.186; amending section 28A.71.100, chapter 223, Laws of 1969 ex. sess. as amended by section 146, chapter 176, Laws of 1969 ex. sess. and RCW 28A.71.100; amending section 28A.88.010, chapter 223, Laws of 1969 ex. sess. as amended by section 17, chapter 34, Laws of 1969 ex. sess. and RCW 28A.88.010; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 176, Laws of 1969 ex. sess. and to chapter 28A.21 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.88 RCW; repealing section 15, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.150; repealing section 24, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.230; repealing section 28A.88.020, chapter 223, Laws of 1969 ex. sess. as amended by section 154, chapter 176, Laws of 1969 ex. sess. and RCW 28A.88.020; repealing section 28A.88.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.88.040; repealing section 28A.88.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.88.050; repealing section 28A.88.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.88.060; repealing section 28A.88.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.88.070; repealing section 28A.88.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.88.080; repealing section 3, chapter 84, Laws of 1970 ex. sess. and RCW 28A.21.073; and declaring an emergency.

Referred to Committee on Education and Libraries.

## HOUSE BILL NO. 87, by Representatives Gladder, Haussler and Jueling:



An Act relating to public printing; and amending section 43.78.080, chapter 8, Laws of 1965 as amended by section 7, chapter 6, Laws of 1969 and RCW 43.78.080.

Referred to Committee on State Government.

HOUSE BILL NO. 88, by Representatives Wolf, Charette and Bledsoe (by Legislative Council request):

An Act relating to port districts; amending section 2, chapter 92, Laws of 1911 as amended by section 1, chapter 62, Laws of 1913 and RCW 53.04.020; repealing section 1, chapter 39, Laws of 1921 and RCW 53.04.050; and repealing section 1, chapter 133, Laws of 1935, section 1, chapter 17, Laws of 1941, section 1, chapter 63, Laws of 1951, section 19, chapter 200, Laws of 1963 and RCW 53.12.160.

Referred to Committee on Local Government.

HOUSE BILL NO. 89, by Representatives Mentor, Wanamaker, Berentson, Randall, Barden, Costanti, Wolf, Conway, Adams, Backstrom, Bauer, Ceccarelli, Chatalas, Cunningham, Farr, Gallagher, Marsh, Martinis, Marzano, Merrill, McCormick, Paris, Rosellini, Wojahn and Litchman:

An Act relating to revenue and taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 90, by Representatives Brouillet, Hoggins, Chatalas, Kirk, Merrill, Lynch, Grant, Conner, Thompson, Marsh, Backstrom, Bagnariol, Bauer, Beck, Ceccarelli, Charnley, Douthwaite, Farr, Gallagher, King, Luders, Martinis, Marzano, Mentor, McCormick, O'Brien, Paris, Rosellini, Williams, Wojahn and Litchman (by Joint Committee on Education request, Executive request and Superintendent of Public Instruction request):

An Act relating to educational opportunities for all handicapped children; amending section 28A.13.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 2, Laws of 1969 ex. sess. and RCW 28A.13.010; amending section 28A.13.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.13.020; amending section 28A.13.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.13.030; amending section 28A.13.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.13.040; amending section 28A.13.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.13.050; amending section 28A.24.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.100; adding new sections to chapter 28A.13 RCW; adding a new section to chapter 28A.41 RCW; providing penalties; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 91, by Representatives King, Charette, Grant, Ceccarelli and Litchman:

An Act relating to elections; amending section 29.13.010, chapter 9, Laws of 1965 as amended by section 2, chapter 123, Laws of 1965, and RCW 29.13.010; amending section 29.27.045, chapter 9, Laws of 1965 and RCW 29.27.045; amending sections 29.42.030 and 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.030 and 29.42.040; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050; amending sections 29.68.080 and 29.68.090, chapter 9, Laws of 1965 and RCW 29.68.080 and 29.68.090; amending section 29.80.010, chapter 9, Laws of 1965 and RCW 29.80.010; adding a new section to chapter 9, Laws of 1965 and to Title 29 RCW; and declaring an emergency.

Referred to Committee on Elections and Apportionment.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Bledsoe, the House advanced to the eighth order of business.

## RESOLUTIONS

HOUSE RESOLUTION NO. 71-4, by Representatives Litchman, Copeland, Bagnariol, Ceccarelli, Rosellini, Adams, Martinis, Randall and Spanton:

WHEREAS, It is the desire of the House of Representatives of the State of Washington to attract professional sports here for the enjoyment of the citizens of this State; and

WHEREAS, The presence of professional football in Washington would not only provide enjoyment to its citizens but also bring new business into this State; and

WHEREAS, The Husky Stadium and facilities worth over 30 million dollars, is used only five or six times a year for football; and

WHEREAS, Ralph Wilson, owner of the Buffalo Bills Football Club, recently indicated his interest in bringing his team to Seattle if adequate facilities are made available; and

WHEREAS, The State of Washington currently has facilities which are adequate to satisfy the needs of a professional football team;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests the Board of Regents of the University of Washington, the Mayor of the City of Seattle, the King County Executive, and the Governor and Legislature of this State to take such action as is necessary to bring Ralph Wilson and the Buffalo Bills Football Club to the State of Washington and that copies of this resolution be sent to the appropriate parties.

Mr. Litchman moved adoption of the resolution.

On motion of Mr. Copeland, the following amendment was adopted:

In line 5 of the last paragraph, after "as is" and before "to" strike "necessary" and insert "appropriate"

Representatives Litchman, Copeland and O'Brien spoke in favor of adoption of the resolution; Representative Douthwaite spoke against its adoption; and Representative Curtis supplied pertinent information, stating he was neither for nor against the resolution.

House Resolution No. 71-4, as amended, was adopted.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I would like to remind the members that this floor resolution as well as other bills, memorials and resolutions introduced and read for the first time are available for the addition of additional signatures for approximately 30 minutes after they are read in. The rules provide that sponsors shall be limited to three. The custom of this House is additional signatures may be added; however, I would call the attention of the members to the provision that the consent of the prime sponsor should be obtained on any particular measure before you add your signature after the third. We would like your cooperation in this regard."

## PERSONAL PRIVILEGE

Mr. Goldsworthy: "I just wanted to announce for the benefit of the members of the Appropriations Committee and also the Social and Health Services Committee that we were going to join in this afternoon with the Senate on hearing testimony from Northern State Hospital, but I don't think we are going to make it. The hearing is going on at this time. Depending on how quickly the work is done here this afternoon, you are invited to go up to the House Appropriations Room if they are still meeting. Probably the meeting will have ended when we adjourn. If so we will try to reschedule it for another time."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. Bledsoe, the House reverted to the sixth order of business.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 72, by Representatives Morrison, Newhouse, Hubbard, Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Blair, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Douthwaite, Farr, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kraebel,

Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, North, O'Brien, Paris, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Smith, Thompson, Van Dyk, Williams and Wojahn (by Executive request):

An Act relating to unemployment compensation; amending section 11, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.020; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; repealing section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127; establishing effective dates; and declaring an emergency.

Mr. Grant demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Bledsoe, the House proceeded with business under the Call of the House.

#### MOTION

On motion of Mr. Bledsoe, the rules were suspended, House Bill No. 72 was advanced to second reading and read the second time.

The Clerk read the following amendment by Representatives Morrison, Grant and Charette:

On page 3, section 2, line 23, after "RCW 50.20.127" and before "and" insert a period and strike the remainder of subsection (9).

#### POINT OF ORDER

Mr. Charette: "I didn't submit any amendment with Representative Morrison. I don't want anybody to be misled."

The Speaker: "There were amendments submitted by you and Mr. Grant, and there were amendments submitted by Mr. Morrison. The first two were identical in language. We therefore placed them to be read once, with the three sponsors. Mr. Grant agrees to that. Mr. Morrison has already agreed. How about you, Mr. Charette?"

Mr. Charette: "I think Mr. Grant and Mr. Morrison make a good team."

Mr. Morrison moved adoption of the following amendment by Representatives Morrison and Grant:

On page 3, section 2, line 23, after "RCW 50.20.127" and before "and" insert a period and strike the remainder of subsection (9).

Representative Morrison spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Beck.

Mr. Beck: "Mr. Morrison, would you explain part of this to me? As I understand it, under the normal unemployment compensation procedure, when the person qualifies, the maximum benefit is for 30 weeks. This bill provides for an additional 13 weeks. Further, in an emergency, there is another additional 13 weeks. Are you striking that second 13-week period? Is that the intent of your amendment?"

Mr. Morrison: "In effect that is true. What we are attempting to do here is to extend to 20,000 people who, right at this point in time, need unemployment compensation payments to continue. We are extending this system to them on a 50-50 shared cost basis with the federal government, or the fund at the federal level. We are going to take some time, then, to create the emergency system which will provide additional benefits after that point in time. We feel this should not be rushed through at this time. There is another bill coming along behind this which will make us conform to federal requirements and we will work it out in that particular measure."

Mr. Beck: "I have reluctance in striking this out. I think as long as we are doing this, why not put it in, and do it now. We have the emergency here right now. It has been many, many years since we were in such an economic depression. Why not leave it on now and get the thing done and over with. We are liable to lose the bill that you've got in committee. I would urge you to defeat this amendment."

Mr. Grant spoke in favor of adoption of the amendment, stating however that he did not completely agree with Mr. Morrison's explanation of the amendment.

The amendment by Representatives Morrison and Grant to page 3, section 2, line 23, was adopted.

On motion of Mr. Morrison, the following amendment by Representatives Morrison and Grant was adopted:

On page 3, section 2, beginning on line 25, strike all of subsections (10) and (11) and renumber the remaining subsections consecutively.

The Clerk read the following amendment by Representative Morrison:

On page 6, section 8, line 15, strike section 8 and renumber the remaining sections consecutively.

#### PARLIAMENTARY INQUIRY

Mr. Grant: "Point of parliamentary inquiry, Mr. Speaker. Representative Charette and I have an amendment that strikes sections 8, 9 and 10, and substitutes new sections 8 and 9."

The Speaker: "Your point is well taken. I believe this amendment was read out of order and we should first take up the amendments to sections 8, 9 and 10 by Representatives Grant and Charette."

Mr. Grant moved adoption of the following amendment by Representatives Grant and Charette:

Strike all of sections 8, 9 and 10 and substitute the following:

"NEW SECTION. Sec. 8. No individual shall receive both extended benefits and additional benefits during or in respect to the same week. An individual may become eligible to receive additional benefits under this section with respect to a week of unemployment only if he is not eligible to receive extended benefits under this 1971 amendatory act with respect to that week.

Sec. 9. Section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127 are each amended to read as follows:

An individual who has received the maximum amount allowable in his benefit year may, if otherwise eligible, draw '[extended] additional benefits' in those weeks in his benefit year which begin in an '[extended] additional benefit period' and, if his benefit year ends within such '[extended] additional benefit period, in the next thirteen or fewer weeks which begin in such '[extended] additional benefit period': PROVIDED, That the individual shall not draw such '[extended] additional benefits' in any week during which he could establish entitlement to regular unemployment benefits under any state or federal law.

[If a federal enactment provides for reimbursing the state for certain benefits paid for weeks of extended unemployment, the extended benefits shall be paid in the regular manner, and the reimbursements shall be credited to the unemployment compensation fund.]

(1) '[Extended] Additional benefits' are additional benefits payable at the weekly rate applicable for the individual during the benefit year for which he has received the maximum sum allowable. [Extended] Additional benefits for an individual cannot exceed whichever is the lesser of thirteen times his weekly benefit amount or one-half his [previous] regular entitlement [, and]: PROVIDED, That the combined total of his regular unemployment compensation plus his extended and additional benefits cannot exceed [thirty-nine] fifty-two times his weekly amount.

(2) An '[extended] additional benefit period' means a period commencing with the third calendar week immediately following any thirteen-week period (known for purposes of this section as the thirteen-week computation period) during which the average rate of insured unemployment [is equal to or greater than one hundred twenty percent of the average of the rates of insured unemployment for the corresponding thirteen-week periods in each of the two preceding calendar years and ending with the third week immediately following any thirteen-week period during which such rate was less than one hundred twenty percent of the average rate of insured unemployment for the corresponding thirteen-week periods in each of the two preceding years: PROVIDED, That an extended benefit period shall not commence unless the yearly average insured unemployment rate as computed at the end of the] for the preceding thirteen-week computation period is equal to at least five percent and ending with the third week immediately following any thirteen week period during which such rate was less than five percent. No [extended] additional benefit period shall be less than thirteen weeks in length and no [extended] additional benefit period shall commence at any time an [extended] additional benefit period is already in effect.

(3) 'Insured unemployment' for any week as used for this computation means the

number of weeks of unemployment claimed in Washington for that week, excluding weeks of unemployment claimed in connection with unemployment compensation programs which are exclusively federal [and excluding any weeks claimed by an individual following the week in which benefits based on his original entitlement were exhausted].

(4) 'Insured employment' means the average monthly employment reported by employers for a twelve-month period.

(5) For purposes of this section the rate of 'insured unemployment for any week' is the ratio obtained by dividing insured unemployment for that week by insured employment for the twelve-month period ending six months immediately prior to the calendar quarter in which the week began.

(6) Rates of insured unemployment shall be computed for each calendar week. After each week the insured unemployment rates for the thirteen consecutive weeks ending with that week shall be averaged [and the average shall be compared with the average of the rates of insured unemployment for the corresponding thirteen-week periods of the two preceding years. After each week the insured unemployment rates for the fifty-two consecutive weeks ending with that week shall be averaged to yield a yearly average insured unemployment rate. The commissioner shall by regulation prescribe how corresponding weeks are to be determined]. Computations involving division shall be carried to four decimal places."

Renumber the remaining section as "Sec. 10."

#### MOTION

Mr. Bledsoe moved that the question be divided into three parts, section 8, section 9 and section 10.

Representative Bledsoe spoke in favor of the motion.

#### PARLIAMENTARY INQUIRY

Mr. Charette: "Point of parliamentary inquiry. Has the motion to divide been put yet?"

The Speaker: "Yes."

Mr. Charette: "And now the discussion is on section 8?"

The Speaker: "No, it is on the motion to divide."

The motion by Mr. Bledsoe to divide the question was carried.

The Speaker stated the question before the House to be the amendment striking section 8 and inserting a new section 8.

Representative Charette spoke in favor of the amendment, and Representative Morrison spoke against it.

Mr. Rosellini demanded an oral roll call, and the demand was sustained.

Representative Grant spoke in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Grant and Charette striking section 8 and inserting a new section 8, House Bill No. 72, and the amendment was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn-48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker-51.

The Speaker stated that the amendment by Representatives Grant and Charette having been divided, the question before the House was the second portion of the amendment, striking section 9 and inserting new language.

#### POINT OF ORDER

Mr. Morrison: "My point of order, Mr. Speaker, concerns the amendment to strike section 8 which should precede the amendment to strike section 9."

#### RULING BY THE SPEAKER

The Speaker: "The question having been divided into three sections, the Speaker will rule that the section before us is section 8. Are there any further amendments to section 8?"

Representative Morrison moved adoption of the following amendment:

On page 6, section 8, line 15, strike the entire section and renumber the remaining sections consecutively.

Representative Morrison spoke in favor of adoption of the amendment and Representative Grant spoke against it.

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. King.

Mr. King: "Unemployment bills are very complicated as we all know. Maybe I don't understand what you are doing here, but I will state it as I understand it, and ask you if that is correct. Right now we have a situation where there are a number of people who have exhausted their eligibility for unemployment compensation in this state. The estimate is around 20,000 people. It is my understanding they have already gone through the original 30-week period and have then gone on to a state-extended period of 13 weeks. These people have exhausted the combination of those two things. First of all, is that a correct analysis?"

Mr. Morrison: "Yes, there are people who fall in that category."

Mr. King: "When you finish your amendments here, will these people be able to receive, in any way, an additional number of weeks?"

Mr. Morrison: "Yes, that person who exhausted his benefits both under the first layer and then the second layer (the present state-extended system) will have another full session of up to 13 weeks, making an accumulative total for many persons of 52 weeks."

Mr. King: "My concern is that the section you are striking is the one that sets up that additional third layer of 13 weeks, if I understand it correctly. But you feel that you do not need to have that spelled out in the law in order to give them the 13 weeks?"

Mr. Morrison: "For some persons we will now have to go back, and we have time. We are buying time of 13 weeks to work out this new additional benefit program which, for some persons who have not already used their state-extended benefits, we will be creating hopefully a new third layer. For persons who have already exhausted their benefits or are currently under the state-extended benefit program, we are creating right now, immediately, effective Sunday, the third layer of benefits."

Mr. Rosellini demanded an oral roll call, and the demand was sustained.

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Litchman.

Mr. Litchman: "Mr. Morrison, on this side of the aisle we are concerned, as well as you, about the 20,000 people that you, Gary Grant and others have discussed here today. I would like you to be a little more positive in your answer to Representative King. You said, in your opinion, 20,000 people would have extended benefits. Are you positive of this? And if you are positive, could you set out to those of us who aren't aware or aren't assured of being positive, where exactly in your amendment you include this additional extended coverage that the Governor had set out so ably in his provision for an emergency clause?"

Mr. Morrison: "There was no question in my mind in answer to Mr. King. I mentioned in my opinion that that is the additional extended benefits after we have run out of federal benefits. That of course is up to future action of this body, and we will be attempting to put that together. There is no question at all about the 20,000 people with whom we concern ourselves now. The legislation before you is patterned after a model act submitted to us from the federal department dealing with this particular issue. I may have to call on some help to pick out the specific area in which we do definitely extend these to people who have

already exhausted their state benefits. However, you will find on the first page, New Section 2 defines and brings into play the federal triggering system. This is the conformity which we have to achieve to then come up with a 50-50 matching fund. Part of our amending action on the amendments we have already passed then strike any reference to an existing state additional benefit system. Consequently all those weeks of draw under the unemployment compensation system are forgiven (are, in effect, forgotten) and these people now start a whole new layer of benefits under the federal-state cost sharing program. If you will look on page 5, New Section 4, it states: 'An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the commissioner finds . . . ' and then a series of items which point out that even those persons who have exhausted their benefits under subsection (1) then are eligible for a whole new series, the full third layer of benefits which we have been talking about.'

Mr. Litchman: "Mr. Morrison, I haven't had a chance to go over the bill thoroughly, but it has been explained to us by some labor experts. It is my opinion, based on what I have heard, that section 8, of course, takes care of this emergency situation which you have alluded to before. As Mr. Grant said earlier, you have stricken section 8 and you haven't reinserted any other paragraph that alludes to the emergency situation. It would seem to me that if the Governor drafted this, I would assume that he drafted it adequately. And if he did draft it adequately, then it would seem that the burden of proof should be on you to show by striking section 8 that somewhere you have reinstated something else that pertains to the emergency clause. I don't think you have. In other words, before this august body today, you haven't sustained the burden of proof and therefore 20,000 people might very well be in a bad situation with no benefits whatsoever but to draw from the welfare funds. It seems to me that we in this House, in this august body, could take care of this situation by amending, perhaps, section 8 later on today, by stating that it would only be in force for a period of 30 days. Or possibly we could pass section 8 as it was stated in the Governor's bill and then do something else with section 8 next week or next month. But we are still in a situation of controversy, and by our action today we are hanging some 20,000 people, it seems to me, without a reprieve. I don't think you have sustained the burden of proof. If you wish to answer my question more specifically, or get another expert on it, fine and well and good. I think you people on the other side of the aisle certainly have good intentions and you are not trying to deprive 20,000 people of extended benefits, but you are, due to some misinformation that has been stated to us—not purposely—but has been stated to us today on the floor of the House. I think as Gary Grant has so expressly stated, and aptly stated, the burden of proof has not been sustained today by you people, and until such time, you are doing a disservice to 20,000 people."

Mr. Morrison: "The matter in section 8 which seems to be the subject of such controversy doesn't come into play until the people have exhausted their federal benefits anyway. So we are striking it and attempting to make a better system out of that. It doesn't affect anyone for as much as 13 weeks. We certainly, I suppose, could go at ease, Mr. Speaker, and ask a conference of attorneys. I have the privilege of being a farmer and am not bothered by these questions our attorney friends seem to bat back and forth. Mr. Littlemore is here from the Department of Employment Security, and I am sure he would be glad to assure Mr. Litchman that these 20,000 people for whom all of us have great concern are included in this act."

Representative Bledsoe spoke in favor of adoption of the amendment by Representative Morrison, and Representatives Charette and Bottiger spoke against it.

#### RULING BY THE SPEAKER

The Speaker: "Mr. Litchman, I believe you have already spoken on this amendment. A member may speak only once on an amendment except the mover who has the right to close debate."

#### MOTION

Mr. Litchman moved that the House recess or be at ease for a sufficient time to allow the minority caucus to hear from the experts what the majority heard as to why or why not section 8 should be removed from the bill.

The Speaker: "A motion to recess would have to be for a time certain."

#### POINT OF ORDER

Mr. O'Brien: "Point of order. I believe if you will read Rule 74, maybe you are tied up."

## RULING BY THE SPEAKER

The Speaker: "Your point is well taken. We are under Call of the House. We cannot recess."

## PARLIAMENTARY INQUIRY

Mr. Litchman: "Mr. Speaker, could we be at liberty to be at ease? I think former Speakers have done this, for generations, including the parliamentarian that just raised the point of order."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I might mention for the benefit of the members that the weather is becoming quite severe outside. We have authorized secretarial and committee help to leave for the day. If there are any last minute instructions for your committee or personal staffs, I suggest you contact them at this time."

The Speaker stated the question before the House to be the amendment by Mr. Morrison to strike section 8, House Bill No. 72.

## ROLL CALL

The Clerk called the roll on the amendment by Mr. Morrison to strike section 8, House Bill No. 72, and the amendment was adopted by the following vote: Yeas, 51; nays, 48; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

The Speaker stated that, the question having been divided, the question before the House was the second portion of the amendment by Representatives Grant and Charette, striking section 9 and inserting a new section 9.

With the consent of the House, Mr. Grant withdrew the amendment.

Mr. Morrison moved adoption of the following amendment:

On page 7, section 9, line 16, strike the entire section and renumber the remaining sections consecutively.

Representatives Morrison and Charette spoke in favor of adoption of the amendment.

The amendment by Representative Morrison to strike section 9, House Bill No. 72, was adopted.

The Speaker stated that, the question having been divided, the question before the House was the third portion of the amendment by Representatives Grant and Charette, striking section 10, House Bill No. 72.

With the consent of the House, Mr. Grant withdrew the amendment.

On motion of Mr. Morrison, the following amendment to the title was adopted:



On page 1, line 1, strike the title in its entirety and substitute the following:

"An Act relating to unemployment compensation; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; repealing section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127; establishing effective dates; and declaring an emergency."

#### PARLIAMENTARY INQUIRY

Mr. Charette: "My point of parliamentary inquiry, Mr. Speaker, is that I wanted to point out before you bump this bill to third reading, that there is an admitted defect in an RCW section number. I don't like the bill, but at least it should be clean so these people won't have the possibility of losing a week's entitlement. This is matter which the attorney for the department agreed with me. Could we prepare a quick amendment?"

The Speaker: "Is the error in the title?"

Mr. Charette: "No, it is in the body of the bill."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Bledsoe, the rules were suspended and section 10, House Bill No. 72, was reopened for the purpose of amendment.

On motion of Mr. Morrison, the following amendment was adopted:

On page 8, section 10, line 7, after "repealed" insert "": PROVIDED, HOWEVER, That this repealer shall not affect an individual's right to benefits for any week claimed pursuant to that section for which benefits have not been paid"

House Bill No. 72 was ordered engrossed.

#### MOTION

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 72 was placed on final passage.

Representative Morrison spoke in favor of passage of the bill and Representative Litchman spoke against it. Representative Sawyer stated that the majority of the members on his side of the aisle would join in passage of the bill even though the present form of the bill is far from what they think is necessary.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 72, and the bill passed the House by the following vote: Yeas, 92; nays, 7; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilliland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Backstrom, Beck, Grant, Hubbard, Litchman, May, Moon—7.

Engrossed House Bill No. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## PERSONAL PRIVILEGE

Mr. Grant: "Point of personal privilege. I would like to have the opportunity to explain my vote in the Journal."

The Speaker: "Consent given."

## PERSONAL PRIVILEGE

Mr. Bledsoe: "I would like to serve notice that we, likewise, intend to insert a statement in the Journal explaining the vote."

The Speaker: "Notice received."

## MOTIONS

On motion of Mr. Bledsoe, Engrossed House Bill No. 72 was ordered transmitted immediately to the Senate.

## STATEMENT FOR THE JOURNAL

I voted against Engrossed House Bill No. 72 in its present form as it denies extended benefits to thousands of workers. I supported the Governor's bill as it extended benefits to many unemployed for a period of up to 52 weeks. Even the Department of Employment Security recommended the bill. I support the passage of Engrossed Senate Bill No. 58 as it passed the Senate. MARK LITCHMAN, 45th District.

## STATEMENT FOR THE JOURNAL

I would like the record to show that while I generally support the payment of emergency unemployment compensation benefits, I voted "No" on House Bill No. 72 for the purpose of obtaining appointment to the conference committee which will consider the bill, if such a committee is formed. I specifically object to the amendments adopted by the majority party in that they deny the payment of benefits to thousands of workers. GARY GRANT, 47th District.

## STATEMENT FOR THE JOURNAL

Republican House Members voted during the deliberations on unemployment compensation to: 1. provide immediate emergency benefits to 20,000+ unemployed persons who have exhausted their regular and extended benefits, and 2. to establish conformity with the extended benefit provisions of the Federal Act. There is no validity to the allegations made by the Democrats in floor debate that House Bill 72, as amended, would not have provided the additional benefits described above. Floor discussion brought out the assurance by Republican leadership that a "third layer" of benefits would be negotiated in later unemployment compensation bills, but that need not be done now under the pressure of time. As an example of a poorly designed, hastily passed measure, Senate Bill 58 as amended by the Senate is a classic. It created a "third layer" of benefits, but with a "trigger point" so low that this supposed emergency system would have been in effect in 19 out of the past 20 years. House Democrats attempted to duplicate the same faulty system by amendments to House Bill 72. Senate Democrats also failed to provide any mechanism for "triggering out", thus putting an emergency program into effect which would have continued ad infinitum, requiring special legislative action to terminate.

Representative Vaughn Hubbard was requested by his caucus leadership to vote "No" on the final passage of House Bill 72 in order to provide greater flexibility and balance in the selection of conferees on this measure.

This represents the viewpoint of the majority of the House Republicans. SID W. MORRISON, 15th District.

## STATEMENT FOR THE JOURNAL

I would like the record to show while I voted "no" on House Bill No. 72, I feel very strongly that the State of Washington should provide an entire 52 weeks of unemployment compensation benefits—regular, extended, and emergency benefits. The amendments adopted by the majority party deny the payment of benefits to thousands of workers. This is wrong! I voted "No" on this important bill for the purpose of obtaining appointment to the conference committee which will consider the bill, if such a committee is formed. C. W. "RED" BECK, 23rd District.

## MOTION

On motion of Mr. Bledsoe, the House reverted to the fifth order of business for the purpose of receiving a message from the Senate.

## MESSAGES FROM THE SENATE

January 13, 1971.

Mr. Speaker: The Senate has passed ENGROSSED SENATE BILL NO. 58, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 58, by Senators McDougall, Matson, Durkan, Mardesich, Greive, Lewis, Stortini and Stender (by Executive Request):

An Act relating to unemployment compensation; amending section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; establishing effective dates; and declaring an emergency.

## MOTION

On motion of Mr. Wolf, the rules were suspended, Engrossed Senate Bill No. 58 was advanced to second reading and read the second time.

Mr. Morrison moved adoption of the following amendment:

On page 1, section 1, line 7, after "Section 1." strike the balance of the bill and insert: "Sections 2 through 7 of this 1971 amendatory act are added to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein.

*NEW SECTION.* Sec. 2. As used in this 1971 amendatory act, unless the context clearly indicates otherwise:

(1) 'Extended benefit period' means a period which:

(a) Begins with the third week after whichever of the following weeks occurs first:

(i) a week for which there is a national 'on' indicator, or

(ii) a week for which there is a state 'on' indicator: PROVIDED, That, if there is a state 'on' indicator for the week which is three weeks prior to the effective date of this 1971 amendatory act, an extended benefit period shall begin on the effective date of this 1971 amendatory act.

(b) Ends with the third week after the first week for which there is both a national 'off' indicator and a state 'off' indicator: PROVIDED, That no extended benefit period shall last for a period of less than thirteen consecutive weeks, and further that no extended benefit period may begin by reason of a state 'on' indicator before the fourteenth week after the close of a prior extended benefit period which was in effect with respect to this state: AND PROVIDED FURTHER, That prior to January 1, 1972, an extended benefit period may become effective and be terminated in this state solely by reason of a state 'on' and a state 'off' indicator, respectively.

(2) There is a 'national "on" indicator' for a week if the United States secretary of labor determines that for each of the three most recent calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all states equaled or exceeded four and five-tenths percent.

(3) There is a 'national "off" indicator' for a week if the United States secretary of labor determines that for each of the three most recent calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all states was less than four and five-tenths percent.

(4) There is a 'state "on" indicator' for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) as determined under the provisions of subsection (6) of this section

(a) equaled or exceeded one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years, and

(b) equaled or exceeded four percent.

(5) There is a 'state "off" indicator' for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) as determined under the provisions of subsection (6) of this section was either:

(a) Less than one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years; or  
 (b) Less than four percent.

(6) 'Rate of insured unemployment', for purposes of subsections (4) and (5) of this section, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent thirteen-consecutive-week period, as determined by the commissioner on the basis of his reports to the United States secretary of labor; by the average monthly employment covered under this title for the first four of the most recent six completed calendar quarters ending before the end of such thirteen-week period.

(7) 'Regular benefits' means benefits payable to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits or additional benefits.

(8) 'Extended benefits' means benefits (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) payable to an individual under the provisions of this chapter for weeks of unemployment in his eligibility period.

(9) 'Additional benefits' are benefits other than regular benefits or extended benefits.

(10) 'Eligibility period' of an individual means the period consisting of the weeks in his benefit year which begin in an extended benefit period that is in effect in this state and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(11) 'Exhaustee' means an individual who, with respect to any week of unemployment in his eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were available to him under this title or any other state law (including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his current benefit year that includes such week: PROVIDED, That for the purposes of this subparagraph, an individual shall be deemed to have received all of the regular benefits that were available to him although, as a result of a pending appeal with respect to wages and/or employment that were not considered in the original monetary determination in his benefit year, he may subsequently be determined to be entitled to more regular benefits; or

(b) His benefit year having expired prior to such week, has no, or insufficient, wages and/or employment on the basis of which he could establish a new benefit year that would include such week; and

(c) Has no rights to allowances or unemployment benefits, as the case may be, under the railroad unemployment insurance act, the trade expansion act of 1962, or the automotive products trade act of 1965 and such other federal laws as are specified in regulations issued by the United States secretary of labor; and

(d) Has not received and is not seeking unemployment benefits under the employment security law of the Virgin Islands or of Canada, but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law, he is an exhaustee.

(12) 'State law' means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the internal revenue code of 1954.

*NEW SECTION.* Sec. 3. Except when the result would be inconsistent with the other provisions of this 1971 amendatory act, the provisions of this title and commissioner's regulations enacted pursuant thereto, which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, extended benefits.

*NEW SECTION.* Sec. 4. An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the commissioner finds that with respect to such week:

(1) He is an 'exhaustee' as defined in subsection 13 of section 2 of this 1971 amendatory act; and

(2) He has satisfied the requirements of this title for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.

*NEW SECTION.* Sec. 5. The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount payable to him during his applicable benefit year.

*NEW SECTION.* Sec. 6. The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be the least of the following amounts:

(1) Fifty percent of the total amount of regular benefits which were payable to him under this title in his applicable benefit year;

(2) Thirteen times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year; or

(3) Thirty-nine times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits which were paid (or deemed paid) to him under this title with respect to the benefit year.

*NEW SECTION.* Sec. 7. (1) Whenever an extended benefit period is to become effective in this state (or in all states) as a result of a state or national 'on' indicator, or an extended benefit period is to be terminated in this state as a result of state and national 'off'

indicators or solely as a result of a state 'off' indicator prior to January 1, 1972, the commissioner shall make an appropriate public announcement.

(2) Computations required by the provisions of subsection (6) of section 2 of this 1971 amendatory act shall be made by the commissioner, in accordance with regulations prescribed by the United States secretary of labor.

*NEW SECTION.* Sec. 8. Section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127 are each hereby repealed. No benefits may be claimed pursuant to said section for weeks commencing on or after the effective date of this 1971 amendatory act.

*NEW SECTION.* Sec. 9. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on the Sunday following the day on which the governor signs this enactment."

#### POINT OF INQUIRY

Mr. O'Brien: "Are you going to circulate copies of the Senate bill? We haven't seen the Senate bill."

The Speaker: "Has the Senate bill as amended by the Senate been circulated? Your point is well taken, Mr. O'Brien."

#### POINT OF INFORMATION

Mr. Copeland: "Mr. Speaker, I believe that Mr. O'Brien probably didn't understand what the attempt was here. The attempt, and I think probably everybody agrees, is to try to get the Senate bill in position where it could go to conference. I think we worked out the procedure by which we would take Senate Bill No. 58 and Mr. Morrison would merely put on the text of the bill we just passed. The body would then vote on it, and tomorrow it would be in the Senate for their consideration whether to accept it or go ahead and get the bill in conference position. Your request for a print of Engrossed Senate Bill No. 58 is only going to delay this body in its deliberations on this act."

Mr. O'Brien: "Mr. Speaker, I appreciate Mr. Copeland's comments and explanation very much, but it appears to me we have been exercising some futility for a couple of hours if this is what you intended to do all the time. Why did we bother to disregard the Governor's bill on unemployment compensation? As a matter of fact I think your attitude, your criticizing, your indirect reproach to the Governor's recommendation—as good Republicans I don't think you should have tolerated it. However I will withdraw my request for a printed copy of the bill. But still, Mr. Copeland, I think you have wasted a lot of time."

Mr. Copeland: "Mr. O'Brien, I try not to waste time. Ninety-two people voted 'aye' on this last bill. I expect 92 to vote on it again, and it will take us less than ten minutes."

#### POINT OF INQUIRY

Mr. Beck: "Mr. Speaker, I think there is a mistake in Mr. Morrison's amendment. On page 6, section 8, line 16, it appears to have a word missing, or a number left out—at least it doesn't make sense to me. 'No benefits may be claimed pursuant to said section for weeks commencing on or after the effective date of this 1971 amendatory act.' How many weeks are you talking about?"

On motion of Mr. Morrison, the following amendment to his amendment to Engrossed Senate Bill No. 58 was adopted:

On page 6, section 8, line 16, after "repealed" insert "": PROVIDED, HOWEVER, That this repealer shall not affect an individual's right to benefits for any week claimed pursuant to that section for which benefits have not been paid"

The Speaker stated the question before the House to be the amendment by Mr. Morrison, as amended, to Engrossed Senate Bill No. 58.

The amendment, as amended, was adopted.

On motion of Mr. Morrison, the following amendment to the title was adopted:

On page 1, line 1, after "An Act relating to unemployment compensation;" strike the balance of the title and insert the following: "adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; repealing section 23, and chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127; establishing effective dates; and declaring an emergency."

## MOTION

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 58 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 58 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 4; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95. Voting nay: Representatives Backstrom, Grant, Hubbard, Moon—4.

Engrossed Senate Bill No. 58 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

The reason for my "no" votes on Engrossed House Bill No. 72 and Engrossed Senate Bill No. 58 as amended by the House was for the purpose of insuring my position on the conference committee if such were called. VAUGHN HUBBARD, District 11-A.

## MOTION

On motion of Mr. Bledsoe, Engrossed Senate Bill No. 58 as amended by the House was ordered transmitted immediately to the Senate.

## PERSONAL PRIVILEGE

Mr. Grant: "I would like to make the same statement for the Journal as I made regarding House Bill No. 72."

The Speaker: "Permission granted."

## PERSONAL PRIVILEGE

Mr. Bledsoe: "I would like to make the same request."

The Speaker: "Permission granted."

## MOTIONS

On motion of Mr. Bledsoe, the House dispensed with further business under the call of the House.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, January 14, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 14, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Maurice Haehlen of the United Churches of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Donald C. Sampson, who served 18 years as Executive Secretary of the Legislative Council, and requested that Representatives Copeland and O'Brien conduct him to a place on the rostrum for a presentation.

The Speaker called on Mr. Copeland to preside.

The Speaker (Mr. Copeland presiding) requested the Clerk to read House Concurrent Resolution No. 1.

HOUSE CONCURRENT RESOLUTION NO. 1, by Representatives Copeland, Jueling, Newhouse, Harris, Bottiger, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Swayze, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf and Zimmerman; and Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, McCutcheon, McDougall, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson and Woodall (by Legislative Council request):

WHEREAS, Noting his eighteen years of continuously outstanding service to the Legislature and the people of the State of Washington as Executive Secretary of the Legislative Council; and

WHEREAS, He has achieved a national reputation for his extraordinary knowledge of state government and the legislative process and has enhanced the national stature of the Washington State Legislature by having been elected to serve as President of the National Legislative Conference for the 1967 through 1968 term; and

WHEREAS, The members of the Legislature desire to particularly acknowledge his exceptional reputation for integrity, impartiality and candor; and

WHEREAS, The members of the Legislature wish to express their gratitude for his considerable contribution toward the betterment of the legislative process and the body of laws of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, the Senate concurring, That DONALD C. SAMPSON be commended for his meritorious contribution to the Legislature and the people of the State of Washington; and

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be prepared and forwarded to Mr. Sampson by the Secretary of State.

The Speaker (Mr. Copeland presiding): "I would like to remind all of you that Don's retirement came as a shock to us all. We hate to see this occur, but Don started with us in 1951. There is an old saying: 'Behind each and every good executive is an exquisite staff.' Or there's another saying: 'Behind each and every good man there is a good woman and an astonished mother-in-law.' I want to introduce the staff of the Legislative Council. They are with us today and are all seated in the rear of the room. I would like to have them stand and be recognized by the members of the House. (Applause)

"Don, the assembly of the staff that you have acquired through the years, the love and devotion that you have through these halls, and the many fine features that you have brought to the legislative branch of government, will be written forever in history. I just want to join in with the many of your friends in thanking you for your service. I would like to have John O'Brien say a few words on behalf of Don. No man served longer as Chairman of the Council than did John O'Brien. And no man worked harder under John than did Don."

Mr. O'Brien: "Mr. Copeland, Mr. Speaker, Don Sampson, staff members, and fellow members of the House of Representatives: I had the great pleasure of serving with Mr. Sampson for ten years as a matter of fact, eight years as Chairman of the Council, and one term as Secretary of the Legislative Council. During that long period of time I never found anyone who was any more conscientious and industrious than Mr. Sampson. He carried out his duties in a great manner. We had a fine working relationship, and during that period of time we initiated many improvements and many suggestions for the betterment of state government. I remember, Don, we got involved with air pollution, the study of our water resources—now major issues. Twelve years ago we started in Legislative Council many projects of this nature. Don has always accepted a challenge. Anything he could initiate for the betterment of state government, in our state, he always wanted to be part and parcel of this. I think this is a great attribute. Of course this follows through with all the members of the staff of the Legislative Council. They are dedicated and this is the primary purpose of the Washington Legislative Council—the research and the development of new and various kinds of legislation for the betterment of us all.

"Don, on your retirement, again I wish you well. It was a great pleasure for me to serve with you over the years. You certainly were a very dedicated public official."

Mr. Donald R. Sampson: "Thank you very much, Tom and John. Mr. Speaker, members of the House and that good staff: This has been a two-way street for me. It has been a rewarding and stimulating and wonderful experience to work for the legislature all these years. But in working with these, hundreds by now, who have been members of the House and Senate, I have also learned to respect and have high regard and personal friendship for scores of those people who have served in this state legislature. In attending the meetings of the National Legislative Conference, every year I came back with happiness and satisfaction and very grateful in that I think the members of this legislature compare very, very favorably with those of the other states. I think we have a very fine legislature and have had right along. It has been stimulating also that I have served under seven Chairmen of the Council—seven Speakers, starting with Charlie Hodde, then Mort Frayn, then John for four consecutive bienniums, with Bill Day, Bob Schaefer, Don Eldridge and Tom Copeland. One thing that has been such a highlight to me—so wonderful to me—everyone of those Chairmen has always been absolutely fair, effective and capable and backed me to the hilt. Never once in all those 18 years did I ever have any pressure to hire staff that I didn't want, or write reports that had preconceived conclusions. We were left to work exactly as I felt an objective researcher should. Some of my colleagues in other states, working for other legislatures, have been very envious of that. They know it; they know this state runs this way. They have applied for jobs out here because they thought it was such a great way to work in the legislative research field. I can't tell you how wonderful I think it has been to participate in so many, I think, fine laws; so many studies for the betterment of the state; and to work with all the wonderful people I have.

"Now that I have a little time, I have been thinking I might buy a typewriter and some day when I see some of these letters to the editor criticizing our legislature, I think I could give them a little rebuttal that would be pretty effective.

"It has been a pleasure, and I am proud of all of you that I have worked with. I am grateful for the honor that you have given me today, and I thank you very, very much."

The Speaker (Mr. Copeland presiding): "I would like to have the record show that in the gallery today are two products of the Legislative Council that graduated to (What should I call it?) greener fields, two very dedicated workers of the staff of the Council for years, Bob Seeber and Larry Shannon."

The Speaker resumed the chair and requested that the committee consisting of Representatives Copeland and O'Brien escort Mr. Sampson from the rostrum.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 92, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):



An Act relating to garnishment; amending section 28, chapter 264, Laws of 1969 ex. sess. as amended by section 3, chapter 61, Laws of 1970 ex. sess. and RCW 7.33.280; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 93, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to probate law and procedure; amending section 11.24.010, chapter 145, Laws of 1965 as amended by section 6, chapter 168, Laws of 1967 and RCW 11.24.010; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 94, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to education; reenacting section 28B.10.465, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 35, Laws of 1970 ex. sess. and by section 4, chapter 53, Laws of 1970 ex. sess., and RCW 28B.10.465; reenacting section 19, chapter 15, Laws of 1970 ex. sess. as amended by section 32, chapter 56, Laws of 1970 ex. sess. and by section 2, chapter 59, Laws of 1970 ex. sess., and RCW 28B.50.350; reenacting section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 237, Laws of 1969 ex. sess. and RCW 28A.58.420; reenacting section 1, chapter 29, Laws of 1945 and adding the same to chapter 223, Laws of 1969 ex. sess.; reenacting section 1, chapter 220, Laws of 1967 and adding the same to chapter 223, Laws of 1969 ex. sess.; repealing section 2, chapter 244, Laws of 1969 ex. sess., section 4, chapter 42, Laws of 1970 ex. sess. and RCW 28.47.801; repealing section 1, page 324, Laws of 1909, section 12, chapter 90, Laws of 1919, section 1, chapter 147, Laws of 1921, section 1, chapter 99, Laws of 1927, section 1, chapter 163, Laws of 1953, section 1, chapter 142, Laws of 1969, section 6, chapter 42, Laws of 1970 ex. sess. and RCW 28.51.010; repealing section 2, page 324, Laws of 1909, section 8, chapter 42, Laws of 1970 ex. sess. and RCW 28.51.020; repealing section 1, chapter 62, Laws of 1965, section 10, chapter 42, Laws of 1970 ex. sess. and RCW 28.58.550; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 95, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to counties; reenacting section 36.76.010, chapter 4, Laws of 1963 as last amended by section 21, chapter 42, Laws of 1970 ex. sess. and by section 52, chapter 56, Laws of 1970 ex. sess., and RCW 36.76.010; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 96, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to taxing districts; reenacting section 3, chapter 4, Laws of 1917, as last amended by section 24, chapter 42, Laws of 1970 ex. sess. and by section 56, chapter 56, Laws of 1970 ex. sess., and RCW 37.16.020; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 97, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to state government; reenacting section 1, chapter 32, Laws of 1969 as amended by section 50, chapter 18, Laws of 1970 ex. sess. and by section 28, chapter 62, Laws of 1970 ex. sess. and RCW 43.17.010; reenacting section 2, chapter 32, Laws of 1969 as amended by section 51, chapter 18, Laws of 1970 ex. sess. and by section 29, chapter 62, Laws of 1970 ex. sess. and RCW 43.17.020; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 98, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to public utility districts; reenacting section 7, chapter 1, Laws of 1931 as last amended by section 33, chapter 42, Laws of 1970 ex. sess. and by section 77, chapter 56, Laws of 1970 ex. sess., and RCW 54.24.018; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 99, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

An Act relating to revenue and taxation; amending and reenacting section 82.04.430, chapter 15, Laws of 1961 as last amended by section 5, chapter 65, Laws of 1970 ex. sess. and by section 2, chapter 101, Laws of 1970 ex. sess., and RCW 82.04.430; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 100, by Representatives Moon, Merrill, Perry, Haussler, Ceccarelli and Bagnariol:

An Act relating to revenue and taxation; amending section 82.04.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.050; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 101, by Representatives Thompson, Smythe, Williams, Charney and Amen:

An Act relating to elected public officials and the recall thereof; amending section 29.82.020, chapter 9, Laws of 1965 and RCW 29.82.020; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.82 RCW.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 102, by Representatives Moon, Maxie, Haussler, Merrill, Ceccarelli and Bagnariol:

An Act relating to drug treatment centers and providing for the funding thereof; amending section 1, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.015; adding a new section to chapter 3.62 RCW; adding new sections to chapter 69.40 RCW; and creating new sections.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 103, by Representatives Wolf, Bottiger and Hubbard:

An Act relating to crimes and punishment; adding a new section to chapter 249, Laws of 1909 and to chapter 9.54 RCW; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 104, by Representatives Kilbury, Johnson and Harris:

An Act relating to law libraries; authorizing regional libraries; and creating new sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 105, by Representatives Newhouse, Haussler and Benitz:

An Act relating to irrigation districts; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Agriculture.

HOUSE BILL NO. 106, by Representatives Zimmerman, Thompson, North, Hurley and Ceccarelli (by Departmental request):

An Act relating to species of fish and wildlife; amending section 77.16.040, chapter 36, Laws of 1955 as amended by section 1, chapter 75, Laws of 1961 and RCW 77.16.040; adding new sections to chapter 77.08 RCW; adding a new section to chapter 77.16 RCW; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 107, by Representatives Zimmerman, Flanagan and Thompson (by Departmental request):

An Act relating to the state game commission; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 9, chapter 307, Laws of 1961, and RCW 77.04.060.

Referred to Committee on State Government.

HOUSE BILL NO. 108, by Representatives Zimmerman, Randall, Brown and Brouillet (by Joint Committee on Education request):

An Act relating to education; amending section 9, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.090; amending section 28A.57.326, chapter 223, Laws of 1969 ex. sess. as amended by section 156, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.326; amending section 28A.57.260, chapter 223, Laws of 1969 ex. sess. as amended by section 134, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.260; adding a new section to chapter 28A.57 RCW; and repealing section 28A.59.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.130.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 109, by Representatives Zimmerman, Brown, Randall and Brouillet (by Joint Committee on Education request):

An Act relating to powers and duties of the state board of education; and amending section 28A.04.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.130.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 110, by Representatives Cunningham, Bluechel, North and Barden:

An Act relating to revenue and taxation; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; and creating a new section.

Referred to Committee on Local Government.

HOUSE BILL NO. 111, by Representatives Wolf, Thompson, Cunningham, Flanagan, Merrill and Sawyer (by Athletic Commission request):

An Act relating to revenue and taxation by state athletic commission, of closed circuit television; amending section 7, chapter 184, Laws of 1933 and RCW 67.08.010; and adding a new section to chapter 184, Laws of 1933 and to chapter 67.08 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 112, by Representatives Smythe, Moon and Bledsoe (by Legislative Council request):

An Act relating to the taxation and regulation of campers; amending section 57, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.111; amending section 82.44.030, chapter 15, Laws of 1961 and RCW 82.44.030; amending section 82.50.010, chapter 15, Laws of 1961 as amended by section 44, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.010; amending section 82.50.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1969 and RCW 82.50.020; amending section 82.50.030, chapter 15, Laws of 1961 as amended by section section 46, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.030; amending section 82.50.040, chapter 15, Laws of 1961 as amended by section 47, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.040; amending section 82.50.050, chapter 15, Laws of 1961 as amended by section 48, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.050; amending section 82.50.070, chapter 15, Laws of 1961 as last amended by section 2, chapter 69, Laws of 1969 and RCW 82.50.070; amending section 82.50.101, chapter 15, Laws of 1961 as amended by section 50, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.101; amending section 82.50.105, chapter 15, Laws of 1961 as last amended by section 51, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.105; amending section 82.50.110, chapter 15, Laws of 1961 as last amended by section 52, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.110; amending section 82.50.120, chapter 15, Laws of 1961 as last amended by section 53, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.120; amending section

82.50.130, chapter 15, Laws of 1961 as amended by section 54, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.130; amending section 82.50.140, chapter 15, Laws of 1961 as amended by section 55, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.140; amending section 82.50.160, chapter 15, Laws of 1961 as amended by section 1, chapter 274, Laws of 1969 ex. sess. and RCW 82.50.160; amending section 82.50.180, chapter 15, Laws of 1961 as amended by section 56, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.180; amending section 82.50.190, chapter 15, Laws of 1961 as last amended by section 1, chapter 225, Laws of 1969 ex. sess. and RCW 82.50.190; amending section 82.50.200, chapter 15, Laws of 1961 as amended by section 58, chapter 149, Laws of 1967 ex. sess. and RCW 82.50.200; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.12 RCW; adding a new section to chapter 46.16 RCW; adding a new section to chapter 82.44 RCW; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 113, by Representatives Thompson, Zimmerman and Spanton (by Departmental request):

An Act relating to powers and duties of game protectors; amending section 77.12.070, chapter 36, Laws of 1955 as amended by section 2, chapter 68, Laws of 1961 and RCW 77.12.070; and amending section 77.12.080, chapter 36, Laws of 1955 as amended by section 3, chapter 68, Laws of 1961 and RCW 77.12.080.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 114, by Representatives Hoggins, Brouillet, Zimmerman, Wojahn and Ceccarelli (by Joint Committee on Education request):

An Act relating to education and certain nutritional measures relating to pupils attending the common schools; amending section 28A.31.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.31.020; amending section 28A.30.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.30.010; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.31 RCW; and providing an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 115, by Representatives Charette, Curtis and Bagnariol:

An Act relating to intoxicating liquor; and amending section 231 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 5, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.310.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 116, by Representatives Bottiger, Kirk, Wolf, Ceccarelli and Litchman:

An Act relating to revenue and taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1967 ex. sess. and RCW 84.36.128; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 117, by Representatives Barden, Lynch, Hubbard, Morrison and Cunningham:

An Act relating to revenue and taxation; imposing a surtax on cigarettes; creating new sections; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL No. 118, by Representatives Zimmerman, Brown, Brouillet and Randall (by Joint Committee on Education request):

An Act relating to education; amending section 28A.57.328, chapter 223, Laws of 1969 ex. sess. as amended by section 137, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.328; amending section 28A.57.342, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.342; amending section 28A.57.332, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.332; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. and RCW

28A.57.344; repealing section 28A.57.340, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.340; repealing section 28A.57.350, chapter 223, Laws of 1969 ex. sess. as amended by section 138, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.350; repealing section 28A.57.370, chapter 223, Laws of 1969 ex. sess. as amended by section 139, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.370; repealing section 28A.57.380, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.380; and adding new sections to chapter 28A.57 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 119, by Representatives Brown, Randall and Charnley:

An Act relating to insurance; and amending sections 1 through 4, chapter 128, Laws of 1969 ex. sess. and RCW 48.44.200, 48.44.210, 48.20.420, and 48.21.150.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 120, by Representatives Brown, Haussler and Bauer:

An Act relating to education; amending section 4, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.040; amending section 9, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.090; amending section 18, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.180; amending section 28A.88.010, chapter 223, Laws of 1969 ex. sess. as amended by section 17, chapter 34, Laws of 1969 ex. sess. and RCW 28A.88.010; amending section 28A.88.020, chapter 223, Laws of 1969 ex. sess. as amended by section 154, chapter 176, Laws of 1969 ex. sess. and RCW 28A.88.020; and adding a new section to chapter 176, Laws of 1969 ex. sess. and to chapter 28A.21 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 121, by Representatives Wolf, Bottiger and Copeland:

An Act relating to licensing of airports; amending section 26, chapter 165, Laws of 1947 and RCW 14.04.260; and amending section 27, chapter 165, Laws of 1947 and RCW 14.04.270.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 122, by Representatives Grant, Sawyer, Ross, Chatalas, Ceccarelli and Litchman:

An Act relating to workman's compensation; extending coverage to additional occupations; amending section 51.12.010, chapter 23, Laws of 1961 and RCW 51.12.010; and amending section 51.12.020, chapter 23, Laws of 1961 and RCW 51.12.020.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 123, by Representatives Zimmerman, Schumaker, Costanti, Thompson, Hurley, North, Kraebel and Ceccarelli:

An Act relating to managed marine mammals; adding a new section to chapter 77.08 RCW; adding a new section to chapter 77.12 RCW; and adding a new section to 77.32 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 124, by Representatives Grant, Shinpoch, Rosellini and Conway:

An Act relating to pawnbrokers and second-hand dealers; amending section 232, chapter 249, Laws of 1909 and RCW 19.60.050; amending section 233, chapter 249, Laws of 1909 and RCW 19.60.063; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 125, by Representatives Shera, McCormick, Conway and Litchman (by Public Pension Commission request):

An Act relating to institutions of higher education; providing increased pension benefits for certain retired employees; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 126, by Representatives Shera, McCormick, Conway and Litchman (by Public Pension Commission request):

An Act relating to the retirement of judges; amending section 1, chapter 229, Laws of 1937 as amended by section 1, chapter 221, Laws of 1943 and RCW 2.12.010; amending section 1, chapter 286, Laws of 1961 and RCW 2.12.012; amending section 2, chapter 286, Laws of 1961 and RCW 2.12.015; amending section 2, chapter 229, Laws of 1937 and RCW 2.12.020; amending section 3, chapter 229, Laws of 1937 as last amended by section 3, chapter 286, Laws of 1961 and RCW 2.12.030; amending section 6, chapter 229, Laws of 1937 as last amended by section 2, chapter 243, Laws of 1957 and RCW 2.12.060; and adding a new section to chapter 2.12 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 127, by Representatives Moon, Perry, Barden and Bozarth:

An Act relating to revenue and taxation; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; and creating a new section.

Referred to Committee on Local Government.

HOUSE BILL NO. 128, by Representatives Wanamaker, Mentor, Berentson, Jueling, Haussler, Shinpoch, Randall and Ceccarelli:

An Act relating to revenue and taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; amending section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; and making an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 129, by Representatives Wolf, Brouillet, Zimmerman, Hoggins and Mentor (by Joint Committee on Education request):

An Act relating to school districts' authority to provide transportation for, and insurance for, students and others; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 153, Laws of 1969 ex. sess. and RCW 28A.24.055; and amending section ..., chapter ..., Laws of 1971 (HB ...) and RCW 28A.58.420.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 130, by Representatives Chatalas, Wolf, Copeland, Anderson, Bledsoe, O'Brien, Conner, Bozarth, Backstrom, Grant, Johnson, Bottiger, Hurley, Sawyer, Perry, Litchman, Gallagher, Flanagan, Conway, Lynch, Kopet, Cunningham and Goldsworthy (by State Treasurer request):

An Act relating to state government; authorizing the state treasurer to cash certain checks for state officers and employees; and adding a new section to chapter 43.08 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 131, by Representatives Jastad, Schumaker, Moon, Gallagher, Marzano, Wolf and Ceccarelli:

An Act relating to crimes concerning dogs; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 132, by Representatives Conner and Savage:

An Act relating to state institutions; creating a new section; and making an appropriation.

Referred to Committee on Appropriations.

HOUSE JOINT MEMORIAL NO. 1, by Representatives O'Brien, Lysen, Marsh, Johnson, Chatalas, Ceccarelli, Marzano, Merrill, King, Rosellini, Williams, Luders, McDermott, Shinpoch, Charnley, Anderson, Douthwaite, Bradley, Knowles, Van Dyk, Randall, Bagnariol, Hurley, Savage, Litchman, Wolf and Haussler:

Providing for revenue sharing with the states.

## MOTION

Mr. O'Brien moved that the rules be suspended, House Joint Memorial No. 1 be advanced to second reading and read the second time.

Representatives O'Brien and Copeland spoke in favor of the motion.

The motion was carried.

House Joint Memorial No. 1 was read the second time.

## MOTION

On motion of Mr. O'Brien, the House deferred further consideration of House Joint Memorial No. 1, and the memorial was ordered placed on Monday's second reading calendar.

HOUSE JOINT RESOLUTION No. 16, by Representatives May, Wolf and Spanton:

Providing that the legislature may convene extraordinary sessions.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 17, by Representatives Bagnariol, Litchman, Spanton, Merrill, Ceccarelli and Barden:

Amending Constitution to authorize lotteries.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 18, by Representatives King, Gallagher, Grant and Litchman:

Amending the Constitution to allow 18-year-olds to vote.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 19, by Representatives McDermott, Charnley, Ross and Grant:

Amending Constitution to repeal highway fund.

Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 20, by Representatives May, Conner and Spanton:

Providing for limiting the governor's veto power.

Referred to Committee on State Government.

HOUSE CONCURRENT RESOLUTION NO. 4, by Representatives Hoggins, Randall and Zimmerman:

Providing for study on development of a state coordinated system for communication by department of general administration.

Referred to Committee on State Government.

## MOTION

On motion of Mr. Newhouse, House Bill No. 57 was rereferred from the Committee on Transportation to the Committee on Business and Professions.

## AMENDMENTS TO TEMPORARY RULES

The Speaker stated that notices had been given the previous day by Mr. Newhouse, that he would offer a proposed amendment to Temporary House Rule No. 87, and by Mr. Sawyer, that he would offer proposed amendments to the Temporary House Rules.

Mr. Sawyer moved adoption of the following amendment to the Temporary House Rules:

Amend Rule 3(f) as follows: On line 3, following "in" strike the remainder of the sentence through "house" on line 4, and insert "a manner which follows as closely as

possible the same ratio as the membership of the respective parties in the House, and which assures that each member shall be entitled to serve on the same number of standing committees as any other member”

The Speaker recognized Mr. Sawyer.

Mr. Sawyer: “To effectively represent his constituents, a member of the House must participate in the work of standing committees. Anyone familiar with the legislative process knows that standing committees determine which bills will become laws and which will not. A legislator who does not have an equal chance to serve on committees simply does not have a chance to be an effective legislator.

“The Federal Constitution prohibits any state from denying its citizens equal protection of the laws. The Attorney General recently notified us of a series of recent cases in which the courts have applied that prohibition to the political arena. The cases remind us that if we, as legislators, fail to grant equal representation to all voters the courts will step in and make us do it.

“The proposed committee assignments, published by the Speaker January 13, violate the rights of some members to serve with equal effectiveness in the House, and the rights of their constituents to be equally represented. Specifically, the proposed assignments appoint some members to two committees, some to three and other members to four; and though the Republicans have only a slim majority in the House, they are given control of every committee. The Speaker’s proposal ignores the constitutional requirement of equal representation in order to give effect to a scheme for partisan domination of the committee system.

“Our amendments would assure that every member of the House would serve on three committees. Under it, each member and his constituents would enjoy equal representation.

“The choice we face is whether we change our traditional committee assignments to make them conform to the Constitution or whether the courts will force us to do it. If we don’t, I’m assured the courts will. We’ve each taken an oath to uphold the Constitution. We know what our duty is. It would be a disgrace if we ignored our duty and had to be forced by the court to do it.

“Mr. Speaker, I wish permission to have my remarks inserted into the Journal so that an accurate record of the proceedings be available in the event this amendment is refused and the matter is brought before the courts. Thank you.”

#### POINT OF INQUIRY

Mr. Sawyer yielded to question by Mr. Newhouse.

Mr. Newhouse: “Mr. Sawyer, I can well appreciate that you and your side have no control over the procedures as followed by the Senate in this regard. For instance, that in this particular session the Senate has the great disparity, particularly, say, in Rules Committee, where they now have 59 percent of the Senate membership, but demand almost 65 percent of Rules membership—in fact have an 11 to 6 majority. Or that, where I have given, through my committee to your side, the entire right to name your members to all committees, the Senate has taken away that right and, for instance, on the committee which will consider elections and apportionment, has named Republican members as well as Democrat members according to their selection.

“I agree that you have no control over that, but you have served longer in this legislature than I, and have served under, for instance, your noted leader who has been President of the National Conference of State Legislative Leaders. Wouldn’t you say, Mr. Sawyer, that your leadership has provided fair representation over those years when Mr. O’Brien, as has been said this morning, was Speaker for four terms? And for instance may I quote to you that in 1955, when the split was 49-50 . . .”

Mr. Sawyer: “Mr. Speaker, is this a question or a speech?”

Mr. Newhouse: “It is a question, Mr. Sawyer. And at that time, on the vital Constitutions and Elections Committee, when the majority was fifty percent, plus half of one percent, the Democrats had sixty percent of the Constitutions and Elections Committee, sixty-two and one-half percent of Public Utilities, sixty percent of Rules, and sixty percent of Revenue and Taxation. This is typical of the years when the Democrats have been in control. Would you agree that those were fair representations?”

Mr. Sawyer: “Mr. Newhouse, I think you missed the whole point of the amendment. The simple reason was that in many of the years you quoted, I also know that some legislative districts in your area had less than half of the people in the legislative districts as others. Since that time the court says ‘we don’t do that any more.’ What I am trying to do at this time, I don’t care what has happened in the past, and I don’t care what the Senate or what we traditionally have done. The courts are now ready to move in these areas, and demand equal representation. It is time for us to come in conformity with this, and this is what I am trying to do. I am trying to point out to you that you are not in conformity and that we had better get into conformity. We agree with the courts decision—one man, one vote. And we agree that we should redistrict this session so that we can have one man, one vote. Our side is dedicated to the proposition that everybody shall be equally represented, and I think the courts should be complimented that they are insisting on this. I think it is time that you people wake up and that you too will be faced with this. I’d rather do it here than be forced in the courts.”



Mr. Newhouse: "Mr. Speaker, I rise to oppose this amendment. I think it is presented a bit tongue-in-cheek because it is inconsistent with the rest of the section which he is trying to amend. Because that same section says that the majority party shall be entitled to a majority of each committee. Now when the margin is as narrow as it is this session, as it was in 1955, this is patently, mathematically, impossible. By the strict interpretation of mathematics, we have 16 committees. We are authorized as the majority to submit to you the total membership of committees. But when you have 48 members, you multiply by three, if you use three committees as you are suggesting, you are entitled to 144 slots. Mr. Sawyer only requested two committees, that makes it 143. And I think you must follow the rules that we are entitled to a majority on each committee; just a majority of one would mean that we would have to have 159 slots. Now if each of our members served on three committees, and we have 51 members, that would mean 153. Therefore, mathematically your suggestion is impossible, so we will have to arrive at some other way. The way we have arrived to solve this dilemma is that each of your members is entitled to three committees. And to attain the majority that is provided for in that rule, we have said that even though we don't like it, a few of our members will serve on four committees. And I repeat, we gave to your caucus—your committee on committees—the full authority to name your members to those slots. I think we have been fair, much more fair than I have seen done before, and we have made every effort to follow your suggestion, but I think your proposed rule change here is mathematically impossible to follow, and inconsistent with the rest of the section."

Mr. Sawyer spoke again in favor of the amendment to the Temporary House Rules.

Mr. Rosellini demanded an oral roll call, and the demand was sustained.

Representative O'Brien spoke in favor of adoption of the amendment.

The Speaker recognized Mr. Copeland.

Mr. Copeland: "I want to recite to you one little quotation out of the 1965 Journal that is terribly pertinent to the question Mr. Sawyer raised. At that time the proposal on the distribution by make-up of the two parties was in question, and Mr. Rogers had presented it at that time. I asked:

"Mr. Rogers, in regard to the apportioning a proper percentage on each committee to the members of the two parties, we have a problem of fractions, and I would like to have your interpretation of how this would be taken care of. This would appear to be insignificant, but I think it is quite important."

"Mr. Rogers replied, and the Democrats applauded shortly after:

"It would be my suggestion that all of those close fractional questions be decided in behalf of the Democrats." (p. 8, Journal of the House, 1965)

"So we are literally taking you at your word. The unfortunate part about what Mr. Sawyer is suggesting in his resolution is that it is mathematically impossible. I would hope that the record would reflect Mr. Newhouse's comments that mathematically you cannot stay on the breakdown that he suggested in his one single change in the rules."

Representatives Charette and Moon spoke in favor of adoption of the amendment to Temporary House Rule No. 3.

The Speaker recognized Mr. Bledsoe.

Mr. Bledsoe: "Speaking against the amendment, and briefly I cite the Constitution of our State. Article 2, section 9, begins: 'Each house may determine the rules of its own proceedings . . .' This I think clearly states that as we perform our deliberations and as we discuss this, we are operating within a framework of constitutionality that permits us to do what must be done to put this House together. We have attempted arithmetically and mathematically, as accurately as possible without having to take and divide some of the members of this House down the middle to come out with the proper fractions to put this thing together. Our proposal is eminently fair."

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Sawyer to Temporary House Rule No. 3(f), and the amendment was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chamley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Mr. Newhouse moved adoption of the following amendment to Temporary House Rule No. 79:

On page 352, Rules of the House of Representatives, Rule 79, Line 3 strike all of Rule 79 after "follows:" and insert the following:

<i>No. of Committee</i>	<i>Name of Committee</i>	<i>No. of Members</i>
1.	Agriculture	11
2.	Appropriations	38
3.	Business and Professions	17
4.	Education and Libraries	17
5.	Financial Institutions and Insurance	15
6.	Elections and Apportionment	9
7.	Higher Education	15
8.	Judiciary	11
9.	Labor and Employment Security	13
10.	Local Government	25
11.	Natural Resources and Ecology	31
12.	Revenue and Taxation	19
13.	Rules and Administration	16
14.	Social and Health Services	19
15.	State Government	16
16.	Transportation	33"

Representative Newhouse spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Newhouse, I am a member of the Committee on Committees on this side. Are there any committees on which the majority enjoys more than a one-vote majority?"

Mr. Newhouse: "Yes, they are rather easy to pick out in this amendment. If you name (rather frankly) an even-numbered, total number committee such as Appropriations, 38; Rules and Administration, 16; State Government, 16; and if you divide it according to mathematics, you will come up with the majority having a two-vote majority. The others are a one-vote majority. It's easy to pick out."

Mr. Thompson: "Is that your defense of the two-vote majority in its entirety, Representative Newhouse? How does this relate to the fractionalization of members—the impossibility of splitting people down the middle?"

Mr. Newhouse: "I make no defense, Mr. Thompson. We have determined the total membership in the committees."

Mr. Sawyer moved adoption of the following amendment, to the amendment by Mr. Newhouse, to Rule 79 of the Temporary House Rules:

Amend the amendment by Mr. Newhouse as follows: After "Natural Resources & Ecology" strike "31" and insert "29", after "Rules & Administration" strike "16" and insert "17" and after "State Government" strike "16" and insert "15"

Representatives Williams and Sawyer spoke in favor of adoption of the amendment to the amendment, and Representative Newhouse spoke against it.

The amendment by Mr. Sawyer to the amendment by Mr. Newhouse, to Temporary House Rule No. 79, was not adopted.

The Speaker stated the question before the House to be the amendment by Mr. Newhouse to Temporary House Rule No. 79.

The amendment was adopted on a rising vote.

## PERSONAL PRIVILEGE

Mr. Newhouse: "Mr. Speaker, I believe I misspoke myself and misunderstood the request from the minority party. The two committees on which Mr. Douthwaite and Mr. Knowles wished to change are Local Government and State Government. I am sorry for that mistake."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Sawyer moved adoption of the following amendment to Temporary House Rule No. 86:

Amend House Rule 86 as follows: Strike paragraph 3 and insert

"A record of all proceedings in the committee of the whole shall be kept and retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person and inserted in the daily journal as a permanent record."

Mr. Grant demanded a Call of the House and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Wolf, the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment by Mr. Sawyer to Temporary House Rule No. 86.

Representative Grant spoke in favor of the amendment, and Representative Newhouse spoke against it.

Mr. Rosellini demanded an oral roll call, and the demand was sustained.

## POINT OF INQUIRY

Mr. Thompson: "Thank you, Mr. Speaker. Will Representative Newhouse yield to a question?"

Representative Newhouse declined to yield to question.

Mr. Thompson: "I had intended to ask Representative Newhouse if he would provide the House with some assurance that the rule of the committee of the whole would not be invoked in the intervening period between now and the seventh working day. It would have made an interesting point."

Representative Hoggins spoke against adoption of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Sawyer to Temporary House Rule No. 86, and the amendment was not adopted by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chamley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard,

Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

#### EXPLANATION OF VOTE

Mr. Speaker: I wish the record to show my reason for voting "No" on the amendment by Mr. Sawyer to Rule 86 regarding recorded votes in the committee of the whole.

To change the House rules at this time takes away the House of Representatives' position in bargaining with the Senate to change the Senate Rule regarding recorded roll call votes. Full disclosure of legislative action requires that the Senate change its rule. For the House to change its rule without corresponding action will serve no practical purpose. The present House rules provide for recorded votes *when* the Senate does so.

I hope the Senate will do so. DALE E. HOGGINS, 21st District.

#### MESSAGE FROM THE SENATE

January 14, 1971.

Mr. Speaker: The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 58 and asks the House to recede therefrom, and said bill together with the House amendments thereto are herewith transmitted.

SIDNEY R. SNYDER, Secretary.

#### MOTION

Mr. Bledsoe moved that the House refuse to recede from its amendments to Engrossed Senate Bill No. 58 and ask the Senate for a conference thereon.

#### MOTION

Mr. Grant moved that the House do recede from its amendments to Engrossed Senate Bill No. 58.

Representative Grant spoke in favor of the motion.

Mr. Chatalas demanded an oral roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Grant that the House do recede from its amendments to Engrossed Senate Bill No. 58, and the motion was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

The motion by Mr. Grant having been defeated, the Speaker stated that the motion by Mr. Bledsoe was carried, and the House refused to recede from its amendments to Engrossed Senate Bill No. 58 and asked the Senate for a conference thereon.

#### NOTICE OF AMENDMENT TO TEMPORARY RULES

Mr. King gave notice that he would offer a proposed amendment to the Temporary House Rules on the next working day.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Morrison, Hubbard and Grant as members of the Conference Committee on Engrossed Senate Bill No. 58.

## RULING BY THE SPEAKER

The Speaker: "In appointing the conference committee, I want to comment that within the wide latitude of Joint Rule No. 8 pertaining to the appointment of conferees, the presiding officer of either body is granted latitude in appointing conferees, provided and with the restriction that those viewpoints shall represent both the majority and the minority viewpoints on the particular measure going into conference. It does not specify that the majority of the House conferees must represent the majority viewpoint of the particular piece of legislation. However, that has certainly been traditional and custom within this body, and probably on the other side of the aisle as well. I believe that this particular measure, because of its complexity, and because of the fact that the amendment which became final passage on this particular bill constituted the entire bill, that that grants the Speaker greater latitude in representing a variety of viewpoints on this very important issue which we want to resolve as rapidly as possible. I insert these remarks in the record at this time so that it will not be so construed as policy established this early in the session for measures that may come before us at a later time."

## MOTIONS

On motion of Mr. Newhouse, the House dispensed with further business under the Call of the House.

On motion of Mr. Morrison, the House recessed until 6:15 p.m.

## EVENING SESSION

The Speaker called the House to order at 6:15 p.m.

The Clerk called the roll and all members were present.

## JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and House to escort the Senators to seats within the House Chamber.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate and all members were present except Senators Gissberg and Mardesich who were excused.

The Clerk of the House called the roll of the House, and all members were present.

The President of the Senate: "Thank you very much. Honored members of the legislature, ladies and gentlemen: Inasmuch as this evening's joint session was called for the purpose of receiving the Governor's Budget Message, and this message in turn will be broadcast statewide over television and radio, the President believes it expedient at this time to request of Senators Keefe, Ridder and Twig to be joined by Representatives Copeland, Grant and Rabel to act as a committee of honor to escort the Governor to a place of honor on the rostrum. The President believes the television script calls for the group to be outside the House doors prior to 7:00 p.m., and the Governor will enter promptly at 25 seconds after 7:00 p.m. We will all synchronize our watches."

## POINT OF INQUIRY

Mr. Chatalas: "Mr. President, I would like to find out if this television broadcast was cleared with Flip Wilson."

The President of the Senate: "In reply to your parliamentary inquiry, Representative Chatalas, the President believes the time has been cleared with Flip."

The Sergeant at Arms of the House announced the arrival of Governor Daniel J. Evans at the bar of the House, and the President instructed the committee to escort him to a seat on the rostrum.

The President of the Senate: "The purpose of this Joint Session of the Washington State Legislature is to receive the Budget Message from His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington. At this time, it is the President's privilege to present to you the Honorable Daniel J. Evans, Governor of the State of Washington."

Governor Evans: "Mr. President, Mr. Speaker, ladies and gentlemen of the legislature, and my fellow citizens: I must say before beginning my formal remarks that I find this speech considerably more difficult than the one given two days ago. If the State of the State is a difficult one, then the State of our Budget is even more difficult.

"I come before you tonight to present financial proposals for the operation of state government for the next biennium. I do so with mixed emotions, saddened because our revenue shortage does not allow for expansion of needed services to our citizens but heartened by the willingness and cooperation of our department heads and state employees in making needed cutbacks.

"During the past eight months we have spent thousands of hours in critically examining alternative ways to reduce expenditures and the relative priority of state programs. The reductions incorporated in this budget have not represented easy decisions. Time and time again, it has been necessary to ask myself, 'Are we, as a state, willing to tax ourselves at a higher rate to provide the funds necessary to finance this needed service?' Each one of you must face this same difficult question continuously during the next several months. One of our new legislators pungently described our dilemma, when he said, 'I believe in cutting fat out of the budget, but I didn't know part of the fat was in my district.'

"This state has had a remarkable record of tax stability during the past several years. Washington is one of only five states without a major state tax increase since 1967. We have operated with a budgetary surplus since 1965, the only period of such surplus in this state since World War II. During that time, this state has made unparalleled progress in extending educational opportunity to thousands of additional citizens, in providing up-to-date care for those in need and by eliminating ratable reductions, by instituting a massive network of community oriented programs revolutionizing institutional care, and by grasping national leadership in environmental quality and pollution control. Our task today is two-fold—to hold on to these gains and to reestablish economic progress for our state.

"The first signs of fiscal difficulty appeared in October 1969 when it became apparent that revenues were not keeping up with estimates made during the 1969 legislative session. As the economy continued to slip, the revenue deficit climbed until we faced the possibility of a \$110,000,000 deficit in the state's general fund. Fifteen months ago, I asked department heads of state government to respond by cutting back expenditures and twice since that time, I have added to their responsibility further cuts. The cooperation of departments heads, other elected officials and educational institutions has been exceptional, and we will be able to save over \$56,000,000 through these agency savings. I am proposing further to this legislature that we revise our accounting procedure to treat both expenditures and revenues, alike, at the end of each biennium. *All revenues and expenditures that occur during a biennium should be charged to that biennium even if they are not actually received until after the biennium closes.* The effect of this change will be a one-time \$32,000,000 gain at the end of the biennium. I have asked that payments to the various state employees and teachers' retirement funds be withheld during the remainder of this biennium. The net effect of this request will be a \$21,000,000 saving and, together with the other two items I have mentioned, will eliminate the deficit by June 30, 1971. I will speak a little later of a new proposal in the field of retirement systems for governmental employees.

"These have been difficult cost-saving measures, but the State of Washington is fortunate in having instituted such practices more than a year ago. We do not now share the grim future of some other states that are literally faced with bankruptcy. We will then start a new biennium with no deficit and no surplus.

"Nine months ago, I asked our Office of Program Planning and Fiscal Management to estimate for me the expenditures during the next biennium, based on current standards of service, increased only by added caseloads or enrollments in Washington's institutions.

"When measured against anticipated revenue, we found a \$565,000,000 gap. That represented the gigantic financial problem facing the administration as we began the budget-making task.

"I present to you tonight, however, a balanced budget—one that is extremely austere but, I believe, realistic. It is not a budget that can be continued for an extended period of time, but it is a budget that I believe will best help us through these immediate economic difficulties. It is a budget that I believe must be reviewed in January of 1972, and therefore, I will call the legislature back into session at that time for budgetary review.

"This budget assumes a further decline and then leveling off of the economy in 1971 followed by a beginning of an economic recovery in 1972. Total general fund spending during the next biennium will be 2.35 billion dollars—an increase of 4½ percent over the present general fund budget. State moneys, however, will decrease by 4 percent and the remainder will be filled by increasing federal allotments. This budget requires no tax

increases in the sales or business and occupation tax field. Four revenue measures are required, however, to bring balance to this document, first: An increase of five cents per pack on cigarettes which will parallel a similar request initiated by Governor McCall in the State of Oregon. Second: An increase in the tax on liquor by one cent per ounce. Third: A shortening of the time limit allowed for the payment of inheritance taxes from the present 15 months to 8 months. This will not in any way change the amount of inheritance tax but will make payment more prompt. And fourth: A change in the due date of taxes from the last day of the month to the 25th day of the month. These four measures, none of which adds to taxes on the necessities of life, will raise \$76,000,000.

"I mentioned, earlier, the delay of payments to our various retirement systems. Great concern has been expressed by many retired teachers and state employees that, somehow, their retirement payments would be jeopardized. I can absolutely assure you that this will not happen. Others have suggested that to merely postpone payments to the retirement fund would be borrowing a budget balancing trick utilized by my predecessor, which I vigorously opposed. I am suggesting, however, something quite different—simply that we examine the feasibility of a retirement system similar to that of many other states and with considerably greater protection than the federal social security system. This alternate system would provide for a five-year reserve fund, would lower the necessary payments by the state for many years to come, would continue to provide all necessary resources for retired employees and would save during this next biennium \$148,000,000. A rejection of this proposal could mean a tax increase of that amount. Citizens have suggested, from time to time, a wide variety of areas in which savings might be accomplished in state government. However, education, health and welfare, and institutions account for over 93 percent of General Fund spending and any budget savings must depend, heavily, on action taken in these three areas. All of the areas of state government have been held in tight check and if dollar savings of any consequence are to be made, they must be made in the three major areas I have mentioned.

"For the first time since World War II, we are seeing a decline in enrollment in our common schools—due primarily to the lowered birth rate of the past ten years. This enrollment decline is expected to continue through the next biennium.

"I am recommending that the present \$365 per pupil guarantee be maintained at that level during the next biennium. I have suggested, in addition, \$5,000,000 to fund the first stage of the education for the handicapped proposal I made on Tuesday and I have proposed an increase of \$4,000,000 in the special fund for education of the urban and rural disadvantaged. All education for the exceptional child and cultural enrichment programs have been continued, but at a reduced level. This school budget depends on a continuation of the two-mill property tax shift initiated by this legislature two years ago. I realize that Initiative 44 is before this body for your consideration. If it were to be passed by this session of the legislature, we would face a \$71,000,000 shortage in funds for the support of education. Considerable thought ought to be given to alternatives to Initiative 44 and to constitutional amendments relative to property taxes. I support, in a constitutional amendment, to lower the limits on property taxation to one percent of actual value. This is similar to one portion of the tax reform program of 1970. I most strongly suggest, however, that serious consideration be given to modification of the extreme voting requirements for special levies so that citizens, in a limited sense at least, have an opportunity to better provide local support for public education.

"I am pleased to report that the excellent management of state lands and the rising sales prices on timber sold from those lands will provide necessary current funds for a school construction budget of \$44,000,000 during the upcoming biennium, without resorting to additional voter approved state bond issues.

"The pressures on higher education over the past few years have been immense as we have attempted to cope with the large number of new students and the rising need for graduate education as well as technical and vocational and retraining education through our community colleges. While enrollment limitations have been necessary at our four-year institutions, there will be, during the next biennium, more than 8,000 new openings for students, including 6,000 in community colleges, 1,000 at the newly opened Evergreen State College and 1,000 scattered through the remainder of our higher educational system. This will allow a significant expansion in the percentage of our citizens attending college. It has been necessary, in order to fund this budget, to raise tuition fees for all elements of higher education. These increases will add twenty-one and a half million dollars to our higher education budget. Tuition fees for out-of-state students have been raised to approximate the actual cost of their education. Fees for in-state students still will cover only one-third of the total cost of their education. In order to provide greater opportunity for those who cannot afford the costs of college education, I am asking that our present tuition waiver program be tripled to 6% of total tuitions and, further, that it be extended to our community college system. This, in effect, is the equivalent of a 6.7 million dollar scholarship program that will make higher education for all a major step closer. I have also asked that aid be extended to students in private colleges and have set aside a two-million dollar program for that purpose. Its basic element would be a \$100 per student per year grant to those attending private colleges.

"Five years of progress in community mental health and retardation programs—group homes, half-way houses, and probation subsidy have helped to revolutionize our state's institutional program. Better care is provided today for more Washington citizens who need help, while at the same time daily populations in our institutions are declining. It has been

apparent for some time that institutional closures would be feasible, and it is particularly necessary that this be considered now when we have a fiscal crisis. The proposal to close five of our state institutions unquestionably causes concern and disruption in the immediate communities affected. It will take cooperation and understanding in order to insure the goal I am certain we all seek—that of providing good care, adequate treatment (in many cases closer than before to a citizen's home) and at a cost we can afford. The savings in these institutional closures total \$14,000,000 during the next biennium. I have included in our human welfare budget a major increase in the funding of community mental health and mental retardation programs and the establishment of four traveling teams in the mental health field to insure that we can better meet the needs of our citizens in their local communities. It has not been easy for me to propose these changes, nor will it be easy for those who must adjust to a shift in services, nor to those fine employees of institutions who may face transfer or, in some cases, reduction in force. However, I believe, under the present circumstances it would be unfair to the taxpayers of this state not to carry out these closures.

“Public assistance is the third major area of state responsibility, and it unquestionably has been the one subject to greatest pressures and to greatest public question during this period of economic uncertainty. Few people in our state really understand the makeup of our public assistance rolls. The aged and the blind, the disabled, the sick, and the dependent children make up over 85% of all of those drawing public assistance. None of these citizens can be considered as even being *in* the work force. Many of the remainder are either uneducated or untrained and find it impossible to acquire a job now. Public assistance is a complex, regulation-ridden program, strangled by federal red tape, but manned by a dedicated and innovative staff, all of whom are seriously overworked. These public assistance problems of Washington State are matched or exceeded by the other states of our nation. We need, desperately, Congressional action on national welfare reform or should seek to have the federal government assume the total public assistance burden and standardize the program nationwide.

“One of the major recommendations to achieve better efficiency in public assistance operations has been the simplification of grants. This budget suggests simplification of grants. This budget suggests simplification in housing standards where most errors and confusion occur. In order to reduce the disparities and hardships caused by such simplification I am suggesting the addition of \$5,000,000 in housing grants. Other than this addition there are no proposed increases to vendors nor to recipients. This proposal does *not* require the reimposition of ratable reductions and I would strongly oppose such a move.

“Our budget does not allow for salary increases for professors, teachers, or for state employees. It does not allow for salary increases for state elected officials, nor for legislators. It does provide for an increase in the allotment for health insurance by \$10 a month for teachers and for state employees. I do not believe, however, we can long expect governmental employees to be the only fighters in the front line against inflation. It is inequitable and unfair for these employees to see large salary increases granted to those in private industry and at other governmental levels while being expected to help hold down taxes for those citizens by foregoing salary increases themselves. I believe one of the top priorities of the legislative session of 1972 must be to reexamine the adequacy of salaries.

“By now, I am sure you recognize that the severe cutbacks of this budget are caused by the present economic distress of our state. Only when we have regained our economic strength can we hope to reinstitute governmental programs of increasing breadth and quality. We have sought help from the Federal government, and some has been forthcoming. I believe, strongly, however, that economic recovery is basically up to us. Only if we have the courage and the willingness to invest in our own future do we have the real hope of regaining economic strength. I, therefore, tonight am proposing a two-stage program for economic recovery—an immediate *Jobs Now* program and a longer range *Washington Future* program. *Jobs Now* will fund a series of projects designed to further stimulate industrial growth and the providing of additional jobs. The total cost of such a program during the next biennium is expected to be \$60,000,000 and it is anticipated that over 11,000 new jobs would be created. The long-range *Washington Future* program is designed to place a series of major bond issues for capital improvement before the people of this state at the November 1972 general election. These bond issues could fund such things as urban public transportation, irrigation and water supply, storm drainage and flood control, water pollution grants, social and health services delivery systems, the acquisition of outstanding recreational areas, and many other needed facilities. The total state financing of the *Washington Future* program would be more than \$500,000,000 and with federal and other matching funds available could mean a total program of over \$1,000,000,000. I will ask this legislature to establish a legislative and citizen task force to work on this long-range program and will ask them to report back to the 1972 session of Washington's legislature. Funding for both the *Jobs Now* program and the *Washington Future* program can be accomplished by the extension of the state sales tax to the sale of gasoline. I intend to release further details on this program early next week. I know that it is a new and unique program and may have controversial features but I strongly urge this legislature to give full attention to its potential for it may offer us the greatest opportunity yet to insure our own economic recovery.

“As you can readily understand, this is a tough and a minimum budget. It requires hold-the-line efforts in salaries, educational expansion and grants to those in need. The fat may come, a little from each one of us, but it is necessary, I believe, for economic recovery.



"In 1972, we can review our progress to determine if some expansion in state services can resume. Each of the major suggestions that have been made to cut costs in order to balance this budget have been subject to criticism by those directly affected. Little has been heard from those who believe that this is not the time to have broad new tax increases. If you feel this way, then now is the time to let your legislator and to let me know of your feelings. Only if you as citizens adequately communicate with your legislator and with your governor, can we be expected to accomplish adequate services, responsible taxation, and economic recovery for our State of Washington.

"The future is in our hands. It will take courage, sacrifice and determination, but with your help, I know we can secure Washington's future."

The President of the Senate: "Thank you very much, Governor Evans."

The President of the Senate instructed the committee consisting of Senators Keefe, Ridder and Twigg, and Representatives Copeland, Grant and Rabel to come forward and escort Governor Evans from the rostrum to his office.

The committee retired.

#### MOTION

On motion of Mr. Wolf, the Joint Session was dissolved.

The President of the Senate: "Thank you very much, Mr. Speaker, and the compliments of the Senate and the President on the wonderful arrangements."

The President of the Senate returned the gavel to the Speaker.

The Speaker: "Thank you, Lieutenant Governor Cherberg."

The Speaker directed the Sergeant at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore to the Senate Chamber.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the members of the Senate to the Senate Chamber.

The House resumed its session.

#### MESSAGES FROM THE SENATE

January 14, 1971.

Mr. Speaker: The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 58 and the House amendments thereto, and the President has appointed as members of the conference committee thereon: Senators Greive, Stortini and McDougall.

SIDNEY R. SNYDER, Secretary.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Friday, January 15, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 15, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Ross who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Reading of the journal of the preceding day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

January 14, 1971.

Mr. Speaker: The Senate has passed ENGROSSED SENATE JOINT RESOLUTION NO. 1, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## REPORT OF CONFERENCE COMMITTEE

January 15, 1971.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 58, conforming Washington unemployment compensation law to federal law in regard to certain extended benefits, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Signed by Senators Greive, Stortini and McDougall; Representatives Morrison, Hubbard and Grant.

## MOTION

On motion of Mr. Morrison, the report of the Conference Committee on Engrossed Senate Bill No. 58 was adopted and the committee was granted the powers of Free Conference.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 133, by Representatives North, Bottiger and Smythe (by Legislative Council request):

An Act relating to boundary review boards; amending section 9, chapter 189, Laws of 1967 as amended by section 5, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.090; and adding a new section to chapter 36.93 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 134, by Representatives Merrill, Cunningham and Barden (by Legislative Council request):

An Act relating to fire protection districts; and adding a new section to chapter 52.24 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 135, by Representatives Moon, Marsh, Zimmerman, Bauer, Kilbury and Knowles:

An Act relating to voting devices and vote tallying systems.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 136, by Representatives Hansey, Haussler, Amen, Backstrom and Van Dyk:

An Act relating to returnable containers for agricultural commodities; adding a new section to chapter 9.91 RCW, and prescribing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 137, by Representatives Smythe, Marsh, Bauer, Zimmerman and Backstrom:

An Act relating to voting devices and vote tallying systems; amending section 2, chapter 130, Laws of 1967 ex. sess. and RCW 29.34.180; and declaring an emergency.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 138, by Representatives Bauer, Wolf, Sawyer, Marsh and Luders:

An Act relating to eminent domain; and creating a new section.

Referred to Committee on Transportation.

HOUSE BILL NO. 139, by Representatives Shinpoch, Lynch, Grant, Douthwaite, Gallagher, Luders, Martinis and Merrill:

An Act relating to advertising; defining crimes; adding new sections to chapter 9.04 RCW; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 140, by Representatives Shinpoch, Lynch, Grant, Maxie, Charnley, Bauer, Knowles, Litchman and Merrill:

An Act relating to insurance; and adding a new section to Title 48 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 141, by Representatives Bottiger, North and Merrill (by Legislative Council request):

An Act relating to counties; amending section 1, chapter 72, Laws of 1967 and RCW 36.94.010; amending section 5, chapter 72, Laws of 1967 and RCW 36.94.050; amending section 6, chapter 72, Laws of 1967 and RCW 36.94.060; amending section 7, chapter 72, Laws of 1967 and RCW 36.94.070; amending section 10, chapter 72, Laws of 1967 and RCW 36.94.100; amending section 12, chapter 72, Laws of 1967 and RCW 36.94.120; amending section 17, chapter 72, Laws of 1967 and RCW 36.94.170; amending section 18, chapter 72, Laws of 1967 and RCW 36.94.180; amending section 22, chapter 72, Laws of 1967 and RCW 36.94.220; amending section 23, chapter 72, Laws of 1967 and RCW 36.94.230; amending section 24, chapter 72, Laws of 1967 and RCW 36.94.240; creating new sections; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 142, by Representatives Haussler, North and Merrill (by Legislative Council request):

An Act relating to sewer and water districts; adding a new section to chapter 36.93 RCW; adding a new section to chapter 56.02 RCW; and adding a new section to chapter 57.02 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 143, by Representatives Bottiger, Julin and Harris:

An Act relating to professional service corporations; and adding a new section to chapter 122, Laws of 1969 and to chapter 18.100 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 144, by Representatives Bledsoe, Bagnariol, Ceccarelli, Eikenberry, Barden, Cunningham and Litchman:

An Act relating to revenue and taxation; amending section 82.04.430, chapter 15, Laws of 1961 as last amended and reenacted by section 1, chapter -- (HB --), Laws of 1971 and RCW 82.04.430; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 145, by Representatives Haussler, North, Smythe, Blair, King and May (by Legislative Council request):

An Act relating to combined city and county municipal corporations.

Referred to Committee on Local Government.

HOUSE BILL NO. 146, by Representatives Merrill and North (by Municipal Committee request):

An Act relating to cities, towns and counties, requiring that claims for damages be presented to appropriate officials of such cities, towns and counties as conditions precedent to the maintenance of civil damage actions against the employees thereof for injuries caused by them acting in the scope of their employment; amending section 35.31.010, chapter 7, Laws of 1965 as amended by section 11, chapter 164, Laws of 1967 and RCW 35.31.010; amending section 35.31.020, chapter 7, Laws of 1965 as amended by section 12, chapter 164, Laws of 1967 and RCW 35.31.020; amending section 35.31.040, chapter 7, Laws of 1965 as amended by section 13, chapter 164, Laws of 1967 and RCW 35.31.040; and amending section 36.45.010, chapter 4, Laws of 1963 as amended by section 14, chapter 164, Laws of 1967 and RCW 36.45.010.

Referred to Committee on Local Government.

HOUSE BILL NO. 147, by Representatives Brouillet, Ross, Lysen, Maxie, Charnley, King and Litchman (by Joint Committee on Education request and by Executive request):

An Act relating to pupil conduct, discipline, and rights in the common schools; amending section 28A.58.101, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.101; amending section 28A.87.140, chapter 223, Laws of 1969 ex. sess. as amended by section 61, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.140; repealing sections 28A.58.190, 28A.58.200, 28A.67.100 and 28A.87.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190, 28A.58.200, 28A.67.100 and 28A.87.120; adding new sections to Title 28A RCW as a new chapter thereof; and providing penalties.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 148, by Representatives Merrill and North (by Municipal Committee request):

An Act relating to cities and towns; granting certain powers to the judges and justices of the peace in municipal courts, police courts and municipal departments of the justice courts therein; amending section 112, chapter 299, Laws of 1961 and RCW 3.66.010; amending section 35.23.600, chapter 7, Laws of 1965 as amended by section 8, chapter 116, Laws of 1965 ex. sess. and RCW 35.23.600; amending section 35.24.460, chapter 7, Laws of 1965 as last amended by section 12, chapter 116, Laws of 1965 ex. sess. and RCW 35.24.460; and amending section 35.27.530, chapter 7, Laws of 1965 as amended by section 17, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.530.

Referred to Committee on Judiciary.

HOUSE BILL NO. 149, by Representatives O'Brien, Wolf, Hubbard, Backstrom, Conner and Conway (by Departmental request):

An Act relating to the Washington public employees' retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 1, chapter 128, Laws of

1969, and RCW 41.40.010; amending section 3, chapter 274, Laws of 1947 as last amended by section 2, chapter 174, Laws of 1963, and RCW 41.40.030; amending section 23, chapter 274, Laws of 1947 as last amended by section 7, chapter 291, Laws of 1961, and RCW 41.40.220; amending section 27, chapter 274, Laws of 1947 as last amended by section 12, chapter 174, Laws of 1963, and RCW 41.40.260; amending section 34, chapter 274, Laws of 1947 as last amended by section 12, chapter 128, Laws of 1969, and RCW 41.40.330; amending section 37, chapter 274, Laws of 1947 as last amended by section 15, chapter 174, Laws of 1963, and RCW 41.40.361; amending section 1, chapter 68, Laws of 1970 ex. sess., and RCW 41.40.195; repealing section 1, chapter 223, Laws of 1961 and RCW 41.40.128; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 150, by Representatives Lynch, King, Goldsworthy, Kirk, Hurley, Backstrom, Beck, Bottiger, Bozarth, Ceccarelli, Chatalas, Cunningham, Knowles, North, Smith and Wojahn:

An Act relating to revenue and taxation; and amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess., and RCW 84.36.128.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 151, by Representatives Goldsworthy and Kopet (by Executive request):

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1971, and ending June 30, 1973; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 152, by Representatives Goldsworthy and Kopet (by Executive request):

An Act adopting the capital budget; making appropriations for capital improvements; authorizing certain projects; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE JOINT RESOLUTION NO. 21, by Representatives Smythe, Haussler, North, Bauer, Blair, Litchman, Marsh and May (by Legislative Council request):

Proposing constitutional amendment authorizing new form of "city-county" government in lieu of present "city and county government."

Referred to Committee on Local Government.

ENGROSSED SENATE JOINT RESOLUTION NO. 1, by Senators Durkan, Donohue, Day, Henry, Knoblauch, Twigg, Keefe, Canfield, Wilson, Guess, Woodall, Herr, Peterson (Lowell), McCutcheon, Ridder, Talley, Huntley, Metcalf, Odegaard, Jolly, Stortini, Peterson (Ted), Lewis and Dore:

Proposing a constitutional amendment to establish the assessed valuation of real and personal property at twenty-five percentum of the true and fair value of such property.

Referred to Committee on Revenue and Taxation.

#### AMENDMENT TO TEMPORARY RULES

The Speaker stated that notice had been given the previous day by Mr. King that he would offer a proposed amendment to the Temporary House Rules.

The Speaker instructed the Clerk to read the following amendment by Representatives O'Brien and King:

Amend House Rule 87 as follows: In the last line of paragraph 4, after "vote of" and before "of the representatives" strike "two-thirds" and insert "a majority"

## MOTION

On motion of Mr. O'Brien, the House deferred consideration until the next working day of the amendment by Representatives O'Brien and King to Temporary House Rule No. 87.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I would like to comment on two matters of policy once again for the interest of the members of the House. First, the matter of additional signatures on first reading of bills, which we have just gone through. We have a policy that the bills will remain on the desk for thirty minutes for the addition of additional sponsors, with the consent of the prime sponsor. I understand some people have had difficulty realizing when certain bills are being introduced and read in and can't catch them by bill number and title. For that reason we are authorizing a complete listing of bills to be introduced on each working day, by their short title and sponsorship, which will be delivered to your desks before we convene. If you are looking for a bill on which you wish to join as a sponsor, please review that list each day and contact the prime sponsors to obtain their consent to add your name so we can, as strictly as possible, adhere to the 30-minute limit. This will greatly facilitate the work of the Work Room, and the gals back there will appreciate it.

"Secondly, we are reading in this floor resolution today because of the time element involved. However, we have a policy and request that floor resolutions be submitted 24 hours in advance. I would hope that the members would adhere to that whenever possible."

## RESOLUTIONS

HOUSE RESOLUTION NO. 71-5, by Representatives Maxie, Chatalas, O'Brien, Ross, Chamley, Douthwaite, Grant, Kilbury, King, Knowles, Kraabel, Litchman, Marzano, McDermott, Merrill, Shinpoch, Williams and Wojahn:

WHEREAS, The members of this honorable body meet together here this fifteenth day of January, nineteen hundred and seventy-one of the year of our Lord, possessed of burdens of responsibility to the citizens of this, our State; and

WHEREAS, If courage for right in our proceedings be denied anyone of us here today, the beacon toward that way is here for all of us to follow; none shall forget the voice, filled with weariness, which proclaimed, "I am so tired, I wish I could go home every night and be with my family like everybody else but there's no turning back. There's so much to do."

This man, a Man of God, and we claim ours as a Nation founded on a belief in God;

This man, a Man of Peace, the symbol of his crusade, nonviolence, and we extoll to all the world ours is a nation striving for peace;

This man, a Man without Fear, and who among us would deny this to be of the greatest of our Freedoms;

This man, a Family man, imbued with that purposeful personality which made him for his children, a father without comparison, and for his wife, a husband whose worth she spends her days exhorting over the continents of this-earth;

This man, an Educated man, and who among us but envied his intellect; but a man is educated in more ways than by books and studying; and so he showed when refusing an offer to teach at Boston University where he took his doctorate and instead became pastor of a church, hardly the largest, in Montgomery, Alabama; and thus was born a leader; the Montgomery bus strike is not that far away in our memories nor is the group he founded, his Southern Christian Leadership Conference, whose very name bespeaks a chapter in our Nation's history;

This man, an American, a black American, was most of all the complete American; he confounded his critics; his was a life that was a complete disclaimer to all the statistics, studies and analyses that we have concluded about black America; he confounded his followers; his insistence on nonviolence and his insistence that racial equality could be achieved through unity with the whites; he was his own man until his untimely death and he was the humanitarian man whose strength was such that we today are but beginning to perceive.

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That on this day when schools throughout this State are honoring the birthdate of Dr. Martin Luther King, Jr., we, the members of this body, pause in our deliberations in respect to this great departed leader and alert the citizens of this State once again to his great contribution to the unity of this Nation.

AND BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to the widow and members of the family of the late Dr. Martin Luther King, Jr.

Miss Maxie moved adoption of the resolution.

Representatives Maxie, Chatalas and McDermott spoke in favor of adoption of the resolution.

The resolution was adopted.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:45 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m.

The Clerk called the roll and all members were present except Representative Ross who was excused.

#### MESSAGES FROM THE SENATE

January 15, 1971.

Mr. Speaker: The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 58 and has granted said committee the powers of Free Conference.

SIDNEY R. SNYDER, Secretary.

#### REPORT OF FREE CONFERENCE COMMITTEE

January 15, 1971.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 58, conforming Washington unemployment compensation law to federal law in regard to certain extended benefits, have had the same under consideration, and we recommend that the attached bill be substituted therefor and that it do pass.

An Act relating to unemployment compensation; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; repealing section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127; establishing effective dates; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

*NEW SECTION.* Section 1. Sections 2 through 11 of this 1971 amendatory act are added to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein.

*NEW SECTION.* Sec. 2. As used in this 1971 amendatory act, unless the context clearly indicates otherwise:

(1) "Extended benefit period" means a period which:

(a) Begins with the third week after whichever of the following weeks occurs first:

(i) a week for which there is a national "on" indicator, or

(ii) a week for which there is a state "on" indicator: PROVIDED, That, as there was a state "on" indicator for the week which was three weeks prior to October 11, 1970, an extended benefit period began on that date.

(b) Ends with the third week after the first week for which there is both a national "off" indicator and a state "off" indicator: PROVIDED, That no extended benefit period shall last for a period of less than thirteen consecutive weeks, and further that no extended benefit period may begin by reason of a state "on" indicator before the fourteenth week after the close of a prior extended benefit period which was in effect with respect to this state: AND PROVIDED FURTHER, That prior to January 1, 1972, an extended benefit period may become effective and be terminated in this state solely by reason of a state "on" and a state "off" indicator, respectively.

(2) There is a "national 'on' indicator" for a week if the United States secretary of labor determines that for each of the three most recent calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all states equal or exceeded four and five-tenths percent.

(3) There is a "national 'off' indicator" for a week if the United States secretary of labor determines that for each of the three most recent calendar months ending before such week, the rate of insured unemployment (seasonally adjusted) for all states was less than four and five-tenths percent.

(4) There is a "state 'on' indicator" for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate

of insured unemployment (not seasonally adjusted) as determined under the provisions of subsection (6) of this section:

(a) equaled or exceeded one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years, and

(b) equaled or exceeded four percent.

(5) There is a "state 'off' indicator" for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) as determined under the provisions of subsection (6) of this section was either:

(a) Less than one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years; or

(b) Less than four percent.

(6) "Rate of insured unemployment", for purposes of subsections (4) and (5) of this section, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent thirteen-consecutive-week period, as determined by the commissioner on the basis of his reports to the United States secretary of labor; by the average monthly employment covered under this title for the first four of the most recent six completed calendar quarters ending before the end of such thirteen-week period.

(7) "Regular benefits" means benefits payable to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits or additional benefits.

(8) "Extended benefits" means benefits (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 84) other than emergency benefits payable to an individual under the provisions of this chapter for weeks of unemployment in his eligibility period.

(9) "Additional benefits" are benefits other than regular benefits or extended benefits. The term includes benefits paid or payable pursuant to RCW 50.20.127 for weeks ending prior to October 11, 1970 and emergency benefits as provided for in this 1971 amendatory act.

(10) "Emergency benefits" are additional benefits payable only during the emergency benefit period. The entitlement and eligibility criteria for such benefits are contained in section 9 of this 1971 amendatory act.

(11) "Emergency benefit period" is the only period during which emergency benefits are payable. It is coincident to that extended benefit period which began on October 11, 1970, but in no event shall such emergency benefit period extend beyond October 2, 1971.

(12) "Eligibility period" of an individual means the period consisting of the weeks in his benefit year which begin in an extended benefit period that is in effect in this state and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(13) "Exhaustee" means an individual who, with respect to any week of unemployment in his eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were available to him under this title or any other state law (including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his current benefit year that includes such week: PROVIDED, That for the purposes of this subparagraph, an individual shall be deemed to have received all of the regular benefits that were available to him although, as a result of a pending appeal with respect to wages and/or employment that were not considered in the original monetary determination in his benefit year, he may subsequently be determined to be entitled to more regular benefits; or

(b) His benefit year having expired prior to such week, has no, or insufficient, wages and/or employment on the basis of which he could establish a new benefit year that would include such week; and

(c) Has no rights to allowances or unemployment benefits, as the case may be, under the railroad unemployment insurance act, the trade expansion act of 1962, or the automotive products trade act of 1965 and such other federal laws as are specified in regulations issued by the United States secretary of labor; and

(d) Has not received and is not seeking unemployment benefits under the employment security law of the Virgin Islands or of Canada, but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law, he is an exhaustee.

(14) "State law" means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the internal revenue code of 1954.

**NEW SECTION.** Sec. 3. Except when the result would be inconsistent with the other provisions of this 1971 amendatory act, the provisions of this title and commissioner's regulations enacted pursuant thereto, which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, extended benefits.

**NEW SECTION.** Sec. 4. An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the commissioner finds that with respect to such week:



(1) He is an "exhaustee" as defined in subsection 13 of section 2 of this 1971 amendatory act; and

(2) He has satisfied the requirements of this title for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.

*NEW SECTION.* Sec. 5. The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount payable to him during his applicable benefit year.

*NEW SECTION.* Sec. 6. The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be the least of the following amounts:

(1) Fifty percent of the total amount of regular benefits which were payable to him under this title in his applicable benefit year;

(2) Thirteen times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year; or

(3) Thirty-nine times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits which were paid (or deemed paid) to him under this title with respect to the benefit year.

*NEW SECTION.* Sec. 7. (1) Whenever an extended benefit period is to become effective in this state (or in all states) as a result of a state or national "on" indicator, or an extended benefit period is to be terminated in this state as a result of state and national "off" indicators or solely as a result of a state "off" indicator prior to January 1, 1972, the commissioner shall make an appropriate public announcement.

(2) Computations required by the provisions of subsection (6) of section 2 of this 1971 amendatory act shall be made by the commissioner, in accordance with regulations prescribed by the United States secretary of labor.

*NEW SECTION.* Sec. 8. Benefits paid under the provisions of RCW 50.20.127 for weeks beginning on and after October 11, 1970, and prior to the effective date of this 1971 amendatory act, shall be considered as extended benefits paid under this act to the extent that such benefits would have been payable had this act been in effect at the time such benefits were paid. The commissioner shall establish a total extended benefit amount pursuant to this act for each individual who receives benefits under RCW 50.20.127 with respect to weeks of unemployment beginning on and after October 11, 1970, and shall reduce such total extended benefit amount by the aggregate amount of benefits paid to each such individual under RCW 50.20.127 with respect to weeks of unemployment beginning on and after October 11, 1970, which would have been payable to such individual under this act had it been in effect at the time such payments were made: PROVIDED, HOWEVER, That this provision shall not be interpreted as granting retroactive benefits for weeks of unemployment which were not claimed under the provisions of RCW 50.20.127.

*NEW SECTION.* Sec. 9. The current protracted period of high unemployment in this state requires the enactment of a temporary emergency benefit program. The benefits to be paid pursuant to this program are designated as emergency benefits. Emergency benefits are payable only for weeks claimed during the emergency benefit period: PROVIDED, HOWEVER, That no such benefits are payable for weeks commencing after October 2, 1971. No individual shall be deemed qualified for emergency benefits unless the benefit year upon which his current eligibility period is based includes the effective date of this 1971 amendatory act, nor shall he be deemed qualified unless he has exhausted his entitlement to extended benefits and continues to meet the exhaustee criteria. Subject to the foregoing limitations emergency benefits will be paid in accordance with the terms and conditions set forth in the following subsections.

(1) An individual's total entitlement to emergency benefits is the balance obtained by subtracting the total amount of benefits, if any, which have been claimed pursuant to RCW 50.20.127 for weeks ending prior to October 11, 1970 from the lesser of the following amounts:

(a) Fifty percent of the total amount of regular benefits which were payable to him under this title with respect to his applicable benefit year; or

(b) Thirteen times the weekly regular benefit amount which was payable to him under this title for a week of total unemployment during his applicable benefit year.

(2) An individual's weekly emergency benefit amount shall be the same as the weekly regular benefit amount payable to him under this title for a week of total unemployment during his applicable benefit year.

(3) Except when the result would be inconsistent with other provisions of this 1971 amendatory act, the provisions of this title and the commissioner's regulations enacted pursuant thereto, which apply to claims for, or the payment of, regular benefits shall apply to claims for, or the payment of, emergency benefits.

*NEW SECTION.* Sec. 10. Section 23, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.127 are each hereby repealed. No benefits shall be paid pursuant to RCW 50.20.127 for weeks commencing on or after the effective date of this 1971 amendatory act.

*NEW SECTION.* Sec. 11. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on the Sunday following the day on which the governor signs this enactment.

Signed by Senators Greive, Stortini and McDougall; Representatives Morrison, Hubbard and Grant.

#### MOTION

On motion of Mr. Morrison, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 58.

#### FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 58 as amended by the Free Conference Committee.

Representatives Morrison, Grant and Bledsoe spoke in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 58 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; nays, 3; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Amen, Goldsworthy, Kuehne—3.

Absent or not voting: Representatives Kopet, Ross—2.

Engrossed Senate Bill No. 58 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Bledsoe, Engrossed Senate Bill No. 58 as amended by the Free Conference Committee, was ordered transmitted immediately to the Senate.

#### POINT OF INFORMATION

Mr. Julin: "Mr. Speaker, ladies and gentlemen of the House: There will be filed either this afternoon or Monday a number of bills sponsored by the Judicial Council. I want to call attention to all members of the House that if they wish to cosponsor these bills, they will be available."

#### APPOINTMENT OF STANDING COMMITTEES

The Speaker announced the appointment of the following standing committees:

**Agriculture (11)**—Amen, Chairman; Schumaker, Vice Chairman; Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

**Appropriations (38)**—Goldsworthy, Chairman; Kopet, Vice Chairman; Backstrom, Barden, Bottiger, Brouillet, Charette, Chatalas, Costanti, Curtis, Farr, Hoggins, Juelling, Kirk, Luders, Lynch, Lysen, Marsh, Maxie, McDermott, Mentor, Merrill, Moon, Morrison, North, Paris, Polk, Rosellini, Ross, Savage, Shera, Shipoch, Smith, Thompson, Van Dyk, Wojahn, Wolf, Zimmerman.

**Business and Professions (17)**—Curtis, Chairman; Kuehne, Vice Chairman; Backstrom,

Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Juelling, O'Brien, Pardini, Perry, Polk, Wojahn, Wolf.

**Education and Libraries (17)**—Hoggins, Chairman; Mentor, Vice Chairman; Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

**Elections and Apportionment (9)**—Brown, Chairman; Morrison, Vice Chairman; Bottiger, Grant, May, Moon, North, Pardini, Smythe.

**Financial Institutions and Insurance (15)**—Sera, Chairman; Pardini, Vice Chairman; Backstrom, Bagnariol, Barden, Berentson, Blair, Hoggins, Hubbard, King, Litchman, Luders, Merrill, O'Brien, Ross.

**Higher Education (15)**—Lynch, Chairman; Benitz, Vice Chairman; Anderson, Bluechel, Bottiger, Douthwaite, Gladder, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Rabel, Shera, Shinpoch.

**Judiciary (11)**—Julin, Chairman; Harris, Vice Chairman; Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

**Labor and Employment Security (13)**—Hubbard, Chairman; Hatfield, Vice Chairman; Charette, Charnley, Curtis, Flanagan, Grant, Johnson, Morrison, Newhouse, Randall, Savage, Wanamaker.

**Local Government (25)**—Smythe, Chairman; Barden, Vice Chairman; Adams, Amen, Bauer, Blair, Bozarth, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Litchman, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

**Natural Resources and Ecology (31)**—Zimmerman, Chairman; Newhouse, Vice Chairman; Anderson, Beck, Berentson, Bradley, Charnley, Conner, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf.

**Revenue and Taxation (19)**—Flanagan, Chairman; Kiskaddon, Vice Chairman; Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Julin, Kilbury, King, Kuehnle, Marzano, Pardini, Randall, Sawyer.

**Rules and Administration (16)**—Swayze, Chairman; Copeland, Vice Chairman; Bledsoe, Brouillet, Chatalas, Cunningham, Grant, Harris, Juelling, Kirk, Litchman, May, Newhouse, O'Brien, Sawyer, Wolf.

**Social and Health Services (19)**—Farr, Chairman; Gladder, Vice Chairman; Adams, Beck, Ceccarelli, Chatalas, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, Marzano, McDermott, Paris, Zimmerman.

**State Government (16)**—Bluechel, Chairman; Conway, Vice Chairman; Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

**Transportation (33)**—Berentson, Chairman; Spanton, East Vice Chairman; Wanamaker, West Vice Chairman; Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Copeland, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Martinis, McCormick, Newhouse, Perry, Rabel, Schumaker, Williams.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MESSAGES FROM THE SENATE

January 15, 1971.

Mr. Speaker: The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 58, and has passed the bill as amended by the Free Conference Committee.

SIDNEY R. SNYDER, Secretary.

January 15, 1971.

Mr. Speaker: The President has signed SENATE BILL NO. 58, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 58.

## MOTION

On motion of Mr. Bledsoe, the House adjourned until 12:00 noon, Monday, January 18, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## EIGHTH DAY

## NOON SESSION

House Chamber, Olympia, Wash., Monday, January 18, 1971.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representative Mentor who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 153, by Representatives Hansey, Bottiger and Copeland (by Departmental request):

An Act relating to state government; exempting certain aircraft from state registration requirements; amending section 25, chapter 165, Laws of 1947 as last amended by section 8, chapter 9, Laws of 1967 ex. sess. and RCW 14.04.250; and adding a new section.

Referred to Committee on Transportation.

HOUSE BILL NO. 154, by Representatives Julin, Eikenberry and Charette:

An Act relating to appeal from acts and proceedings of court commissioners; and amending section 3, chapter 124, Laws of 1909 and RCW 2.24.050.

Referred to Committee on Judiciary.

HOUSE BILL NO. 155, by Representatives Hansey, Bottiger and Copeland (by Departmental request):

An Act relating to the taxation of airport property; amending section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 4, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.040; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; and adding a new section to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 156, by Representatives Cunningham, Gallagher, Bozarth and Beck (by Joint Committee on Highways request):

An Act relating to inferior courts; amending section 2, chapter 299, Laws of 1961 and RCW 3.30.020; and amending section 129, chapter 299, Laws of 1961 and RCW 3.74.920. Referred to Committee on Local Government.

HOUSE BILL NO. 157, by Representatives Kirk, McDermott, Farr, Charette, Wanamaker, Kraabel, Kilbury, Knowles, Kopet, Kuehnle, Lynch, Merrill, North, Pardini, Ross and Smith:

An Act relating to public health and safety; providing immunity from implied warranties and civil liability for blood transfusions; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 158, by Representatives Shera, McCormick, Gladder, Bagnariol, Kopet, Morrison, Grant, Conway, Ceccarelli, Litchman, Marsh and Merrill (by Public Pension Commission request):

An Act relating to public employment; adding new sections to chapter 41.40 RCW; adding a new section to chapter 41.44 RCW; and adding a new section to chapter 41.06 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 159, by Representatives Shera, McCormick and Gladder (by Public Pension Commission request):

An Act relating to state supported retirement systems; redefining the term "actuary"; and amending section 1, chapter 78, Laws of 1949 and RCW 41.04.040.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 160, by Representatives Hansey, Bottiger, Copeland, Ceccarelli, Charnley, Douthwaite, May and Smith (by Departmental request):

An Act relating to state government, requiring all state owned or leased aircraft to be equipped with a downed aircraft rescue transmitter; and amending section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080.

Referred to Committee on Transportation.

HOUSE BILL NO. 161, by Representatives Wolf, Bottiger, Conway, O'Brien and Bozarth (by Legislative Council request):

An Act relating to state and local government; providing fire protection for the state capitol; adding a new section to chapter 43.19 RCW; and declaring an emergency.

Referring to Committee on State Government.

HOUSE BILL NO. 162, by Representatives Cunningham, Amen, Bozarth, Gallagher, Hubbard and Beck (by Joint Committee on Highways request):

An Act relating to juvenile courts; and amending section 2, chapter 160, Laws of 1913 as last amended by section 1, chapter 65, Laws of 1937, and RCW 13.04.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 163, by Representatives Cunningham, Conner, Hoggins, Bozarth, Kilbury and Merrill:

An Act relating to motor vehicles; and amending section 48, chapter 155, Laws of 1965 ex. sess. as amended by section 7, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.350.

Referred to Committee on Transportation.

HOUSE BILL NO. 164, by Representatives Wojahn, Shinpoch, Brown, Kirk and Merrill:

An Act relating to precinct election officers; allowing county commissioners to set

maximum compensation; and amending section 29.45.120, chapter 9, Laws of 1965 and RCW 29.45.120.

Referred to Committee on Local Government.

HOUSE BILL NO. 165, by Representatives Bottiger, Wolf, Gallagher and Ceccarelli:

An Act relating to revenue and taxation; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 166, by Representatives Bottiger, Wolf, Gallagher, Backstrom, Barden, Brouillet, Ceccarelli, Hoggins and Litchman:

An Act relating to revenue and taxation; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.21 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 167, by Representatives Gallagher, Van Dyk and Perry:

An Act relating to property taxation; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.21 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 168, by Representatives Gallagher, Perry, Sawyer and Barden:

An Act relating to taxation; and authorizing the establishment of an office of public tax defender in the various counties of the state.

Referred to Committee on Judiciary.

HOUSE BILL NO. 169, by Representatives Cunningham, Conner, Bozarth, Anderson, Gallagher, Beck, Hubbard, Douthwaite and Merrill (by Joint Committee on Highways request):

An Act relating to motor vehicles; amending section 2, chapter 144, Laws of 1967 and RCW 46.64.070, and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 170, by Representatives Merrill, Kirk, Bagnariol, Charnley and Litchman:

An Act relating to adoption; and adding new sections to chapter 291, Laws of 1955 and to chapter 26.32 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 171, by Representatives Zimmerman, Flanagan and Martinis:

An Act relating to wildlife; and adding a new section to chapter 77.08 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 172, by Representatives Flanagan, Kiskaddon and Haussler (by Departmental request):

An Act relating to revenue and taxation; amending section 82.04.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.050; amending section 82.04.230, chapter 15, Laws of 1961 as last amended by section 33, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.230; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 34, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.240; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 35, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.250; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 36, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 37, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.270; amending section 82.04.280, chapter 15, Laws of 1961 as last amended by section 2, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.280; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 4, chapter 65, Laws of 1970 ex. sess. and RCW 82.04.290; amending section 82.08.020, chapter 15, Laws of

1961 as last amended by section 31, chapter 262, Laws of 1969 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 32, chapter 262, Laws of 1969 ex. sess. and RCW 82.12.020; amending section 1, chapter 168, Laws of 1965 ex. sess. as amended by section 60, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.125; amending section 3, chapter 168, Laws of 1965 ex. sess. as amended by section 61, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.127; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; amending section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; amending section 84.52.050, chapter 15, Laws of 1961 as last amended by section 5, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.050; amending section 74.04.150, chapter 26, Laws of 1959 as last amended by section 3, chapter 92, Laws of 1970 ex. sess. and RCW 74.04.150; repealing sections 1 through 29 and 68, chapter 262, Laws of 1969 ex. sess. and RCW 82.30.010 through 82.30.290; repealing section 40, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.437; repealing section 41, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.292; repealing sections 42 through 59, chapter 262, Laws of 1969 ex. sess. and RCW 82.31.010 through 82.31.170; repealing section 67, chapter 262, Laws of 1969 ex. sess.; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 173, by Representatives Wolf, Bottiger, Conway, O'Brien and Cunningham (by Legislative Council request):

An Act relating to the state capitol historical association and museum; amending section 5, chapter 62, Laws of 1965 ex. sess. and RCW 27.36.070; and adding a new section to chapter 44, Laws of 1941 and to chapter 27.36 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 174, by Representatives Bledsoe, Charette and Wolf (by Legislative Council request):

An Act relating to state government; increasing the membership of the athletic commission from three to five members; authorizing the athletic commission to cooperate with private and public agencies in furthering athletic programs in the state; providing for an executive director; amending section 1, chapter 184, Laws of 1933 and RCW 67.08.001; and adding new sections to chapter 184, Laws of 1933 and to chapter 67.08 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 175, by Representatives Julin, Wojahn and Cunningham (by Judicial Council request):

An Act relating to grand juries and criminal investigations; repealing section 3, chapter 48, Laws of 1891 and RCW 2.36.030; repealing section 1, chapter 90, Laws of 1951 and RCW 2.36.031; repealing section 2, chapter 90, Laws of 1951 and RCW 2.36.033; repealing section 5, chapter 57, Laws of 1911 and RCW 2.36.040; repealing section 45, page 110, Laws of 1854, section 163, page 220, Laws of 1873, section 977, Code of 1881, section 11, chapter 28, Laws of 1891 and RCW 10.28.010; repealing section 47, page 110, Laws of 1854, section 165, page 220, Laws of 1873, section 979, Code of 1881, section 12, chapter 28, Laws of 1891 and RCW 10.28.020; repealing section 46, page 110, Laws of 1854, section 164, page 220, Laws of 1873, section 978, Code of 1881 and RCW 10.28.030; repealing section 48, page 110, Laws of 1854, section 166, page 220, Laws of 1873, section 980, Code of 1881 and RCW 10.28.040; repealing section 49, page 110, Laws of 1854, section 167, page 220, Laws of 1873, section 981, Code of 1881, section 13, chapter 28, Laws of 1891 and RCW 10.28.050; repealing section 50, page 110, Laws of 1854, section 168, page 221, Laws of 1873, section 982, Code of 1881, section 1, chapter 74, Laws of 1939 and RCW 10.28.060; repealing section 52, page 110, Laws of 1854, section 170, page 221, Laws of 1873, section 984, Code of 1881, section 14, chapter 28, Laws of 1891 and RCW 10.28.070; repealing section 1, chapter 130, Laws of 1967 and RCW 10.28.075; repealing section 51, page 110, Laws of 1854, section 169, page 221, Laws of 1873, section 983, Code of 1881 and RCW 10.28.080; repealing section 179, page 239, Laws of 1869, section 184, page 224, Laws of 1873, section 1001, Code of 1881, section 17, chapter 28, Laws of 1891 and RCW 10.28.085; repealing section 53, part, page 111, Laws of 1854,

section 1, page 19, Laws of 1865, section 171, page 221, Laws of 1873, section 985, Code of 1881, section 15, chapter 28, Laws of 1891 and RCW 10.28.090; repealing section 57, page 111, Laws of 1854, section 176, page 222, Laws of 1873, section 992, Code of 1881 and RCW 10.28.100; repealing section 53, page 111, Laws of 1854, section 172, page 221, Laws of 1873, section 989, Code of 1881 and RCW 10.28.110; repealing section 54, page 111, Laws of 1854, section 173, page 222, Laws of 1873, section 990, Code of 1881 and RCW 10.28.120; repealing section 986, Code of 1881 and RCW 10.28.130; repealing section 1, page 19, Laws of 1864, section 987, Code of 1881 and RCW 10.28.140; repealing sections 55 and 59, page 111, Laws of 1854, section 173, page 238, Laws of 1869, section 178, page 223, Laws of 1873, section 994, Code of 1881, section 1, chapter 150, Laws of 1925 ex. sess. and RCW 10.28.150; repealing section 996, Code of 1881 and RCW 10.28.160; repealing section 177, page 239, Laws of 1869, section 182, page 223, Laws of 1873, section 999, Code of 1881 and RCW 10.28.170; repealing section 178, page 239, Laws of 1869, section 183, page 224, Laws of 1873, section 1000, Code of 1881, section 16, chapter 28, Laws of 1891 and RCW 10.28.180; repealing section 2, page 20, Laws of 1864, section 988, Code of 1881 and RCW 10.28.190; repealing section 2, page 418, Laws of 1869, section 2104, Code of 1881 and RCW 10.28.195; repealing section 175, page 239, Laws of 1869, section 180, page 223, Laws of 1873, section 997, Code of 1881 and RCW 10.28.200; repealing section 176, page 239, Laws of 1869, section 181, page 233, Laws of 1873, section 998, Code of 1881 and RCW 10.28.210; repealing section 56, page 111, Laws of 1854, sections 175 and 181, pages 222 and 223, Laws of 1873, section 991, Code of 1881 and 10.28.215; repealing section 58, page 111, Laws of 1854, section 177, page 222, Laws of 1873, section 993, Code of 1881 and RCW 10.28.220; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 176, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to appointment and payment of counsel and payment of certain costs and expenses for indigents; amending section 2, chapter 133, Laws of 1965 as amended by section 2, chapter 31, Laws of 1970 ex. sess. and RCW 10.01.112; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 177, by Representatives Julin, Wojahn, Ceccarelli and Kilbury (by Judicial Council request):

An Act relating to special rights of action and special immunities; and amending section 9, Code of 1881 as last amended by section 1, chapter 81, Laws of 1967 ex. sess. and RCW 4.24.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 178, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to the administrator for the courts; and amending section 1, chapter 259, Laws of 1957 as amended by section 1, chapter 93, Laws of 1969 and RCW 2.56.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 179, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to civil procedure; and amending section 374, page 202, Laws of 1854 as last amended by section 512, Code 1881 and RCW 4.84.080.

Referred to Committee on Judiciary.

HOUSE BILL NO. 180, by Representatives Julin, Wojahn, Cunningham and Kilbury (by Judicial Council request):

An Act relating to elections; amending section 29.18.035, chapter 9, Laws of 1965 and RCW 29.18.035; amending section 29.18.060, chapter 9, Laws of 1965 and RCW 29.18.060; and adding new sections to chapter 9, Laws of 1965 and to chapter 29.21 RCW.

Referred to Committee on Elections and Apportionment.



HOUSE BILL NO. 181, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to civil procedure; and amending section 3, chapter 43, Laws of 1955 and RCW 4.16.170.

Referred to Committee on Judiciary.

HOUSE BILL NO. 182, by Representatives Julin, Wojahn and King (by Judicial Council request):

An Act relating to inferior courts; amending section 2, chapter 299, Laws of 1961 and RCW 3.30.020; and amending section 129, chapter 299, Laws of 1961 and RCW 3.74.920.

Referred to Committee on Judiciary.

HOUSE BILL NO. 183, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to the annual conference of judges; and amending section 6, chapter 259, Laws of 1957 and RCW 2.56.060.

Referred to Committee on Judiciary.

HOUSE BILL NO. 184, by Representatives Julin, Wojahn and Backstrom (by Judicial Council request):

An Act relating to attorneys' fees in divorce cases; and amending section 9, chapter 215, Laws of 1949 and RCW 26.08.090.

Referred to Committee on Judiciary.

HOUSE BILL NO. 185, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to the judicial council; adding additional members; and amending section 1, chapter 45, Laws of 1925 ex. sess., as last amended by section 1, chapter 124, Laws of 1967 and RCW 2.52.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 186, by Representatives Julin, Wojahn and Kilbury (by Judicial Council request):

An Act relating to criminal procedure.

Referred to Committee on Judiciary.

HOUSE BILL NO. 187, by Representatives Julin, Wojahn, Cunningham and Lynch (by Judicial Council request):

An Act relating to juries; amending section 4, chapter 48, Laws of 1891, and RCW 2.36.050; amending section 1, chapter 43, Laws of 1903 as last amended by section 2, chapter 304, Laws of 1961 and RCW 4.44.100; amending section 185, page 164, Laws of 1854 as last amended by section 206, Code of 1881 and RCW 4.44.120; amending section 1, chapter 36, Laws of 1895 and RCW 4.44.380; and amending section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 32, Laws of 1970 ex. sess. and RCW 36.18.020.

Referred to Committee on Judiciary.

HOUSE BILL NO. 188, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to justice courts, justices of the peace and court clerks; amending section 3, chapter 299, Laws of 1961 and RCW 3.30.030; amending section 5, chapter 299, Laws of 1961 and RCW 3.30.050; amending section 7, chapter 299, Laws of 1961 and RCW 3.30.070; amending section 9, chapter 299, Laws of 1961 and RCW 3.30.090; amending section 18, chapter 299, Laws of 1961 and RCW 3.34.090; amending section 98, chapter 299, Laws of 1961 and RCW 3.54.010; amending section 99, chapter 299, Laws of 1961 and RCW 3.54.020; and amending section 106, chapter 299, Laws of 1961 as amended by section 2, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.020.

Referred to Committee on Judiciary.

HOUSE BILL NO. 189, by Representatives Julin, Wojahn and Kilbury (by Judicial Council request):

An Act relating to filing fees; and amending section 1, chapter 249, Laws of 1953 as last amended by section 2, chapter 25, Laws of 1969 and RCW 27.24.070.

Referred to Committee on Judiciary.

HOUSE BILL NO. 190, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to courts; permitting electronic recording of proceedings; amending section 1, chapter 126, Laws of 1913 as last amended by section 1, chapter 244, Laws of 1957 and RCW 2.32.180; and adding new sections to chapter 2.32 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 191, by Representatives Julin and Wojahn (by Judicial Council request):

An Act relating to temporary leave for prisoners of state correctional institutions; defining crimes; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 192, by Representatives Wolf, Moon, Thompson, Blair, Ceccarelli, Charnley, Douthwaite, Hoggins, McDermott, Merrill, North, Rabel, Rosellini, Wojahn, Bradley and Kuehnle (by Legislative Council request):

An Act relating to motor vehicles; providing for the demolition of motor vehicles and regulating hulk haulers; amending section 46.12.050, chapter 12, Laws of 1961 as amended by section 9, chapter 32, Laws of 1967 and RCW 46.12.050; amending section 3, chapter 42, Laws of 1969 ex. sess. and RCW 46.52.102; amending section 46.52.110, chapter 12, Laws of 1961 as last amended by section 6, chapter 42, Laws of 1969 ex. sess. and RCW 46.52.110; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1963 and RCW 46.68.130; amending section 46.80.010, chapter 12, Laws of 1961 and RCW 46.80.010; amending section 46.80.020, chapter 12, Laws of 1961 as amended by section 94, chapter 32, Laws of 1967 and RCW 46.80.020; amending section 46.80.030, chapter 12, Laws of 1961 as last amended by section 1, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.030; amending section 46.80.040, chapter 12, Laws of 1961 as amended by section 96, chapter 32, Laws of 1967 and RCW 46.80.040; amending section 46.80.050, chapter 12, Laws of 1961 as last amended by section 2, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.050; amending section 46.80.060, chapter 12, Laws of 1961 and RCW 46.80.060; amending section 46.80.070, chapter 12, Laws of 1961 as amended by section 98, chapter 32, Laws of 1967 and RCW 46.80.070; amending section 46.80.080, chapter 12, Laws of 1961 as amended by section 99, chapter 32, Laws of 1967 and RCW 46.80.080; amending section 46.80.090, chapter 12, Laws of 1961 as amended by section 100, chapter 32, Laws of 1967 and RCW 46.80.090; amending section 46.80.100, chapter 12, Laws of 1961 as amended by section 101, chapter 32, Laws of 1967 and RCW 46.80.100; amending section 46.80.110, chapter 12, Laws of 1961 as last amended by section 3, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.110; amending section 46.80.120, chapter 12, Laws of 1961 and RCW 46.80.120; amending section 46.80.130, chapter 12, Laws of 1961 as last amended by section 4, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.130; amending section 46.80.160, chapter 12, Laws of 1961 and RCW 46.80.160; adding a new section to chapter 46.01 RCW; adding new sections to chapter 46.52 RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 46.80 RCW; and providing penalties.

Referred to Committee on Transportation.

HOUSE BILL NO. 193, by Representatives Rosellini, Cunningham, Barden and Kilbury (by Legislative Council request):

An Act relating to waterfront lands; and providing for restrictions on its use and the acquisition of scenic easements.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 194, by Representatives Wolf, Moon, Thompson, Ceccarelli, Charnley, Douthwaite, Hoggins, Jones, McCormick, McDermott, Merrill, North, Rabel, Rosellini, Wojahn, Zimmerman, Backstrom and Litchman (by Legislative Council request):

An Act relating to solid waste collection districts; amending section 9, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.090; adding new sections to chapter 36.32 RCW; repealing section 1, chapter 155, Laws of 1933 as amended by section 1, chapter 98, Laws of 1941 and RCW 55.04.010; repealing sections 2 through 7, chapter 155, Laws of 1933 and RCW 55.04.020, 55.04.030, 55.08.010, 55.08.020, 55.12.010 and 55.12.020; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 195, by Representatives Conway, Bluechel, Randall, Mentor, O'Brien, Cunningham, Backstrom, Chatalas, Curtis, Kopet, Kuehnle, Lynch, North and Shera:

An Act relating to the attachment of fiscal notes to bills and resolutions of the legislature; and amending section 8, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.100.

Referred to Committee on State Government.

HOUSE BILL NO. 196, by Representatives Hansey, May, Farr, Cunningham, Kilbury and Knowles:

An Act relating to railroad crossings; and making an appropriation to the grade crossing protective fund.

Referred to Committee on Transportation.

HOUSE BILL NO. 197, by Representatives Gallagher, Bozarth and Hubbard (by Joint Committee on Highways request):

An Act relating to counties; and adding a new section to Title 36 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 198, by Representatives Copeland, Goldsworthy and Kopet (by Legislative Council request):

An Act relating to legislative committees and subcommittees; amending section 2, chapter 36, Laws of 1947 as last amended by section 1, chapter 134, Laws of 1967 ex. sess. and RCW 44.24.020; and amending section 2, chapter 43, Laws of 1951 and RCW 44.28.060.

Referred to Committee on State Government.

HOUSE BILL NO. 199, by Representatives Wolf, Sawyer, Morrison, Brouillet, Conway, Copeland, Bauer, Beck, Berentson, Blair, Bottiger, Bradley, Conner, Costanti, Douthwaite, Farr, Gallagher, Gladder, Hansey, Jastad, Knowles, Kraabel, Kuehnle, Luders, Marzano, May, McCormick, McDermott, Mentor, North, Rabel, Ross, Savage, Smith, Van Dyk, Wanamaker, Anderson, Backstrom, Charnley, Chatalas, Cunningham, Grant, Maxie and Merrill (by Executive request):

An Act relating to unemployment compensation; amending section 8, chapter 35, Laws of 1945 as amended by section 1, chapter 215, Laws of 1951 and RCW 50.04.070; amending section 8, chapter 266, Laws of 1959 and RCW 50.04.072; amending section 9, chapter 35, Laws of 1945 as amended by section 2, chapter 214, Laws of 1949 and RCW 50.04.080; amending section 12, chapter 35, Laws of 1945 and RCW 50.04.110; amending section 13, chapter 35, Laws of 1945 and RCW 50.04.115; amending section 21, chapter 35, Laws of 1945 as last amended by section 1, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.200; amending section 31, chapter 35, Laws of 1945 and RCW 50.04.300; amending section 44, chapter 35, Laws of 1945 as last amended by section 1, chapter 266, Laws of 1959 and RCW 50.12.050; amending section 89, chapter 35, Laws of 1945 as last amended by section 8, chapter 2, Laws of 1970 ex. sess. and RCW 50.24.010; amending section 10, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.010; repealing section 20, chapter 35, Laws of 1945 and RCW 50.04.190; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW; establishing effective dates; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE JOINT MEMORIAL NO. 2, by Representatives Copeland and Litchman (by Legislative Council request):

Providing for sharing federal income tax revenue with the states.  
Referred to Committee on State Government.

#### MOTION

On motion of Mr. Copeland, House Joint Memorial No. 2 was ordered not printed.

HOUSE JOINT MEMORIAL NO. 3, by Representatives Hansey, May, Van Dyk, Costanti, Pardini, Berentson, North, Moon, Backstrom, Cunningham, Kilbury and Knowles: Memorializing Congress to have reflectors placed on the sides of rail cars.  
Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 22, by Representatives Bledsoe, Berentson and Wolf (by Legislative Council request):  
Providing for a new pattern of succession to fill vacancy in governor's office.  
Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 23, by Representatives Van Dyk, Kirk, Bauer, Barden, Bradley, Charnley and Litchman:  
Amending Constitution to allow valuation of land to be based on actual use.  
Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 24, by Representatives Brown, Williams, Blair, Rabel, Bluechel, Douthwaite, Charnley, McDermott, Kraabel, Barden, Kiskaddon, Litchman and North:  
Providing a constitutional amendment making public transportation systems eligible for highway funds.  
Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 25, by Representatives Julin, Wojahn and Backstrom (by Judicial Council request):  
Amending the Constitution by repealing Article IV and adopting new Article IV A relating to the judicial system.  
Referred to Committee on Judiciary.

#### AMENDMENT TO TEMPORARY RULES

The Speaker stated that notice had been given January 14, 1971, by Mr. King that he would offer a proposed amendment to the Temporary Rules on the next working day. On January 15, a proposed amendment to Rule 87 by Representatives O'Brien and King was read into the record by the Clerk. On motion of Mr. O'Brien, the House deferred consideration of the amendment until the next working day.

#### MOTION

Mr. O'Brien moved that the House defer consideration until the next working day of the amendment by Representatives O'Brien and King to Temporary House Rule No. 87.

#### POINT OF INQUIRY

Mr. Copeland: "Mr. O'Brien, would it be all right if we moved that over to Wednesday? We have blocked off, on our weekly schedule, four hours of floor time, and it would be much more appropriate for us to handle it on Wednesday."

With the consent of Mr. O'Brien, the Speaker stated the question before the House to

be the motion that the House defer consideration of the amendment by Representatives O'Brien and King to Temporary House Rule No. 87 until Wednesday.

The motion was carried.

## SECOND READING

HOUSE JOINT MEMORIAL NO. 1, by Representatives O'Brien, Lysen, Marsh, Johnson, Chatalas, Ceccarelli, Marzano, Merrill, King, Rosellini, Williams, Luders, McDermott, Shinpoch, Charnley, Anderson, Douthwaite, Bradley, Knowles, Van Dyk, Randall, Bagnariol, Hurley, Savage, Litchman, Wolf and Haussler:

Providing for revenue sharing with the states.

The House resumed consideration of House Joint Memorial No. 1.

## MOTION

On motion of Mr. Copeland, the notation "(by Legislative Council request)" was appended to House Joint Memorial No. 1, and Representatives O'Brien, Copeland and Bledsoe were ordered listed as prime sponsors with all other sponsors being placed in alphabetical order.

## POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Moon.

Mr. Moon: "Representative Copeland, I have some real concern about this, and it deals with that one phrase on lines 18 and 19, of the second page, that says 'without limiting directly or indirectly.' I wonder if we can strike that? The reason for this is that I think there should be some limitation placed on the use of these funds that come back to the states. I am not particularly concerned with the way that the state of Washington would use it, but I can see that some states, by their previous actions, would probably use this only to lower their budgets and their spending. They would not use these funds for increasing the welfare of the people of the state to which they go back, particularly in taking care of the problems of human needs and educational needs in some of the southern states and some other states that we in the total United States really need action in."

Mr. Copeland: "Mr. Moon, I could almost for a moment become concerned about the verbiage on lines 18 and 19, but let's go back into the history of this. What we are asking Congress to do is really quite simple. We are asking them to consider the states in the entire area of revenue sharing. Our real problem in amending this is to destroy the total intent and motive of the memorial. To memorialize Congress is provided for in the United States Constitution. When three quarters of the states memorialize Congress on a particular measure or subject, Congress is obligated to act. What we are trying to do is get congressional attention that this matter should be taken in hand. If we were to amend this, it would take us out of conformity with the one state that has already passed such an amendment. I have explained earlier today to my caucus that the reason for the importance of this is one of publicity. Mr. O'Brien has been on the Executive Committee of the National Legislative Leaders Conference for some time. This is a product of that body. It is, of course, endorsed by the Governor's Association. Mr. O'Brien will be attending a meeting in Washington, D.C., on Friday, and I think it would be wise if we could act on this particular resolution between now and then so this could help with the publicity that is necessary. So far as the words are concerned in there, I am not concerned, Mr. Moon. I think they are terribly important. I think we are going to get Congress' attention on this important thing of federal revenue sharing. I think the time has come for all states to take a look at where they are going—whether we are only pawns of the federal government or whether we are going to operate constructively and realistically for the people of the state."

Mr. Moon: "Well I think all of us have concern for revenue sharing with the federal government to the states. Certainly they have the best means of obtaining revenue, that is, the income tax, the least regressive and most progressive type of taxation. But then, at the same time, to give it back without any limitations, to all states, I am not so sure that is desirable. The other thing that is undesirable about this particular resolution is, and I am not clear as to whether we can do . . ."

## RULING BY THE SPEAKER

The Speaker: "Mr. Moon, this matter is not yet on final passage. It is on second reading, and I wish you would confine your remarks. You inquired about whether an amendment should be presented, and those remarks were appropriate."

## MOTION

Mr. Grant moved that the House defer further consideration of House Joint Memorial No. 1 on second reading and that it be placed on tomorrow's second reading calendar. Representatives Grant and Copeland spoke in favor of the motion.

## MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, January 19, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 19, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Kirk and Luders. Representative Kirk was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 19, 1971.

HOUSE BILL NO. 11, establishing laws relating to the use, sale, control and possession of dangerous drugs, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 3, line 22 before ", or" strike "copartnership" and insert "partnership"

Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 92, correcting apparent clerical error in RCW 7.33.280, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 93, correcting clerical error in RCW 11.24.010 (Probate Code), reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 94, correcting Education Code sections, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 95, correcting double amendment to RCW 36.76.010, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 96, correcting double amendment to RCW 37.16.020, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 97, correcting double amendments to RCW 43.17.010 and 43.17.020, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 98, correcting double amendment to RCW 54.24.018, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 99, correcting double amendment to RCW 82.04.430, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 143, providing that professional service corporations with one shareholder need have only one officer and director, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 200, by Representatives Thompson, Wolf, Martinis and Paris:

An Act relating to harbor lines; and amending section 1, chapter 139, Laws of 1963 (uncodified), as amended by section 1, chapter 24, Laws of 1967 ex. sess. (uncodified).

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 201, by Representatives Conner and Zimmerman:

An Act relating to juvenile courts; allowing limited publicity concerning dependent and delinquent children under the juvenile court law; and adding new sections to chapter 13.04 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 202, by Representatives Conner, Adams, Savage and Backstrom:

An Act relating to state government; creating a new department of institutions; amending section 1, chapter -- (HB 97), Laws of 1971 and RCW 43.17.010; amending section 2, chapter -- (HB 97), Laws of 1971 and RCW 43.17.020; amending section 3, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.030; amending section 72.01.010, chapter 28, Laws of 1959 as amended by section 56, chapter 18, Laws of 1970 ex. sess. and RCW 72.01.010; amending section 1, chapter 169, Laws of 1953 as amended by section 60, chapter 18, Laws of 1970 ex. sess. and RCW 72.01.042; amending section 2, chapter 169, Laws of 1953 as amended by section 61, chapter 18, Laws of 1970 ex. sess. and RCW 72.01.043; amending section 72.02.040, chapter 28, Laws of 1959 as amended by section 57, chapter 18, Laws of 1970 ex. sess. and RCW 72.02.040; amending section 72.05.020, chapter 28, Laws of 1959 as amended by section 58, chapter 18, Laws of 1970 ex. sess. and RCW 72.05.020; amending section 72.06.010, chapter 28, Laws of 1959 as amended by section 59, chapter 18, Laws of 1970 ex. sess. and RCW 72.06.010; adding new sections to chapter 72.01 RCW; repealing section 28, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.210; repealing section 29, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.220; and repealing section 30, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.230.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 203, by Representatives Bottiger, Marzano, Sawyer, Brouillet, Adams, Gallagher, Wojahn, Flanagan, Barden, Ceccarelli, Litchman, Mentor and Merrill:

An Act relating to property taxation; and amending section 84.48.010, chapter 15, Laws of 1961 as amended by section 2, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.010.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 204, by Representatives Martinis, Julin, Adams, Wanamaker, Williams, Hoggins, Luders and Mentor:

An Act relating to the removal of wood fiber debris from the tidal waters of the state of Washington; adding a new chapter to Title 76 RCW; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 205, by Representatives Wolf, Bottiger and Julin:

An Act relating to counties; providing for the prescribing of rules for county jails; and amending section 36.63.060, chapter 4, Laws of 1963 and RCW 36.63.060.

Referred to Committee on Judiciary.

HOUSE BILL NO. 206, by Representatives Julin, Harris and Marsh:

An Act relating to bulk transfers under the Uniform Commercial Code; and amending section 6-105, chapter 157, Laws of 1965 ex. sess. and RCW 62A.6-105.

Referred to Committee on Judiciary.

HOUSE BILL NO. 207, by Representatives Merrill, North and Kopet (by Municipal Committee request):

An Act relating to second, third, and fourth class municipalities; amending section 35.23.310, chapter 7, Laws of 1965 and RCW 35.23.310; amending section 35.23.400, chapter 7, Laws of 1965 and RCW 35.23.400; amending section 35.24.220, chapter 7, Laws of 1965 and RCW 35.24.220; amending section 35.24.250, chapter 7, Laws of 1965 and RCW 35.24.250; amending section 35.27.300, chapter 7, Laws of 1965 and RCW 35.27.300; amending section 35.27.330, chapter 7, Laws of 1965 and RCW 35.27.330; and adding a new section to Title 35 RCW.

Referred to Committee on Local Government.



HOUSE BILL NO. 208, by Representatives Marzano, Gallagher and McCormick:

An Act relating to racing; providing for greyhound racing; amending section 1, chapter 55, Laws of 1933 as last amended by section 1, chapter 22, Laws of 1969 and RCW 67.16.010; amending section 2, chapter 55, Laws of 1933 as amended by section 1, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.012; amending section 2, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.017; amending section 7, chapter 55, Laws of 1933 and RCW 67.16.060; amending section 8, chapter 55, Laws of 1933 as amended by section 2, chapter 236, Laws of 1949 and RCW 67.16.070; amending section 9, chapter 55, Laws of 1933 as last amended by section 7, chapter 148, Laws of 1965 and RCW 67.16.100; amending section 3, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.102; amending section 2, chapter 94, Laws of 1969 ex. sess. and RCW 67.16.130; adding a new section to chapter 67.16 RCW; and repealing section 3, chapter 236, Laws of 1949, section 2, chapter 22, Laws of 1969 and RCW 67.16.080.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 209, by Representatives Kopet, Backstrom, Chatalas and Hoggins (by Legislative Budget Committee request):

An Act relating to the state fiscal agency; repealing section 43.80.030, chapter 8, Laws of 1965, section 1, chapter 120, Laws of 1969 and RCW 43.80.030; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 210, by Representatives Kopet and Chatalas (by Legislative Budget Committee request):

An Act relating to the retirement and pensions of local law enforcement officers and fire fighters; amending section 6, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.060; amending section 7, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.070.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 211, by Representatives Kopet, Backstrom and Marsh (by Legislative Budget Committee request):

An Act relating to state government; amending and repealing certain obsolete or inactive material relating to various local government units and agencies; amending section 36.67.010, chapter 4, Laws of 1963 as amended by section 17, chapter 42, Laws of 1970 ex. sess. and RCW 36.67.010; amending section 36.76.080, chapter 4, Laws of 1963 as amended by section 22, chapter 42, Laws of 1970 ex. sess. and RCW 36.76.080; amending section 36.76.140, chapter 4, Laws of 1963 as last amended by section 54, chapter 56, Laws of 1970 ex. sess. and RCW 36.76.140; amending section 2, chapter 107, Laws of 1937 and RCW 39.28.010; amending section 1, chapter 106, Laws of 1945 and RCW 39.28.040; repealing section 36.67.020, chapter 4, Laws of 1963, section 2, chapter 107, Laws of 1967, section 18, chapter 42, Laws of 1970 ex. sess. and RCW 36.67.020; repealing section 36.76.010, chapter 4, Laws of 1963, section 72, chapter 232, Laws of 1969 ex. sess., section 21, chapter 42, Laws of 1970 ex. sess., section 52, chapter 56, Laws of 1970 ex. sess. and RCW 36.76.010; repealing section 36.76.020, chapter 4, Laws of 1963 and RCW 36.76.020; repealing section 36.76.030, chapter 4, Laws of 1963 and RCW 36.76.030; repealing section 36.76.040, chapter 4, Laws of 1963 and RCW 36.76.040; repealing section 36.76.050, chapter 4, Laws of 1963 and RCW 36.76.050; repealing section 36.76.060, chapter 4, Laws of 1963 and RCW 36.76.060; repealing section 36.76.070, chapter 4, Laws of 1963 and RCW 36.76.070; repealing section 2, chapter 4, Laws of 1917, section 23, chapter 42, Laws of 1970 ex. sess. and RCW 37.16.010; repealing section 3, chapter 4, Laws of 1917, section 74, chapter 232, Laws of 1969 ex. sess., section 24, chapter 42, Laws of 1970 ex. sess., section 56, chapter 56, Laws of 1970 ex. sess. and RCW 37.16.020; repealing section 4, chapter 4, Laws of 1917, section 75, chapter 232, Laws of 1969 ex. sess., section 57, chapter 56, Laws of 1970 ex. sess. and RCW 37.16.030; repealing section 5, chapter 4, Laws of 1917 and RCW 37.16.040; repealing section 6, chapter 4, Laws of 1917 and RCW 37.16.042; repealing section 7, chapter 4, Laws of 1917 and RCW 37.16.045; repealing section 8, chapter 4, Laws of 1917 and RCW 37.16.050; repealing section 9, chapter 4, Laws of 1917 and RCW 37.16.060; repealing section 10, chapter 4, Laws of 1917 and RCW



chapter 106, Laws of 1921 and RCW 87.60.130; repealing section 14, chapter 106, Laws of 1921 and RCW 87.60.140; repealing section 15, chapter 106, Laws of 1921 and RCW 87.60.150; repealing section 16, chapter 106, Laws of 1921 and RCW 87.60.160; repealing section 17, chapter 106, Laws of 1921 and RCW 87.60.170; repealing section 18, chapter 106, Laws of 1921 and RCW 87.60.180; repealing section 19, chapter 106, Laws of 1921 and RCW 87.60.900; repealing section 20, chapter 106, Laws of 1921 and RCW 87.60.910; repealing section 1, chapter 8, Laws of 1909 ex. sess., section 1, chapter 11, Laws of 1911, and RCW 91.04.010; repealing section 2, chapter 8, Laws of 1909, section 2, chapter 11, Laws of 1911, and RCW 91.04.020; repealing section 1, chapter 227, Laws of 1947 and RCW 91.04.021 and 91.04.090; repealing section 2, chapter 227, Laws of 1947 and RCW 91.04.022 and 91.04.100; repealing section 3, chapter 227, Laws of 1947 and RCW 91.04.023 and 91.04.110; repealing section 4, chapter 227, Laws of 1947 and RCW 91.04.024 and 91.04.120; repealing section 5, chapter 227, Laws of 1947 and RCW 91.04.025 and 91.04.130; repealing section 6, chapter 227, Laws of 1947 and RCW 91.04.026 and 91.04.140; repealing section 7, chapter 227, Laws of 1947 and RCW 91.04.027 and 91.04.150; repealing section 3, chapter 8, Laws of 1909 ex. sess., section 3, chapter 11, Laws of 1911, and RCW 91.04.030, 91.04.040 and 91.04.050; repealing section 4, chapter 8, Laws of 1909 ex. sess., section 4, chapter 11, Laws of 1911, and RCW 91.04.060; repealing section 5, chapter 8, Laws of 1909 ex. sess., section 5, chapter 11, Laws of 1911, section 1, chapter 46, Laws of 1913 and RCW 91.04.070; repealing section 6, chapter 8, Laws of 1909 ex. sess., section 6, chapter 11, Laws of 1911, section 2, chapter 46, Laws of 1913, and RCW 91.04.080; repealing section 7, chapter 8, Laws of 1909 ex. sess., section 7, chapter 11, Laws of 1911, section 2, chapter 152, Laws of 1917 and RCW 91.04.170; repealing section 8, chapter 8, Laws of 1909 ex. sess., section 8, chapter 11, Laws of 1911, and RCW 91.04.200; repealing section 9, chapter 8, Laws of 1909 ex. sess., section 9, chapter 11, Laws of 1911, and RCW 91.04.210 and 91.04.220; repealing section 10, chapter 8, Laws of 1909 ex. sess., section 10, chapter 11, Laws of 1911, section 3, chapter 46, Laws of 1913, and RCW 91.04.225; repealing section 11, chapter 8, Laws of 1909 ex. sess., section 11, chapter 11, Laws of 1911, and RCW 91.04.230; repealing section 12, chapter 8, Laws of 1909 ex. sess., section 12, chapter 11, Laws of 1911 and RCW 91.04.240; repealing sections 13 and 14, chapter 8, Laws of 1909 ex. sess., section 13, chapter 11, Laws of 1911 and RCW 91.04.250; repealing section 15, chapter 8, Laws of 1909 ex. sess., section 14, chapter 11, Laws of 1911, and RCW 91.04.260; repealing section 16, chapter 8, Laws of 1909 ex. sess., section 15, chapter 11, Laws of 1911 and RCW 91.04.270; repealing section 17, chapter 8, Laws of 1909 ex. sess., section 16, chapter 11, Laws of 1911 and RCW 91.04.290; repealing section 18, chapter 8, Laws of 1909 ex. sess., section 17, chapter 11, Laws of 1911 and RCW 91.04.300; repealing section 19, chapter 8, Laws of 1909 ex. sess., section 18, chapter 11, Laws of 1911 and RCW 91.04.310; repealing section 19, chapter 11, Laws of 1911 and RCW 91.04.320; repealing section 20, chapter 11, Laws of 1911 and RCW 91.04.325 and 91.04.370; repealing section 20, chapter 8, Laws of 1909 ex. sess., section 21, chapter 11, Laws of 1911 and RCW 91.04.330; repealing section 21, chapter 8, Laws of 1909 ex. sess., section 22, chapter 11, Laws of 1911 and RCW 91.04.340; repealing section 22, chapter 8, Laws of 1909 ex. sess., section 23, chapter 11, Laws of 1911 and RCW 91.04.350; repealing section 23, chapter 8, Laws of 1909 ex. sess., section 24, chapter 11, Laws of 1911 and RCW 91.04.360; repealing section 24, chapter 8, Laws of 1909 ex. sess., section 25, chapter 11, Laws of 1911 and RCW 91.04.380; repealing section 25, chapter 8, Laws of 1909 ex. sess., section 26, chapter 11, Laws of 1911 and RCW 91.04.390; repealing section 26, chapter 8, Laws of 1909 ex. sess., section 27, chapter 11, Laws of 1911 and RCW 91.04.410; repealing section 27, chapter 8, Laws of 1909 ex. sess., section 28, chapter 11, Laws of 1911, section 4, chapter 46, Laws of 1913 and RCW 91.04.420; repealing section 28, chapter 8, Laws of 1909 ex. sess., section 29, chapter 11, Laws of 1911, and RCW 91.04.425 and 91.04.400; repealing section 29, chapter 8, Laws of 1909 ex. sess., section 30, chapter 11, Laws of 1911, section 5, chapter 46, Laws of 1913 and RCW 91.04.440; repealing section 30, chapter 8, Laws of 1909 ex. sess., section 31, chapter 11, Laws of 1911, and RCW 91.04.450; repealing section 31, chapter 8, Laws of 1909 ex. sess., section 32, chapter 11, Laws of 1911 and RCW 91.04.460; repealing section 32, chapter 8, Laws of 1909 ex. sess., section 33, chapter 11, Laws of 1911 and RCW

91.04.470; repealing section 33, chapter 8, Laws of 1909 ex. sess., section 34, chapter 11, Laws of 1911, section 6, chapter 46, Laws of 1913 and RCW 91.04.475; repealing section 34, chapter 8, Laws of 1909 ex. sess., section 35, chapter 11, Laws of 1911, section 7, chapter 46, Laws of 1913 and RCW 91.04.480; repealing section 35, chapter 8, Laws of 1909 ex. sess., section 36, chapter 11, Laws of 1911, section 8, chapter 46, Laws of 1913, section 47, chapter 232, Laws of 1969 ex. sess., section 104, chapter 56, Laws of 1970 ex. sess., and RCW 91.04.490; repealing section 36, chapter 8, Laws of 1909 ex. sess., section 37, chapter 11, Laws of 1911 and RCW 91.04.495; repealing section 37, chapter 8, Laws of 1909 ex. sess., section 38, chapter 11, Laws of 1911, section 9, chapter 46, Laws of 1913 and RCW 91.04.500; repealing section 38, chapter 8, Laws of 1909 ex. sess., section 39, chapter 11, Laws of 1911, section 10, chapter 46, Laws of 1913 and RCW 91.04.510; repealing section 39, chapter 8, Laws of 1909 ex. sess., section 40, chapter 11, Laws of 1911, section 11, chapter 46, Laws of 1913 and RCW 91.04.520; repealing section 40, chapter 8, Laws of 1909 ex. sess., section 41, chapter 11, Laws of 1911 and RCW 91.04.530; repealing section 41, chapter 8, Laws of 1909 ex. sess., section 42, chapter 11, Laws of 1911, and RCW 91.04.540; repealing section 42, chapter 8, Laws of 1909 ex. sess., section 43, chapter 11, Laws of 1911 and RCW 91.04.543 and 91.04.280; repealing section 43, chapter 8, Laws of 1909 ex. sess., section 44, chapter 11, Laws of 1911, and RCW 91.04.545 and 91.04.180; repealing section 44, chapter 8, Laws of 1909 ex. sess., section 45, chapter 11, Laws of 1911 and RCW 91.04.547 and 91.04.430; repealing section 45, chapter 8, Laws of 1909 ex. sess., section 46, chapter 11, Laws of 1911 and RCW 91.04.550; repealing section 46, chapter 8, Laws of 1909 ex. sess., section 47, chapter 11, Laws of 1911 and RCW 91.04.555 and 91.04.190; repealing section 47, chapter 8, Laws of 1909 ex. sess., section 48, chapter 11, Laws of 1911 and RCW 91.04.560; repealing section 49, chapter 11, Laws of 1911 and RCW 91.04.565; and repealing section 50, chapter 11, Laws of 1911 and RCW 91.04.900.

Referred to Committee on Local Government.

HOUSE BILL NO. 212, by Representatives Thompson, Kopet, Hoggins and Mentor (by Legislative Budget Committee request):

An Act relating to outdoor recreation areas; amending section 8, chapter 5, Laws of 1965 as amended by section 1, chapter 136, Laws of 1965 ex. sess. and RCW 43.99.080; repealing section 9, chapter 5, Laws of 1965 and RCW 43.99.090; repealing section 14, chapter 5, Laws of 1965 and RCW 43.99.140; and repealing section 16, chapter 5, Laws of 1965 and RCW 43.99.160.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 213, by Representatives Flanagan and Polk (by Departmental request):

An Act relating to revenue and taxation; and amending section 83.44.010, chapter 15, Laws of 1961, as amended by section 29, chapter 149, Laws of 1967 ex. sess., and RCW 83.44.010.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 214, by Representatives Ross, Charette, Wolf, McDermott and Mentor:

An Act relating to elected public officials and the recall thereof; amending section 29.82.020, chapter 9, Laws of 1965 and RCW 29.82.020; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.82 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 215, by Representatives Smythe, Marsh, Hoggins, Zimmerman, Charette, Bauer, Backstrom, Chatalas, Curtis, Mentor and Moon (by Secretary of State request):

An Act relating to elections; amending section 18, chapter 109, Laws of 1967 ex. sess. and RCW 29.34.080; and amending section 2, chapter 130, Laws of 1967 ex. sess. and RCW 29.34.180.

Referred to Committee on Elections and Apportionment.

HOUSE JOINT MEMORIAL NO. 4, by Representatives Pardini, Kuehnle, May, Flanagan, Bluechel, Kopet, Barden, Ceccarelli, Charette, Kiskaddon, Paris, Zimmerman, Hubbard, Shera, Hatfield, Eikenberry, Kraabel, Brown, Conway, Amen, Kirk, Hoggins, Goldsworthy, Gladder, Mentor, Wanamaker, Jueling, Bledsoe, Bagnariol, Williams, Wojahn, Litchman, Rosellini, Merrill, Bauer, Randall, Douthwaite, Martinis, Anderson, Bozarth, King, Jastad, Adams, Lysen, Backstrom, Thompson, Brouillet, McCormick, Moon, Perry, Johnson, Ross, Bradley, Conner, Benitz, Schumaker, Hansey, Farr, Costanti, Blair, Rabel, Polk, Julin, Cunningham, Curtis, Lynch, Harris, Smith, Jones, Smythe, Gilleland, North, Chatalas, O'Brien, Shipoch, Van Dyk, McDermott, Charnley, Knowles, Luders, Savage, Maxie, Gallagher, Haussler, Bottiger, Sawyer, Hurley, Grant, Marzano, Marsh, Kilbury, Beck, Morrison, Newhouse, Swayze, Spanton, Wolf, Berentson and Copeland:

Memorializing Congress concerning U. S. prisoners of war in Vietnam.

On motion of Mr. Bledsoe, the rules were suspended, House Joint Memorial No. 4 was advanced to second reading and read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 4 was placed on final passage.

Representative Pardini spoke in favor of passage of the memorial.

### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4, and the memorial passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Berentson, Farr, Kirk, Luders, Wanamaker—5.

House Joint Memorial No. 4, having received the constitutional majority, was declared passed.

### PERSONAL PRIVILEGE

Mr. Bledsoe: "Mr. Speaker, I would like to have the record show that this legislature is definitely gratified with this production which we now find on our desks, the condensation of a multiplicity of reports from our Department of State, into one concise, condensed version. Not only is it more readable, but of course the fiscal impact, on an expense basis, is one we find most gratifying."

### SECOND READING

HOUSE JOINT MEMORIAL NO. 1, by Representatives O'Brien, Copeland, Bledsoe, Amen, Anderson, Bagnariol, Benitz, Blair, Bluechel, Bradley, Brown, Ceccarelli, Charnley, Chatalas, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Johnson, Jones, Julin, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Marzano, McDermott, Merrill, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Savage, Schumaker, Shera, Shipoch, Smith, Smythe, Van Dyk, Wanamaker, Williams, Wolf and Zimmerman (by Legislative Council request):

Providing for revenue sharing with the states.

The House resumed consideration of House Joint Memorial No. 1 on second reading.

Mr. Moon moved adoption of the following amendment:

On page 2, line 18, after "or both," and before "for any" on line 19, strike "without limiting directly or indirectly the use of such moneys"

Representatives Moon and Savage spoke in favor of adoption of the amendment, and Representatives O'Brien and Copeland spoke against it.

Mr. Wolf demanded an electric roll call, and the demand was sustained.

Representatives King and Perry spoke in favor of adoption of the amendment, and Representatives Bledsoe, Curtis and O'Brien spoke against it.

Mr. Moon closed debate, speaking in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Moon to page 2, line 18, House Joint Memorial No. 1, and the amendment was lost by the following vote: Yeas, 29; nays, 62; absent or not voting, 8.

Voting yea: Representatives Bauer, Bottiger, Bradley, Brouillet, Charette, Charnley, Conner, Douthwaite, Grant, Jastad, Johnson, Kilbury, King, Knowles, Lysen, Marsh, Marzano, Maxie, McDermott, Moon, Perry, Randall, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—29.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Blair, Bledsoe, Bluechel, Bozarth, Brown, Ceccarelli, Chatalas, Conway, Copeland, Cunningham, Curtis, Eikenberry, Flanagan, Gilleland, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jones, Jueling, Julin, Kiskaddon, Kopet, Kraabel, Kuehne, Litchman, Lynch, Martinis, May, McCormick, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Rosellini, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wolf, Zimmerman, Mr. Speaker—62.

Absent or not voting: Representatives Berentson, Costanti, Farr, Gallagher, Hansey, Kirk, Luders, Wanamaker—8.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 1 was placed on final passage.

Representatives Morrison, Sawyer and Haussler spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 1, and the memorial passed the House by the following vote: Yeas, 82; nays, 9; absent or not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Benitz, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Gilleland, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Lynch, Lysen, Marsh, Marzano, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—82.

Voting nay: Representatives Barden, Beck, Bottiger, Conner, Grant, Martinis, Maxie, Moon, Perry—9.

Absent or not voting: Representatives Berentson, Costanti, Farr, Gallagher, Hansey, Kirk, Luders, Wanamaker—8.

House Joint Memorial No. 1, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

We wish the record to show the reason we did not vote this date on House Joint Memorial No. 1 and House Joint Memorial No. 4 was due to our participating in a high level meeting with the Governor discussing the proposed closure of Northern State Hospital. Had

we been present on the floor of the House we would have voted in favor of both House Joint Memorial No. 1 and House Joint Memorial No. 4. DUANE BERENTSON, 40th District; D. JAMES COSTANTI, 40th District; CASWELL J. FARR, 42nd District; DONALD G. HANSEY, 42nd District; and F. PAT WANAMAKER, 10th District.

#### STATEMENT FOR THE JOURNAL

House Joint Memorial No. 1, I feel, is an exercise in futility. The only thing the federal government can share with us is the National Debt. The federal government is already embarked on a massive deficit spending spree. Consequently, if they do propose a constitutional amendment, it would require a large increase in federal taxes to support it. Our hope that the government will then let us handle our own business is naive. Historically, once the government takes over, it never lets go. Further, the federal government has never given funds to any state or local government without having strings attached.

I am further concerned that once a constitutional convention is called, the Congress will not limit itself to just this issue but will attempt to rewrite other portions of the Constitution. This could be dangerous.

The only way to really strengthen local government is for the federal government to get themselves out of the affairs of local government. The next step would be to remove the comparable tax burden at the federal level and then allow the local entities to handle their own taxing and spending problems. KEITH J. SPANTON, 15th District.

#### STATEMENT FOR THE JOURNAL

I would like to have inserted in the Journal the following remarks regarding House Joint Memorial Nos. 1 and 4.

I was a sponsor of both HJM 1 and HJM 4.

Due to the financial crisis in which Washington finds itself, it seems imperative that some new avenue of income be opened up to aid the state in providing the minimum of services for our people. Because the income tax paid to the United States is levied upon the citizens of all the states, and because income tax is a more reliable indicator of the economic situation than the regressive taxes on which Washington depends, it seems that the only solution is that the federal government be directed to share the income with the states. Without this income many people in Washington will suffer—from unemployment, air and water pollution, transportation and city problems. These problems have become too difficult to solve without additional income. The citizens of Washington are unable to bear further taxation. It seems the only answer is financial aid from the federal government.

I have brought about 7,000 signatures from my area in support of HJM 4 and I was actively involved in the campaign to get this memorial adopted.

I was not able to vote on these two measures and although my vote would not have altered the result, I want to be sure that I am on record as supporting them. EDWARD T. LUDERS, District 5-B.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker: "On Saturday the Speaker had the privilege of signing his first bill into law, and I was reminded that I should provide the membership with the usual remembrance and that remembrance in honor of that occasion is in the lunchroom for you. In addition, I thought I would like to take this opportunity to present to each member what I have found during past sessions (and I am sure will find even more than ever during this session) to be my most useful legislative tool—so I hope you enjoy your bottle of aspirins."

#### MOTION

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Wednesday, January 20, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 20, 1971.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eikenberry, Shera and Rosellini. Representatives Eikenberry and Shera were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 216, by Representatives Julin, Morrison and Bottiger (by Attorney General request):

An Act relating to trusts; and creating new sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 217, by Representatives Julin, Morrison and Bottiger (by Attorney General request):

An Act relating to not for profit corporations; and adding a new chapter to Title 24 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 218, by Representatives Benitz, Julin and Hubbard:

An Act relating to law libraries; permitting the establishment of judicial district law libraries; amending section 1, chapter 94, Laws of 1925 ex. sess. as last amended by section 1, chapter 195, Laws of 1943, and RCW 27.24.062; amending section 3, chapter 167, Laws of 1933 and RCW 27.24.063; amending section 1, chapter 249, Laws of 1953 as last amended by section 2, chapter 25, Laws of 1969, and RCW 27.24.070; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 219, by Representatives Conway, Chatalas, Brown, Backstrom, Ceccarelli, Charnley and Kirk:

An Act relating to narcotic and dangerous drugs; establishing a program of rehabilitation and education within the department of social and health services; and prescribing certain penalty assessments for the financing thereof.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 220, by Representatives Bluechel, Perry and Cunningham (by Secretary of State request):

An Act relating to foreign corporations; amending section 113, chapter 53, Laws of 1965 and RCW 23A.32.050; amending section 114, chapter 53, Laws of 1965 and RCW 23A.32.060; and amending section 116, chapter 53, Laws of 1965 and RCW 23A.32.080.

Referred to Committee on State Government.

HOUSE BILL NO. 221, by Representatives Bluechel, Williams and Cunningham (by Secretary of State request):



An Act relating to the office of the secretary of state; adding a new section to chapter 43.07 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 222, by Representatives Bluechel, Spanton and Ross (by Secretary of State request):

An Act relating to nonprofit corporations and associations; amending section 9, chapter 163, Laws of 1969 ex. sess. and RCW 24.03.302.

Referred to Committee on State Government.

HOUSE BILL NO. 223, by Representatives Bluechel, McCormick and Cunningham (by Secretary of State request):

An Act relating to state government; amending section 2, page 366, Laws of 1854 as last amended by section 2175, Code of 1881 and RCW 2.32.020; amending section 21, chapter 165, Laws of 1947 and RCW 14.04.210; amending section 4, chapter 323, Laws of 1959 and RCW 18.08.130; amending section 6, chapter 272, Laws of 1955 and RCW 26.40.060; amending section 28A.92.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.92.080; amending section 5, chapter 121, Laws of 1921 and RCW 31.16.030; amending section 36.63.080, chapter 4, Laws of 1963 and RCW 36.63.080; amending section 36.63.330, chapter 4, Laws of 1963 and RCW 36.63.330; amending section 36.63.340, chapter 4, Laws of 1963 and RCW 36.63.340; amending section 36.63.350, chapter 4, Laws of 1963 and RCW 36.63.350; amending section 36.63.440, chapter 4, Laws of 1963 and RCW 36.63.440; amending section 2, chapter 250, Laws of 1957 and RCW 38.12.010; amending section 11, chapter 157, Laws of 1955 and RCW 42.08.100; amending section 3, page 473, Laws of 1890 and RCW 42.28.030; amending section 43.07.050, chapter 8, Laws of 1965 and RCW 43.07.050; amending section 43.08.020, chapter 8, Laws of 1965 and RCW 43.08.020; amending section 43.10.010, chapter 8, Laws of 1965 and RCW 43.10.010; amending section 43.17.100, chapter 8, Laws of 1965 and RCW 43.17.100; amending section 43.19.030, chapter 8, Laws of 1965 and RCW 43.19.030; amending section 43.22.140, chapter 8, Laws of 1965 and RCW 43.22.140; amending section 43.51.160, chapter 8, Laws of 1965 and RCW 43.51.160; amending section 10, chapter 250, Laws of 1907 and RCW 65.12.055; amending section 64, chapter 62, Laws of 1933 ex. sess. as last amended by section 9, chapter 5, Laws of 1949 and RCW 66.08.014; amending section 2, chapter 184, Laws of 1933 as amended by section 1, chapter 305, Laws of 1959 and RCW 67.08.003; amending section 3, chapter 267, Laws of 1955 and RCW 70.41.030; amending section 7, chapter 232, Laws of 1957 as last amended by section 5, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.070; amending section 26, chapter 232, Laws of 1957 as last amended by section 31, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.260; amending section 54, chapter 238, Laws of 1967 as amended by section 40, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.400; amending section 9, chapter 85, Laws of 1959 and RCW 70.96.090; amending section 74.09.130, chapter 26, Laws of 1959 and RCW 74.09.130; amending section 6, chapter 116, Laws of 1947 and RCW 76.40.060; amending section 3, chapter 51, Laws of 1923 and RCW 87.25.030; amending section 6, chapter 51, Laws of 1923 and RCW 87.25.060; amending section 7, chapter 51, Laws of 1923 and RCW 87.25.070; repealing section 43.07.060, chapter 8, Laws of 1965 and RCW 43.07.060; repealing section 43.07.070, chapter 8, Laws of 1965 and RCW 43.07.070; repealing section 43.07.080, chapter 8, Laws of 1965 and RCW 43.07.080; repealing section 43.07.090, chapter 8, Laws of 1965 and RCW 43.07.090; repealing section 43.07.100, chapter 8, Laws of 1965 and RCW 43.07.100; and repealing section 43.07.110, chapter 8, Laws of 1965 and RCW 43.07.110.

Referred to Committee on State Government.

HOUSE BILL NO. 224, by Representatives Bluechel, Perry and Cunningham (by Secretary of State request):

An Act relating to copyrights; amending section 4, chapter 218, Laws of 1937 as amended by section 1, chapter 40, Laws of 1967 and RCW 19.24.040; amending section 5,

chapter 218, Laws of 1937 and RCW 19.24.050; and amending section 6, chapter 218, Laws of 1937 and RCW 19.24.055.

Referred to Committee on State Government.

HOUSE BILL NO. 225, by Representatives Bluechel, McCormick and Conway (by Secretary of State request):

An Act relating to corporations; amending section 4, chapter 92, Laws of 1969 ex. sess. and RCW 23A.40.075.

Referred to Committee on State Government.

HOUSE BILL NO. 226, by Representatives Bluechel, Knowles and Kraabel (by Secretary of State request):

An Act relating to commercial transactions; and amending section 9-407, chapter 157, Laws of 1965 ex. sess. as amended by section 10, chapter 114, Laws of 1967 and RCW 62A.9-407.

Referred to Committee on State Government.

HOUSE BILL NO. 227, by Representatives Bluechel, Spanton and Hoggins (by Secretary of State request):

An Act relating to vehicles; and amending section 46.64.040, chapter 12, Laws of 1961 and RCW 46.64.040.

Referred to Committee on State Government.

HOUSE BILL NO. 228, by Representatives Newhouse, Moon and Berentson:

An Act relating to the interagency committee for outdoor recreation; amending section 11, chapter 5, Laws of 1965 as amended by section 2, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.110; and adding a new section to chapter 43.99 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 229, by Representatives Copeland, Bottiger and Hurley (by Departmental request):

An Act relating to public service companies; amending section 81.48.030, chapter 14, Laws of 1961 and RCW 81.48.030; amending section 81.48.040, chapter 14, Laws of 1961 and RCW 81.48.040; amending section 9, chapter 295, Laws of 1961 as last amended by section 11, chapter 210, Laws of 1969 ex. sess. and RCW 81.77.080; amending section 81.80.300, chapter 14, Laws of 1961 as last amended by section 13, chapter 210, Laws of 1969 ex. sess. and RCW 81.80.300; amending section 81.80.320, chapter 14, Laws of 1961 as last amended by section 14, chapter 210, Laws of 1969 ex. sess. and RCW 81.80.320; amending section 80.20.060, chapter 14, Laws of 1961 and RCW 80.20.060; adding a new section to chapter 14, Laws of 1961 and to chapter 81.80 RCW; adding a new section to chapter 94, Laws of 1967 ex. sess. and to chapter 46.86 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HOUSE BILL NO. 230, by Representatives Shinpoch and Charnley:

An Act relating to insurance; adding new sections to Title 48 RCW; and providing an effective date.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 231, by Representatives Shinpoch, Lynch, Grant, Maxie, Charnley, Williams, Douthwaite, Lysen, Chatalas and Mentor:

An Act relating to unfair practices; defining crimes; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 232, by Representatives Shinpoch, Maxie, Lynch, Charnley and Bauer:

An Act relating to consumer protection; defining crimes; adding new sections to Title 19 RCW; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 233, by Representatives Bottiger, Hubbard and Charette:

An Act relating to lawyers' code of ethics; and amending section 15, chapter 126, Laws of 1921 and RCW 2.48.230.

Referred to Committee on Judiciary.

HOUSE BILL NO. 234, by Representatives Bottiger, Julin and Hubbard:

An Act relating to crimes and punishment; amending section 377, chapter 249, Laws of 1909 as amended by section 1, chapter 109, Laws of 1965 ex. sess., and RCW 9.45.060; adding a new section to chapter 9.45 RCW; defining crimes; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 235, by Representatives Williams, Charnley, Lysen, Douthwaite and Bradley:

An Act relating to revenue and taxation; and amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess., and RCW 84.36.128.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 236, by Representatives King, Lynch, Pardini, Ceccarelli and Rabel:

An Act relating to voluntary submission for treatment for alcohol abuse and drug use; providing for confidentiality; and creating new sections.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 237, by Representatives Schumaker, Savage, Zimmerman, Backstrom and Mentor:

An Act relating to public lands and state forest lands; amending section 33, chapter 255, Laws of 1927 as last amended by section 2, chapter 14, Laws of 1969 ex. sess. and RCW 79.01.132; amending section 46, chapter 255, Laws of 1927, as last amended by section 3, chapter 14, Laws of 1969 ex. sess. and RCW 79.01.184; amending section 50, chapter 255, Laws of 1927, as last amended by section 4, chapter 14, Laws of 1969 ex. sess. and RCW 79.01.200; and amending section 7, chapter 154, Laws of 1923, as last amended by section 1, chapter 116, Laws of 1955 and RCW 76.12.120.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 238, by Representatives Kopet, Luders, Kuehnle and Pardini:

An Act relating to cemetery districts; amending section 1, chapter 6, Laws of 1947 as last amended by section 1, chapter 99, Laws of 1957, and RCW 68.16.010; and amending section 13, chapter 6, Laws of 1947 as last amended by section 2, chapter 23, Laws of 1959 and RCW 68.16.130.

Referred to Committee on Local Government.

HOUSE BILL NO. 239, by Representatives Kopet, McDermott and Eikenberry:

An Act relating to liability of persons withdrawing blood; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 240, by Representatives North, Kilbury and Smythe (by Secretary of State request):

An Act relating to elections; amending section 29.39.120, chapter 9, Laws of 1965 and RCW 29.39.120; providing penalties; and declaring an emergency.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 241, by Representatives Brown, Charette, Bluechel, Kraabel, Rabel, Barden, Ceccarelli, Curtis, Hansey and Mentor (by Secretary of State request):

An Act relating to elections; providing for the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; adding new sections to chapter 9, Laws of 1965 and to Title 29 RCW as a new chapter thereof; repealing section 29.18.140, chapter 9, Laws of 1965 as amended by section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; and prescribing penalties.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 242, by Representatives Shinpoch, Brown, Smythe and Grant (by Secretary of State request):

An Act relating to elections; amending section 29.33.220, chapter 9, Laws of 1965 and RCW 29.33.220; and amending section 29.45.120, chapter 9, Laws of 1965 and RCW 29.45.120.

Referred to Committee on Local Government.

HOUSE BILL NO. 243, by Representatives Savage, Wolf, May, Bauer and Mentor:

An Act relating to public health and safety; requiring ambulances and their operators and attendants to meet certain first aid requirements; and amending section 1, chapter 65, Laws of 1945 and RCW 70.54.060.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 244, by Representatives Julin, Bottiger, Wolf and Curtis:

An Act relating to crimes; amending section 353, chapter 249, Laws of 1909 as amended by section 1, chapter 97, Laws of 1955, and RCW 9.54.090; and defining crimes.

Referred to Committee on Judiciary.

HOUSE BILL NO. 245, by Representatives Bottiger, North, Smythe, Charnley and Mentor (by Secretary of State request):

An Act relating to elections; and amending section 29.30.080, chapter 9, Laws of 1965 as amended by section 2, chapter 52, Laws of 1965 and RCW 29.30.080.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 246, by Representatives Conner, Beck, Barden, Backstrom, Ceccarelli and Eikenberry:

An Act relating to higher education; providing free tuition fees for children of law enforcement officers disabled or killed in line of duty; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 269, Laws of 1969 ex. sess. and RCW 28B.15.380; amending section 29, chapter 261, Laws of 1969 ex. sess. as amended by section 8, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.520; amending section 9, chapter 269, Laws of 1969 ex. sess. and RCW 28B.40.361; and declaring an effective date.

Referred to Committee on Higher Education.

HOUSE BILL NO. 247, by Representatives Conner and Gallagher:

An Act relating to the taxation and regulation of special fuel; enacting a "Special Fuel Tax Act"; repealing section 82.40.010, chapter 15, Laws of 1961, section 1, chapter 196, Laws of 1967, section 24, chapter 281, Laws of 1969 ex. sess., and RCW 82.40.010; repealing section 82.40.020, chapter 15, Laws of 1961, section 3, chapter 7, Laws of 1961 ex. sess., section 6, chapter 83, Laws of 1967 ex. sess., and RCW 82.40.020; repealing section 82.40.030, chapter 15, Laws of 1961 and RCW 82.40.030; repealing section 82.40.040, chapter 15, Laws of 1961, section 1, chapter 139, Laws of 1969, and RCW 82.40.040; repealing section 82.40.045, chapter 15, Laws of 1961 and RCW 82.40.045; repealing section 82.40.046, chapter 15, Laws of 1961, section 29, chapter 281, Laws of 1969 ex. sess., and RCW 82.40.046; repealing section 82.40.047, chapter 15, Laws of 1961, section 2, chapter 117, Laws of 1961, section 2, chapter 187, Laws of 1963, section 2, chapter 135, Laws of 1965, section 2, chapter 86, Laws of 1967, section 28, chapter 281, Laws of 1969 ex. sess., and RCW 82.40.047; repealing section 82.40.050, chapter 15, Laws of 1961, section 1, chapter 33, Laws of 1965 ex. sess., section 3, chapter 139, Laws of

1969, and RCW 82.40.050; section 82.40.060, chapter 15, Laws of 1961, section 2, chapter 33, Laws of 1965 ex. sess., and RCW 82.40.060; repealing section 82.40.070, chapter 15, Laws of 1961 and RCW 82.40.070; repealing section 82.40.080, chapter 15, Laws of 1961 and RCW 82.40.080; repealing section 82.40.090, chapter 15, Laws of 1961 and RCW 82.40.090; repealing section 82.40.100, chapter 15, Laws of 1961 and RCW 82.40.100; repealing section 82.40.110, chapter 15, Laws of 1961 and RCW 82.40.110; repealing section 82.40.120, chapter 15, Laws of 1961 and RCW 82.40.120; repealing section 82.40.130, chapter 15, Laws of 1961, section 3, chapter 33, Laws of 1965 ex. sess., and RCW 82.40.130; repealing section 82.40.140, chapter 15, Laws of 1961 and RCW 82.40.140; repealing section 82.40.150, chapter 15, Laws of 1961 and RCW 82.40.150; repealing section 82.40.160, chapter 15, Laws of 1961 and RCW 82.40.160; repealing section 82.40.170, chapter 15, Laws of 1961 and RCW 82.40.170; repealing section 82.40.180, chapter 15, Laws of 1961 and RCW 82.40.180; repealing section 82.40.190, chapter 15, Laws of 1961 and RCW 82.40.190; repealing section 82.40.200, chapter 15, Laws of 1961 and RCW 82.40.200; repealing section 82.40.210, chapter 15, Laws of 1961 and RCW 82.40.210; repealing section 82.40.220, chapter 15, Laws of 1961, section 4, chapter 33, Laws of 1965 ex. sess. and RCW 82.40.220; repealing section 82.40.230, chapter 15, Laws of 1961 and RCW 82.40.230; repealing section 82.40.240, chapter 15, Laws of 1961, section 2, chapter 196, Laws of 1967 and RCW 82.40.240; repealing section 82.40.250, chapter 15, Laws of 1961, section 5, chapter 33, Laws of 1965 ex. sess., section 8, chapter 89, Laws of 1967 ex. sess., and RCW 82.40.250; section 82.40.260, chapter 15, Laws of 1961 and RCW 82.40.260; repealing section 82.40.270, chapter 15, Laws of 1961, section 6, chapter 33, Laws of 1965 ex. sess., section 3, chapter 196, Laws of 1967, and RCW 82.40.270; repealing section 82.40.280, chapter 15, Laws of 1961 and RCW 82.40.280; repealing section 82.40.290, chapter 15, Laws of 1961, section 4, chapter 7, Laws of 1961 ex. sess., section 2, chapter 113, Laws of 1963, section 7, chapter 83, Laws of 1967 ex. sess., and RCW 82.40.290; repealing section 82.40.900, chapter 15, Laws of 1961 and RCW 82.40.900; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 248, by Representatives Bottiger, Haussler, North, Merrill, Shera, Wojahn, Maxie, Randall, Bluechel, Kraabel, Cunningham, Blair, Rabel, Grant, Williams, Douthwaite and Paris (by Executive request):

An Act relating to counties; amending section 36.82.040, chapter 4, Laws of 1963 and RCW 36.82.040; and repealing sections 1 and 2, chapter 218, Laws of 1967 and RCW 36.82.240 and 36.82.245.

Referred to Committee on Local Government.

HOUSE BILL NO. 249, by Representatives Hurley, O'Brien, Gladder, Charnley, Chatalas and Luders:

An Act relating to motor vehicles; and amending section 46.08.110, chapter 12, Laws of 1961 as amended by section 3, chapter 32, Laws of 1967 and RCW 46.01.250.

Referred to Committee on State Government.

HOUSE BILL NO. 250, by Representatives Morrison, Smythe and Spanton (by Superintendent of Public Instruction request):

An Act relating to cities and towns, including the annexation of school property thereto; amending section 35.13.125, chapter 7, Laws of 1965 as amended by section 10, chapter 88, Laws of 1965 ex. sess. and RCW 35.13.125; amending section 35.13.130, chapter 7, Laws of 1965 as amended by section 11, chapter 88, Laws of 1965 ex. sess. and RCW 35.13.130; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 251, by Representatives Bottiger, Kiskaddon and Kirk:

An Act relating to tax receipts; and amending section 84.56.060, chapter 15, Laws of 1961 and RCW 84.56.060.

Referred to Committee on Local Government.

HOUSE BILL NO. 252, by Representatives Thompson, Smythe and Martinis:

An Act relating to common schools; amending section 28A.45.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.45.090.

Referred to Committee on Local Government.

HOUSE BILL NO. 253, by Representatives Bluechel, Perry and Conway (by Secretary of State request):

An Act relating to nonprofit corporations and associations; amending section 81, chapter 235, Laws of 1967 and RCW 24.03.400; amending section 82, chapter 235, Laws of 1967 as amended by section 5, chapter 163, Laws of 1969 ex. sess. and RCW 24.03.405; amending section 83, chapter 235, Laws of 1967 as amended by section 6, chapter 163, Laws of 1969 ex. sess. and RCW 24.03.410; amending section 90, chapter 120, Laws of 1969, ex. sess. and RCW 24.06.450; and amending section 91, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.455.

Referred to Committee on State Government.

HOUSE BILL NO. 254, by Representatives Bluechel, Perry and Kraabel (by Secretary of State request):

An Act relating to corporations; amending section 51, chapter 53, Laws of 1965 as last amended by section 2, chapter 83, Laws of 1969 ex. sess. and RCW 23A.08.480; amending section 132, chapter 53, Laws of 1965 and RCW 23A.36.050; amending section 135, chapter 53, Laws of 1965 as last amended by section 3, chapter 83, Laws of 1969 ex. sess. and RCW 23A.40.020; and amending section 136, chapter 53, Laws of 1965 and RCW 23A.40.030.

Referred to Committee on State Government.

HOUSE BILL NO. 255, by Representatives Zimmerman, McDermott, Lynch, Pardini, Chatalas, Kirk, Haussler, Amen, King, Marzano, Anderson and Curtis:

An Act relating to the practice of medicine; amending section 2, chapter 60, Laws of 1957 as last amended by section 1, chapter 284, Laws of 1961 and RCW 18.71.010; amending section 2, chapter 284, Laws of 1961 and RCW 18.71.015; amending section 14, chapter 192, Laws of 1909 as last amended by section 18, chapter 199, Laws of 1969 ex. sess. and RCW 18.71.020; amending section 10, chapter 284, Laws of 1961 and RCW 18.71.025; amending section 19, chapter 192, Laws of 1909 as last amended by section 4, chapter 284, Laws of 1961 and RCW 18.71.030; amending section 35, chapter 202, Laws of 1955 and RCW 18.71.040; amending section 3, chapter 60, Laws of 1957 as amended by section 5, chapter 284, Laws of 1961 and RCW 18.71.050; amending section 4, chapter 60, Laws of 1957 as amended by section 6, chapter 284, Laws of 1961 and RCW 18.71.055; amending section 8, chapter 192, Laws of 1909 as amended by section 7, chapter 284, Laws of 1961 and RCW 18.71.060; amending section 6, chapter 192, Laws of 1909 as last amended by section 8, chapter 284, Laws of 1961 and RCW 18.71.070; amending section 36, chapter 202, Laws of 1955 and RCW 18.71.080; amending section 11, chapter 134, Laws of 1919 as last amended by section 9, chapter 284, Laws of 1961 and RCW 18.71.090; amending section 1, chapter 189, Laws of 1959 as last amended by section 1, chapter 138, Laws of 1967 and RCW 18.71.095; amending section 44, chapter 202, Laws of 1955 and RCW 18.71.180; adding new sections to chapter 18.71 RCW; repealing section 2, chapter 189, Laws of 1959, section 1, chapter 65, Laws of 1963, section 2, chapter 29, Laws of 1965, section 2, chapter 138, Laws of 1967 and RCW 18.71.096; repealing section 38, chapter 202, Laws of 1955, section 12, chapter 284, Laws of 1961 and RCW 18.71.120; repealing section 40, chapter 202, Laws of 1955 and RCW 18.71.140; and repealing section 21, chapter 192, Laws of 1909 and RCW 18.71.900.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 256, by Representatives Gallagher, Wojahn and Blair:

An Act relating to marriage; and adding a new section to chapter 26.04 RCW.

Referred to Committee on Judiciary.

HOUSE JOINT MEMORIAL NO. 5, by Representatives Ross, Maxie, Rosellini, Grant, Ceccarelli and Chatalas:

Memorializing Congress to provide for guaranteed annual income.  
Referred to Committee on Social and Health Services.

#### MOTION

On motion of Mr. Newhouse, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Speaker (Mr. Morrison presiding) called the House to order at 1:30 p.m.  
The Clerk called the roll and all members were present.

The Speaker (Mr. Morrison presiding) declared the House to be at ease.  
The Speaker called the House to order.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 71-6, by Representatives Conner and Savage:

WHEREAS, The Washington Law Enforcement Officer's Association has undertaken a study to find a site for the Law Enforcement Officer's Training Academy; and

WHEREAS, The Legislature has not yet approved a site for the academy; and

WHEREAS, The financial position of the State dictates austerity; and

WHEREAS, The Fort Worden Treatment Facility is being phased out; and

WHEREAS, Fort Worden has existing grounds, buildings, sanitation facilities and access roads; and

WHEREAS, Fort Worden has unique facilities consisting of a firing range and space for a drivers' training area; and

WHEREAS, There are qualified personnel in Port Townsend to carry on the day to day operation of the facility; and

WHEREAS, The State already owns Fort Worden and could accomplish significant savings by locating the Law Enforcement Officer's Training Academy at that site.

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Washington Law Enforcement Officer's Association and the Appropriations Committees of both Houses of the Legislature be informed of Fort Worden's availability.

Mr. Conner moved adoption of the resolution.

Representatives Conner and Savage spoke in favor of adoption of the resolution.

#### POINT OF INQUIRY

Mrs. Lynch yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Representative Lynch, is there a study in the process, before or nearing presentation before your committee, dealing with the subject matter covered in this floor resolution?"

Mrs. Lynch: "Yes, Representative Bledsoe, the Joint Committee on Higher Education has had this study, as directed by the last session of the legislature, and we will have the results before this legislature within the next couple of weeks."

Mr. Bledsoe: "A further question: Would it facilitate the handling of this resolution, and also correlate it with the findings of the study to be presented to your committee, if both of these documents were in the possession of this committee by a motion to refer it to your committee now?"

Mrs. Lynch: "I think it would be helpful to have it there. It is an area that can be considered."

#### MOTIONS

On motion of Mr. Bledsoe, House Resolution No. 71-6 was referred to the Committee on Higher Education.

On motion of Mr. Morrison, HOUSE BILL NO. 156 was rereferred from the Committee on Local Government to the Committee on Judiciary.

On motion of Mr. Morrison, HOUSE BILL NO. 194 was rereferred from the Committee on Natural Resources and Ecology to the Committee on Local Government.

On motion of Mr. Bledsoe, the House reverted to the third order of business.

#### REPORTS OF STANDING COMMITTEES

January 20, 1971.

HOUSE FLOOR RESOLUTION NO. 71-7, adoption of permanent rules of House, Forty-second Legislature, reported by Committee on Rules and Administration.

MAJORITY recommendation: Do pass. Signed by Representatives Swayze, Chairman, Copeland, Vice Chairman, Bledsoe, Cunningham, Harris, Juelling, Kirk, Newhouse, Wolf.

MINORITY recommendation: Do not pass. Signed by Representatives Brouillet, Chatalas, Grant, Litchman, May, O'Brien, Sawyer.

#### MOTION

On motion of Mr. Bledsoe, consideration of House Resolution No. 71-7 was deferred, and the resolution was placed on the calendar for Thursday.

#### NOTICE OF AMENDMENTS TO HOUSE RULES

Mr. Grant served notice that on the next working day, amendments to the Rules of the House of Representatives as proposed by the Committee on Rules and Administration under House Resolution No. 71-7 would be submitted.

#### MOTIONS

On motion of Mr. Bledsoe, the House advanced to the ninth order of business.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, January 21, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.



## ELEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 21, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 19, 1971.

HOUSE BILL NO. 12, abolishing obsolete authority of certain school districts to establish and maintain certain parental or truant schools, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 13, repealing obsolete sections dealing with negotiations by certificated community college employees in school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 14, deleting superfluous law relating to school holidays, including programs suitable thereto, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 15, deleting certain common school provisions from the higher education code and reenacting them in their proper code, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 16, deleting obsolete authority of superintendent of public instruction, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 17, repealing obsolete law which provides for apportionment of public school funds to certain school districts for pupils from orphan homes, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 19, 1971.

HOUSE BILL NO. 18, changing "county" and/or "intermediate district" to "intermediate school district" within certain sections of the common school code, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 20, 1971.

HOUSE BILL NO. 172, restoring tax statutes based on passage of HJR 42 to previous status, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Kilbury, King, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

January 20, 1971.

Mr. Speaker: The Senate has passed SENATE JOINT MEMORIAL NO. 1, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 257, by Representatives Pardini, Bottiger, Kopet, Backstrom, Curtis, Jones, Lynch and Smith (by Departmental request):

An Act relating to public assistance; creating new sections; repealing section 17, chapter 173, Laws of 1969 ex. sess. and RCW 74.20.292; and declaring an emergency.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 258, by Representatives Flanagan, Charette, Zimmerman, Copeland, Hatfield, Randall, Haussler, Bozarth, Polk and Juelling:

An Act relating to education, and negotiations by certificated personnel; amending sections 28A.72.020 and 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020 and 28A.72.030; and amending section 28A.72.060, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 259, by Representatives Ross, Maxie and Chatalas (by Secretary of State request):

An Act relating to elections; and amending section 29.27.072, chapter 9, Laws of 1965 as amended by section 1, chapter 96, Laws of 1967 and RCW 29.27.072.

Referred to Committee on State Government.

HOUSE BILL NO. 260, by Representatives Bagnariol, Douthwaite, Ceccarelli, Lysen, Maxie, Williams, Rosellini, Merrill and Bradley:

An Act relating to criminal procedure; amending section 1, chapter 198, Laws of 1969 ex. sess. and RCW 10.31.100; amending section 30, page 107, Laws of 1854 as last amended by section 1924, Code of 1881 and RCW 10.16.040; amending section 31, page 107, Laws of 1854 as last amended by section 1925, Code of 1881 and RCW 10.16.080; amending

section 58, chapter 249, Laws of 1909 and RCW 10.19.010; amending section 72, page 113, Laws of 1854 as last amended by section 42, chapter 28, Laws of 1891 and RCW 10.19.020; amending section 81, page 114, Laws of 1854 as last amended by section 1037, Code of 1881 and RCW 10.19.080; adding new sections to chapter 10.19 RCW; repealing section 80, page 114, Laws of 1854, section 216, page 230, Laws of 1873, section 1036, Code of 1881 and RCW 10.19.070; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 261, by Representatives Shipoch, Charnley, Douthwaite, Backstrom, Kilbury and Merrill:

An Act relating to motor vehicles; and adding new sections to Title 46 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 262, by Representatives Julin, Marsh and Harris:

An Act relating to bonds in civil actions; and adding a new section to chapter 4.44 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 263, by Representatives McCormick, Copeland, Flanagan and Wojahn:

An Act relating to revenue and taxation; and amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess., and RCW 84.69.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 264, by Representatives Polk, Julin, Thompson and Litchman:

An Act relating to public indebtedness; and amending section 1, chapter 143, Laws of 1917 as last amended by section 27, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 265, by Representatives Wolf, O'Brien, Copeland, Backstrom, Hoggins and Mentor (by Legislative Council request):

An Act relating to state government; providing for compensation and allowances; amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 1, chapter 34, Laws of 1970 ex. sess. and RCW 43.03.050; amending section 43.03.060, chapter 8, Laws of 1965 as amended by section 4, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.060; amending section 1, chapter 10, Laws of 1959 ex. sess. as last amended by section 4, chapter 112, Laws of 1967 ex. sess. and RCW 44.04.120; amending section 8, chapter 45, Laws of 1925 ex. sess. and RCW 2.52.080; amending section 9, chapter 340, Laws of 1955 as last amended by section 9, chapter 98, Laws of 1969 and RCW 9.95.003; amending section 3, chapter 165, Laws of 1947 as amended by section 1, chapter 68, Laws of 1967 and RCW 14.04.030; amending section 4, chapter 165, Laws of 1947 as last amended by section 2, chapter 68, Laws of 1967 and RCW 14.04.040; amending section 15.04.040, chapter 11, Laws of 1961 and RCW 15.04.040; amending section 15.24.050, chapter 11, Laws of 1961 as amended by section 26, chapter 240, Laws of 1967 and RCW 15.24.050; amending section 10, chapter 129, Laws of 1969 and RCW 15.26.100; amending section 15.28.090, chapter 11, Laws of 1961 as amended by section 5, chapter 191, Laws of 1967 and RCW 15.28.090; amending section 15.44.038, chapter 11, Laws of 1961 and RCW 15.44.038; amending section 15.60.010, chapter 11, Laws of 1961 and RCW 15.60.010; amending section 15.60.020, chapter 11, Laws of 1961 and RCW 15.60.020; amending section 11, chapter 87, Laws of 1961 and RCW 15.63.110; amending section 27, chapter 256, Laws of 1961 and RCW 15.65.270; amending section 15.66.130, chapter 11, Laws of 1961 and RCW 15.66.130; amending section 8, chapter 61, Laws of 1961 and RCW 15.76.170; amending section 6, chapter 133, Laws of 1969 and RCW 16.67.070; amending section 3, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.030; amending section 27, chapter 249, Laws of 1961 and RCW 71.21.270; amending section 7, chapter 226, Laws of 1949 and RCW 18.04.080; amending section 22, chapter 226, Laws of 1949 and RCW

18.04.230; amending section 3, chapter 323, Laws of 1959 and RCW 18.08.120; amending section 11, chapter 101, Laws of 1957 as amended by section 1, chapter 188, Laws of 1967 and RCW 18.15.055; amending section 5, chapter 101, Laws of 1957 as amended by section 20, chapter 223, Laws of 1967 and RCW 18.15.140; amending section 2, chapter 168, Laws of 1953 as amended by section 8, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.104; amending section 14, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.251; amending section 8, chapter 253, Laws of 1957 and RCW 18.20.080; amending section 2, chapter 53, Laws of 1959 and RCW 18.25.017; amending section 7, chapter 171, Laws of 1967 and RCW 18.26.070; amending section 3, chapter 93, Laws of 1953 as last amended by section 2, chapter 188, Laws of 1967 and RCW 18.32.050; amending section 3, chapter 283, Laws of 1947 and RCW 18.43.030; amending section 6, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.060; amending section 13, chapter 25, Laws of 1963 as amended by section 3, chapter 188, Laws of 1967 and RCW 18.54.130; amending section 2, chapter 98, Laws of 1935 as amended by section 17, chapter 38, Laws of 1963 and RCW 18.64.003; amending section 2, chapter 284, Laws of 1961 and RCW 18.71.015; amending section 10, chapter 202, Laws of 1955 and RCW 18.72.100; amending section 2, chapter 239, Laws of 1949 and RCW 18.74.020; amending section 4, chapter 222, Laws of 1949 as amended by section 4, chapter 188, Laws of 1967 and RCW 18.78.040; amending section 12, chapter 222, Laws of 1949 and RCW 18.78.110; amending section 13, chapter 222, Laws of 1949 and RCW 18.78.120; amending section 21, chapter 70, Laws of 1965 as amended by section 19, chapter 199, Laws of 1969 ex. sess. and RCW 18.83.051; amending section 14, chapter 252, Laws of 1941 as last amended by section 4, chapter 235, Laws of 1953 and RCW 18.85.080; amending section 3, chapter 202, Laws of 1949 and RCW 18.88.040; amending section 8, chapter 202, Laws of 1949 as amended by section 4, chapter 288, Laws of 1961 and RCW 18.88.080; amending section 9, chapter 202, Laws of 1949 as amended by section 5, chapter 288, Laws of 1961 and RCW 18.88.090; amending section 2, chapter 200, Laws of 1959 as amended by section 5, chapter 188, Laws of 1967 and RCW 18.90.020; amending section 13, chapter 124, Laws of 1907 as last amended by section 4, chapter 50, Laws of 1967 ex. sess. and RCW 18.92.040; amending section 5, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.050; amending section 5, chapter 207, Laws of 1963 as amended by section 1, chapter 71, Laws of 1969 ex. sess. and RCW 19.28.065; amending section 3, chapter 169, Laws of 1935 as amended by section 1, chapter 88, Laws of 1967 and RCW 19.28.070; amending section 12, chapter 169, Laws of 1935 and RCW 19.28.270; amending section 47, chapter 282, Laws of 1959 and RCW 21.20.470; amending section 59, chapter 282, Laws of 1959 and RCW 21.20.590; amending section 28A.03.030, chapter 223, Laws of 1969 ex. sess. as amended by section 102, chapter 176, Laws of 1969 ex. sess. and RCW 28A.03.030; amending section 28A.04.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.110; amending section 6, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.060; amending section 13, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.130; amending section 28A.91.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.050; amending section 28A.92.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.92.050; amending section 5, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.050; amending section 28B.10.525, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.525; amending section 6, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.060; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as amended by section 19, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.050; amending section 28B.50.060, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.060; amending section 28B.50.170, chapter 223, Laws of 1969 ex. sess. as amended by section 28, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.170; amending section 28B.50.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.200; amending section 52, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.245; amending section 28B.70.040, chapter 223, Laws of 1969 ex. sess. and RCW 28B.70.040; amending section 12, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.110; amending section 9, chapter 263, Laws of 1969 ex. sess. and RCW 28B.81.090; amending section 5, chapter 178, Laws of 1951 and RCW 38.52.040; amending section 5, chapter 246, Laws of 1957 and RCW 40.14.050; amending section 2, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.020; amending section 11, chapter 1, Laws of 1961 and RCW 41.06.110; amending section 4, chapter 263, Laws of 1955 as amended by section 8,

chapter 118, Laws of 1969 and RCW 41.24.270; amending section 8, chapter 263, Laws of 1955 as amended by section 10, chapter 118, Laws of 1969 and RCW 41.24.310; amending section 6, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.060; amending section 6, chapter 80, Laws of 1947 and RCW 41.32.060; amending section 10, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.415; amending section 3, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.130; amending section 18, chapter 62, Laws of 1970 ex. sess. and RCW 43.21A.180; amending section 35, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.050; amending section 43.22.130, chapter 8, Laws of 1965 and RCW 43.22.130; amending section 43.22.190, chapter 8, Laws of 1965 and RCW 43.22.190; amending section 3, chapter 229, Laws of 1969 ex. sess. as amended by section 9, chapter 27, Laws of 1970 ex. sess. and RCW 43.22.420; amending section 43.24.060, chapter 8, Laws of 1965 as amended by section 3, chapter 100, Laws of 1965 and RCW 43.24.060; amending section 43.24.110, chapter 8, Laws of 1965 as amended by section 5, chapter 100, Laws of 1965 and RCW 43.24.110; amending section 43.30.150, chapter 8, Laws of 1965 and RCW 43.30.150; amending section 43.31.090, chapter 8, Laws of 1965 and RCW 43.31.090; amending section 43.31.110, chapter 8, Laws of 1965 and RCW 43.31.110; amending section 43.31.130, chapter 8, Laws of 1965 and RCW 43.31.130; amending section 12, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.120; amending section 43.51.020, chapter 8, Laws of 1965 as last amended by section 1, chapter 31, Laws of 1969 ex. sess. and RCW 43.51.020; amending section 7, chapter 19, Laws of 1967 ex. sess. and RCW 43.51.810; amending section 43.52.290, chapter 8, Laws of 1965 and RCW 43.52.290; amending section 43.52.370, chapter 8, Laws of 1965 and RCW 43.52.370; amending section 43.56.040, chapter 8, Laws of 1965 and RCW 43.56.040; amending section 43.57.020, chapter 8, Laws of 1965 as amended by section 1, chapter 164, Laws of 1965 ex. sess. and RCW 43.57.020; amending section 6, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.050; amending section 43.61.010, chapter 8, Laws of 1965 as amended by section 31, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.010; amending section 12, chapter 74, Laws of 1967 and RCW 43.63A.120; amending section 43.74.015, chapter 8, Laws of 1965 as amended by section 6, chapter 188, Laws of 1967 and RCW 43.74.015; amending section 2, chapter 243, Laws of 1967 and RCW 43.94.020; amending section 6, chapter 43, Laws of 1969 and RCW 43.96A.060; amending section 11, chapter 5, Laws of 1965 as amended by section 2, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.110; amending section 7, chapter 158, Laws of 1965 and RCW 43.100.070; amending section 2, chapter 108, Laws of 1969 and RCW 43.110.010; amending section 6, chapter 36, Laws of 1947 as last amended by section 4, chapter 134, Laws of 1967 ex. sess. and RCW 44.24.060; amending section 14, chapter 43, Laws of 1951 and RCW 44.28.040; amending section 9, chapter 265, Laws of 1969 ex. sess. and RCW 44.30.050; amending section 9, chapter 130, Laws of 1965 ex. sess. and RCW 44.33.280; amending section 9, chapter 308, Laws of 1961 and RCW 44.36.090; amending section 8, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.045; amending section 39, chapter 3, Laws of 1963 ex. sess. and RCW 44.40.040; amending section 5, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.050; amending section 46.82.140, chapter 12, Laws of 1961 as amended by section 48, chapter 170, Laws of 1965 ex. sess. and RCW 46.82.140; amending section 3, chapter 106, Laws of 1963 as amended by section 113, chapter 32, Laws of 1967 and RCW 46.85.030; amending section 47.01.040, chapter 13, Laws of 1961 as amended by section 31, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.040; amending section 19, chapter 83, Laws of 1967 ex. sess. as amended by section 2, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.130; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 4, chapter 278, Laws of 1961 as amended by section 32, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.023; amending section 44, chapter 181, Laws of 1961 and RCW 47.57.660; amending section .03.06, chapter 79, Laws of 1947 and RCW 48.03.060; amending section 14, chapter 150, Laws of 1967 and RCW 48.17.135; amending section 1, chapter 231, Laws of 1941 as last amended by section 1, chapter 6, Laws of 1967 and RCW 49.04.010; amending section 4, chapter 58, Laws of 1903 and RCW 49.08.040; amending section 4, chapter 270, Laws of 1955 and RCW 49.60.070; amending section 2, chapter 127, Laws of 1959 and RCW 50.12.031; amending section 59, chapter 35, Laws of 1945 as last amended by section 4, chapter 8, Laws of 1953 ex. sess. and RCW 50.12.200; amending section 51.52.010, chapter

23, Laws of 1961 as last amended by section 3, chapter 165, Laws of 1965 ex. sess. and RCW 51.52.010; amending section 3, chapter 224, Laws of 1951 and RCW 58.24.020; amending section 2, chapter 184, Laws of 1933 as amended by section 1, chapter 305, Laws of 1959 and RCW 67.08.003; amending section 12, chapter 184, Laws of 1933 as amended by section 4, chapter 305, Laws of 1959 and RCW 67.08.060; amending section 2, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.017; amending section 2, chapter 236, Laws of 1967 and RCW 67.28.090; amending section 33, chapter 290, Laws of 1953 and RCW 68.05.060; amending section 5, chapter 197, Laws of 1949 as amended by section 5, chapter 252, Laws of 1959 and RCW 70.40.050; amending section 7, chapter 267, Laws of 1955 and RCW 70.41.070; amending section 2, chapter 32, Laws of 1951 and RCW 70.79.020; amending section 13, chapter 232, Laws of 1957 as last amended by section 15, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.130; amending section 4, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.040; amending section 6, chapter 207, Laws of 1961 as amended by section 17, chapter 18, Laws of 1970 ex. sess. and RCW 70.98.060; amending section 7, chapter 207, Laws of 1961 as last amended by section 18, chapter 18, Laws of 1970 ex. sess. and RCW 70.98.070; amending section 72.01.180, chapter 28, Laws of 1959 and RCW 72.01.180; amending section 72.01.250, chapter 28, Laws of 1959 as amended by section 1, chapter 190, Laws of 1959 and RCW 72.01.250; amending section 72.05.180, chapter 28, Laws of 1959 and RCW 72.05.180; amending section 1, chapter 28, Laws of 1959 and RCW 72.60.060; amending section 20, chapter 172, Laws of 1967 and RCW 74.32.055; amending section 9, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.080; amending section 2, chapter 39, Laws of 1965 as amended by section 23, chapter 18, Laws of 1970 ex. sess. and RCW 74.36.010; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 9, chapter 307, Laws of 1961 and RCW 77.04.060; amending section 17, chapter 255, Laws of 1927 and RCW 79.01.068; amending section 34, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 65, Laws of 1970 ex. sess. and RCW 82.03.050; amending section 27, chapter 200, Laws of 1907 as amended by section 1, chapter 137, Laws of 1947 and RCW 88.04.020; amending section 2, chapter 18, Laws of 1935 as last amended by section 1, chapter 15, Laws of 1967 and RCW 88.16.020; amending section 4, chapter 304, Laws of 1955 as amended by section 4, chapter 240, Laws of 1961 and RCW 89.08.040; amending section 2, chapter 162, Laws of 1925 ex. sess. as amended by section 1, chapter 123, Laws of 1947 and RCW 90.08.050; and amending section 3, chapter 123, Laws of 1965 ex. sess. as amended by section 1, chapter 36, Laws of 1967 and RCW 91.12.030.

Referred to Committee on State Government.

HOUSE BILL NO. 266, by Representatives Barden, Eikenberry, Litchman and Kilbury (by Joint Committee on Governmental Cooperation request):

An Act relating to alcoholic beverage control; and amending section 79, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 102, Laws of 1943 and RCW 66.08.030.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 267, by Representatives Spanton, Barden, Litchman and Backstrom (by Joint Committee on Governmental Cooperation request):

An Act relating to intoxicating liquor; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 3, chapter 178, Laws of 1969 ex. sess., and RCW 66.24.010; amending section 23U added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 and RCW 66.24.025; repealing section 1, chapter 153, Laws of 1937 and RCW 66.24.110; and providing an effective date.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 268, by Representatives Ceccarelli, Berentson, Chatalas, Bottiger, Perry, Wanamaker, Rosellini, Adams, Bagnariol, Backstrom, Marzano, Mentor and Merrill: An Act relating to coin or currency operated receptacles; amending section 1, chapter 133, Laws of 1963 and RCW 9.61.220; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 269, by Representatives Ceccarelli, Berentson, Chatalas, Perry, Shinpoch, Rosellini, Wanamaker, Anderson, Costanti, Hansey, Kilbury, Knowles, Litchman, Marzano, Mentor, Merrill, Savage and Van Dyk:

An Act relating to game and game fish; and amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 2, chapter 94, Laws of 1961, and RCW 77.32.230.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 270, by Representatives Barden, Spanton, Litchman and Kilbury (by Joint Committee on Governmental Cooperation request):

An Act relating to state civil service; and amending section 7, chapter 1, Laws of 1961, as last amended by section 23, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.070.

Referred to Committee on State Government.

HOUSE BILL NO. 271, by Representatives Kiskaddon, Martinis, Bluechel, Cunningham and Kilbury:

An Act relating to public lands; and amending section 24, chapter 255, Laws of 1927 as last amended by section 1, chapter 46, Laws of 1970 ex. sess. and RCW 79.01.096.

Referred to Committee on State Government.

HOUSE BILL NO. 272, by Representatives Schumaker, Hubbard, Benitz, Backstrom, Charnley, Costanti, Haussler and Kilbury:

An Act relating to interlocal cooperation; and amending section 3, chapter 239, Laws of 1967 as last amended by section 1, chapter 88, Laws of 1969 and RCW 39.34.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 273, by Representatives Hurley, Kiskaddon, Douthwaite and Charnley:

An Act relating to interstate and primary state highways; providing environmental impact reports on the construction thereof; and creating new sections.

Referred to Committee on Transportation.

HOUSE BILL NO. 274, by Representatives Shera, Merrill, Curtis and Litchman:

An Act relating to banks and trust companies; authorizing investment in securities of United States corporations insuring or marketing real estate mortgages; adding a section to chapter 31.04 RCW; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 275, by Representatives Shera, Merrill and Curtis:

An Act relating to banks; and amending section 7, chapter 136, Laws of 1969 and RCW 30.04.215.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 276, by Representatives Ceccarelli, Wanamaker, Chatalas, Bagnariol, Rosellini, Berentson, Adams, Anderson, Brouillet, Costanti, Hansey, Kilbury, Knowles, Litchman, Marzano, McCormick, Mentor, Savage and Sawyer:

An Act relating to revenue and taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; and adding a new section to chapter 132, Laws of 1967 ex. sess. and to chapter 84.36 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 277, by Representatives McDermott, Smythe, Zimmerman, Chatalas, Shera, Backstrom and Paris (by Departmental request):

An Act relating to community health programs; amending section 6, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.060; amending section 15, chapter 111, Laws of 1967 ex. sess. and RCW 71.14.150; and repealing section 18, chapter 111, Laws of 1967 and RCW 71.24.180.

Referred to Committee on Social and Health Services.

HOUSE JOINT RESOLUTION NO. 26, by Representatives Savage, Kirk, Conner, Lysen, Haussler and Kilbury:

Providing a constitutional amendment providing for annual sessions of the state legislature.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 27, by Representatives Goldsworthy, Backstrom and Kopet (by Secretary of State request):

Deleting need of publication by newspaper of laws submitted to people.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 28, by Representatives Kopet, Backstrom and Goldsworthy (by Secretary of State request):

Deleting necessity to publicize by newspaper notice of constitutional amendments.

Referred to Committee on State Government.

#### FIRST READING OF SENATE BILLS

SENATE JOINT MEMORIAL NO. 1, by Senators Peterson (Ted), Talley, Bailey, Metcalf, Durkan, Stender, Peterson (Lowell), Elicker, Dore, Ridder, Lewis, Murray, Knoblauch, Connor, Odegaard, Stortini, Donohue, Gardner, Fleming, Francis, Sandison, Greive, Matson, Twigg, Andersen, Woodall, Guess, McDougall, Scott, Atwood and Washington:

Requesting the United States government to extend the fisheries jurisdiction of its coastline.

Referred to Committee on Natural Resources and Ecology.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:15 p.m.

The Clerk called the roll and all members were present except Representatives Anderson and Cunningham.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 71-7, by the majority of the members of the Committee on Rules and Administration:

BE IT RESOLVED, That the following rules be adopted by this House as permanent rules of the House of Representatives, Forty-second Legislature:

##### Chief Clerk to Call to Order

Rule 1. Custom, so prevalent and so ancient as to have the force of law, has made it the duty of the chief clerk of the previous assembly to call the session to order and to conduct the proceedings generally until a speaker is chosen.

The secretary of state furnishes to the clerk a certified statement of the names of the members elect, which is read by the clerk. The roll is called and the oath of office is administered to the members by a justice of the supreme court. The members rise and are sworn. After adoption of temporary rules, the assembly then proceeds to the election of its officers.



Election of Speaker, Chief Clerk and  
Sergeant at Arms

Rule 2. The house shall elect the following officers at the commencement of each regular session: Its presiding officer, who shall be styled speaker of the house, a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker, a chief clerk of the house, and a sergeant at arms. An assistant chief clerk may be elected on any legislative day. Such officers shall hold office during all sessions until the convening of the succeeding regular session.

In all elections by the [legislature] *House a Constitutional majority shall be required.* The members shall vote viva voce and their vote shall be entered on the journal.

Powers and Duties of Speaker

Rule 3. The speaker shall take the chair every day precisely at the hour to which the house shall have adjourned on the preceding day. He shall call the members to order immediately, and on the appearance of a majority of the members shall proceed with the order of business prescribed by Rule 45.

He shall possess the powers and perform the duties herein prescribed, viz.:

(a) He shall preserve order and decorum, may speak to points of order in preference to the other members, arising from his chair for that purpose.

(b) He shall decide all questions of order, subject to appeal to the house. On every appeal he shall have the right, in his place, to assign his reason for his decision.

(c) The speaker shall rise to put a question, but may state it sitting.

(d) The speaker shall have a general direction of the house chamber.

(e) He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

(f) In appointing the committee members to standing committees, the speaker shall name members in the same ratio as the membership of the respective parties in the house. Committee members will be selected by each party's caucus. The majority party caucus will select all committee chairmen.

Members of the Rules and Administration Committee will be selected in the same manner and same ratio as provided above, and the speaker will serve as chairman of the Rules and Administration Committee.

Interim committee memberships will be elected by the respective caucuses, unless otherwise provided by law, on a basis of statutory and geographical representation; otherwise, the same ratio between the parties will prevail in the caucus election of interim committee members.

Patronage will be divided proportionately by the party caucuses, following as closely as possible the ratio between the parties.

(g) In case of any disturbance or disorderly conduct in the house chamber and legislative areas, the speaker (or chairman of the whole house) shall have the power to order the same to be cleared.

(h) He shall designate the persons who shall act as reporters for the public press.

(i) He shall announce the business before the house in the order in which it is to be acted upon.

(j) He shall sign all acts, joint resolutions, concurrent resolutions and joint memorials in open session of the house.

(k) He shall authenticate by his signature, when necessary, all the acts, orders and proceedings of the house.

(l) The speaker pro tempore shall exercise the duties, powers and prerogatives of the speaker in the event of his death, illness, or inability to act, until the speaker's successor shall be elected.

Writs, Warrants and Subpoenas, How Issued

Rule 4. All writs, warrants and subpoenas issued by the order of the house shall be under the hand and seal of the speaker, attested by the chief clerk.

Certification of Payroll of Members and Employees

Rule 5. The speaker shall sign and the chief clerk countersign all payrolls and vouchers for all expenses of the house and transmit same to the state treasurer and budget director for payment.

Duties of Chief Clerk

Rule 6. The duties of the chief clerk shall be as follows:

(a) He shall [select] *employ* all employees of the house [,] *on recommendations of the employment committee*, by and with the consent of the speaker [, and following, whenever possible, the recommendations] *and may remove them subject to the approval of the employment committee, [and may remove them, subject to the approval of] by and with the consent of the speaker: PROVIDED, HOWEVER, That the wives of members of the house of representatives and senate shall not be eligible for employment in the house:*

AND PROVIDED FURTHER, That no one who has reached the age of seventy shall be employed in the house.

(b) He shall see that the journal is kept properly, and have general supervision over all clerks and employees not under the supervision of the sergeant at arms.

(c) Under the direction of the presiding officer, he shall perform all other duties pertaining to his office as clerk and shall be responsible for the official acts of his assistants.

(d) The assistant chief clerk shall exercise the duties, powers and prerogatives of the chief clerk in the event of his death, illness or inability to act.

## EMPLOYEES

### Duties of Employees

Rule 7. The staff of the house shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the speaker, and such other duties as the house may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

No house employee shall seek to influence the passage or rejection of proposed legislation.

### Supplies for the House

Rule 8. All supplies for the use of the house shall be furnished upon requisition signed by the chief clerk and approved by the speaker.

### Duties of Sergeant at Arms

Rule 9. The duties of the sergeant at arms shall be as follows:

(a) He shall attend the house during the sittings, announce all messages, preserve order, execute all processes issued by authority of the house and directed to him by the speaker.

(b) He shall see that the house chamber, adjoining rooms, committee rooms and members' offices are kept clean, well-heated and ventilated, and open for the use of the members from 8:00 a.m. until 11:00 p.m.; and that the furniture is kept in good order and repair. He shall protect any personal property of house members left in the house chamber and committee rooms.

(c) He shall see that no person is admitted to the house chamber or committee rooms except in accordance with the provisions of Rules 13 and 14 and shall strictly enforce the house rules regulating lobbying.

### Duties of Sergeant at Arms Staff

Rule 10. All employees in the department of the sergeant at arms shall report and remain on duty as the sergeant at arms shall designate.

### Use of House Chamber

Rule 11. The use of the committee rooms shall not be granted for any purpose without consent of the committee chairmen, except for meetings of the members of the legislature. The lounge rooms are for the exclusive use of the members of the legislature.

Permission to use [the] any house [chamber] facility must be obtained from the Rules and Administration Committee, while the Legislature is in session, or the Speaker following adjournment.

### Visitors' Gallery

Rule 12. Portions of both galleries may be reserved for the use of the ladies and families of the governor, lieutenant governor, state officials and members of the legislature. The balance of both galleries shall be used by visitors for the orderly observation of the proceedings of the house. No member of the house, except the speaker, may introduce visitors in the gallery. The speaker may order the gallery closed when applause or other disorderly conduct occurs in the gallery.

### Admittance to the Floor

Rule 13. The following persons shall be entitled to admittance to the third and fourth floor of the house chamber (excluding the galleries):

1. Senate officers and members of the senate.
2. Persons in the exercise of official duty directly connected with the business of the house.
3. Reporters who have been designated by the speaker and who have received press cards of admittance, subject to revocation.

4. Former members of the legislature not advocating any pending or proposed legislation, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation.

5. The immediate family of members, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation, may be admitted when the house is not in session.

6. Other persons, upon presentation of cards of admittance issued by the speaker, the chief clerk, or members of the house, and subject to revocation, may be admitted except for one-half hour prior to the convening of each day's session and for [one] *one-half* hour immediately following adjournment each day the house is in session.

7. Lobbying in the house chamber or in any committee room or lounge room is prohibited at all times unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

#### Regulation of Lobbyists

Rule 14. Every person registering pursuant to RCW 44.64.010-.060 shall receive an admission card signed by the speaker.

All lobbying information filed in the speaker's office shall be available for inspection by the members, press and public.

Any lobbyist not fully complying with the provisions of the House Rules and RCW 44.64.010-.060 is subject to having all lobbying privileges canceled by the House Rules and Administration Committee.

#### House Courtesy Recognition Limited

Rule 15. When the house is in session, recognition of visitors and former members shall be made only by the speaker.

#### Absentees

Rule 16. No member shall absent himself from the service of the house unless he shall have leave from the speaker or be sick and unable to attend.

#### Number of Copies of Bills, Etc.

Rule 17. All bills, resolutions and memorials to be introduced shall [be in quintuplet; each shall] be endorsed with a statement of the title and the name of the member or members introducing the same. *Sufficient copies shall be filed as required by the chief clerk.* The original is for the use of the house [the duplicate for the printer's use, the triplicate and quadruplicate for the use of the chief clerk and quintuplet for the members of the press]. Bills filed before the opening day of the session or originating in the Statute Law Committee or in the Legislative Council may be introduced in printed form.

#### Bill Backs, Etc.

Rule 18. There shall be attached to each bill, resolution or memorial sent to the clerk's desk a substantial cover, which shall be furnished by the clerk and shall bear no writing except the name of the person or committee introducing it and the title of the bill.

#### Petitions, Memorials, Etc., Addressed to House—Disposition

Rule 19. Petitions, memorials or other papers addressed to the house may be presented by the speaker or any member, and shall not be debated or decided on the day of their being first read unless the house shall direct otherwise. *Floor resolutions shall be on file with the chief clerk for at least 24 hours prior to being read, and the members shall be furnished with copies of the same by the chief clerk.*

#### Bills—Time for Introducing

Rule 20. (1) All bills shall be introduced on or before the fortieth day of a regular session except revenue and taxation bills and executive request bills which shall be introduced on or before the fiftieth day of a regular session and except as the legislature shall direct by a vote of two-thirds of all members elected to each house, said vote to be taken by yeas and nays and entered upon the journal; or unless the same be at a special session. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees.

(2) Introduction of bills by departmental request shall be limited to the first twenty days of the session unless the house shall otherwise direct by a vote of two-thirds of all the members elected to the house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

## Introduction of Bills, Etc.

Rule 21. Any member desiring to introduce a bill, memorial or resolution on or after the opening day of any session, except resolutions having to do with business of the house, shall file the same with the chief clerk not later than 5:00 p.m. on the evening before the next convening session; and which bill, memorial or resolution shall be numbered and read on the next convening day, in the order filed.

Members-elect to the house may prefile bills with the chief clerk on any day after the [first day of December] *fifteenth day of November* preceding any regular session for which such member or member-elect is elected or ten days prior to any extraordinary session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day.

## Amendatory Bills—Form

Rule 22. Bills introduced in the house of representatives intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION." in upper case type and such designation shall be underlined.

## Bills to Be Printed

Rule 23. All bills shall be printed unless otherwise ordered by the house.

## Bills—Reading of

Rule 24. Every bill shall be read on three separate days unless the house deems it expedient to suspend this rule.

## Bills—First Reading

Rule 25. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full. After the first reading, bills are referred to committees unless they are committee bills, in which event they go directly to the Rules and Administration Committee.

Upon being reported back by committee, all bills shall go to the Rules and Administration Committee.

## Bills—Second Reading

Rule 26. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No bills shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the Rules and Administration Committee. No amendment shall be considered by the house until it shall have been sent to the desk in writing and read by the clerk. All amendments adopted on the second reading shall be pasted securely to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments. When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

## Substitute Bills

Rule 27. When a committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute the first time and have the same printed.

A motion for the substitution shall not be in order until the second reading of the original bill.

## Amendments, When—Recommitment of Bill

Rule 28. Amendments to any bill, resolution or memorial may be offered when the same is on its second reading.

No amendments to a bill shall be received on its third reading, but it may be referred or recommitted for the purpose of amendment.

## Amendments to Be Offered on Furnished Blanks

Rule 29. The chief clerk shall furnish to members sheets with a proper heading printed

in blank, upon which amendments shall be written; and all amendments offered shall be on such blanks and bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

#### Committee Amendments

Rule 30. An amendment to a bill made by a committee shall be in writing in quadruplicate, the original amendment to be pasted to the original copy of the committee report, and the three extra copies of each amendment shall be attached to the committee report with a clip.

When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house in the same manner as amendments that may be offered from the floor.

#### Senate Amendments to House Bills

Rule 31. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to appropriate committee and shall take the same course as for original bills.

#### Amendments to Be Germane

Rule 32. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

#### Substitution of Committee Bill

Rule 33. In the event a committee has a number of bills on the same subject, none of which can be agreed upon by the committee, and it is their wish to present a different bill upon the same subject, such bill must be reported to the house [and accepted] before any of the other bills can be recommended for indefinite postponement.

#### Member's Privilege to Check Engrossed and Enrolled Bills

Rule 34. Any representative shall have the right to compare the original bill and amendments thereto and any representative shall have the right to compare an enrolled bill with the engrossed bill before the speaker signs the same.

#### Third Reading

Rule 35. Only the last line of bills on third reading shall be read unless a majority of the members present demand its reading in full, and no amendment shall be entertained.

#### Recommitment Before Final Passage

Rule 36. A bill may be recommitted at any time before its final passage.

#### Final Passage

Rule 37. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded as voting in its favor. (See also Constitution, Art. 2, Sec. 22.)

#### Bills Passed—Certification

Rule 38. When a bill shall pass, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

#### Bill—When Sent to Senate

Rule 39. [An engrossed] *No* bill, memorial or resolution shall [not] be sent to the senate until the following day after its passage unless otherwise ordered by the house.

#### Hour of Meeting

Rule 40. The speaker shall call the house to order each day of sitting at 10:00 a.m., unless the house shall have adjourned to some other hour.

#### Roll Call and Quorum

Rule 41. Before proceeding to business, the roll of the members shall be called and the

names of those absent shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. Seven members with the speaker, or eight members in his absence, having chosen a speaker pro tempore, shall be authorized to call the house and compel the attendance of absent members, making order for their fine and censure, and may adjourn. For the purpose of determining whether a quorum be present, the speaker, or chairman, shall count all members present, whether voting or not.

#### Interruption of Roll Call

Rule 42. When once begun, the roll call may not be interrupted.

#### Daily Calendar

Rule 43. The Committee on Rules and Administration shall have charge of the daily calendar of the house and direct the chief clerk the order in which the business of the house shall be transacted: PROVIDED, That,

(a) A bill in the Rules and Administration Committee may be placed on the calendar by the affirmative vote of the constitutional majority of all members of the house.

(b) Messages from the governor or senate or any communication from any state officer may be read at any time.

#### Order of Business

Rule 44. Business shall be disposed of in the following order:

First—Call of the roll, presentation of the flag and prayer.

Second—Approval of the journal of the preceding day which shall be by the speaker's declaring that the journal of the preceding day stands approved, unless otherwise ordered by the house.

Third—Reports of standing committees.

Fourth—Reports of special committees.

Fifth—Messages from the senate, governor and other state officials.

Sixth—Introduction and first reading of bills, memorials and resolutions.

Seventh—Presentation of petitions, memorials and remonstrances addressed to the legislature.

Eighth—Propositions, [and] motions and *floor resolutions*.

Ninth—Second reading of bills.

Tenth—Third reading of bills.

Eleventh—Other business to be considered.

Twelfth—Announcements [of committee meetings].

#### Unfinished Business

Rule 45. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

#### Motions to Be Entertained or Debated

Rule 46. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated, and by the consent of the house may be withdrawn before amendment or action.

#### Motions in Order During Debate

Rule 47. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

##### Privileged Motions

Adjourn

Adjourn to a time certain

Recess to a time certain

Reconsider

Demand for division

Question of privilege

Orders of the Day

##### Subsidiary Motions

First rank—Question of consideration

Second rank—To lay on the table

Third rank—For the previous question

Fourth rank—To postpone to a day certain  
 To commit or recommit  
 To postpone indefinitely  
 Fifth rank—To amend

#### Incidental Motions

Points of order and appeal  
 Method of consideration  
 Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question

No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

#### Without Debate

Rule 48. A motion to adjourn, to take a recess, to lay on the table and a call for the previous question shall be decided without debate.

All incidental questions of order arising after a motion is made for either of the questions named in this rule and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion, and one opponent to the motion may briefly explain his position.

#### Recognition of Speaker

Rule 49. When any member is about to speak in debate or deliver any matter to the house he shall rise from his seat, respectfully address himself to Mr. Speaker, pause until recognized, shall confine himself to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.

#### Order of Speaking

Rule 50. When two or more members arise at once, the speaker shall name the one who is to speak.

#### Right of Members to Speak

Rule 51. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chairman of the committee or the mover of the question may close the debate except as provided in Rule 55: PROVIDED FURTHER, That no member shall speak longer than ten minutes without consent of the house.

After the fiftieth day no member shall speak more than once on the same question without leave of the house: PROVIDED, That the chairman of the committee or the mover of the question, may close the debate except as provided in Rule 55: PROVIDED FURTHER, That no member shall speak more than three minutes without the consent of the house.

#### Exception to Words Spoken in Debate

Rule 52. If any member be called to order for words spoken in debate the person calling him to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table, and no member shall be held to answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

#### Transgression of Rules—Appeal

Rule 53. If any member, in speaking or otherwise, transgresses the rules of the house, the speaker shall, or any member may, call him to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall be submitted to.

If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case shall require it, he shall be liable to the censure of the house.

## Withdrawal of Motion, Bill, Etc.

Rule 54. After a motion is stated by the speaker, or a bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

## Previous Question

Rule 55. The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds of the members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED, HOWEVER, That one of the sponsors of a bill, memorial, or resolution, or, in his stead, the chairman of the committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered.

## Putting the Motion Ending Debate

Rule 56. The previous question is not debatable and cannot be amended. The previous question shall be put in this form: "Mr. \_\_\_\_\_ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer, without debate, proceeds to put the question.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

## Reading of a Paper

Rule 57. When the reading of any paper is called for, and is objected to by any member, it shall be determined by a vote of the house.

## Order of Questions

Rule 58. All questions, whether in committee or in the house, shall be propounded in the order in which they are named, except that in filling blanks the largest sum and the longest time shall be put first.

## Motion to Adjourn

Rule 59. A motion to adjourn shall always be in order, except when the house is voting or is working under call of the house; but this rule shall not authorize any member to move an adjournment when another member has the floor.

## Division of Points in Debate

Rule 60. Any member may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

## Putting of Question

Rule 61. Questions shall be put in this form, to-wit: "As many as are in favor of (as the question shall be) say 'Aye';" and after the affirmative vote is expressed, "as many as are opposed say 'No'."

## Decorum of Members

Rule 62. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

## Question of Privilege

Rule 63. Any member may rise to a question of privilege and explain a matter personal to himself by leave of the speaker, but he shall not discuss any pending question in such explanations.



## Members to Vote

Rule 64. Every member who was in the house when the question was put shall give his vote unless the house for special reasons shall excuse him.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

## Voting Within Bar Only

Rule 65. Upon a division and count of the house on the question, [no] only members [outside the] *at their desk within the bar* of the house shall be counted.

## Change of Vote—Private Interest

Rule 66. When the electric roll call machine is used, no member shall be allowed to vote or change his vote after the speaker has locked the roll call machine. When the oral roll call is used, no member shall be allowed to change his vote after the result has been announced. No member shall vote on any question in the event of which he is immediately or particularly interested,\* or in any case when he is not within the bar of the house before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound to him the question, "Were you within the bar of the house when the last name was called?"

\*A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (See also Constitution, Art. 2, Sec. 30.)

## Clerk's Desk During Voting

Rule 67. No member or other person shall visit or remain by the clerk's desk while the yeas and nays are being called.

## Yeas and Nays

Rule 68. Upon the final passage of any bill, memorial or resolution, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth of the members present.

The speaker shall vote when the yeas and nays are called for, his name being called last. When the vote is by electric voting machine or by oral roll call on any question it shall be entered upon the journal of the house.

## Tie Vote, Question Loses

Rule 69. In case of an equal division, the question shall be lost.  
If the speaker is in doubt, or if division is called for, the house shall divide.

## Reconsideration

Rule 70. Notice of a motion for reconsideration on the final passage of bills may be made only on the day the vote to be reconsidered was taken.

A motion to reconsider can be made only by a member voting on the prevailing side.

An affirmative or negative vote on the final passage of bills may be reconsidered only on the next working day after such vote has been taken: PROVIDED, That after the fiftieth day reconsideration can be had only on the day the vote to be reconsidered was taken.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

A motion to reconsider can be decided only once when decided in the negative.

## Call of the House

Rule 71. One-sixth of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

## Doors to Be Closed

Rule 72. A call of the house being ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the Committee on Rules and Administration shall be allowed to meet, upon request of the speaker, in the Rules and Administration Committee room while the house stands at ease: AND PROVIDED FURTHER, That the speaker may, at his discretion, permit members to use such portions of the fourth floor as may be properly secured.

Sergeant at Arms to Bring in the Absentees

Rule 73. The clerk shall call a roll of the members immediately and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

House Under Call; Raising Call

Rule 74. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to suspend further proceedings under the call of the house, or a motion to excuse absentees, any of which motions shall be determined by viva voce vote unless a roll call is demanded by one-sixth of the members present. The motion to suspend further proceedings under the call or to excuse absent members shall not be adopted unless a majority of all members elected to the house vote in favor thereof.

Call of House Raised When Absentees Return

Rule 75. When the sergeant at arms shall make a report showing that all who were absent without leave are present the call of the house may be dispensed with; or the house may proceed under the call, on a majority vote of the members elected, with its regular business.

Parliamentary Rules

Rule 76. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

Appeal from Decision of Chair

Rule 77. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Veto Bills—[Two-thirds Present to Pass—] No Reconsideration

Rule 78. The veto message of the governor accompanying any bill passed by the legislature, together with the bill vetoed, shall be read in the house. It shall then be in order to proceed to the reconsideration of the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house.

Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house which have not been passed notwithstanding the veto of the governor shall remain in the custody of the officers of the house until the close of the session, after which they shall be filed with the secretary of state.

Standing Committees

Rule 79. The standing committees of the house and the number of members of each shall be as follows:

No. of Committee	Name of Committee	No. of Members
1.	Agriculture . . . . .	11
2.	Appropriations . . . . .	38
3.	Business and Professions . . . . .	17
4.	Education and Libraries . . . . .	17
5.	Elections and Apportionment . . . . .	9
6.	Financial Institutions and Insurance . . . . .	15
7.	Higher Education . . . . .	15
8.	Judiciary . . . . .	11
9.	Labor and Employment Security . . . . .	13
10.	Local Government . . . . .	25
11.	Natural Resources and Ecology . . . . .	31

12. Revenue and Taxation . . . . .	19
13. Rules and Administration . . . . .	16
14. Social and Health Services . . . . .	19
15. State Government . . . . .	16
16. Transportation . . . . .	33

#### Notice of Committee Meetings

Rule 80. The chief clerk shall post on the bulletin board the time and place of committee meetings. All public hearings held by committees during the first forty days of the session shall be scheduled at least five days in advance and shall be given adequate publicity.

#### Duties of Standing Committees

Rule 81. Standing committees shall act upon all referred bills, memorials and resolutions. Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill. A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out. Majority recommendations of a committee can only be "do pass", "do pass as amended", or that "the attached substitute bill be substituted therefor and that the substitute bill do pass". Minority reports, "do not pass" or "without recommendation", may be submitted with the majority report. Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, which shall be signed by those members of the committee subscribing thereto. All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports: PROVIDED, That a majority of the members elected to the house may require a committee to report a bill back to the house at any time.

All bills including a direct appropriation must be referred to the Appropriations Committee before appearing on the second reading calendar.

No standing committee shall vote on any issue by secret written ballot.

A record of the votes of members of the Committee on Rules and Administration on any issue shall be kept and retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person and inserted in the daily journal as a permanent record: PROVIDED, That this provision shall be effective only if adopted as a Joint Rule of the Senate and House of Representatives. If no such Joint Rule be adopted, a record of the votes of the Committee on Rules and Administration on any issue shall be ordered when demanded by one-third of the members present and shall be retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person.

#### Committee Quorum

Rule 82. A majority of any committee shall constitute a quorum for the transaction of business.

#### Committee Cannot Meet, When

Rule 83. No committee shall sit while the house is in session without special leave of the Speaker: PROVIDED, HOWEVER, That after the fiftieth day the Committee on Rules and Administration may sit at any time.

#### Committee of the Whole—Rules to Govern

Rule 84. The rules of proceedings in the house shall be observed in a committee of the whole house so far as they may be applicable, but no member shall be recognized a second time until every member choosing to speak shall have spoken.

Rule 84 shall be deleted from the rules at such time as the Joint Rules of the Senate and House of Representatives shall provide that neither house shall operate as a committee of the whole.

#### Committee of the Whole—Selection of Chairman

Rule 85. In forming a committee of the whole house, the speaker having the chair shall call upon some member to preside, who shall be addressed as "Mr. Chairman."

Rule 85 shall be deleted from the rules at such time as the Joint Rules of the Senate and House of Representatives shall provide that neither house shall operate as a committee of the whole.

## Committee of the Whole—Procedure In

Rule 86. Upon a bill being committed to a committee of the whole house, the bill shall be read and debated by sections, leaving the title to be considered last.

The body of the bill shall not be defaced or interlined, and all amendments (noting the line and page) shall be duly entered on a separate paper by the clerk, as the same shall be agreed to by the committee, and so reported to the house.

No roll call shall be taken in committee of the whole, and no record of proceedings except its report shall be placed in the journal.

A motion that the committee of the whole rise shall always be in order and shall be decided without debate.

After a report, the bill shall be subjected again to debate and amendment by sections [.] , *except as otherwise provided by these rules.*

Rule 86 shall be deleted from the rules at such time as the Joint Rules of the Senate and House of Representatives shall provide that neither house shall operate as a committee of the whole.

Committee of the Whole—Previous Question  
Not in Order

Rule 87. The previous question is not in order in a committee of the whole house; nor can this committee adjourn as others may; but upon motion, the committee may rise at any time, whereupon the house shall resume.

The chairman reports that the committee of the whole has, according to order, had under its consideration such a matter, and has made progress therein; the chairman rises, the speaker resumes the chair, the chairman informs him that the committee has gone through the business referred to it and that he is ready to make report.

Bills appropriating money may be considered in the committee of the whole house and when so considered no change in the amount appropriated shall be made outside of the committee of the whole.

No amendment to the general appropriation bill, commonly known as the budget, adding any new item, or items, thereto not incorporated in the bill as reported by the committee of the whole, shall be adopted except by the affirmative vote of two-thirds of the representatives elected.

Rule 87 shall be deleted from the rules at such time as the Joint Rules of the Senate and House of Representatives shall provide that neither house shall operate as a committee of the whole.

*Free Conference Committee Report*

Rule 88. *The house shall have twenty-four hours from the time of receipt to consider reports from a free conference committee and shall not vote thereon until the twenty-four hour period shall have elapsed.*

## Standing Rules of the House: Amendment of; Rescind

Rule 89. Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected: PROVIDED, That one day's notice of the motion therefor be given, and the proposed change or changes in the rules be submitted in writing.

Any standing rule of order or business may be suspended temporarily by a two-thirds vote of the members present.

Mr. Bledsoe moved adoption of the resolution.

Mr. Williams moved adoption of the following amendment by Representatives Williams and Sawyer to House Resolution No. 71-7:

Amend House Rule 3 (f) as follows: On line 2, following "shall" strike the remainder of the sentence through "house." on line 4, and insert "*select the number of members of each standing committee in such a manner as to provide for the appointment of members in as nearly as mathematically possible the same ratio as the membership of the respective parties in the house, and which assures that each member shall be entitled to serve on the same number of standing committees as each other member.*"

Representative Williams spoke in favor of adoption of the amendment, and Representative Newhouse spoke against it.

Mr. Rosellini demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Anderson.

On motion of Mr. Bledsoe, the absent member was excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment by Representatives Williams and Sawyer to Rule 3(f), House Resolution No. 71-7.

Mr. King demanded an electric roll call, and the demand was sustained.

Representative Sawyer spoke in favor of adoption of the amendment, and Representative Bledsoe spoke against it.

Mr. Sawyer closed debate, speaking in favor of adoption of the amendment.

Representative Anderson appeared at the bar of the House.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Williams and Sawyer to Rule 3(f), House Resolution No. 71-7, and the amendment was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, SHERA, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Mr. Grant moved adoption of the following amendment by Representative Grant to House Resolution No. 71-7:

Amend House Rule 43 by adding a new subsection following subsection (b) as follows: "*(c) All bills received by the Committee on Rules and Administration shall be reported out of committee within five working days.*"

Representatives Grant, King and Sawyer spoke in favor of adoption of the amendment, and Representatives Harris, Copeland and Morrison spoke against it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Grant to Rule 43, House Resolution No. 71-7, and the amendment was lost by the following vote: Yeas, 46; nays, 53; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—46.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, SHERA, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—53.

Mr. King moved adoption of the following amendment by Representatives Grant and King to House Resolution No. 71-7:

Amend House Rule 47 by striking the last sentence in its entirety.

Representatives King and Savage spoke in favor of adoption of the amendment, and Representatives Julin, Bledsoe and Morrison spoke against it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Litchman.

Mr. Litchman: "Mr. O'Brien, you have had a number of years of experience as a parliamentarian here in the House. Is that correct? About how many years? About 30 years, is that not correct? Are you familiar with the question of consideration, Mr. O'Brien?"

Mr. O'Brien: "Yes."

Mr. Litchman: "Could you please tell me if there was an amendment, say before the House today, and someone moved to table that amendment—what would the difference be between moving to table and moving for consideration?"

Mr. O'Brien: "Actually, Mr. Litchman, there isn't a great amount of difference. To lay on the table cuts off debate and just puts the proposed amendment away. When the question of consideration is raised, the question is put to the House, whether or not they want to consider the question. So the ultimate result is about the same. It just cuts off debate and doesn't give the member an opportunity to express his opinion on why he presented an amendment."

Mr. Litchman: "Mr. O'Brien, in light of your remarks, in your opinion is there any reason then for the majority to disagree with the minority relative to the position before the House now, that is, the motion to table. In other words, is it necessary in your opinion to have a motion to table on various questions?"

Mr. O'Brien: "Mr. Litchman, I am very happy to answer that question, too. For many years, for about 30 years in the House of Representatives, we operated without this so-called gag rule of laying on the table. I can assure Mr. Bledsoe, Mr. Copeland and all others, that we handled just as much important business during those years as you have handled since 1967. We were never concerned about cutting off debate, of being so stringent, and not being fair and impartial. We listened to your people, until they became completely obnoxious. Then perhaps something would have to be done. But generally we didn't have to utilize it, because, as Mr. King brought out very well, Reed's Rules prohibit this type of a motion while you have the main question pending. So it violates the very spectrum of parliamentary procedure. Still you people, with your big muscle, want to utilize it. Mr. Copeland was somewhat surprised when I voted for the five-day relinquishment of the Rules and Administration Committee. The only reason I did it, Mr. Copeland, is because you have two parts of these rules that you adopted in 1967 that just don't have any part in this parliamentary procedure. I am sure you are all grown people and you realize the importance of your offices, and so do we. And we certainly can handle these matters. As a matter of fact, the people of our state now demand full disclosure on any action we take, and why you want to hide some of these things behind a cloud or veil, I just don't understand. Did I answer your question?"

Mr. Litchman: "Thank you, Mr. O'Brien."

Representatives Litchman and Sawyer spoke in favor of adoption of the amendment, and Representative Newhouse spoke against it.

Mr. King closed debate speaking in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Grant and King to Rule 47, House Resolution No. 71-7, and the amendment was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charney, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

The Clerk read the following amendment by Representatives Grant and Williams to Rule 79, House Resolution No. 71-7:

Amend House Rule 79 as follows: For the number of members of the Rules and Administration Committee, strike "16" and insert "17"; and for the number of the State Government Committee, strike "16" and insert "15"

With the consent of the House, Mr. Grant withdrew the amendment.

Mr. McDermott moved adoption of the following amendment to Rule 81, House Resolution No. 71-7:

Amend House Rule 81 as follows: In paragraph 2, line 3, after "calendar" insert: "*PROVIDED, HOWEVER, That the budget of the Department of Highways shall be referred to the Committee on Appropriations before being sent to the Committee on Rules and Administration*"

Representatives McDermott and Luders spoke in favor of adoption of the amendment, and Representatives Berentson and Newhouse spoke against it.

Mr. Backstrom demanded an electric roll call, and the demand was not sustained.

Representative Flanagan spoke against adoption of the amendment.

The Speaker stated the question before the House to be the amendment by Mr. McDermott to Rule 81, House Resolution No. 71-7.

The amendment was not adopted.

Mr. Charnley moved adoption of the following amendment by Representatives Grant, Charnley and Douthwaite to Rule 81, House Resolution No. 71-7:

Amend House Rule 81 as follows: Strike paragraph 4 and insert "*A record of the votes of members of all standing committees, including the Rules and Administration Committee, on all issues shall be kept and retained by the committee chairman until the end of the session. It shall be available for inspection by any interested person, but will not be inserted in the daily journal as a permanent record.*"

Representatives Charnley, Douthwaite and Charette spoke in favor of adoption of the amendment, and Representatives Bledsoe and Copeland spoke against it.

Mr. King demanded an electric roll call, and the demand was sustained.

Representative Grant spoke in favor of adoption of the amendment, and Representative Randall spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Grant, Charnley and Douthwaite to Rule 81, House Resolution No. 71-7, and the amendment was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Paris, Perry, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Polk, Rabel, Randall, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Mr. Grant moved adoption of the following amendment to Rule 86, House Resolution No. 71-7:

Amend House Rule 86 as follows: Strike paragraph 3 and insert "*A record of all the votes of members in the Committee of the Whole shall be kept and retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person and inserted in the daily journal as a permanent record.*"

Representatives Grant, Thompson, Van Dyk and Bottiger spoke in favor of adoption of the amendment, and Representatives Hoggins, Pardini, Ross and Lynch spoke against it.

Mr. Chatalas demanded an electric roll call, and the demand was sustained.

Representative Douthwaite spoke in favor of adoption of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Grant to Rule 86, House Resolution No. 71-7, and the amendment was lost by the following vote: Yeas, 49; nays, 50; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Paris, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—49.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

The Speaker stated that notice had been given previously by Mr. King that he would offer a proposed amendment to Rule 87.

Mr. O'Brien moved adoption of the following amendment by Representatives O'Brien and King to Rule 87, House Resolution No. 71-7:

Amend House Rule 87 as follows: In the last line of paragraph 3, after "vote of" and before "of the representatives" strike "two-thirds" and insert "*a majority*"

Representatives O'Brien and Perry spoke in favor of adoption of the amendment, and Representatives Goldsworthy and Pardini spoke against it.

Mr. Grant demanded an electric roll call, and the demand was sustained.

Representative King spoke in favor of adoption of the amendment, and Representative Julin spoke against it.

Mr. O'Brien closed debate, speaking in favor of adoption of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives O'Brien and King to Rule 87, House Resolution No. 71-7, and the amendment was lost by the following vote: Yeas, 47; nays, 52; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—47.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—52.

The Speaker stated the question before the House to be the adoption of House Resolution No. 71-7.

Representative Bledsoe spoke in favor of the resolution, and Representative Grant spoke against it.

Mr. King demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of House Resolution No. 71-7, and the



resolution passed the House by the following vote: Yeas, 52; nays, 47; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Randall, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—52.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—47.

#### EXPLANATION OF VOTE

Due to an inadvertent error, I voted "aye" on House Resolution No. 7, when I intended to vote "nay." Please have the record show my intended vote was "nay."  
ROBERT W. RANDALL, 23rd District.

#### MOTIONS

On motion of Mr. Morrison, the House dispensed with further business under the Call of the House.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Friday, January 22, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWELFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 22, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative O'Brien who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 21, 1971.

HOUSE BILL NO. 27, increasing the state treasurer's faithful performance bond, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Moon, Paris, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 21, 1971.

HOUSE BILL NO. 28, placing assistant and deputy state treasurers under state's blanket performance bond, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Moon, Paris, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 21, 1971.

HOUSE BILL NO. 29, allowing investment of state treasury surplus moneys in certain government sponsored corporations, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Moon, Paris, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 21, 1971.

HOUSE BILL NO. 30, changing from monthly to annually the frequency for distribution of overload fines to counties, cities and towns, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 1, line 13, after "[RCW 46.68.100]" insert "annually"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Paris, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 21, 1971.

HOUSE BILL NO. 41, requiring that bacon be packaged so that the quality and degree of leanness may be ascertained, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Costanti, Hansey, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

## STATEMENT FOR THE JOURNAL

I wish the record to show that I was a sponsor of House Bill No. 22, which is similar to House Bill No. 41. I think this legislation is meritorious and I wanted to be on record as supporting it. PEGGY JOAN MAXIE, 37th District.

January 21, 1971.

HOUSE BILL NO. 130, authorizing the state treasurer to cash certain checks for state officers and employees, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Paris, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGES FROM THE SENATE

January 21, 1971.

Mr. Speaker: The Senate has passed SENATE BILL NO. 171, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 278, by Representatives Hansey, Conner and Kraabel (by Departmental request):

An Act relating to local governmental units; and adding new sections to chapter 89.08 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 279, by Representatives Conway, Bagnariol, Hatfield and Randall:

An Act relating to valuation of property; and amending section 84.40.030, chapter 15, Laws of 1961 and RCW 84.40.030.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 280, by Representatives Kilbury, Brown and Savage:

An Act relating to political parties; amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030; amending section 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.040; and amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050.

Referred to Committee on State Government.

HOUSE BILL NO. 281, by Representatives Kuehnle, Hoggins, Haussler, Hurley, Pardini and Shinpoch:

An Act relating to revenue and taxation; exempting deposits on food and beverage containers from the retail sales tax and business and occupation tax; amending section 82.04.070, chapter 15, Laws of 1961 and RCW 82.04.070; and amending section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 282, by Representatives Lynch, King and Bluechel:

An Act relating to community colleges.

Referred to Committee on Higher Education.

HOUSE BILL NO. 283, by Representative Flanagan:

An act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO.284, by Representative Flanagan:  
An Act relating to revenue and taxation.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 285, by Representative Flanagan:  
An Act relating to revenue and taxation.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 286, by Representatives Thompson, Haussler, Kopet, Johnson and Bozarth:

An Act relating to counties; and amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 287, by Representative Flanagan:  
An Act relating to revenue and taxation.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 288, by Representatives Bottiger, Jastad, Gallagher, Flanagan, Wolf, Bauer and Randall:

An Act relating to the taxation of property; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; and amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 289, by Representatives Marsh, Kirk, Merrill, Anderson, Bagnariol, Bauer, Ceccarelli and McCormick:

An Act relating to revenue and taxation; and amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 290, by Representatives King, Berentson, Ceccarelli and Charnley:  
An Act relating to political campaigns.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 291, by Representatives Kuehnle, Litchman, Curtis, Hatfield, Bottiger, Gladder, Eikenberry, Pardini, Smith, Conway, Kopet, Morrison, Wolf, Shera, Gallagher, Bagnariol, Jastad, Adams, Rosellini, Ceccarelli, Randall, Anderson, Backstrom, Bauer, Hoggins, Knowles, Marzano and McCormick:

An Act relating to gambling; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; repealing section 5, page 98, Laws of 1879, section 1257, Code of 1881, section 3, chapter 7, Laws of 1957 and RCW 4.24.080; repealing section 99, page 93, Laws of 1854, sections 104, 105, page 222, Laws of 1869, sections 110, 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5, 6, page 98, Laws of 1879, sections 1257, 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; defining crimes; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 292, by Representatives Kuehne, Bottiger, Gladder, Bagnariol, Hatfield, Kilbury, Eikenberry, Conway, Hurley, Schumaker, Kirk, Litchman, Ceccarelli, Hoggins, McCormick and Merrill:

An Act relating to obscene and erotic material; amending section 1, chapter 105, Laws of 1959 and RCW 7.42.010; amending section 2, chapter 105, Laws of 1959 and RCW 7.42.020; amending section 4, chapter 105, Laws of 1959 and RCW 7.42.040; amending section 6, chapter 105, Laws of 1959 and RCW 7.42.060; amending section 20, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.120; adding a new section to chapter 105, Laws of 1959 and to chapter 7.42 RCW; and repealing section 3, chapter 105, Laws of 1959 and RCW 7.42.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 293, by Representatives Lynch, King and Goldsworthy:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 294, by Representatives Lynch, King and Goldsworthy:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 295, by Representatives Lynch, King and Goldsworthy:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 296, by Representatives Lynch, King and Bluechel:

An Act relating to community colleges.

Referred to Committee on Higher Education.

HOUSE BILL NO. 297, by Representatives North, Brouillet, Bledsoe, Hoggins, Brown, Bottiger, Wojahn, Haussler, Gallagher, Charnley and Douthwaite (by Joint Committee on Education request):

An Act relating to libraries; and the creation of a state-wide public library system.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 298, by Representatives Wanamaker, Douthwaite, Cunningham, Conway and Hoggins (by Departmental request):

An Act relating to motor vehicles; adding new sections to chapter 46.37 RCW; defining crimes; and making an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 299, by Representatives Mentor, Gallagher, Barden, Litchman, Polk, Randall and Backstrom (by Joint Committee on Governmental Cooperation request):

An Act relating to the removal of wood fiber debris from the tidal waters of the state of Washington; adding a new chapter to Title 76 RCW; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 300, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

An Act relating to the department of natural resources; and amending section 1, chapter 100, Laws of 1963 and RCW 76.01.060.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 301, by Representatives Barden, Gallagher, Mentor, Litchman, Polk, Randall, Conner and Hoggins (by Joint Committee on Governmental Cooperation request):

An Act relating to public lands; concerning lands under the jurisdiction of the department of natural resources; creating new sections; amending section 32, chapter 255,

Laws of 1927 and RCW 79.01.128; amending section 1, chapter 20, Laws of 1963 and RCW 79.44.003; repealing section 1, chapter 175, Laws of 1933, section 1, chapter 159, Laws of 1949, section 1, chapter 301, Laws of 1955 and RCW 79.56.010; and repealing section 1, chapter 73, Laws of 1939 and RCW 79.56.020.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 302, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

An Act relating to the department of natural resources; and amending section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 303, by Representatives Barden, Gallagher, Litchman, Polk, Randall, Backstrom and Hoggins (by Joint Committee on Governmental Cooperation request):

An Act relating to forests; providing for forest protection; and amending section 2, chapter 12, Laws of 1965 ex. sess. and RCW 76.04.251.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 304, by Representatives Barden, Mentor, Litchman, Polk, Randall and Ceccarelli (by Joint Committee on Governmental Cooperation request):

An Act relating to certain public lands; and amending section 112, chapter 255, Laws of 1927 and RCW 79.01.448.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 305, by Representatives Ceccarelli, Lynch, Bagnariol, Maxie, Farr, Bottiger, Backstrom, Chatalas, Conway, Cunningham, Hoggins, Merrill and Randall:

An Act relating to child abuse; amending section 3, chapter 13, Laws of 1965 as amended by section 3, chapter 35, Laws of 1969 ex. sess. and RCW 26.44.030; amending section 4, chapter 13, Laws of 1965 as amended by section 4, chapter 35, Laws of 1969 ex. sess. and RCW 26.44.040; adding a new section to chapter 26.44 RCW; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 306, by Representatives Barden, Mentor, Litchman, Randall and Wolf (by Joint Committee on Governmental Cooperation request):

An Act relating to the board of tax appeals; amending section 36, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.070; and amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 307, by Representatives Flanagan, Kiskaddon, Brouillet and Luders:

An Act relating to revenue and taxation; amending section 84.52.050, chapter 15, Laws of 1961 as last amended by section 5, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.050; amending section 1, chapter 133, Laws of 1967 ex. sess. as amended by section 2, chapter 216, Laws of 1969 ex. sess. and RCW 84.52.065; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 308, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

An Act relating to horse racing; and amending section 4, chapter 55, Laws of 1933 and RCW 67.16.020.

Referred to Committee on Business and Professions.

HOUSE JOINT MEMORIAL NO. 6, by Representatives Kilbury, Brown, Williams, Grant and Douthwaite (by Secretary of State request):

Seeking amendments to federal communications act respecting television coverage of political candidates.

Referred to Committee on Elections and Apportionment.

HOUSE JOINT RESOLUTION NO. 29, by Representatives Kuehnle, Litchman, Curtis, Bottiger, Gladder, Smith, Eikenberry, Pardini, Shera, Hatfield, Kopet, Conway, Wolf, Morrison, Gallagher, Adams, Jastad, Bagnariol, Ceccarelli, Marzano, Randall, Rosellini, Anderson, Backstrom, Bauer, Chatalas, Hoggins, Kilbury, Knowles, McCormick and Merrill:  
Authorizing bingo and lotteries for charity.

Referred to Committee on Business and Professions.

HOUSE JOINT RESOLUTION NO. 30, by Representatives Smythe, Thompson, Bledsoe, Charette, Kilbury, Backstrom, Bauer, Blair, Ceccarelli, Chatalas, Conner, Costanti, Douthwaite, Gilleland, Grant, Jones, King, Kraabel, Litchman, Paris, Rabel, Rosellini and Savage (by Executive request and by Secretary of State request):

Amending the Constitution to allow eighteen-year-old vote.

Referred to Committee on Elections and Apportionment.

HOUSE CONCURRENT RESOLUTION NO. 5, by Representative Pardini:

Joint session to receive address to the Legislature from Richard G. Capen, Jr.

On motion of Mr. Morrison, the rules were suspended, House Concurrent Resolution No. 5 was advanced to second reading and read the second time.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 5 was placed on final passage.

Representative Pardini spoke in favor of the resolution.

House Concurrent Resolution No. 5 was adopted.

#### FIRST READING OF SENATE BILLS

SENATE BILL NO. 171, by Senators Durkan and Sandison:

An Act relating to the expenses and costs of the legislature including subsistence payments and expenses of members; making appropriations; and declaring an emergency.

#### MOTION

On motion of Mr. Bledsoe, the House deferred consideration of Senate Bill No. 171, and the bill was ordered placed on Monday's first reading calendar.

#### MOTIONS

On motion of Mr. Morrison, HOUSE JOINT RESOLUTION NO. 17 was rereferred from the Committee on Revenue and Taxation to the Committee on Business and Professions.

On motion of Mr. Morrison, HOUSE JOINT RESOLUTION NO. 18 was rereferred from the Committee on State Government to the Committee on Elections and Apportionment.

#### PERSONAL PRIVILEGE

Mr. Pardini: "Mr. Speaker, ladies and gentlemen of the House: I told you that Executive Request bills would not be introduced without your opportunity to sign them. House Joint Resolution No. 30, amending the Constitution to allow 18-year-olds to vote slipped by me this morning and was read in. If any of you wanted to cosponsor this, please sign at the desk before it is printed."

The Speaker: "The resolution will be at the desk for 30 minutes."

## MOTION

On motion of Mr. Bledsoe, the House adjourned until 12:00 noon, Monday, January 25, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTEENTH DAY

## NOON SESSION

House Chamber, Olympia, Wash., Monday, January 25, 1971.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representatives Brouillet and Randall who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Glen D. Cole of the First Assembly of God Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 22, 1971.

**HOUSE BILL NO. 40**, removing mandatory directive to sell first class tide and shore lands and giving abutting owner preference to lease as well as buy, reported by Committee on Natural Resources and Ecology.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 2, section 1, line 15 after "That" strike all of the matter down to and including "**AND PROVIDED FURTHER, That**" on line 23 and insert "[if the abutting upland owner has attempted to convey by deed to a bona fide purchaser any portion of the tide or shore lands in front of such uplands or littoral rights therein, such right of purchase herein given to the upland owner shall be construed to belong to such purchaser, or to any person, association or corporation claiming by, through or under such purchaser, to the extent of the tract or right so conveyed]"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Charnley, Conner, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Hurley, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1971.

**HOUSE BILL NO. 106**, protecting endangered species of fish and wildlife, reported by Committee on Natural Resources and Ecology.

**MAJORITY recommendation:** Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Charnley, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Hurley, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.



January 21, 1971.

HOUSE BILL NO. 108, providing for filling of vacancies in, quorum for, school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 2, line 11, after the comma strike "*the remaining members of the board of directors*" and insert "*a majority of the legally established number of board members*"

On page 4, section 2, line 17, after "by" strike "*majority vote*" and add "*the vote of a majority of its legally established number of board members*"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 22, 1971.

HOUSE BILL NO. 109, authorizing state board of education to establish regulations governing school district numbering, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage.

Passed to Committee on Rules and Administration for second reading.

January 22, 1971.

HOUSE BILL NO. 113, prescribing powers of game protectors, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22, after "(4)" strike "," and insert "and"

On page 1, section 1, line 22, strike "and (7),"

On page 2, section 2, line 12, after "(4)" strike "," and insert "and"

On page 2, section 2, line 12, strike "and (7),"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Berentson, Charnley, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Hurley, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 22, 1971.

HOUSE BILL NO. 118, providing for number of school directors in new school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage.

Passed to Committee on Rules and Administration for second reading.

January 22, 1971.

HOUSE BILL NO. 125, providing for increased pension benefits for certain retired employees of institutions of higher education, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 15, after "pension of" strike "six" and insert "three"

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Berentson, Blair, Hoggins, King, Litchman, Merrill, Ross.

MINORITY recommendation: Do not pass. Signed by Representatives Barden, Hubbard.

## MOTION

On motion of Mr. Shera, House Bill No. 125 was rereferred to Committee on Appropriations.

January 22, 1971.

HOUSE BILL NO. 126, providing for inclusion of court of appeals judges in judges retirement system, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Barden, Berentson, Blair, Hoggins, Hubbard, King, Litchman, Luders, Merrill, Ross.

Passed to Committee on Rules and Administration for second reading.

January 22, 1971.

HOUSE BILL NO. 171, defining "wildlife agent", reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Berentson, Charnley, Cunningham, Gallagher, Gilleland, Hansey, Hurley, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

### MESSAGES FROM THE SENATE

January 25, 1971.

Mr. Speaker: The Senate has passed HOUSE CONCURRENT RESOLUTION NO. 5, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 309, by Representatives Bluechel, Charnley, Rabel, Ross, Gilleland, Blair, Chatalas, Douthwaite and Kilbury (by Governor's Commission for Youth Involvement request):

An Act relating to age qualifications for certain purposes; amending section 1, page 407, Laws of 1854 as last amended by section 1, chapter 17, Laws of 1970 ex. sess. and RCW 26.28.010; amending section 1, chapter 57, Laws of 1911 and RCW 2.36.070; amending section 6, chapter 127, Laws of 1893 and RCW 4.28.070; amending section 25, chapter 64, Laws of 1895 as amended by section 1, chapter 36, Laws of 1933 and RCW 6.12.290; amending section 2, chapter 57, Laws of 1897 and RCW 6.16.010; amending section 5, chapter 11, Laws of 1893 and RCW 7.28.090; amending section 13, chapter 264, Laws of 1969 ex. sess. as amended by section 11, chapter 61, Laws of 1970 ex. sess. and RCW 7.33.130; amending section 2, chapter 74, Laws of 1891 and RCW 8.04.020; amending section 2, page 295, Laws of 1890 and RCW 8.20.020; amending section 11.76.080, chapter 145, Laws of 1965 as amended by section 4, chapter 70, Laws of 1969 and RCW 11.76.080; amending section 11.76.090, chapter 145, Laws of 1965 and RCW 11.76.090; amending section 11.76.095, chapter 145, Laws of 1965 and RCW 11.76.095; amending section 11.88.010, chapter 145, Laws of 1965 and RCW 11.88.010; amending section 11.88.020, chapter 145, Laws of 1965 and RCW 11.88.020; amending section 11.88.140, chapter 145, Laws of 1965 and RCW 11.88.140; amending section 11.92.010, chapter 145, Laws of 1965 and RCW 11.92.010; amending section 22, page 337, Laws of 1873 as last amended by section 1, chapter 181, Laws of 1925 ex. sess. and RCW 12.04.040; amending section 25, page 337, Laws of 1873 as last amended by section 3, chapter 19, Laws of 1903 and RCW 12.04.080; amending section 15.68.140, chapter 11, Laws of 1961 and RCW 15.68.140; amending section 17, chapter 100, Laws of 1969 ex. sess. and RCW 15.80.460; amending section 4, chapter 125, Laws of 1929 as amended by section 2, chapter 250, Laws of 1961 and RCW 17.04.070; amending section 4, chapter 205, Laws of 1959 and RCW 17.06.050; amending section 11, chapter 226, Laws of 1949 as amended by section 1, chapter 114, Laws of 1969 and RCW 18.04.120; amending section 5, chapter 323, Laws of 1959 and RCW 18.08.140; amending section 6, chapter 38, Laws of 1917 as last amended by section 2, chapter 149, Laws of 1955 and RCW 18.22.040; amending section 6, chapter 201, Laws of 1967 as amended by section 1, chapter 141, Laws of 1967 ex. sess. and RCW 18.28.060; amending section 28, chapter 16, Laws of 1923 as amended by section 1, chapter 47, Laws of 1969 and RCW 18.29.020; amending section 7, chapter 43, Laws of 1957 and RCW 18.34.070; amending section 2, chapter 52, Laws of 1955 as amended by section 2, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.030; amending section 4, chapter 108, Laws of 1937 as last amended by section 3, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.040; amending section 3, chapter 180, Laws of 1923 as last amended by section 7, chapter 38, Laws of 1963 and RCW 18.64.080; amending section 6, chapter 222, Laws of 1949 as amended by section 2, chapter 15, Laws of 1963 and RCW 18.78.060; amending section 3, chapter 305, Laws of 1955 as amended by section 3, chapter 70, Laws of 1965 and RCW 18.83.030; amending section 6, chapter 71, Laws of

1941 and RCW 18.92.070; amending section 233, chapter 249, Laws of 1909 and RCW 19.60.063; amending section 1, chapter 202, Laws of 1959 as amended by section 1, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.010; amending section 4, chapter 202, Laws of 1959 as amended by section 4, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.040; amending section 7, chapter 202, Laws of 1959 as amended by section 6, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.070; amending section 8, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.010; amending section 11, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.040; amending section 14, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.070; amending section 54, chapter 53, Laws of 1965 and RCW 23A.12.010; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as last amended by section 1, chapter 17, Laws of 1919 and RCW 26.28.080; amending section 11, chapter 291, Laws of 1955 and RCW 26.32.110; amending section 36.59.310, chapter 4, Laws of 1963 and RCW 36.59.310; amending section 11, chapter 4, Laws of 1917 and RCW 37.16.080; amending section 19, chapter 130, Laws of 1943 and RCW 38.12.060; amending section 8, chapter 167, Laws of 1967 and RCW 46.20.011; amending section 6, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.045; amending section 46.20.104, chapter 12, Laws of 1961 as last amended by section 3, chapter 167, Laws of 1967 and RCW 46.20.104; amending section 10, chapter 167, Laws of 1967 as amended by section 14, chapter 170, Laws of 1969 ex. sess. and RCW 46.20.293; amending section 47.32.020, chapter 13, Laws of 1961 and RCW 47.32.020; amending section .17.15, chapter 79, Laws of 1947 as last amended by section 19, chapter 150, Laws of 1967 and RCW 48.17.150; amending section .17.38, chapter 79, Laws of 1947 and RCW 48.17.380; amending section 87, chapter 250, Laws of 1907 and RCW 65.12.710; amending sections 72.23.070, 72.23.090, 72.23.200 and 72.23.210, chapter 28, Laws of 1959 and RCW 72.23.070, 72.23.090, 72.23.200 and 72.23.210; amending section 186, chapter 255, Laws of 1927 as amended by section 39, chapter 257, Laws of 1959 and RCW 79.01.704; amending section 12, chapter 152, Laws of 1903 and RCW 79.48.130; amending section 11, chapter 117, Laws of 1895 and RCW 85.05.110; amending section 11, chapter 115, Laws of 1895 and RCW 85.06.110; amending section 1, chapter 18, Laws of 1935 and RCW 88.16.010; amending sections 13 and 14, chapter 8, Laws of 1909 ex. sess. as amended by section 13, chapter 11, Laws of 1911 and RCW 91.04.250; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 111, Laws of 1959 and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as amended by section 6, chapter 111, Laws of 1959 and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as amended by section 9, chapter 111, Laws of 1959 and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 1, chapter 245, Laws of 1943 (which added a new section 36-A to chapter 62, Laws of 1933 ex. sess.) and RCW 66.44.310; amending section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340; repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315; and providing penalties.

Referred to Committee on State Government.

HOUSE BILL NO. 310, by Representatives Farr and Chatalas:

An Act relating to the practice of dentistry; establishing a dental disciplinary board; amending section 22, chapter 112, Laws of 1935 and RCW 18.32.080; amending section 8, chapter 112, Laws of 1935 and RCW 18.32.230; amending section 7, chapter 93, Laws of 1953 as amended by section 38, chapter 52, Laws of 1957, and RCW 18.32.350; amending section 23, chapter 112, Laws of 1935 and RCW 18.32.380; repealing section 32, chapter 52, Laws of 1957 and RCW 18.32.240; repealing section 33, chapter 52, Laws of 1957 and RCW 18.32.250; repealing section 34, chapter 52, Laws of 1957 and RCW 18.32.260; repealing section 35, chapter 52, Laws of 1957 and RCW 18.32.270; repealing section 36, chapter 52, Laws of 1957 and RCW 18.32.280; making an appropriation; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 311, by Representatives Gallagher, Kiskaddon, Brouillet, Haussler and Ross (by Departmental request):

An Act relating to crimes and punishments for criminal offenses; amending section 7, chapter 227, Laws of 1957 and RCW 9.95.240; creating new sections; and repealing section 1, chapter 24, Laws of 1905, section 28, chapter 249, Laws of 1909, section 1, chapter 69, Laws of 1921, section 1, chapter 76, Laws of 1949, section 1, chapter 227, Laws of 1957, section 7, chapter 200, Laws of 1967 and RCW 9.92.060.

Referred to Committee on Judiciary.

HOUSE BILL NO. 312, by Representatives Zimmerman, Conner, Wolf, Cunningham and King (by Departmental request):

An Act relating to the youth development and conservation corps; amending section 43.51.520, chapter 8, Laws of 1965 as amended by section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520; and amending section 43.51.530, chapter 8, Laws of 1965 as amended by section 3, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.530.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 313, by Representatives Gladder, Kopet, Eikenberry, Paris and Conway (by Departmental request):

An Act relating to county hospitals and infirmaries; amending section 36.62.252, chapter 4, Laws of 1963 as amended by section 3, chapter 36, Laws of 1967 ex. sess. and RCW 36.62.252; amending section 36.62.270, chapter 4, Laws of 1963 and RCW 36.62.270; adding a new section to chapter 36.62 RCW; and repealing section 36.62.280, chapter 4, Laws of 1963 and RCW 36.62.280.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 314, by Representatives Conway, Eikenberry, Paris, Kiskaddon and Gladder (by Departmental request):

An Act relating to public assistance and industrial insurance benefits; and creating new sections.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 315, by Representatives Bottiger, North, Copeland, Chatalas and Litchman (by Legislative Council request):

An Act relating to county officials; providing for certain changes in official bonds; and amending section 36.16.050, chapter 4, Laws of 1963 as amended by section 91, chapter 176, Laws of 1969 ex. sess. and RCW 36.16.050.

Referred to Committee on Local Government.

HOUSE BILL NO. 316, by Representatives Farr, Ceccarelli, Pardini, Hansey and McCormick:

An Act relating to the regulation of barbers and beauty culture; amending section 1, chapter 75, Laws of 1923 as last amended by section 1, chapter 52, Laws of 1957 and RCW 18.15.010; amending section 3, chapter 75, Laws of 1923 as last amended by section 3, chapter 223, Laws of 1967 and RCW 18.15.040; amending section 6, chapter 75, Laws of 1923 as last amended by section 4, chapter 223, Laws of 1967 and RCW 18.15.050; amending section 7, chapter 75, Laws of 1923 as last amended by section 9, chapter 223, Laws of 1967 and RCW 18.15.060; amending section 3, chapter 84, Laws of 1959 as amended by section 10, chapter 223, Laws of 1967 and RCW 18.15.065; amending section 14, chapter 75, Laws of 1923 as last amended by section 12, chapter 223, Laws of 1967 and RCW 18.15.090; amending section 7, chapter 209, Laws of 1929 as last amended by section 16, chapter 223, Laws of 1967 and RCW 18.15.110; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010; amending section 7, chapter 180, Laws of 1951 as last amended by section 11, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.140; and amending section 8, chapter 180, Laws of 1951 as last amended by section 12, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.190.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 317, by Representatives Ceccarelli, Rabel, Shinpoch, Merrill, Bottiger and Backstrom:

An Act relating to mechanics' and materialmen's liens; and amending section 4, chapter 24, Laws of 1893 as amended by section 4, chapter 279, Laws of 1959, and RCW 60.04.050.

Referred to Committee on Judiciary.

HOUSE BILL NO. 318, by Representatives Bagnariol, Gladder and Rosellini:

An Act relating to motor vehicles; requiring mirrors of a certain size on certain vehicles; and amending section 46.37.400, chapter 12, Laws of 1961 as amended by section 25, chapter 154, Laws of 1963 and RCW 46.37.400.

Referred by Committee on Transportation.

HOUSE BILL NO. 319, by Representatives Curtis, Bozarth, Kuehnle and McCormick:

An Act relating to crimes; amending section 33, page 80, Laws of 1854 as last amended by section 183, chapter 249, Laws of 1909 and RCW 9.79.010; amending sections 37 and 38, page 81, Laws of 1854 as last amended by section 144, chapter 249, Laws of 1909 and RCW 9.48.070; and providing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 320, by Representatives Amen, Bozarth and Goldsworthy:

An Act relating to the public health and safety; delegating elevator inspection to the department of labor and industries division of safety; amending section 3, chapter 26, Laws of 1963 as amended by section 1, chapter 22, Laws of 1970 ex. sess. and RCW 70.87.030; and amending section 43.22.011, chapter 8, Laws of 1965 as amended by section 1, chapter 32, Laws of 1969 ex. sess. and RCW 43.22.010.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 321, by Representatives Marsh, Julin and Ross:

An Act relating to motor vehicles; providing for conditional suspended sentences for driving while intoxicated; and amending section 62, chapter 155, Laws of 1965 ex. sess. as amended by section 68, chapter 32, Laws of 1967 and RCW 46.61.515.

Referred to Committee on Judiciary.

HOUSE BILL NO. 322, by Representatives Marsh, Kirk, Chatalas, Backstrom, Ceccarelli, Conner, Litchman, McCormick and Merrill:

An Act relating to school districts providing school bus transportation.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 323, by Representatives Charette, Martinis and Conner:

An Act relating to food fish and shellfish; conserving the salmon resources by limiting the number of commercial salmon licenses; and adding new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE JOINT MEMORIAL NO. 7, by Representatives Jastad, Smith, Thompson, Haussler, Anderson, Marzano, Martinis, Adams, Backstrom and McCormick:

Memorializing Congress to turn Cispus Job Corps Camp over to superintendent of public instruction.

Referred to Committee on Natural Resources and Ecology.

HOUSE CONCURRENT RESOLUTION NO. 6, by Representatives Bledsoe and McCormick:

Relating to memorial services commemorating deceased members of the legislature.

On motion of Mr. Bledsoe, the rules were suspended, House Concurrent Resolution No. 6 was advanced to second reading and read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 6 was placed on final passage.

Representative Bledsoe spoke in favor of the resolution.  
House Concurrent Resolution No. 6 was adopted.

#### APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 6, the Speaker appointed Representatives Kirk, Kiskaddon and Wojahn as the committee to prepare the memorial services.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representative Randall who was excused.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 171, by Senators Durkan and Sandison:

An Act relating to the expenses and costs of the legislature including subsistence payments and expenses of members; making appropriations; and declaring an emergency.

The House resumed consideration of Senate Bill No. 171 on first reading.

On motion of Mr. Morrison, the rules were suspended, Senate Bill No. 171 was advanced to second reading and read the second time.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and Senate Bill No. 171 was placed on final passage.

Representatives Bledsoe, O'Brien and Charette spoke in favor of passage of the bill, and Representative Zimmerman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 171, and the bill passed the House by the following vote: Yeas, 58; nays, 40; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bledsoe, Bluechel, Bottiger, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Farr, Gallagher, Gilleland, Grant, Haussler, Hurley, Johnson, Jones, Julin, Kilbury, King, Knowles, Kopet, Kraabel, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, O'Brien, Pardini, Perry, Rosellini, Savage, Sawyer, Shipoch, Spanton, Thompson, Van Dyk, Williams, Wojahn, Wolf, Mr. Speaker—58.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bozarth, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Flanagan, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jastad, Juelling, Kirk, Kiskaddon, Kuehnle, Lynch, Mentor, Newhouse, North, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Wanamaker, Zimmerman—40.

Absent or not voting: Representative Randall—1.

Senate Bill No. 171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Although I voted "aye" on Senate Bill No. 171, I did so with great reluctance. There are a number of questionable increases in expenditures that I do not favor. However, I do

not wish to involve myself in the Senate's problems. They will have to defend their position to the taxpayers, and that is where the true judgment should rest. I sincerely hope they can defend their actions. KEITH J. SPANTON, 15th District.

#### MOTIONS

On motion of Mr. Morrison, HOUSE BILL NO. 33 was rereferred from the Committee on Local Government to the Committee on Revenue and Taxation.

On motion of Mr. Morrison, HOUSE BILL NO. 273 was rereferred from the Committee on Transportation to the Committee on Natural Resources and Ecology.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 71-8, by Representative Bledsoe:

WHEREAS, It has been the custom for many years that the House of Representatives arrange and pay for a group picture of all members thereof, to be properly mounted and framed, in order that said picture may be hung in the legislative halls; and

WHEREAS, A certain procedure is necessary in order to designate whom the photographer shall be;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Speaker appoint a committee of three House members to consider and recommend to the House the official photographer for the Forty-second Regular Session of the Legislature.

On motion of Mr. Bledsoe, the resolution was adopted.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I will be glad to receive word from volunteers to serve on the committee to be appointed under the provisions of House Resolution No. 71-8."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEM

Mr. Copeland: "Mr. Speaker, it has been a House rule for years that the committee chairmen must announce, in writing to all committee members, what bills are going to be considered in their committees before the committee meets. For quite a number of years you have received these orange papers, and quite often they have been misplaced and have not been necessarily delivered in time. Because of the fact that our daily schedule now contains the information as to what bills the committees will consider, I discussed this matter with the committee chairmen, and they are unanimous in their opinion that for a full week they would like to try having the daily agenda become the document by which you notify the committee members as to what measures will be before them. If this can be continued, it will relieve quite a lot of the clerical time which is uselessly duplicated on the part of the committee clerks. In addition to the daily agenda, the committee meetings will still be posted on the board as to the time they will meet. Therefore, there will still be two notifications of the committee meetings. If this works quite well throughout the week and meets with your satisfaction, we will continue the procedure rather than using the individual orange slips. However, I will ask the committee clerks to continue to send out the blue slips to the prime sponsors to indicate the date they will be considering your bills."

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE CONCURRENT RESOLUTION NO. 5.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker: "The Speaker would like to announce that for our Joint Session on Wednesday—the speech on the prisoner-of-war situation by the Honorable Richard G. Capen, Jr., from the Department of Defense—we will have a section reserved in the gallery for next of kin of any prisoners of war in the Vietnam conflict who may be coming to hear this important speech. If any member knows of such next of kin coming from your homes or districts, or otherwise, please notify the Sergeant at Arms so he may prepare an appropriate list to give to the doormen. This is for the Wednesday afternoon, 2:00 p.m., Joint Session."

## MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, January 26, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## SIXTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 26, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Marzano and Randall who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Glen D. Cole of the First Assembly of God Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 26, 1971.

HOUSE BILL NO. 136, making the conversion or taking of returnable wholesale containers for agricultural commodities a misdemeanor, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following admendment:

On page 1, section 1, line 8, after "of eggs" strike ", milk, or any other agricultural commodity"

Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

## APPOINTMENT OF COMMITTEE

Under the provision of House Resolution No. 71-8, the Speaker appointed Representatives Zimmerman, Hatfield and Merrill as the committee to consider and recommend to the House the official photographer for the Forty-second Regular Session of the Legislature.

## MESSAGES FROM THE SENATE

January 26, 1971.

Mr. Speaker: The President has signed SENATE BILL NO. 171, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.



January 26, 1971.

Mr. Speaker: The President has signed HOUSE CONCURRENT RESOLUTION NO. 5, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 171.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 324, by Representatives Cunningham, Luders, Bluechel and Bauer (by Departmental request):

An Act relating to the certification and regulation of operators responsible for the operation of domestic waste treatment plants; providing penalties; and declaring an effective date.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 325, by Representatives Cunningham, Conner and Berentson:

An Act relating to education; and amending section 28A.58.103, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.103.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 326, by Representatives Chatalas, Kopet, Thompson, Backstrom and Jastad (by Legislative Budget Committee request):

An Act relating to education; and amending section 17, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.140.

Referred to Committee on Higher Education.

HOUSE BILL NO. 327, by Representatives Kopet, Chatalas, Thompson and Backstrom (by Legislative Budget Committee request):

An Act relating to community colleges and the administration thereof; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.090; amending section 17, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.140; and making an effective date.

Referred to Committee on Higher Education.

HOUSE BILL NO. 328, by Representatives McDermott, Zimmerman, Costanti, Martinis, Conner and Hansey:

An Act relating to fisheries; amending section 75.16.010, chapter 12, Laws of 1955 and RCW 75.16.010; and adding new sections to Title 75 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 329, by Representatives Kopet and Goldsworthy:

An Act adopting the capital budget; making appropriations for capital improvements; authorizing certain projects; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 330, by Representatives Goldsworthy and Kopet:

An Act adopting the budget; making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1971, and ending June 30, 1973; designating effective dates for certain appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 331, by Representatives Goldsworthy and Kopet:

An Act relating to state and local government and making appropriations.

Referred to Committee on Appropriations.

HOUSE BILL NO. 332, by Representatives Kopet and Goldsworthy:  
An Act relating to state and local government and making appropriations.  
Referred to Committee on Appropriations.

HOUSE BILL NO. 333, by Representatives Bottiger, Gallagher, Jastad and Smith:  
An Act relating to revenue and taxation; providing for a tax on mineral rights severed from surface ownership; and creating new sections.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 334, by Representatives Gallagher, Bottiger and Brouillet:  
An Act relating to revenue and taxation.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 335, by Representatives Bottiger, Jueling, Sawyer and Gallagher:  
An Act relating to education; and amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.120; amending section 28A.27.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 109, Laws of 1969 ex. sess. and RCW 28A.27.010; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.  
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 336, by Representatives Williams, Kraabel, Marsh and Douthwaite:  
An Act relating to the release of information by the state of Washington, department of motor vehicles; amending section 46.52.120, chapter 12, Laws of 1961 as amended by section 62, chapter 32, Laws of 1967 and RCW 46.52.120; amending section 12, chapter 239, Laws of 1949 and RCW 18.74.120; repealing section 46.08.110, chapter 12, Laws of 1961, section 3, chapter 32, Laws of 1967 and RCW 46.01.250; adding new sections to chapter 8, Laws of 1965 and to chapter 43.24 RCW; and prescribing penalties.  
Referred to Committee on Business and Professions.

HOUSE BILL NO. 337, by Representatives Kuehnle, Haussler, Pardini and Hatfield:  
An Act relating to irrigation and other districts; adding a new section to chapter 57.90 RCW; and adding a new section to chapter 87.03 RCW.  
Referred to Committee on Local Government.

HOUSE BILL NO. 338, by Representatives Lysen, Rabel, Berentson, McDermott, Van Dyk, Charnley and Douthwaite:  
An Act relating to highways; and adding a new section to chapter 47.12 RCW.  
Referred to Committee on Transportation.

HOUSE BILL NO. 339, by Representatives Kuehnle, Schumaker, Wanamaker, Kilbury, Hurley, Conway, May and Luders:  
An Act relating to self defense; and creating a new section.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 340, by Representatives Kuehnle, Knowles, Kopet and Pardini:  
An Act relating to boards of fire commissioners; amending section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 67, Laws of 1969 ex. sess. and RCW 52.12.010; amending section 27, chapter 34, Laws of 1939 and RCW 52.12.060; and adding a new section to chapter 52.12 RCW.  
Referred to Committee on Local Government.

HOUSE BILL NO. 341, by Representatives Ross, Maxie and Chatalas:  
An Act relating to public assistance; amending section 74.04.250, chapter 26, Laws of 1959 and RCW 74.04.250; amending section 74.08.040, chapter 26, Laws of 1959 and RCW 74.08.040; amending section 74.08.120, chapter 26, Laws of 1959 as last amended by section 1, chapter 259, Laws of 1969 ex. sess. and RCW 74.08.120; amending section 2, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.010; amending section 5, chapter 90,

Laws of 1965 ex. sess. as amended by section 22, chapter 172, Laws of 1967 and RCW 74.32.040; amending section 18, chapter 172, Laws of 1967 as last amended by section 21, chapter 18, Laws of 1970 ex. sess. and RCW 74.32.051; and amending section 10, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.090.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 342, by Representatives Kuehnlé, Sawyer, Goldsworthy and Knowles:

An Act relating to revenue and taxation; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 343, by Representatives Pardini, Lysen and Kraabel:

An Act relating to education; and amending section 28A.05.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 57, Laws of 1969 ex. sess. and RCW 28A.05.050.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 344, by Representatives Hoggins, Brouillet, Zimmerman, Chatalas and Litchman (by Joint Committee on Education request):

An Act relating to education and urban, racial, and disadvantaged education programs; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 345, by Representatives Mentor, Maxie and Ross:

An Act relating to education and state aid therefor; and amending section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 346, by Representatives Copeland, Grant and Cunningham:

An Act relating to education; and amending section 28A.58.100, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 283, Laws of 1969 ex. sess. and RCW 28A.58.100.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 347, by Representatives Sawyer, Bradley, Berentson, Chatalas, Backstrom and Douthwaite:

An Act relating to motor vehicle repairs; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 348, by Representatives Julin, Charette, Hubbard, Bottiger and Backstrom:

An Act relating to evidence; providing that no doctor-patient privilege attaches in personal injury cases; and amending section 294, page 187, Laws of 1854 as last amended by section 7, chapter 13, Laws of 1965 and RCW 5.60.060.

Referred to Committee on Judiciary.

HOUSE BILL NO. 349, by Representatives Julin, Bottiger and Shera:

An Act relating to the Asian development bank; amending section 8, chapter 155, Laws of 1965 as amended by section 3, chapter 128, Laws of 1969 and RCW 41.40.071; amending section 20, chapter 80, Laws of 1947 as amended by section 6, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.200; amending section 1, chapter 104, Laws of 1965 ex. sess. as amended by section 1, chapter 2, Laws of 1967 ex. sess. and RCW 43.84.011; and adding a new section to chapter 32.20 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 350, by Representatives Wolf, Grant, Cunningham, Hoggins, Kilbury and Luders:

An Act relating to education and insurance for members of boards of directors, the students and employees of school districts and their dependents; amending section 3, chapter ---, Laws of 1971 (House Bill No. 94) and RCW 28A.58.420; and amending section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 237, Laws of 1969 ex. sess. and RCW 28B.10.660.

Referred to Committee on State Government.

HOUSE BILL NO. 351, by Representatives Julin, Charette, Hubbard and Backstrom:

An Act relating to medical review committees and boards; granting immunity from suit to professionals bringing charges against fellow professionals; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 352, by Representatives Kirk, Lynch, Chatalas and Backstrom:

An Act relating to institutions; providing a basis for existing hospitals, nursing homes and boarding homes to be utilized as private establishments; and adding new sections to chapter 25, Laws of 1959 and to chapter 71.12 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 353, by Representatives Gilleland, Perry and Berentson:

An Act relating to motor vehicle fuel tax refunds; and amending section 82.36.280, chapter 15, Laws of 1961 as amended by section 23, chapter 281, Laws of 1969 ex. sess. and RCW 82.36.280.

Referred to Committee on Transportation.

HOUSE BILL NO. 354, by Representatives Litchman, Martinis, Sawyer, Marzano, Gallagher, Adams, Perry, Jastad, Bottiger, Anderson, Backstrom, McCormick and Wojahn:

An Act relating to gambling; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; adding new sections to chapter 9.47 RCW; creating a new section; repealing section 99, page 93, Laws of 1854, sections 104 and 105, page 222, Laws of 1869, sections 110 and 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5 and 6, page 98, Laws of 1879, sections 1257 and 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 355, by Representatives Kiskaddon, Flanagan, Cunningham, Julin and Curtis (by Departmental request):

An Act relating to revenue and taxation; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 23, chapter 173, Laws of 1965 ex. sess. and RCW 82.24.020; amending section 82.24.070, chapter 15, Laws of 1961, as last amended by section 24, chapter 173, Laws of 1965 ex. sess. and RCW 82.24.070; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 356, by Representatives Paris, Thompson and Anderson:

An Act relating to highways; and making an appropriation for operation of the Puget Island-Westport ferry.

Referred to Committee on Transportation.

HOUSE BILL NO. 357, by Representatives Gallagher, Beck and Hatfield:

An Act relating to the public health and safety; amending section 4, chapter 141, Laws of 1969 and RCW 70.84.040; amending section 7, chapter 141, Laws of 1969 and RCW 70.84.070; and amending section 9, chapter 141, Laws of 1969 and RCW 70.84.080.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 358, by Representatives O'Brien, Litchman, Hurley, Merrill, Charnley, Douthwaite, Kilbury and Luders:

An Act relating to disposal of toilet wastes from boats; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 359, by Representatives Van Dyk, Hansey, Moon, Anderson, Backstrom and Knowles:

An Act relating to operators' licenses; and amending section 46.20.190, chapter 12, Laws of 1961 as amended by section 15, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.190.

Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 31, by Representatives Hubbard and Sawyer:

Providing a constitutional amendment to revise the judicial article of the state Constitution.

Referred to Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 7, by Representatives Lynch, Benitz, King, Kiskaddon, Shinpoch and Chatalas:

Providing for study of post high school education financing.

Referred to Committee on Higher Education.

#### MOTION

On motion of Mr. Bledsoe, the House reverted to the third order of business.

#### REPORTS OF STANDING COMMITTEES

January 26, 1971.

HOUSE BILL NO. 199, conforming Washington unemployment compensation law to federal law generally, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 1 after "compensation;" strike the entire balance of the bill and insert: "amending section 8, chapter 35, Laws of 1945 as amended by section 1, chapter 215, Laws of 1951 and RCW 50.04.070; amending section 8, chapter 266, Laws of 1959 and RCW 50.04.072; amending section 9, chapter 35, Laws of 1945 as amended by section 2, chapter 214, Laws of 1949 and RCW 50.04.080; amending section 12, chapter 35, Laws of 1945 and RCW 50.04.110; amending section 13, chapter 35, Laws of 1945 and RCW 50.04.115; amending section 21, chapter 35, Laws of 1945 as last amended by section 1, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.200; amending section 31, chapter 35, Laws of 1945 and RCW 50.04.300; amending section 44, chapter 35, Laws of 1945 as last amended by section 1, chapter 266, Laws of 1959 and RCW 50.12.050; amending section 89, chapter 35, Laws of 1945 as last amended by section 8, chapter 2, Laws of 1970 ex. sess. and RCW 50.24.010; amending section 104, chapter 35, Laws of 1945 as last amended by section 6, chapter 266, Laws of 1959 and RCW 50.24.160; amending section 10, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.010; repealing section 20, chapter 35, Laws of 1945 and RCW 50.04.190; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW; establishing effective dates; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 8, chapter 35, Laws of 1945 as amended by section 1, chapter 215, Laws of 1951 and RCW 50.04.070 are each amended to read as follows:

'Contributions' means the money payments [, including the application of experience rating credits,] due to the state unemployment compensation fund as provided in RCW 50.24.010.

**NEW SECTION.** Sec. 2. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

'Payments in lieu of contributions' means money payments due to the state unemployment compensation fund as provided in section 23 of this 1971 amendatory act.

Sec. 3. Section 8, chapter 266, Laws of 1959 and RCW 50.04.072 are each amended to read as follows:

[Wherever and whenever in any of the sections of chapter 35, Laws of 1945, and of Title 50.04, the words 'contribution' and/or 'contributions' appear, said words shall be construed to mean taxes which are the money payments required by this title to be made to the state unemployment compensation fund.] *The terms 'contributions' and 'payments in lieu of contributions' used in this title, whether singular or plural, designate the money payments to be made to the state unemployment compensation fund and are deemed to be taxes due to the state of Washington.*

**NEW SECTION.** Sec. 4. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

The term 'contributions' as used in this title shall be deemed to include 'payments in lieu of contributions' to the extent that such usage is consistent with the purposes of this title. Such construction shall include but not be limited to those portions of this title dealing with assessments, interest, liens, collection procedures and remedies, administrative and judicial review, and the imposition of administrative, civil and criminal sanctions.

Sec. 5. Section 9, chapter 35, Laws of 1945 as amended by section 2, chapter 214, Laws of 1949 and RCW 50.04.080 are each amended to read as follows:

'Employer' means any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee, or the legal representative of a deceased person, having any person in employment or, having become an employer, has not ceased to be an employer as provided in this title.

Irrespective of any other inconsistent provisions of this title, any employing unit shall also be deemed to be an employer for the purposes of this title to the same extent that services performed for such employing unit constitute subject employment under the provisions of any federal tax against which credit may be taken for contributions paid into a state unemployment compensation fund.

*Irrespective of any provision in this title to the contrary any employing unit which employs individuals whose employment must be covered by the unemployment insurance laws of this state for services performed subsequent to December 31, 1971 as a condition of approval of the unemployment insurance laws of this state under section 3304 (a) of the Internal Revenue Code of 1954, as amended, will be considered an employer as to such individual and shall be subject to contributions on all wages paid subsequent to December 31, 1971, or reimbursement payments to cover benefits paid based on services performed subsequent to December 31, 1971, depending on the law applicable.*

Sec. 6. Section 12, chapter 35, Laws of 1945 and RCW 50.04.110 are each amended to read as follows:

The term 'employment' shall include an individual's entire service performed within or without or both within and without this state, if

(1) The service is localized in this state; or

(2) The service is not localized in any state, but some of the service is performed in this state, and

(a) the base of operations, or if there is no base of operations, then the place from which such service is directed or controlled is in this state; or

(b) the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state; or

(3) *The service is performed within the United States, the Virgin Islands or Canada, if*

(a) *such service is not covered under the unemployment compensation law of any other state, the Virgin Islands or Canada, and*

(b) *the place from which the service is directed or controlled is in this state.*

**NEW SECTION.** Sec. 7. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

The term 'employment' shall include the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada or the Virgin Islands) in the employ of an American employer (other than service which is deemed 'employment' under the provisions of RCW 50.04.110 or 50.04.120 or the parallel provisions of another state's law), if:

(1) The employer's principal place of business in the United States is located in this state; or

(2) The employer has no place of business in the United States but

(a) the employer is an individual who is a resident of this state; or

(b) the employer is a corporation which is organized under the laws of this state; or

(c) the employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

(3) None of the criteria subsections (1) and (2) of this section is met but the employer has elected coverage in this state, or the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the laws of this state.

(4) An 'American employer', for the purposes of this section, means a person who is

(a) an individual who is a resident of the United States; or

(b) a partnership if two-thirds or more of the partners are residents of the United States; or

(c) a trust, if all of the trustees are residents of the United States; or

(d) a corporation organized under the laws of the United States or of any state.

Sec. 8. Section 13, chapter 35, Laws of 1945 and RCW 50.04.115 are each amended to read as follows:

Services not covered under RCW 50.04.110 or section 7 of this 1971 amendatory act [, and] which are performed entirely without this state, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other state or of the federal government, shall be deemed to be employment subject to this title if the individual performing such services is a resident of this state and the commissioner approves the election [,] of the employing unit for whom such services are performed [,] that the entire service of such individual shall be deemed to be employment subject to this title.

Sec. 9. Section 21, chapter 35, Laws of 1945 as last amended by section 1, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.200 are each amended to read as follows:

The term 'employment' shall not include service performed in the employ of [this state, or of any political subdivision thereof, or of any instrumentality of this state or its political subdivisions] any political subdivision of this state or of any instrumentality of a political subdivision: PROVIDED, That this exemption shall not be deemed to apply to public utility districts and public power authorities, nor shall this exemption be deemed to apply if [the state or any political subdivision thereof or any instrumentality of this state or its political subdivisions] any political subdivision of this state or of any instrumentality of a political subdivision voluntarily elects coverage for all or any distinct class or group of individuals in its employ: [AND PROVIDED FURTHER, That the state or any political subdivision thereof or any instrumentality of this state or its political subdivisions is hereby authorized to pay to the unemployment compensation division for the unemployment compensation fund contributions required of employers by the provisions of this title.] PROVIDED, FURTHER, That no political subdivision of this state or any instrumentality of a political subdivision may cover, under the provisions of this section, services performed in its employ subsequent to December 31, 1971; and that any election for such coverage shall be canceled as of December 31, 1971.

Any political subdivision of this state or any instrumentality of a political subdivision is hereby authorized to pay to the unemployment compensation division for the unemployment compensation fund contributions required of employers by the provisions of this title for services performed for such employer prior to January 1, 1972.

Sec. 10. Section 31, chapter 35, Laws of 1945 and RCW 50.04.300 are each amended to read as follows:

'State' includes, in addition to the states of the United States of America, [Alaska, Hawaii, and] the District of Columbia and the Commonwealth of Puerto Rico.

Sec. 11. Section 44, chapter 35, Laws of 1945 as last amended by section 1, chapter 266, Laws of 1959 and RCW 50.12.050 are each amended to read as follows:

As used in this section the terms 'other state' and 'another state' shall be deemed to include any state or territory of the United States, the District of Columbia and any foreign government and, where applicable, shall also be deemed to include the federal government or provisions of a law of the federal government, as the case may be.

As used in this section the term 'claim' shall be deemed to include whichever of the following terms is applicable, to wit: 'Application for initial determination', 'claim for waiting period credit', or 'claim for benefits'.

The commissioner [may] shall enter into an agreement with any other state whereby in the event an individual files a claim in another state against wages earned in employment in this state, or against wage credits earned in this state and in any other state or who files a claim in this state against wage credits earned in employment in any other state, or against wages earned in this state and in any other state, the claim will be paid by this state or another state as designated by the agreement in accordance with a determination on the claim as provided by the agreement and pursuant to the qualification and disqualification provisions of this title or under the provisions of the law of the designated paying state (including another state) or under such a combination of the provisions of both laws as shall be determined by the commissioner as being fair and reasonable to all affected interests, and whereby the wages of such individual, if earned in two or more states (including another state) may be combined, and further, whereby this state or another state shall reimburse the paying state in an amount which shall bear the same ratio to the amount of benefits already paid as the amount of wage credits transferred by this state or another state, and used in the determination, bear to the total wage credits used in computing the claimant's maximum amount of benefits potentially payable.

Whenever any claim is filed by an individual involving the combination of wages or a reciprocal arrangement for the payment of benefits, which is governed by the provisions of this section, the employment security department of this state, when not designated as the

paying state, shall promptly make a report to the other state making the determination, showing wages earned in employment in this state.

The commissioner is hereby authorized to make to another state and to receive from another state reimbursements from or to the unemployment compensation fund in accordance with arrangements made pursuant to the provisions of this section.

**NEW SECTION.** Sec. 12. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

No otherwise eligible individual shall be denied benefits for any week because he is in training with the approval of the commissioner, nor shall such individual be denied benefits with respect to any week in which he is in training with the approval of the commissioner by reason of the application of subdivision (3) of RCW 50.20.010 relating to availability for work and active search for work, or RCW 50.20.080 relating to failure to apply for, or refusal to accept suitable work.

Sec. 13. Section 89, chapter 35, Laws of 1945 as last amended by section 8, chapter 2, Laws of 1970 ex. sess. and RCW 50.24.010 are each amended to read as follows:

Contributions shall accrue and become payable by each employer *(except employers as described in section 18 of this 1971 amendatory act who have properly elected to make payments in lieu of contributions and those employers who are required to make payments in lieu of contributions)* for each calendar year in which he is subject to this title at the rate of two and seven-tenths percent of wages paid each employee, except for such rates as determined for qualified employers according to chapter 50.29 RCW: **PROVIDED**, That if, as of any June 30th, the amount in the unemployment compensation fund is less than three and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, contributions for the following calendar year for all employers shall be payable at the rate of three percent of wages subject to tax.

The amount of wages subject to tax for each individual as of January 1, 1971, shall be four thousand two hundred dollars. If the amount in the unemployment compensation fund on any June 30th, after January 1, 1971, is less than four and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, the amount of wages subject to tax shall increase on the January 1st next following by six hundred dollars: **PROVIDED**, That the amount of wages subject to tax in any calendar year shall not exceed seventy-five percent of the 'average annual wage' for the second preceding calendar year rounded to the next lower multiple of three hundred dollars.

*In making computations under this section and RCW 50.29.010, wages paid based on services for employers making payments in lieu of contributions shall not be considered remuneration. Moneys paid from the fund, based on services performed for employers who make payments in lieu of contributions, which have not been reimbursed to the fund as of any June 30 shall be deemed an asset of the unemployment compensation fund, to the extent that such moneys exceed the amount of payments in lieu of contributions which the commissioner has previously determined to be uncollectible: PROVIDED, FURTHER, That the amount attributable to employment with the state shall also include interest as provided for in section 19 of this 1971 amendatory act.*

Contributions shall become due and be paid by each employer to the treasurer for the unemployment compensation fund in accordance with such regulations as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals, in employment of the employer. Any deduction in violation of the provisions of this section shall be unlawful.

In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

Sec. 14. Section 104, chapter 35, Laws of 1945 as last amended by section 6, chapter 266, Laws of 1959 and RCW 50.24.160 are each amended to read as follows:

Any employing unit for which services that do not constitute employment as defined in this title are performed [, or this state or any political subdivisions thereof or any instrumentality of this state or its political subdivisions,] may file with the commissioner a written election that all such services performed by any distinct class or group of individuals or by all individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this title for not less than two calendar years. Upon the written approval of such election by the commissioner, such services shall be deemed to constitute employment subject to this title from and after the date stated in such approval: **PROVIDED, HOWEVER, That any political subdivision of this state or any instrumentality of a political subdivision may elect coverage in accordance with the provisions of section 20 of this 1971 amendatory act as a matter of right.** [Such] Services covered pursuant to this section shall cease to be deemed employment subject hereto as of January 1st of any calendar year subsequent to such two calendar years, only if the employing unit files with the commissioner prior to the fifteenth day of January of such year a written application for termination of coverage.

**NEW SECTION.** Sec. 15. There is added to chapter 35, Laws of 1945 and to Title 50 RCW a new section to read as follows:

Delinquent payments in lieu of contributions due the unemployment compensation fund and the interest thereon may be recovered from any of the political subdivisions of this state or any instrumentality of a political subdivision of this state by civil action. The governor is authorized to deduct the amount of delinquent payments in lieu of



contributions and interest thereon from any moneys payable by the state to said political subdivisions or instrumentalities and pay such moneys to the commissioner for deposit in the appropriate account.

Sec. 16, Section 10, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.010 are each amended to read as follows:

As used in this chapter:

'Computation date' means July 1st of any year;

'Cut-off date' means August 31st next following the computation date;

'Rate year' means the calendar year immediately following the computation date;

'Experience rating year' is the twelve-month period beginning with July 1st of one calendar year and ending on June 30th of the following calendar year;

'Payroll' means all wages (as defined for contribution purposes) paid by an employer to individuals in his employment;

'Acquire' means the right to occupy or use the operating assets formerly in the possession of a predecessor employer whether that acquisition be by purchase, lease, gift, or by any legal process;

'Qualified employer' means: (1) Any employer as of the computation date who had some employment in the twelve-month period immediately preceding April 1st of the first of the three consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such three years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions required under this title from him or his predecessors for the thirty-six month period immediately preceding the computation date have been paid prior to the cut-off date; or (2) Any employer as of the computation date who has not been subject to this title for a period of time sufficient to be classified as a qualified employer under the provision of subdivision (1) of this paragraph but who had some employment in the twelve-month period immediately preceding April 1st of the first of the two consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such two years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions required under this title from him or his predecessors for the twenty-four month period immediately preceding the computation date have been paid prior to the cut-off date: PROVIDED, That when an employer or prospective employer has acquired all or substantially all of the operating assets of an employer, or has acquired an operating department, section, division, or any substantial portion of the business or assets of any employer, which is clearly segregable and identifiable for experience rating purposes, the payroll record and benefit charges of the transferring employer shall be divided between the transferring and acquiring employers in proportion to the payrolls for the four preceding completed calendar quarters attributable to the operating assets retained and conveyed. The successor employer shall be liable for contributions on the acquired business from the date the transfer of the business occurred. The separate account of a predecessor or that part thereof which is transferred shall become the separate account or part of separate account as the case may be of the successor employer.

'Surplus' is an amount of moneys in the unemployment compensation fund deemed in excess of the amount needed to insure the solvency of the fund. The 'surplus' is determined in the following manner:

(1) For computations prior to January 1, 1974, the total remuneration paid during the calendar year preceding the computation date shall be multiplied by four percent and the product shall be subtracted from the amount in the fund as of the June 30th immediately preceding the computation date. If that balance is at least one-tenth of one percent of the total remuneration paid during the calendar year, that portion of the balance not exceeding forty one-hundredths of one percent of the total remuneration paid during the preceding calendar year shall be deemed 'surplus'. Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

(2) For computations subsequent to January 1, 1974, the allowable 'surplus' shall be computed by use of the following table. Column A represents the ratio of the unemployment compensation fund as of the June 30th preceding the computation date to total remuneration for the preceding calendar year. The percentage figures in Column B represent the maximum percentage of total remuneration during the preceding calendar year which may be deemed as 'surplus' in view of the corresponding figures in Column A. No amount of the fund shall be declared surplus if the balance in the fund as of the June 30th immediately preceding the computation date is not at least one-tenth of one percent of total remuneration paid during the preceding calendar year in excess of four percent of total remuneration paid during the preceding calendar year. The percentage amount of total remuneration during the preceding calendar year, Column B, may be deemed surplus only to the extent that the balance remaining in the unemployment compensation fund exceeds four percent of the total remuneration paid during the preceding calendar year. Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

*Column A*

4.1% but less than 4.8%  
 4.8% but less than 5.2%  
 5.2% or more

*Column B*

0.40%  
 0.55%  
 0.70%

(3) In all computations of 'surplus' moneys paid from the fund, based on services performed for employers who make payments in lieu of contributions, which have not been reimbursed to the fund as of any June 30 shall be deemed an asset of the unemployment compensation fund, to the extent that such moneys exceed the amount of payments in lieu of contributions which the commissioner has previously determined to be uncollectible: PROVIDED, FURTHER, That the amount attributable to employment with the state shall also include interest as provided for in section 19 of this 1971 amendatory act.

**NEW SECTION.** Sec. 17. Sections 18 through 25 of this 1971 amendatory act are added to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein, such chapter to be entitled 'Special Coverage Provisions'.

**NEW SECTION.** Sec. 18. Services performed subsequent to December 31, 1971, by an individual in the employ of a religious, charitable, educational or other organization which is excluded from the term 'employment' as defined in the federal unemployment tax act solely by reason of section 3306 (c) (8) of that act shall be deemed services performed in employment unless such service is exempted under section 21 of this 1971 amendatory act.

Such organization shall make payments to the unemployment compensation fund based on such services in accordance with the provisions of section 23 of this 1971 amendatory act.

**NEW SECTION.** Sec. 19. Commencing with benefit years beginning on or after the effective date of this 1971 amendatory act, services performed subsequent to September 30, 1969 in the employ of this state or any of its wholly owned instrumentalities shall be deemed services in employment unless such services are excluded from the term employment by section 21 of this 1971 amendatory act.

The state shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided with respect to nonprofit organizations in subsections (2) and (3) of section 23 of this 1971 amendatory act: PROVIDED, HOWEVER, That no payment will be required from the state until the expiration of the twelve-month period following the end of the biennium in which the benefits attributable to such employment were paid. The amount of this payment shall include an amount equal to the amount of interest that would have been realized for the benefit of the unemployment compensation trust fund had such payments been received within thirty days after the day of the quarterly billing provided for in section 23(2)(a) of this 1971 amendatory act.

**NEW SECTION.** Sec. 20. Any political subdivision of this state or any instrumentality of a political subdivision may elect to cover the services of all or any distinct class or group of individuals in its employ: PROVIDED, HOWEVER, That public utility districts and public power authorities may not elect coverage under this section: PROVIDED, FURTHER, That any political subdivision of this state or any instrumentality of a political subdivision which elects to cover the services of any employees in an institution of higher education or hospital operated by said political subdivision or instrumentality shall cover the services of all employees in all institutions of higher education and all hospitals operated by said political subdivision or instrumentality.

For the purposes of this chapter the term 'hospital' means any institution primarily engaged in the treatment of emotional or physical disability which provides, on a regular basis, twenty-four hour per day bed care under the supervision of licensed medical personnel and those components, of other institutions, which are primarily engaged in the treatment of emotional or physical disability and which provide, on a regular basis, twenty-four hour per day bed care under the supervision of licensed medical personnel.

For the purposes of this chapter, the term 'institution of higher education' means an educational institution in this state which

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Is legally authorized within this state to provide a program of education beyond high school;

(3) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, or offers a program of training to prepare students for gainful employment in a recognized occupation; and

(4) Is a public or other nonprofit institution;

(5) Notwithstanding any of the foregoing subsections, all colleges and universities in this state are 'institutions of higher education'.

Services covered by the election performed subsequent to the date of such election shall be deemed services in employment unless such services are excluded from the term 'employment' by section 21 of this 1971 amendatory act.

Any political subdivision or instrumentality electing coverage shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided with respect to nonprofit organizations in subsections (2) and (3) of section 23 of this 1971 amendatory act.

An election under the provisions of this section shall be for no less than two calendar years. A political subdivision or instrumentality of a political subdivision desiring to

terminate coverage may do so by filing a written application for termination of coverage no later than the December fifteenth preceding the calendar year with respect to which such termination is to be effective. Termination of coverage will not relieve the political subdivision or instrumentality of a political subdivision of the obligation to reimburse the unemployment compensation fund for all benefits paid attributable to service performed during the covered period in the employ of such political subdivision or instrumentality of a political subdivision.

**NEW SECTION. Sec. 21.** The term 'employment' as used in sections 18, 19, and 20 of this 1971 amendatory act shall not include service performed:

(1) In the employ of (a) a church or convention or association of churches, or (b) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(2) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

(3) In the employ of a nongovernmental educational institution which is not an 'institution of higher education'; or

(4) In a facility conducted for the purpose of carrying out a program of (a) rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or (b) providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(5) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by a federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work-relief or work-training; or an agency of a state or political subdivision thereof, by an individual receiving such work-relief or work-training; or

(6) For a hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution; or

(7) In the employ of a hospital, if such service is performed by a patient of such hospital; or

(8) In the employ of a school, college, or university, if such service is performed (a) by a student who is enrolled and is regularly attending classes at such school, college, or university, or (b) by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that (i) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and (ii) such employment will not be covered by any program of unemployment insurance; or

(9) By an individual under the age of twenty-two who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employee, except that this subsection shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

(10) In the employ of the state or one of its instrumentalities or a political subdivision or one of its instrumentalities by an individual who is (a) occupying an elective office, or (b) who is compensated solely on a fee or per diem basis.

**NEW SECTION. Sec. 22.** Benefits based on services in employment covered by or pursuant to this chapter shall be payable on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this title; except that benefits based on service in an instructional, research or principal administrative capacity in an educational institution shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for any educational institution or institutions for both such academic years or both such terms: PROVIDED, HOWEVER, That any employee of a common school district who is conclusively presumed to have been reemployed pursuant to RCW 28A.67.070 shall be deemed to have a contract for the ensuing term.

**NEW SECTION. Sec. 23.** Benefits paid to employees of 'nonprofit organizations' shall be financed in accordance with the provisions of this section. For the purpose of this section and section 24 of this 1971 amendatory act, the term 'nonprofit organization' is limited to those organizations described in section 18 of this 1971 amendatory act, and joint accounts composed exclusively of such organizations.

(1) Any nonprofit organization which is, or becomes, subject to this title on January 1, 1972 shall pay contributions under the provisions of RCW 50.24.010, unless it elects, in accordance with this subsection, to pay to the commissioner for the unemployment compensation fund an amount equal to the full amount of regular and additional benefits and one-half of the amount of extended benefits paid to individuals for weeks of unemployment which begin during the effective period of such election to the

extent that such payments are attributable to service in the employ of such nonprofit organization.

(a) Any nonprofit organization which is, or becomes, subject to this title on January 1, 1972 may elect to become liable for payments in lieu of contributions for a period of not less than one taxable year beginning with January 1, 1972: PROVIDED, That it files with the commissioner a written notice of its election within the thirty-day period immediately following such date.

(b) Any nonprofit organization which becomes subject to this title after January 1, 1972 may elect to become liable for payments in lieu of contributions for a period of not less than twelve months beginning with the date on which such subjectivity begins by filing a written notice of its election with the commissioner not later than thirty days immediately following the date of the determination of such subjectivity.

(c) Any nonprofit organization which makes an election in accordance with paragraphs (a) or (b) of this subsection will continue to be liable for payments in lieu of contributions until it files with the commissioner a written notice terminating its election not later than thirty days prior to the beginning of the taxable year for which such termination shall first be effective.

(d) Any nonprofit organization which has been paying contributions under this title for a period subsequent to January 1, 1972 may change to a reimbursable basis by filing with the commissioner not later than thirty days prior to the beginning of any taxable year a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization for that and the next year.

(e) The commissioner may for good cause extend the period within which a notice of election, or a notice of termination, must be filed and may permit an election to be retroactive but not any earlier than with respect to benefits paid after December 31, 1969.

(f) The commissioner, in accordance with such regulations as he may prescribe, shall notify each nonprofit organization of any determination which he may make of its status as an employer and of the effective date of any election which it makes and of any termination of such election. Any nonprofit organization subject to such determination and dissatisfied with such determination may file a request for review and redetermination with the commissioner within thirty days of the mailing of the determination to the organization. Should such request for review and redetermination be denied, the organization may, within ten days of the mailing of such notice of denial, file with the appeal tribunal a petition for hearing which shall be heard in the same manner as a petition for denial of refund. The appellant procedure prescribed by this title for further appeal shall apply to all denials of review and redetermination under this paragraph.

(2) Payments in lieu of contributions shall be made in accordance with the provisions of this section including either paragraph (a) or (b) of this subsection.

(a) At the end of each calendar quarter, the commissioner shall bill each nonprofit organization or group of such organizations which has elected to make payments in lieu of contributions for an amount equal to the full amount of regular and additional benefits plus one-half of the amount of extended benefits paid during such quarter that is attributable to service in the employ of such organization.

(b) (i) Each nonprofit organization that has elected payments in lieu of contributions may request permission to make such payments as provided in this paragraph. Such method of payment shall become effective upon approval by the commissioner.

(ii) At the end of each calendar quarter, or at the end of such other period as determined by the commissioner, the commissioner shall bill each nonprofit organization for an amount representing one of the following:

(A) For 1972, six-tenths of one percent of its total payroll for 1971.

(B) For years after 1972, such percentage of its total payroll for the immediately preceding calendar year as the commissioner shall determine. Such determination shall be based each year on the average benefit costs attributable to service in the employ of nonprofit organizations during the preceding calendar year.

(C) For any organization which did not pay wages throughout the four calendar quarters of the preceding calendar year, such percentage of its payroll during such year as the commissioner shall determine.

(iii) At the end of each taxable year, the commissioner may modify the quarterly percentage of payroll thereafter payable by the nonprofit organization in order to minimize excess or insufficient payments.

(iv) At the end of each taxable year, the commissioner shall determine whether the total of payments for such year made by a nonprofit organization is less than, or in excess of, the total amount of regular and additional benefits plus one-half of the amount of extended benefits paid to individuals during such taxable year based on wages attributable to service in the employ of such organization. Each nonprofit organization whose total payments for such year are less than the amount so determined shall be liable for payment of the unpaid balance to the fund in accordance with paragraph (c). If the total payments exceed the amount so determined for the taxable year, all of the excess payments will be retained in the fund as part of the payments which may be required for the next taxable year, or a part of the excess may, at the discretion of the commissioner, be refunded from the fund or retained in the fund as part of the payments which may be required for the next taxable year.

(c) Payment of any bill rendered under paragraph (a) or (b) shall be made not later than thirty days after such bill was mailed to the last known address of the nonprofit

organization or was otherwise delivered to it, and if not paid within such thirty days, the reimbursement payments itemized in the bill shall be deemed to be delinquent and the whole or part thereof remaining unpaid shall bear interest from and after the end of such thirty days at the rate and in the manner set forth in RCW 50.24.040.

(d) Payments made by any nonprofit organization under the provisions of this section shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization. Any deduction in violation of the provisions of this paragraph shall be unlawful.

(3) Each employer that is liable for payments in lieu of contributions shall pay to the commissioner for the fund the total amount of regular and additional benefits plus the amount of one-half of extended benefits paid that are attributable to service in the employ of such employer. If benefits paid to an individual are based on wages paid by more than one employer and one or more of such employers are liable for payments in lieu of contributions, the amount to the fund by each employer that is liable for such payments shall be determined in accordance with the provisions of paragraph (a) or (b) of this subsection.

(a) If benefits paid to an individual are based on wages paid by one or more employers that are liable for payments in lieu of contributions and on wages paid by one or more employers who are liable for contributions, the amount of benefits payable by each employer that is liable for payments in lieu of contributions shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base-period wages paid to the individual by such employer bear to the total base-period wages paid to the individual by all of his base-period employers.

(b) If benefits paid to an individual are based on wages paid by two or more employers that are liable for payments in lieu of contributions, the amount of benefits payable by each such employer shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base-period wages paid to the individual by such employer bear to the total base-period wages paid to the individual by all of his base-period employers.

(4) Notwithstanding any other provisions in this section, any nonprofit organization which prior to January 1, 1969, paid contributions into the unemployment compensation fund, and pursuant to this section, elects, within thirty days after January 1, 1972 to make payments in lieu of contributions, shall not be required to make any such payment on account of any regular, additional, or extended benefits paid, on the basis of wages paid by such organization to individuals for weeks of unemployment which begin on or after the effective date of such election until the total amount of such benefits equals the amount of the positive balance in the experience rating account of such organization.

**NEW SECTION.** Sec. 24. In the discretion of the commissioner, any nonprofit organization that elects to become liable for payments in lieu of contributions shall be required within thirty days after the effective date of its election, to execute and file with the commissioner a surety bond approved by the commissioner or it may elect instead to deposit with the commissioner money or securities. The amount of such bond or deposit shall be determined in accordance with the provisions of this section.

(1) The amount of the bond or deposit required by this subsection shall be equal to two and four-tenths percent of the organization's total wages paid for employment as defined in section 18 of this 1971 amendatory act for the four calendar quarters immediately preceding the effective date of the election, the renewal date in the case of a bond, or the biennial anniversary of the effective date of election in the case of a deposit of money or securities, whichever date shall be most recent and applicable. If the nonprofit organization did not pay wages in each of such four calendar quarters, the amount of the bond or deposit shall be as determined by the commissioner.

(2) Any bond deposited under this section shall be in force for a period of not less than two taxable years and shall be renewed with the approval of the commissioner, at such times as the commissioner may prescribe, but not less frequently than at two-year intervals as long as the organization continues to be liable for payments in lieu of contributions. The commissioner shall require adjustments to be made in a previously filed bond as he deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within thirty days of the date notice of the required adjustment was mailed or otherwise delivered to it. Failure by any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties provided for in this title, shall render the surety liable on said bond to the extent of the bond, as though the surety was such organization.

(3) Any deposit of money or securities in accordance with this section shall be retained by the commissioner in an escrow account until liability under the election is terminated, at which time it shall be returned to the organization, less any deductions as hereinafter provided. The commissioner may deduct from the money deposited under this section by a nonprofit organization or sell the securities it has so deposited to the extent necessary to satisfy any due and unpaid payments in lieu of contributions and any applicable interest and penalties provided for in this act. The commissioner shall require the organization within thirty days following any deduction from a money deposit or sale of deposited securities under the provisions of this subsection to deposit sufficient additional money or securities to make whole the organization's deposit at the prior level. Any cash remaining from the sale of such securities shall be a part of the organization's escrow account. The commissioner may, at any time review the adequacy of the deposit made by any

organization. If, as a result of such review, he determines that an adjustment is necessary he shall require the organization to make an additional deposit within thirty days of written notice of his determination or shall return to it such portion of the deposit as he no longer considers necessary, whichever action is appropriate. Disposition of income from securities held in escrow shall be governed by the applicable provisions of the state law.

(4) If any nonprofit organization fails to file a bond or make a deposit, or to file a bond in an increased amount or to increase or make whole the amount of a previously made deposit, as provided under this section, the commissioner may terminate such organization's election to make payments in lieu of contributions and such termination shall continue for not less than the four-consecutive-calendar-quarter period beginning with the quarter in which termination becomes effective: PROVIDED, That the commissioner may extend for good cause the applicable filing, deposit or adjustment period by not more than thirty days.

*NEW SECTION.* Sec. 25. Sections 18 through 24 of this 1971 amendatory act have been enacted to meet the requirements imposed by the federal unemployment tax act as amended by PL 91-373. Internal references in any section of this 1971 amendatory act to the provisions of that act are intended only to apply to those provisions as they existed as of the effective date of this 1971 amendatory act.

In view of the importance of compliance of this 1971 amendatory act with the federal unemployment tax act, any ambiguities contained herein should be resolved in a manner consistent with the provisions of that act. Considerable weight has been given to the commentary contained in that document entitled 'Draft Legislation to Implement the Employment Security Amendments of 1970 . . . H.R.14705', published by the United States Department of Labor, Manpower Administration, and that commentary should be referred to when interpreting the provisions of this 1971 amendatory act.

Language in this 1971 amendatory act concerning the extension of coverage to employers entitled to make payments in lieu of contributions should, in a manner consistent with the foregoing paragraph, be construed so as to have a minimum impact on the experience rating provisions of this title.

*NEW SECTION.* Sec. 26. Section 20, chapter 35, Laws of 1945 and RCW 50.04.190 are each repealed effective December 31, 1971.

*NEW SECTION.* Sec. 27. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing institutions, and shall take effect immediately."

Signed by Representatives Hubbard, Chairman, Hatfield, Vice Chairman, Charette, Charnley, Curtis, Flanagan, Grant, Johnson, Newhouse, Morrison, Savage, Wanamaker.

#### MOTION

On motion of Mr. Bledsoe, the rules were suspended, House Bill No. 199 was advanced to second reading and read the second time.

Mr. Hubbard moved adoption of the committee amendment.

Mr. Morrison moved adoption of the following amendment by Representatives Morrison and Grant to the committee amendment:

On page 26, section 25, line 18 after the word "minimum" strike the remainder of the sentence and insert "financial impact on the employers subject to the experience rating provisions of this title."

Representatives Morrison and Grant spoke in favor of adoption of the amendment.

The amendment by Representatives Morrison and Grant to the committee amendment was adopted.

The Speaker stated the question before the House to be the committee amendment as amended.

Representatives Hubbard and Savage spoke in favor of adoption of the committee amendment.

The committee amendment to House Bill No. 199 as amended by Representatives Morrison and Grant was adopted.

House Bill No. 199 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 199 was placed on final passage.

Representatives Wolf, Sawyer, Morrison and Grant spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 199, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-95.

Voting nay: Representatives Amen, Goldsworthy--2.

Absent or not voting: Representatives Marzano, Randall--2.

Engrossed House Bill No. 199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Bledsoe, Engrossed House Bill No. 199 was ordered transmitted immediately to the Senate.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEM

Mr. Copeland: "Mr. Speaker, ladies and gentlemen of the House: I would like to call your attention to the first issue of the Legislative Digest and History of Bills. I think you will probably find this to be one of the most valuable tools that you will be equipped with during the sessions. This is put together by the Legislative Information Service, and it is a spin-off from the computer. This will come to you in a weekly form as an update. There will be yellow pages placed in your notebook on a daily basis showing the introduction of bills, but they will not be entered into the topical index in the back of the book until they are updated. This is No. 1. In about ten days No. 2 will be placed in your possession. You should then discard No. 1 and you will always have a running account. If you have suggestions of changes or ideas as to format, if you will let me know I will see if they are possible. I have noticed on this particular issue that the name of the prime sponsor was omitted on the bills, but I am sure we can correct this. At any rate, I would call it to your attention because I think, for the inquiries you have, you will find it very handy and convenient since it is cross-indexed."

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Chatalas.

Mr. Chatalas: "Mr. Copeland, is there any reason why the sponsors of the bills are not listed in the Digest?"

Mr. Copeland: "The only reason I can give right now is that I don't think that was programmed into the command. It can be, and we can go ahead and correct it."

#### MOTION

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Wednesday, January 27, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## SEVENTEENTH DAY . . .

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 27, 1971.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bagnariol, Kuehnle, Marzano and Savage. Representatives Bagnariol, Kuehnle and Marzano were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend H. Solomon Hill of the African Methodist Episcopal Church of Seattle.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 26, 1971.

HOUSE BILL NO. 10, recognizing certain items as evidence of educational competence for public employment, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Moon, Paris, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 71, extending medical aid coverage to state volunteer workers, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 13, after "for the state," insert "except civil defense workers as described by RCW 38.52,"

On page 1, section 1, line 14, after "receives no salary," strike "expenses or other compensation therefor,"

Signed by Representatives Hubbard, Chairman, Charette, Charnley, Curtis, Grant, Johnson, Newhouse, Morrison, Randall, Savage.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 228, relating to the interagency committee for outdoor recreation, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Beck, Berentson, Bradley, Charnley, Conner, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, North, Schumaker, Smith, Thompson, Van Dyk, Wanamaker, Williams.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

SENATE JOINT MEMORIAL NO. 1, requesting the United States government to extend the fisheries jurisdiction of its coastline, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Beck, Berentson, Bradley, Charnley, Conner, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, North, Schumaker, Smith, Thompson, Van Dyk, Wanamaker, Williams.

On motion of Mr. Bledsoe, the rules were suspended, Senate Joint Memorial No. 1 was advanced to second reading and read the second time.



On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 1 was placed on final passage.

Representative Hansey spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 1, and the memorial passed the House by the following vote: Yeas, 92; nays, 0; absent or not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charney, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Absent or not voting: Representatives Backstrom, Bagnariol, Bottiger, Kuehnle, Marzano, Pardini, Savage—7.

Senate Joint Memorial No. 1, having received the constitutional majority, was declared passed.

#### MESSAGES FROM THE SENATE

January 26, 1971.

Mr. Speaker: The Senate has passed ENGROSSED SENATE BILL NO. 120, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 26, 1971.

Mr. Speaker: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 6, with the following amendment:

On line 12, strike "Wednesday" and insert "Monday" and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### MOTION

On motion of Mr. Bledsoe, the House concurred in the Senate amendment to House Concurrent Resolution No. 6.

#### FINAL PASSAGE OF HOUSE RESOLUTION AS AMENDED BY SENATE.

The Speaker stated the question before the House to be the final passage of House Concurrent Resolution No. 6 as amended by the Senate.

House Concurrent Resolution No. 6 as amended by the Senate was adopted.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 360, by Representatives Hoggins, Brouillet and Cunningham:

An Act relating to highways and roads; providing for hearings before the urban arterial board; and adding a new section to chapter 47.26 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 361, by Representatives Beck, Berentson and Conner:

An Act relating to motor vehicles; and amending section 46.48.120, chapter 12, Laws of 1961 and RCW 46.61.470.

Referred to Committee on Transportation.

HOUSE BILL NO. 362, by Representatives Hubbard, Charette, Julin and Bottiger:

An Act relating to probate; and amending section 11.98.050, chapter 145, Laws of 1965 and RCW 11.98.050.

Referred to Committee on Judiciary.

HOUSE BILL NO. 363, by Representatives Shinpoch, Grant, Charnley, Williams, Douthwaite, Lysen, Bradley, Knowles and Litchman:

An Act relating to minimum wages; and amending section 1, chapter 294, Laws of 1959 as amended by section 2, chapter 18, Laws of 1961 ex. sess. and RCW 49.46.010.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 364, by Representatives Gladder, Copeland, Kopet and Grant (by Secretary of State request):

An Act relating to elections; providing for candidates' and voters' pamphlets; amending sections 29.80.020, 29.80.040, 29.80.050, 29.81.040, 29.81.100, 29.81.120 and 29.81.140, chapter 9, Laws of 1965 and RCW 29.80.020, 29.80.040, 29.80.050, 29.81.040, 29.81.100, 29.81.120 and 29.81.140; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.81 RCW.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 365, by Representatives Curtis, Thompson, Conway, Bozarth, Wolf and Paris:

An Act relating to cities and towns; authorizing parking and business improvement areas; authorizing special assessments therefor; and adding new sections to Title 35 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 366, by Representatives Goldsworthy, Haussler, Bozarth, Flanagan, Conner, Hubbard, Amen, Thompson, Bauer, Bledsoe, Curtis and Jastad:

An Act relating to education; amending section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 367, by Representatives Brown, Bottiger, Wanamaker, Charnley, Kraabel, Chatalas and Douthwaite (by Attorney General request):

An Act relating to initiative and referendum measures and petitions; amending section 29.79.490, chapter 9, Laws of 1965 and RCW 29.79.490; and adding new sections to chapter 9, Laws of 1965 and to chapter 29.79 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 368, by Representatives Marsh, Hubbard and Rosellini:

An Act relating to court reporter's salaries; amending section 1, chapter 210, Laws of 1951 as last amended by section 1, chapter 95, Laws of 1969 and RCW 2.32.210.

Referred to Committee on Judiciary.

HOUSE BILL NO. 369, by Representatives May, Barden, Anderson and Litchman:

An Act relating to plumbers; providing for the certification thereof; creating a new chapter in Title 18 RCW; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 370, by Representatives Hoggins and Martinis:

An Act relating to game and game fish; adding a new section to chapter 77.16 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 371, by Representatives Douthwaite, Charnley, Williams, Kraabel, Ceccarelli and Litchman:

An Act relating to the protection of Puget Sound.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 372, by Representatives Brown, Copeland, Conner, Grant, Blair and Chatalas (by Secretary of State request):

An Act relating to elections; amending section 29.04.020, chapter 9, Laws of 1965 as amended by section 1, chapter 123, Laws of 1965 and RCW 29.04.020; amending section 29.04.080, chapter 9, Laws of 1965 and RCW 29.04.080; amending section 6, chapter 156, Laws of 1965 ex. sess. and RCW 29.04.100; amending section 29.07.010, chapter 9, Laws of 1965 and RCW 29.07.010; amending section 29.07.020, chapter 9, Laws of 1965 and RCW 29.07.020; amending section 29.07.040, chapter 9, Laws of 1965 and RCW 29.07.040; amending section 29.07.050, chapter 9, Laws of 1965 and RCW 29.07.050; amending section 29.07.060, chapter 9, Laws of 1965 and RCW 29.07.060; amending section 29.07.070, chapter 9, Laws of 1965 and RCW 29.07.070; amending section 29.07.080, chapter 9, Laws of 1965 and RCW 29.07.080; amending section 29.07.090, chapter 9, Laws of 1965 and RCW 29.07.090; amending section 29.07.095, chapter 9, Laws of 1965 and RCW 29.07.095; amending section 29.07.100, chapter 9, Laws of 1965 and RCW 29.07.100; amending section 29.07.105, chapter 9, Laws of 1965 and RCW 29.07.105; amending section 29.07.110, chapter 9, Laws of 1965 and RCW 29.07.110; amending section 29.07.120, chapter 9, Laws of 1965 and RCW 29.07.120; amending section 29.07.130, chapter 9, Laws of 1965 and RCW 29.07.130; amending section 29.07.140, chapter 9, Laws of 1965 and RCW 29.07.140; amending section 29.07.150, chapter 9, Laws of 1965 and RCW 29.07.150; amending section 29.07.160, chapter 9, Laws of 1965 and RCW 29.07.160; amending section 29.07.170, chapter 9, Laws of 1965 and RCW 29.07.170; amending section 29.07.180, chapter 9, Laws of 1965 and RCW 29.07.180; amending section 29.10.020, chapter 9, Laws of 1965 and RCW 29.10.020; amending section 29.10.030, chapter 9, Laws of 1965 and RCW 29.10.030; amending section 29.10.040, chapter 9, Laws of 1965 and RCW 29.10.040; amending section 29.10.060, chapter 9, Laws of 1965 and RCW 29.10.060; amending section 29.10.080, chapter 9, Laws of 1965 as amended by section 3, chapter 109, Laws of 1967 ex. sess. and RCW 29.10.080; amending section 29.10.090, chapter 9, Laws of 1965 and RCW 29.10.090; amending section 29.10.095, chapter 9, Laws of 1965 and RCW 29.10.095; amending section 29.10.100, chapter 9, Laws of 1965 and RCW 29.10.100; amending section 29.10.110, chapter 9, Laws of 1965 as amended by section 1, chapter 156, Laws of 1965 ex. sess. and RCW 29.10.110; amending section 29.10.120, chapter 9, Laws of 1965 and RCW 29.10.120; amending section 3, chapter 156, Laws of 1965 ex. sess. as amended by section 3, chapter 225, Laws of 1967 and RCW 29.10.140; amending section 4, chapter 156, Laws of 1965 ex. sess. and RCW 29.10.150; amending section 8, chapter 156, Laws of 1965 ex. sess. and RCW 29.10.160; amending section 29.36.010, chapter 9, Laws of 1965 and RCW 29.36.010; amending section 29.36.020, chapter 9, Laws of 1965 and RCW 29.36.020; amending section 29.36.095, chapter 9, Laws of 1965 and RCW 29.36.095; amending section 29.48.030, chapter 9, Laws of 1965 and RCW 29.48.030; amending section 29.51.060, chapter 9, Laws of 1965 as last amended by section 9, chapter 109, Laws of 1967 ex. sess. and RCW 29.51.060; amending section 29.51.070, chapter 9, Laws of 1965 and RCW 29.51.070; amending section 29.51.110, chapter 9, Laws of 1965 and RCW 29.51.110; amending section 29.62.150, chapter 9, Laws of 1965 and RCW 29.62.150; adding a new section to chapter 9, Laws of 1965 and to chapter 29.07 RCW; repealing sections 29.10.010 and 29.10.070, chapter 9, Laws of 1965 and RCW 29.10.010 and 29.10.070; and providing penalties.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 373, by Representatives Copeland and Sawyer (by Departmental request):

An Act relating to retirement pensions; and amending section 43.43.260, chapter 8, Laws of 1965 as amended by section 4, chapter 12, Laws of 1969 and RCW 43.43.260.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 374, by Representatives Zimmerman, Randall, Julia and Cunningham:

An Act relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 375, by Representatives Shera, Bagnariol and Pardini (by Departmental request):

An Act relating to banks and trust companies; amending section 2, chapter 302, Laws of 1955 and RCW 30.04.124; amending section 30.08.040, chapter 33, Laws of 1955 and RCW 30.08.040; amending section 30.08.060, chapter 33, Laws of 1955 and RCW 30.08.060; amending section 30.12.080, chapter 33, Laws of 1955 as last amended by section 5, chapter 140, Laws of 1965 and RCW 30.12.080; amending section 30.12.180, chapter 33, Laws of 1955 and RCW 30.12.180; amending section 30.12.190, chapter 33, Laws of 1955 and RCW 30.12.190; amending section 30.44.020, chapter 33, Laws of 1955 and RCW 30.44.020; and adding a new section to chapter 3, Laws of 1955 and to chapter 30.12 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 376, by Representatives Berentson, Beck, Martinis, Charnley and Kuehne (by Joint Committee on Highways request):

An Act relating to motor vehicle noise; adding new sections to chapter 46.37 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 377, by Representatives Charette, Bagnariol and Kilbury:

An Act relating to savings and loan associations; amending section 29, chapter 235, Laws of 1945 as last amended by section 3, chapter 107, Laws of 1969 and RCW 33.12.010; amending section 69, chapter 235, Laws of 1945 as last amended by section 4, chapter 280, Laws of 1959 and RCW 33.24.120; adding new sections to chapter 235, Laws of 1945 and to chapters 33.04, 33.12, and 33.24 RCW; and repealing section 30, chapter 235, Laws of 1945 and RCW 33.12.020.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 378, by Representatives Flanagan, Conner, Newhouse and Costanti (by Departmental request):

An Act relating to food fish and shellfish; providing for a personal use salmon license; designating the uses of moneys received from license fees; creating new sections; providing penalties; and providing an effective date.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 379, by Representatives Ceccarelli, Farr, Rosellini and Bagnariol:

An Act relating to examination of persons applying to practice certain of the healing arts; adding new sections to chapter 43.74 RCW; and adding a new section to chapter 18.57 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 380, by Representatives Ceccarelli, Kopet and Bagnariol:

An Act relating to the limitation of actions; and adding a new section to chapter 4.16 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 381, by Representatives Ceccarelli, Gladder and Hatfield:

An Act relating to nursing home administrators; reducing the annual license fee; amending section 8, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.080; and amending section 11, chapter 57, Laws of 1970 ex. sess. and RCW 18.52.110.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 382, by Representatives Kilbury, Smythe, Grant and Rabel (by Secretary of State request):

An Act relating to elections; and amending section 29.01.140, chapter 9, Laws of 1965 and RCW 29.01.140.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 383, by Representatives Julin, McDermott and Charette:

An Act relating to criminal procedure; providing a method for probation of persons committed as criminally insane; amending section 126, page 121, Laws of 1854 as last amended by section 4, chapter 30, Laws of 1907 and RCW 10.76.040; and adding a new section to chapter 9, Laws of 1965 ex. sess. and to chapter 10.76 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 384, by Representatives Beck, Wanamaker, Berentson and Amen (by Departmental request):

An Act relating to the state patrol; providing for witness fees for testimony by state patrol in civil cases; adding new sections to chapter 8, Laws of 1965 and to chapter 43.43 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 385, by Representatives Ceccarelli, Gladder, Rosellini, Bagnariol and Chatalas:

An Act relating to osteopathy and surgery; amending section 5, chapter 4, Laws of 1919 and RCW 18.57.080; and adding new sections to chapter 18.57 RCW.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 386, by Representatives Merrill, Zimmerman, Wolf, Bledsoe and Charnley:

An Act relating to general provisions of the revised code of Washington; designating an official state gem and an official state rock; and adding a new section to chapter 1.20 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 387, by Representatives Ceccarelli, Gladder, Rosellini and Chatalas:

An Act relating to osteopathy and surgery; and adding a new section to chapter 18.57 RCW.

Referred to Committee on Business and Professions.

HOUSE JOINT RESOLUTION NO. 32, by Representatives Bledsoe, Morrison, Rabel, Kuehne, North and Smith:

Providing a constitutional amendment to provide for election of the governor and lieutenant governor from the same political party.

Referred to Committee on State Government.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House the Honorable Robert John Ouko, Minister for Common Market and Economic Affairs, East African Community, and Dr. Eugene Wiegman, President of Pacific Lutheran University, and requested that Representatives Curtis, Berentson, Brouillet and Wojahn conduct them to a place on the rostrum.

The Speaker: "It is my pleasure to present to you for the purpose of introducing our distinguished guest, the President of Pacific Lutheran University, Dr. Eugene Wiegman."

Dr. Wiegman: "Thank you Mr. Speaker, members of the House: It is a pleasure for me to introduce our distinguished guest of Pacific Lutheran University who will today receive an honorable doctorate of law degree from Pacific Lutheran University. This evening he will also be able to address the students and friends of the University on matters dear to his heart and country. It is a great honor to present the soon-to-be Doctor Robert John Ouko."

Honorable Robert John Ouko: "Mr. Speaker and fellow legislators: I feel highly privileged to be here this morning to say a few words of thanks to this honorable House. This is my first time to be in this state, and a few moments ago I had the distinguished pleasure of meeting your Governor. I wish to convey to you from the East African Legislative Assembly, of which I am a member, and from the people of East Africa, many greetings and wishes for the new year. We in East Africa cherish the supremacy of parliament and the rule of law. As a matter of fact, these are enshrined in our various constitutions, to insure the welfare of man and our society. I will not take any more time beyond expressing my very deep appreciation of the courtesy afforded me to be here and greet you all. Thank you, Mr. Speaker."

The Speaker: "Thank you, Dr. Wiegman, and soon-to-be Dr. Ouko."

Dr. Wiegman and the Honorable Robert John Ouko were escorted from the rostrum.

## SECOND READING

HOUSE BILL NO. 12, by Representatives Hoggins and Brouillet (by Joint Committee on Education request):

Abolishing obsolete authority of certain school districts to establish and maintain certain parental or truant schools.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 13, by Representatives Hoggins, Brouillet and King (by Joint Committee on Education request):

Repealing obsolete sections dealing with negotiations by certificated community college employees in school districts.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 14, by Representatives Hoggins, Brouillet, Knowles and Luders (by Joint Committee on Education request):

Deleting superfluous law relating to school holidays, including programs suitable thereto.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 15, by Representatives Hoggins, Brouillet and King (by Joint Committee on Education request):

Deleting certain common school provisions from the higher education code and reenacting them in their proper code.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 16, by Representatives Hoggins, Brouillet and Luders (by Joint Committee on Education request):

Deleting obsolete authority of superintendent of public instruction.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 17, by Representatives Hoggins and Brouillet (by Joint Committee on Education request):

Repealing obsolete law which provides for apportionment of public school funds to certain school districts for pupils from orphan homes.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 18, by Representatives Hoggins, Brouillet, King, Knowles and Luders (by Joint Committee on Education request):

Changing "county" and/or "intermediate district" to "intermediate school district" within certain sections of the common school code.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 92, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting apparent clerical error in RCW 7.33.280.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 93, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting clerical error in RCW 11.24.010 (Probate Code).

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 94, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting education code sections.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 95, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 36.76.010.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 96, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 37.16.020.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 97, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendments to RCW 43.17.010 and 43.17.020.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 98, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 54.24.018.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 99, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross

(by Statute Law Committee request):

Correcting double amendment to RCW 82.04.430.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 27, by Representatives Chatalas, Wolf and Kilbury (by State Treasurer request):

Increasing the state treasurer's faithful performance bond.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 28, by Representatives Chatalas, Wolf and Kilbury (by State Treasurer request):

Placing assistant and deputy state treasurers under state's blanket performance bond.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 29, by Representatives Chatalas, Wolf, Kilbury and King (by State Treasurer request):

Allowing investment of state treasury surplus moneys in certain government sponsored corporations.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 30, by Representatives Chatalas and Wolf (by State Treasurer request):

Changing from monthly to annually the frequency for distribution of overload fines to counties, cities and towns.

Committee recommendation: Majority, do pass with the following amendment:

On page 3, section 1, line 13, after "RCW 46.68.100]" insert "*annually*"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 30 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 130, by Representatives Chatalas, Wolf, Copeland, Anderson, Bledsoe, O'Brien, Conner, Bozarth, Backstrom, Grant, Johnson, Bottiger, Hurley, Sawyer, Perry, Litchman, Gallagher, Flanagan, Conway, Lynch, Kopet, Cunningham and Goldsworthy (by State Treasurer request):

Authorizing the state treasurer to cash certain checks for state officers and employees.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:45 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m.

The Clerk called the roll and all members were present except Representatives Bagnariol, Bottiger, Conway and Kopet who were excused.

#### JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and House to escort the Senators to seats within the House Chamber.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate and all members were present



except Senators Dore, Foley, Francis, Greive, Herr, McCutcheon, Odegaard, Peterson (Lowell), Ridder, Sandison, Stender, Twigg and Walgren.

The Clerk of the House called the roll of the House, and all members were present except Representatives Bagnariol, Bottiger, Conway, Kopet, Litchman, Polk and Sawyer. Representatives Bagnariol, Bottiger, Conway, Kopet and Polk were excused.

The President of the Senate appointed the following committee to escort Mr. Richard G. Capen, Jr., Assistant to the Secretary of the United States Department of Defense, to the rostrum: Senators Talley, Woodall and Connor, and Representatives Goldsworthy, Marzano and Brown.

The Sergeant at Arms of the House announced the arrival of the Assistant Secretary of Defense, Mr. Richard G. Capen, Jr., at the bar of the House, and the President instructed the committee to escort him to a seat on the rostrum.

Prayer was offered by the Reverend H. Solomon Hill of the African Methodist Episcopal Church of Seattle.

The President of the Senate: "Thank you very much, Reverend Hill. Mr. Speaker, Mr. Secretary, Reverend Hill, honored members of the Washington State Legislature, ladies and gentlemen: The purpose of this joint session is to receive an address on the subject of Americans being held prisoners of war in Southeast Asia, from the Assistant Secretary of the Department of Defense, the Honorable Richard G. Capen, Jr. The President believes you will agree that the most complimentary manner in which he can be presented to you is to read a portion of a telegram received from the Honorable Henry M. Jackson, United States Senator, in which Senator Jackson states:

Mr. Capen has been actively involved in our government's strong and continuing efforts to obtain humanitarian treatment and release of these men. The Washington State Legislature has shown deep compassion for these men and I am pleased that so knowledgeable a person as Dick Capen will visit our state to discuss development in this critical area. My regards to Mr. Capen and to the members of the Legislature.

Henry M. Jackson, USS.'

"Ladies and gentlemen, it is indeed a pleasure and a privilege to present to you at this time the Assistant Secretary of the United States Department of Defense, the Honorable Richard G. Capen, Jr."

Mr. Capen: "Mr. President, Mr. Speaker, ladies and gentlemen: I would like to tell you what an honor it is for me to participate in this Joint Session this afternoon, particularly since I have had an association with the State of Washington over a number of years, having served on the Board of Directors of the Newsprint Company in Tacoma, even though I am a Californian. But I am very proud of the west, and I always enjoy returning back here.

"I would like to say there are so many of us in Washington today, who have come from the different parts of the country and business or professions, who are very proud to be serving our country. While my principal responsibilities relate to defense legislation and our relationships in the Department of Defense with the Congress of the United States, many of us have a responsibility and a deep concern for the welfare of our prisoners of war and missing-in-action personnel. We feel there is a very important principle involved in what we are doing, to go to bat for our men, because we value the dignity of human life. In the course of the history of our nation, thousands and thousands of men and women have volunteered to serve their country in time of crisis—crisis that our country faced as well as threats to the security of other nations and allies. Where would we be as a Nation if we did not have people who were willing to go to bat in defense of our men and women in uniform as they serve us, and particularly to go to bat for those men and women in uniform when they are in trouble.

"We have before us today as a Nation (not as a Nixon Administration, not as Washingtonians or Californians, but as a Nation) a problem which has rallied the hearts and minds of all Americans, whether they have been hawks or doves, whether they have been young people or older people.

"I have some formal remarks I would like to share with you today, but there is one point I would like to leave which I feel is terribly important, and that is: I feel the enemy has completely misjudged the attitude of the American people on the prisoner-of-war issue. The symbolism that is represented here today, by your joining, and having passed a resolution, and in discussing the prisoner-of-war issue today, is typical of the activities that are occurring all over the United States as we join together to express our condemnation for the inhumane and cruel attitude on the part of the enemy and the way in which they have conducted themselves on the prisoner-of-war issue.

"Your support means more than you will ever know to the wives, children, and parents who have lived so long not knowing whether their loved ones are dead or alive. I know, because I have met personally in cities across the country with more than 2,500 of these brave American relatives. There are more than 125 relatives living right here in the State of Washington.

"The Nixon Administration has made it absolutely clear that our goal is to restore

peace in Southeast Asia. Time and time again the President has reaffirmed his willingness to seek an early end to the war through negotiation.

"Regretfully, there has been no progress in the Paris peace talks. Realizing this possibility in early 1969, the Nixon Administration moved forward with a viable alternative: Vietnamization. Through the Vietnamization program significant progress has been made in turning the combat responsibility over to the South Vietnamese. By this Spring, the South Vietnamese forces will have the capability of assuming virtually all of the combat role in their country.

"As a result, the President has set six targets for American troop withdrawals. To date, five targets have been reached ahead of schedule and the sixth will be met or beat by May 1st. At that time the authorized troop ceiling of U.S. forces will have been reduced by more than 260,000 Americans.

"Through the President's forthright peace initiatives and, alternatively, his successful efforts in bringing American troops home from Southeast Asia, I believe he has convinced scores of other nations—friendly and critical alike—that the United States does intend to withdraw American forces from South Vietnam.

"As other countries understand our desire to end the war, they also fully recognize our nation's determination to seek the humane treatment of American prisoners of war, an official accounting for those who are missing, and importantly the immediate release of all prisoners of war. In short, we are proving to others our desire to restore peace, thereby gaining significant support for the humane treatment of war prisoners. Other nations have become increasingly intolerant of the enemy's cruel handling of the prisoner question.

"Prior to 1969, very little has been said publicly about these captured and missing men. Their families had been advised to remain in the background. There was very little public comment by responsible officials.

"The government's position was that quiet, low key diplomatic efforts were more likely to achieve results than public discussion of the problem. Regretfully, this approach brought no significant progress.

"As a result of a thorough review of POW policy directed by Secretary Laird, change in basic policy with regard to prisoners and missing men was approved. We believed that these men should no longer go virtually unnoticed and unremembered.

"This was particularly critical when realizing that, in early 1969 some of the men had been listed as prisoners or missing for nearly five years. The vast majority, of course, were lost prior to November 1, 1968 when the extensive bombing of North Vietnam was being carried out.

"It has been hoped that the new approach undertaken by President Nixon would focus public attention here and abroad on the callous and inhuman attitude of Hanoi and its Communist apparatus in Southeast Asia.

"In a series of agreements stretching back for more than 100 years, civilized nations have generally agreed to abide by a code of conduct that prohibits the barbarous treatment of war captives.

"The most current formulation of this code is contained in the Geneva Convention Relative to the Treatment of Prisoners of War.

"This standard requires prompt identification and reporting of prisoners of war when they are captured. It requires the impartial inspection of prisoner of war facilities. Furthermore, it states that there should be an immediate release of seriously sick and wounded prisoners; and finally, it provides that prisoners and their families should be allowed to correspond freely and regularly.

"The enemy has not made even the slightest pretense toward compliance with the humanitarian requirements of the Geneva Code. There never has been a complete and official list of known prisoners. There never has been an impartial inspection of any North Vietnamese, Viet Cong or Pathet Lao prisoner camp. Only one seriously sick or injured prisoner has ever been released, yet we know many of our men were injured at the time of their capture.

"Mail flow, while showing some improvement in recent months, has been severely restricted and carefully censored. Of the 80 men known to be prisoners in South Vietnam and Laos only one has ever been allowed to write a letter.

"Although the other side has announced that families may send small packages to prisoners every other month, there is evidence that certain items are removed.

"In recent months a number of incomplete lists of men reported to be held in North Vietnam has been released to the public. Tragically, those lists have indicated that some men apparently have died in captivity. Even then the enemy has refused to provide essential information about the circumstances of death. What possible reason could the enemy have for refusing to identify men who died three or four years ago.

"Our negotiators in Paris and diplomatic representatives around the world have done much to see that the plight of American prisoners of war and our country's concern for their welfare are understood. Colonel Frank Borman was sent by the President to 14 capitals to present the facts to the leaders of other nations and to encourage parallel efforts on their part toward easing the plight of the prisoners and their loved ones.

"President Nixon has made a comprehensive peace proposal, including the immediate exchange of all prisoners. This offer, made in October, would result in the release to the other side of ten times as many men as would be returned to the U.S. and to our allies.

"Unhappily, the response of the enemy to this generous offer has been negative,

despite the fact that the prisoner of war question has been brought up in Paris every single week since March of last year.

"In contrast to the enemy's continued refusals, the South Vietnamese have abided by the Geneva Convention. Today, the Republic of Vietnam holds some 38,000 North Vietnamese and Viet Cong prisoners. I have visited one of these camps and can attest to the humane treatment of these POW's, a fact verified regularly by ICRC inspection teams.

"The South Vietnamese, as seen only this past weekend, have repeatedly moved forward to release sick and injured prisoners. To date, some 200 have been returned despite numerous obstacles set up by the other side. Just this week the South Vietnamese government proposed the immediate release of disabled prisoners on all sides.

"It is urgent that all POW's be released. Time is running out for these men and their families have suffered far too long.

"For that reason, the President and the Secretary of Defense approved last November the raid of a prisoner of war camp at Son Tay, deep in enemy territory. We have no regrets for having proceeded with the rescue effort despite the fact that there were no prisoners in the camp at the time of the raid.

"We believe we owe it to our men and to their families to attempt such rescue operations even recognizing the risks involved.

"We will continue to consider all attempts to resolve the prisoner of war problem including further possible rescue attempts. The latter option becomes increasingly important as we continue to receive information that Americans apparently are dying in enemy prison camps.

"Furthermore, the passage of time bears down on the problem. Let me cite a few statistics.

"Today, there are 1,550 men who are listed as prisoners of war or missing in action. About one-half are Army and Marine ground forces and air crewmen who are missing or captured in South Vietnam or Laos. The remainder are Air Force, Navy and Marine Corps airmen whose planes were shot down over North Vietnam during the extensive bombing raids three and four years ago.

"Some of these men have been held prisoner by the enemy for more than six years. One man, believed to be a prisoner in South Vietnam, will pass in March his seventh year of captivity.

"More than 300 of these brave Americans have been captured or missing longer than any U.S. serviceman was held prisoner during all of World War II.

"It is not difficult to understand the severe emotional distress that results to the wives and children who have lived with uncertainty for so many years. Many children are now four and five years old and have never seen their fathers. At least four wives of these men have suffered accidental deaths and a number of others are seriously ill and even terminally ill.

"In the past 20 months more than 300 wives and children have knocked on embassy doors in various parts of the world in a futile search for information on their loved ones. Some 100 relatives have had face-to-face meetings with North Vietnamese officials at Paris and in other foreign capitals.

"Some have been subjected to a heavy barrage of enemy propaganda, and to a series of false promises. How tragic it has been that the enemy has chosen to exploit these relatives.

"The plight of these families has reached the hearts of millions of Americans who have participated in letter writing campaigns and major civic efforts to express their commitment to the cause of justice for American prisoners of war.

"This concern shown by so many people has been deeply gratifying and it has had some effect. Letters now flow more freely between prisoners in North Vietnam and their families. More packages from home are getting through to the prison camps, and Hanoi recently has sought to convince a very skeptical world that American prisoners are receiving proper treatment.

"Even those nations and individuals sympathetic to the North Vietnamese Government have exhibited little patience for the enemy's cruel and inhuman treatment of our men and their families. These war critics have been hard pressed to justify the enemy's handling of American prisoners.

"The International Committee of the Red Cross has voted, without dissent, a resolution supporting humane treatment of war prisoners. The United Nations has approved another resolution calling for humanitarian treatment of prisoners of war. In addition, the Congress of the United States has devoted considerable attention to the prisoner subject, passing a number of resolutions and holding an unprecedented joint session to hear a report by Colonel Frank Borman on his global trip as Special Emissary of the President on behalf of the prisoners of war.

"We have had continued support from the various news media through newspaper editorials, magazine feature stories, and television news coverage.

"One should not be deceived when viewing the limited number of highly controlled and censored interviews which Hanoi released during the Christmas season. They included only a brief glimpse of a very small number of men.

"The interviews were carefully controlled. Only those who outwardly appeared healthy were shown, and only four questions were permitted. The questions had to be submitted in advance. Even then, the North Vietnamese found it necessary to censor some of the comments made by the prisoners.

"The comments made were limited to superficial, broad generalities which really did not address the problem. There was no news about any of the other prisoners. In fact, those shown were among the small number who have been paraded before cameras from time to time.

"The films themselves are a violation of the Convention which prohibits the exploitation of prisoners of war for propaganda purposes and exposing them to public curiosity.

"The public support which you have shown today and which we have seen for so many months has served as strong encouragement and hope to the thousands of wives, parents and children; but their tragedy endures with little response by the enemy.

"If the North Vietnamese and Viet Cong are truly providing humanitarian treatment for our men, why should they believe it necessary to release carefully controlled prisoner films? Why should they be afraid to permit ICRC inspection teams into the camps? Why should they continue to claim humane treatment when we know that men have been held in isolation for prolonged periods; when we know of instances where broken bones have been rebroken, where fingernails have been removed, where medical attention has been denied, and where proper diets have been ignored.

"Communist authorities have referred to our prisoners of war and missing men as 'just 1,550 men.' They can't understand how we in America can be so concerned about 'just 1,550 men.'

"What they forget is that our American way of life is founded on the value, dignity and freedom of every single human life. Our nation has a long history of voluntary efforts to defend the right to freedom. Millions of Americans have served their country around the world for this cause.

"Thousands of Americans have served their country in Southeast Asia. Many have risked their lives. Many volunteered for duty knowing that they risked capture.

"Today, we are here to defend helpless Americans who have made those sacrifices and who, as a result, are prisoners of war and missing in action.

"Despite the physical hardship, the mental and emotional suffering, the long, long separation from loved ones, and the seeming hopelessness of their situation, those Americans who have been released or escaped tell us that they never gave up hope. They have survived through a strong faith in God, an unending dedication to their country, and a devoted love of family. They have proven their faith in America. Have we proven our faith in them?

"We in the Defense Department are deeply indebted to these servicemen for their dedication and sacrifice. We insist that everything possible be done to assure the proper treatment of our men in captivity, to obtain their eventual release, and while they are gone, to give every possible assistance to their wives, children and parents.

"We appreciate your concern as expressed in this session today and hope you will join with us in our determination to resolve the plight of these men whose courage we so deeply admire and whose sacrifice we so greatly respect.

"These men have served our country well. Their families have suffered long, but I can assure you that these brave men will not be forgotten."

The President of the Senate: "Mr. Capen, the members and officials of the Washington State Legislature, in behalf of over three and a half million citizens of our state, are deeply grateful to you for your address which was most interesting and informative. We certainly share in our appreciation for the dedicated work you are doing on behalf of the prisoners of war and those missing in action in Southeast Asia. We are very happy that you acknowledge the good work, the magnificent work, of the members of the news media in this state on behalf of those men. We wish to acknowledge also the presence of a number of dedicated ladies and gentlemen of our state who have been working on behalf of those men. Would those present in the House Chamber who have relatives that are prisoners of war or missing in action in Southeast Asia please stand in order that the members of the legislature may acknowledge your presence."

(Standing ovation by members of the legislature.)

"Thank you very much. Each member of the legislature and all our citizens truly hope that occasions such as this will in some measure bring comfort to those who are prisoners or missing in action in Southeast Asia. Thank you so much."

The President of the Senate instructed the committee consisting of Senators Talley, Woodall and Connor, and Representatives Goldsworthy, Marzano and Brown to come forward and escort Mr. Capen from the rostrum to the State Reception Room, where he was to meet with the families of the prisoners of war.

#### MOTION

On motion of Mr. Bledsoe, the Joint Session was dissolved.

The President of the Senate: "Mr. Speaker: Thank you, and members of your staff and of the House, for your courtesy and hospitality."

The President of the Senate returned the gavel to the Speaker.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore to the Senate Chamber.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the members of the Senate to the Senate Chamber.

The House resumed its session.

#### MESSAGES FROM THE SENATE

January 27, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 199, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 199,

HOUSE CONCURRENT RESOLUTION NO. 6.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, January 28, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## EIGHTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 28, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Glen D. Cole of the First Assembly of God Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 21, 1971.

HOUSE BILL NO. 67, regulating installment sales contracts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 1, line 5 after "by" strike "[certified] registered" and insert "certified"

On page 3, section 1, line 8 after "third" strike "business day" and insert "[business] day (excluding Sundays and holidays)"

On page 5, section 2, line 2 after "third" strike "business day" and insert "[business] day (excluding Sundays and holidays)"

On page 5, section 3, line 23 after "by" strike "[certified] registered" and insert "certified"

On page 5, section 3, line 25 after "third" strike "business day" and insert "[business] day (excluding Sundays and holidays)"

On page 6, add a new section, to be section 4 and to read as follows:

"Sec. 4. Section 1, chapter 236, Laws of 1963 and RCW 63.14.010 are each amended to read as follows:

In this chapter, unless the context otherwise requires:

(1) 'Goods' means all chattels personal when purchased primarily for personal, family or household use and not for commercial or business use, but not including money or, except as provided in the next sentence, things in action. The term includes but is not limited to merchandise certificates or coupons, issued by a retail seller, to be used in their face amount in lieu of cash in exchange for goods or services sold by such a seller and goods which, at the time of sale or subsequently, are to be so affixed to real property as to become a part thereof, whether or not severable therefrom;

(2) 'Services' means work, labor or services of any kind when purchased primarily for personal, family or household use and not for commercial or business use whether or not furnished in connection with the delivery, installation, servicing, repair or improvement of goods and includes repairs, alterations or improvements upon or in connection with real property, but does not include services for which the price charged is required by law to be determined or approved by or to be filed, subject to approval or disapproval, with the United States or any state, or any department, division, agency, officer or official of either as in the case of transportation services;

(3) 'Retail buyer' or 'buyer' means a person who buys or agrees to buy goods or obtain services or agrees to have services rendered or furnished, from a retail seller;

(4) 'Retail seller' or 'seller' means a person engaged in the business of selling goods or services to retail buyers;

(5) 'Retail installment transaction' means any transaction in which a retail buyer purchases goods or services from a retail seller pursuant to a retail installment contract or a retail charge agreement, as defined in this section, which provides for a service charge, as defined in this section, and under which the buyer agrees to pay the unpaid balance in one or more installments or which provides for no service charge and under which the buyer agrees to pay the unpaid balance in more than four installments;

(6) 'Retail installment contract' or 'contract' means a contract, other than a retail charge agreement or an instrument reflecting a sale made pursuant thereto, entered into or performed in this state for a retail installment transaction. The term 'retail installment contract' may include a chattel mortgage, a conditional sale contract and a contract in the

form of a bailment or a lease if the bailee or lessee contracts to pay as compensation for their use a sum substantially equivalent to or in excess of the value of the goods sold and if it is agreed that the bailee or lessee is bound to become, or for no other or a merely nominal consideration, has the option of becoming the owner of the goods upon full compliance with the provisions of the bailment or lease;

(7) 'Retail charge agreement,' 'revolving charge agreement' or 'charge agreement' means an agreement entered into or performed in this state prescribing the terms of retail installment transactions which may be made thereunder from time to time and under the terms of which a service charge, as defined in this section, is to be computed in relation to the buyer's unpaid balance from time to time;

(8) 'Service charge' however denominated or expressed, means the amount which is paid or payable for the privilege of purchasing goods or services to be paid for by the buyer in installments over a period of time. It does not include the amount, if any, charged for insurance premiums, delinquency charges, attorneys' fees, court costs or official fees;

(9) 'Cash sale price' means the price for which the seller would have sold or furnished to the buyer, and the buyer would have bought or obtained from the seller, the goods or services which are the subject matter of a retail installment transaction, if the sale had been a sale for cash. The cash sale price may include any taxes, registration and license fees, and charges for transferring vehicle titles, delivery, installation, servicing, repairs, alterations or improvements;

(10) 'Official fees' means the amount of the fees prescribed by law for filing, recording or otherwise perfecting, and releasing or satisfying, a retained title, lien or other security interest created by a retail installment transaction;

(11) 'Time balance' means the principal balance plus the service charge;

(12) 'Principal balance' means the cash sale price of the goods or services which are the subject matter of a retail installment contract less the amount of the buyer's down payment in money or goods or both, plus the amounts, if any, included therein, if a separate identified charge is made therefor and stated in the contract, for insurance and official fees;

(13) 'Person' means an individual, partnership, joint venture, corporation, association or any other group, however organized;

(14) 'Rate' means the percentage which, when multiplied times the outstanding balance for each month or other installment period, yields the amount of the service charge for such month or period."

On page 1, line 5 of the title, after "RCW 63.14.120;" strike "and"

On page 1, line 6 of the title after "RCW 63.14.154" and before the period insert "and amending section 1, chapter 236, Laws of 1963 and RCW 63.14.010"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 154, relating to appeals from acts and proceedings of court commissioners, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 185, adding additional members to the judicial council, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 206, permitting immediate transfers of assets under the bulk sales act, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11, after "agent" insert "or attorney"

On page 1, section 1, line 13, after "than" strike "ten" and insert "thirty"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 234, providing criminal penalties for removing from the state property subject to a security agreement, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16 after "party" strike "(or his assignee)"

On page 1, section 1, line 18 after "or" strike "such lessor of" and insert "[such] the lessor under"

On page 1, section 1, line 19 after "agreement," insert "or any assignee of such security agreement, mortgage, lien, conditional sales contract, rental agreement or lease"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 27, 1971.

HOUSE BILL NO. 245, permitting election candidate's name twice on ballots if one position be that for precinct committeeman, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, May, North, Pardini, Smythe.

MINORITY recommendation: Do not pass. Signed by Representative Moon.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 262, providing that bonds in civil cases shall not be required of banks and savings and loan associations, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 10 after "association" insert "or any institution"

Signed by Representatives Julin, Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

January 27, 1971.

Mr. Speaker: The Senate has passed HOUSE JOINT MEMORIAL NO. 4, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE JOINT MEMORIAL NO. 4.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 388, by Representatives King, Eikenberry, Chatalas, Adams, Bagnariol, Ceccarelli, Gallagher, Grant, Kilbury, Litchman, Marzano, Maxie, Merrill, Randall and Smythe:

An act relating to revenue and taxation; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; creating new sections; repealing section 1, chapter 132, Laws of 1967 ex. sess., section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; repealing section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 389, by Representatives Amen, Haussler, Cunningham and Bozarth (by Joint Committee on Highways request):

An Act relating to motor vehicles and the operation thereof; adding a new chapter to Title 46 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 390, by Representatives Grant, Brown, May, Ceccarelli, Charnley, Douthwaite, Kilbury, Knowles and Merrill:

An Act relating to elections and voter registration therefore; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.07 RCW.

Referred to Committee on Elections and Apportionment.



HOUSE BILL NO. 391, by Representatives Amen, Moon, Goldsworthy and Copeland: An Act relating to public lands; authorizing the sale, lease, or exchange of certain properties by the board of regents of Washington State University; creating new sections; and declaring an emergency.

Referred to Committee on Higher Education.

HOUSE BILL NO. 392, by Representatives Grant, Brown, May and Chatalas: An Act relating to registration of voters; creating new sections; and declaring an emergency.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 393, by Representatives Grant, Brown, May, Ceccarelli, Charnley, Chatalas, Kilbury and Knowles:

An Act relating to elections and voter registration; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.07 RCW.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 394, by Representatives Flanagan, Thompson, Julin and Martinis: An Act relating to water; providing for a state plan for water resource management; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 395, by Representatives Hubbard, Copeland and Kilbury:

An Act relating to a tourist information center facility in Wallula.

Referred to Committee on State Government.

HOUSE BILL NO. 396, by Representatives Berentson, Wanamaker and Spanton (by Departmental request):

An Act relating to eminent domain; amending section 5, chapter 156, Laws of 1955 and RCW 8.04.114; adding a new section to chapter 156, Laws of 1955 and to chapter 8.04 RCW; and repealing section 4, chapter 156, Laws of 1955 and RCW 8.04.112.

Referred to Committee on Transportation.

HOUSE BILL NO. 397, by Representatives Spanton, Beck, Cunningham and Bauer (by Departmental request):

An Act relating to state highways; and amending section 47.28.030, chapter 13, Laws of 1961 as last amended by section 2, chapter 180, Laws of 1969 ex. sess. and RCW 47.28.030.

Referred to Committee on Transportation.

HOUSE BILL NO. 398, by Representatives Charnley, Cunningham and Douthwaite (by Departmental request):

An Act relating to highways; providing for a study of scenic recreational state highways; and creating new sections.

Referred to Committee on Transportation.

HOUSE BILL NO. 399, by Representatives Cunningham, Conner, Bluechel, Amen and Williams:

An Act relating to the release of information by the state of Washington, department of motor vehicles; amending section 46.52.120, chapter 12, Laws of 1961 as amended by section 62, chapter 32, Laws of 1967 and RCW 46.52.120; amending section 12, chapter 239, Laws of 1949 and RCW 18.74.120; adding new sections to chapter 8, Laws of 1965 and to chapter 43.24 RCW; and repealing section 46.08.110, chapter 12, Laws of 1961, section 3, chapter 32, Laws of 1967 and RCW 46.01.250.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 400, by Representatives Berentson, Wojahn and Mentor:

An Act relating to public health; providing for the regulation of persons practicing depilation; creating new sections; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 401, by Representatives North, Thompson, Newhouse, Curtis, Gilleland and Smythe:

An Act relating to state government; stating the legislative intent in granting the parks and recreation commission the power to charge fees; amending section 43.51.040, chapter 8, Laws of 1965 as amended by section 1, chapter 90, Laws of 1967 ex. sess. and RCW 43.51.040; amending section 43.51.060, chapter 8, Laws of 1965 as amended by section 1, chapter 99, Laws of 1969 and RCW 43.51.060; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.51 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 402, by Representatives Pardini, Luders and Kopet:

An Act relating to first class cities; and amending section 35.22.280, chapter 7, Laws of 1965 as amended by section 2, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.280.

Referred to Committee on Local Government.

HOUSE BILL NO. 403, by Representatives Kopet, May and Pardini:

An Act relating to municipal airports; and adding a new section to chapter 182, Laws of 1945 and to chapter 14.08 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 404, by Representatives Maxie, Ross, Grant, Charnley and Shinnich:

An Act relating to the legal age of majority; amending section 11, page 364, Laws of 1854 as last amended by section 37, Code of 1881 and RCW 4.16.190; amending section 497, page 220, Laws of 1854 as last amended by section 11, Code of 1881 and RCW 4.24.030; amending section 6, chapter 127, Laws of 1893 and RCW 4.28.070; amending section 13, chapter 264, Laws of 1969 ex. sess. as amended by section 11, chapter 61, Laws of 1970 ex. sess. and RCW 7.33.130; amending section 2, chapter 74, Laws of 1891 and RCW 8.04.020; amending section 2, page 295, Laws of 1890 and RCW 8.20.020; amending section 11.76.090, chapter 145, Laws of 1965 and RCW 11.76.090; amending section 11.76.095, chapter 145, Laws of 1965 and RCW 11.76.095; amending section 11.88.020, chapter 145, Laws of 1965 and RCW 11.88.020; amending section 11.92.010, chapter 145, Laws of 1965 and RCW 11.92.010; amending section 23, page 337, Laws of 1873 as last amended by section 1, chapter 19, Laws of 1903 and RCW 12.04.050; amending section 25, page 337, Laws of 1873 as last amended by section 3, chapter 19, Laws of 1903 and RCW 12.04.080; amending section 6, chapter 302, Laws of 1961 as amended by section 1, chapter 137, Laws of 1967 and RCW 13.04.095; amending section 1, chapter 93, Laws of 1967 and RCW 13.04.250; amending section 11, chapter 226, Laws of 1949 as amended by section 1, chapter 114, Laws of 1969 and RCW 18.04.120; amending section 5, chapter 323, Laws of 1959 and RCW 18.08.140; amending section 6, chapter 38, Laws of 1917 as last amended by section 2, chapter 149, Laws of 1955 and RCW 18.22.040; amending section 6, chapter 201, Laws of 1967 as amended by section 1, chapter 141, Laws of 1967 ex. sess. and RCW 18.28.060; amending section 7, chapter 43, Laws of 1957 and RCW 18.34.070; amending section 2, chapter 52, Laws of 1955 as amended by section 2, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.030; amending section 4, chapter 108, Laws of 1937 as last amended by section 3, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.040; amending section 3, chapter 180, Laws of 1923 as last amended by section 7, chapter 38, Laws of 1963 and RCW 18.64.080; amending section 3, chapter 305, Laws of 1965 as amended by section 3, chapter 70, Laws of 1955 and RCW 18.83.030; amending section 6, chapter 71, Laws of 1941 and RCW 18.92.070; amending section 233, chapter 249, Laws of 1909 and RCW 19.60.063; amending section 1, chapter 202, Laws of 1959, as amended by section 1, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.010; amending section 4, chapter 202, Laws of 1959 as amended by section 4, chapter 88, Laws of 1967

ex. sess. and RCW 21.24.040; amending section 7, chapter 202, Laws of 1959 as amended by section 6, chapter 88, Laws of 1967 ex. sess. and RCW 21.24.070; amending section 8, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.010; amending section 11, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.040; amending section 14, chapter 88, Laws of 1967 ex. sess. and RCW 21.25.070; amending section 54, chapter 53, Laws of 1965 and RCW 23A.12.010; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as last amended by section 1, chapter 17, Laws of 1919 and RCW 26.28.080; amending section 11, chapter 291, Laws of 1955 and RCW 26.32.110; amending section 28A.58.150, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.150; amending section 28A.58.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190; amending section 36.59.310, chapter 4, Laws of 1963 and RCW 36.59.310; amending section 11, chapter 4, Laws of 1917 and RCW 37.16.080; amending section 19, chapter 130, Laws of 1943 and RCW 38.12.060; amending section 43.51.530, chapter 8, Laws of 1965 as amended by section 3, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.530; amending section 8, chapter 167, Laws of 1967, and RCW 46.20.011; amending section 6, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.045; amending section 46.20.104, chapter 12, Laws of 1961 as last amended by section 3, chapter 167, Laws of 1967 and RCW 46.20.104; amending section .17.15, chapter 79, Laws of 1947 as last amended by section 19, chapter 150, Laws of 1967 and RCW 48.17.150; amending section .17.38, chapter 79, Laws of 1947 and RCW 48.17.380; amending section .18.38, chapter 79, Laws of 1947 and RCW 48.18.380; amending section .32.07, chapter 79, Laws of 1947 as last amended by section 25, chapter 303, Laws of 1955 and RCW 48.36.070; amending section 51.08.030; chapter 23, Laws of 1961 as amended by section 1, chapter 77, Laws of 1969 ex. sess. and RCW 51.08.030; amending section 51.32.005, chapter 23, Laws of 1961 as amended by section 2, chapter 77, Laws of 1969 ex. sess. and RCW 51.32.005; amending section 87, chapter 250, Laws of 1907 and RCW 65.12.710; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 111, Laws of 1959 and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as amended by section 6, chapter 111, Laws of 1959 and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as amended by section 9, chapter 111, Laws of 1959 and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 71.02.230, chapter 25, Laws of 1959 as amended by section 3, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.230; amending section 4, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.411; amending section 71.06.010, chapter 25, Laws of 1959 as amended by section 1, chapter 65, Laws of 1961 and RCW 71.06.010; amending section 72.40.040, chapter 28, Laws of 1959 as amended by section 1, chapter 39, Laws of 1969 and RCW 72.40.040; amending section 72.40.060, chapter 28, Laws of 1959 as amended by section 97, chapter 176, Laws of 1969 ex. sess. and RCW 72.40.060; amending section 74.12.010, chapter 26, Laws of 1959 as last amended by section 13, chapter 173, Laws of 1969 ex. sess. and RCW 74.12.010; amending section 3, chapter 30, Laws of 1965 and RCW 74.13.020; amending section 74.16.030, chapter 26, Laws of 1959 as last amended by section 1, chapter 78, Laws of 1967 and RCW 74.16.030; amending section 69, chapter 36, Laws of 1917 as amended by section 1, chapter 51, Laws of 1939 and RCW 78.40.293; amending section 186, chapter 255, Laws of 1927 as amended by section 39, chapter 257, Laws of 1959 and RCW 79.01.704; amending section 12, chapter 152, Laws of 1903 and RCW 79.48.130; amending section 83.56.050, chapter 15, Laws of 1961 as amended by section 1, chapter 67, Laws of 1965 ex. sess. and RCW 83.56.050; amending section 84.36.030, chapter 15, Laws of 1961 as amended by section 1, chapter 137, Laws of 1969 and RCW 84.36.030; amending section 11, chapter 117, Laws of 1895 and RCW 85.05.110; amending section 11, chapter 115, Laws of 1895 and RCW 85.06.110; amending section 1, chapter 18, Laws of 1935 and RCW 88.16.010; amending sections 13 and 14, chapter 8, Laws of 1909 ex. sess. as amended by section 13, chapter 11, Laws of 1911 and RCW 91.04.250; and repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

Referred to Committee on Judiciary.

HOUSE BILL NO. 405, by Representatives Conner, Jastad and Farr:

An Act relating to practical nurses; amending section 11, chapter 222, Laws of 1949 and RCW 18.78.100; amending section 6, chapter 79, Laws of 1967 and RCW 18.78.182; and adding a new section to chapter 222, Laws of 1949 and to chapter 18.78 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 406, by Representatives Schumaker, Luders, Kuehnle, Benitz, Jones and Costanti:

An Act relating to crimes and criminal procedure; amending section 154, chapter 249, Laws of 1909 and RCW 9.48.170; adding a new section to chapter 9.11 RCW; and adding a new section to chapter 9.48 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 407, by Representatives Martinis, McCormick and Wojahn:

An Act relating to motor vehicles; amending section 7, chapter 140, Laws of 1967 as last amended by section 38, chapter 281, Laws of 1969 ex. sess. and RCW 46.12.101; and amending section 46.12.120, chapter 12, Laws of 1961 as amended by section 2, chapter 140, Laws of 1967, and RCW 46.12.120.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 408, by Representatives Eikenberry, Bottiger, Julin, Barden, Pardini, Chatalas, Ross, Backstrom, Polk, Gilleland and Jones:

An Act relating to deeds of trust; amending section 4, chapter 74, Laws of 1965 as amended by section 1, chapter 30, Laws of 1967 and RCW 61.24.040; and adding new sections to chapter 74, Laws of 1965 and to chapter 61.24 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 409, by Representatives Copeland, Litchman, O'Brien, Conway, Conner, Chatalas and King (by Urban Affairs Council request):

An Act relating to government; creating the office of ombudsman; adding a new chapter to Title 43 RCW; and creating new sections.

Referred to Committee on State Government.

HOUSE BILL NO. 410, by Representatives Wolf, Paris, Smith, Schumaker, Bauer, Adams, Ceccarelli, Chatalas, Kilbury, Knowles, Martinis, Marzano, Randall and Smythe:

An Act relating to hunting and fishing licenses; and amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 2, chapter 94, Laws of 1961 and RCW 77.32.230.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 411, by Representatives Kopet, Chatalas and Farr (by Departmental request):

An Act relating to fees payable to the Washington state board of pharmacy; amending section 10, chapter 121, Laws of 1899 as last amended by section 2, chapter 38, Laws of 1963, and RCW 18.64.040; amending section 12, chapter 213, Laws of 1909 as last amended by section 3, chapter 38, Laws of 1963, and RCW 18.64.043; amending section 5, chapter 153, Laws of 1949 as amended by section 4, chapter 38, Laws of 1963, and RCW 18.64.045; amending section 16, chapter 121, Laws of 1899 as last amended by section 5, chapter 38, Laws of 1963, and RCW 18.64.047; amending section 3, chapter 180, Laws of 1923 as last amended by section 7, chapter 38, Laws of 1963, and RCW 18.64.080; amending section 11, chapter 121, Laws of 1899 as last amended by section 9, chapter 38, Laws of 1963, and RCW 18.64.140; amending section 4, chapter 192, Laws of 1939 and RCW 18.81.040; increasing penalties; and declaring an emergency.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 412, by Representatives Merrill and Smythe:

An Act relating to records or purchase of certain metals; creating a new chapter in Title 19 RCW; and providing penalties.

Referred to Committee on Business and Professions.

ENGROSSED SENATE BILL NO. 120, by Senators Lewis, Sandison, Henry, Odegaard, Gardner, Holman, Knoblauch, Peterson (Lowell), Elicker, McDougall, Atwood, Herr, Peterson (Ted), Huntley, Greive, Canfield, Stender, Talley, Scott, Durkan, Twigg, Dore, Ridder and Washington (by Executive request):

An Act relating to unemployment compensation; amending section 8, chapter 35, Laws of 1945 as amended by section 1, chapter 215, Laws of 1951 and RCW 50.04.070; amending section 8, chapter 266, Laws of 1959 and RCW 50.04.072; amending section 9, chapter 35, Laws of 1945 as amended by section 2, chapter 214, Laws of 1949 and RCW 50.04.080; amending section 12, chapter 35, Laws of 1945 and RCW 50.04.110; amending section 13, chapter 35, Laws of 1945 and RCW 50.04.115; amending section 21, chapter 35, Laws of 1945 as last amended by section 1, chapter 8, Laws of 1953 ex. sess. and RCW 50.04.200; amending section 31, chapter 35, Laws of 1945 and RCW 50.04.300; amending section 44, chapter 35, Laws of 1945 as last amended by section 1, chapter 266, Laws of 1959 and RCW 50.12.050; amending section 89, chapter 35, Laws of 1945 as last amended by section 8, chapter 2, Laws of 1970 ex. sess. and RCW 50.24.010; amending section 104, chapter 35, Laws of 1945 as last amended by section 6, chapter 266, Laws of 1959 and RCW 50.24.160; amending section 10, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.010; repealing section 20, chapter 35, Laws of 1945 and RCW 50.04.190; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW; establishing effective dates; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Friday, January 29, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## NINETEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 29, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Glen D. Cole of the First Assembly of God Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 28, 1971.

HOUSE BILL NO. 48, authorizing department of natural resources to condemn access to public lands suitable for recreation, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 21, after "domain" insert ": PROVIDED, That the power of eminent domain shall be exercised for such purposes only after the lapse of sixty days following the making of a written offer to the record owner of the land to purchase such right of way. Said offer shall contain a statement of just compensation and shall be accompanied by a copy of the appraisal prepared by the department"

Signed by Representatives Zimmerman, Chairman, Beck, Berentson, Bradley, Charnley, Cunningham, Gallagher, Julin, Kilbury, Kraabel, Luders, McCormick, North, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 57, providing for changes in licensing periods by the director of motor vehicles, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 6, strike the balance of the section and insert: "Notwithstanding any provision of law to the contrary, the director of motor vehicles may, from time to time, extend the duration of a licensing period for the purpose of staggering renewal periods. Such extension of a licensing period shall be by rule or regulation of the department of motor vehicles adopted in accordance with the provisions of chapter 34.04 RCW. Such rules and regulations may provide a method for imposing and collecting such additional proportional fee as may be required for the extended period."

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, Pardini, Perry, Polk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 115, regulating persons holding agents licenses issued by the Washington state liquor control board and who represent holders of certificates of approval, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Gallagher, Hatfield, Jastad, Jueling, Pardini, Polk, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 123, managing the taking of certain mammals, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman,

Chairman, Beck, Berentson, Bradley, Charnley, Conner, Gallagher, Gilleland, Hurley, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 200, authorizing the relocation of harbor lines in front of Kalama and Everett, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Beck, Berentson, Bradley, Charnley, Conner, Cunningham, Flanagan, Gallagher, Gilleland, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 216, providing for the contents of certain trust instruments to conform to requirements of the Internal Revenue Code of 1954, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shipoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 217, prohibiting certain acts by private foundations, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shipoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 237, increasing the dollar amount of resources that can be sold through the small sale procedure of the department of natural resources, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives, Zimmerman, Chairman, Beck, Berentson, Bradley, Charnley, Conner, Cunningham, Flanagan, Gallagher, Gilleland, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

January 27, 1971.

HOUSE BILL NO. 274, authorizing banks and trust companies in United States corporations insuring or marketing real estate mortgages, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Blair, Hoggins, Hubbard, King, Luders, Merrill, O'Brien, Ross.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

January 28, 1971.

Mr. Speaker: The Senate has passed SENATE JOINT MEMORIAL NO. 3, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 28, 1971.

Mr. Speaker: The President has signed SENATE JOINT MEMORIAL NO. 1, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 28, 1971.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 199,

HOUSE CONCURRENT RESOLUTION NO. 6,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 28, 1971.

Mr. Speaker: Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 6, the President has appointed: Senators Keefe, Guess and Gardner.

SIDNEY R. SNYDER, Secretary.

### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE JOINT MEMORIAL NO. 1.

### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 413, by Representatives Kirk, Marsh, Paris and Chatalas:

An Act relating to the department of social and health services; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 414, by Representatives Paris, McDermott, Zimmerman and Charette (by Joint Committee on Governmental Cooperation request and by Departmental request):

An Act relating to an interstate compact on the placement of children; adding a new chapter to Title 26 RCW; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 415, by Representatives Amen, Haussler and Bledsoe (by Joint Committee on Governmental Cooperation request and by Departmental request):

An Act relating to pesticides; setting forth the responsibility and authority of the department of social and health services in relation thereto; and creating new sections.

Referred to Committee on Agriculture.

HOUSE BILL NO. 416, by Representatives Farr, Ceccarelli and Kirk (by Departmental request and by Joint Committee on Governmental Cooperation request):

An Act relating to public assistance; amending section 74.08.025, chapter 26, Laws of 1959 as amended by section 1, chapter 31, Laws of 1967 ex. sess. and RCW 74.08.025; amending section 74.08.030, chapter 26, Laws of 1959 as amended by section 1, chapter 248, Laws of 1961 and RCW 74.08.030; amending section 74.08.050, chapter 26, Laws of 1959 and RCW 74.08.050; amending section 4, chapter 30, Laws of 1967 ex. sess. as last amended by section 1, chapter 60, Laws of 1970 ex. sess. and RCW 74.09.510; amending section 74.10.020, chapter 26, Laws of 1959 and RCW 74.10.020; amending section 74.12.030, chapter 26, Laws of 1959 as amended by section 19, chapter 228, Laws of 1963 and RCW 74.12.030; amending section 74.16.030, chapter 26, Laws of 1959 as last amended by section 1, chapter 78, Laws of 1967 and RCW 74.16.030; adding new sections to chapter 30, Laws of 1965 and to chapter 74.13 RCW; and adding new sections to chapter 39, Laws of 1965 and to chapter 74.36 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 417, by Representatives Chatalas, Kirk, Ceccarelli and Lynch (by Departmental request):

An Act relating to state government; authorizing the department of social and health services to establish advisory committees and councils; amending section 9, chapter 253, Laws of 1957 and RCW 18.20.090; amending section 41, chapter 183, Laws of 1951 and RCW 18.45.130; amending section 8, chapter 117, Laws of 1951 and RCW 18.51.070; amending section 43.61.030, chapter 8, Laws of 1965 as amended by section 33, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.030; amending section 43.61.040, chapter 8, Laws of 1965 as amended by section 34, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.040; amending section 43.61.060, chapter 8, Laws of 1965 and RCW 43.61.060; amending section 2, chapter 267, Laws of 1955 and RCW 70.41.020; amending section 3,



chapter 267, Laws of 1955 and RCW 70.41.030; amending section 5, chapter 207, Laws of 1961 as last amended by section 16, chapter 18, Laws of 1970 ex. sess. and RCW 70.09.050; amending section 72.60.010, chapter 28, Laws of 1959 and RCW 72.60.010; amending section 72.60.020, chapter 28, Laws of 1959 and RCW 72.60.020; amending section 72.60.070, chapter 28, Laws of 1959 and RCW 72.60.070; amending section 72.60.080, chapter 28, Laws of 1959 and RCW 72.60.080; amending section 72.60.090, chapter 28, Laws of 1959 and RCW 72.60.090; amending section 72.60.120, chapter 28, Laws of 1959 and RCW 72.60.120; amending section 72.60.150, chapter 28, Laws of 1959 and RCW 72.60.150; amending section 72.60.190, chapter 28, Laws of 1959 and RCW 72.60.190; amending section 1, chapter 273, Laws of 1959 and RCW 72.60.240; amending section 2, chapter 273, Laws of 1959 and RCW 72.60.250; amending section 3, chapter 273, Laws of 1959 and RCW 72.60.260; amending section 4, chapter 273, Laws of 1959 and RCW 72.60.270; amending section 5, chapter 273, Laws of 1959 and RCW 72.60.280; creating new sections; repealing section 8, chapter 253, Laws of 1957 and RCW 18.20.080; repealing section 52, chapter 183, Laws of 1951 and RCW 18.45.520; repealing section 53, chapter 183, Laws of 1951 and RCW 18.45.530; repealing section 54, chapter 183, Laws of 1951 and RCW 18.45.540; repealing section 11, chapter 117, Laws of 1951 and RCW 18.51.100; repealing section 12, chapter 117, Laws of 1951 and RCW 18.51.110; repealing section 30, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.230; repealing section 43.61.010, chapter 8, Laws of 1965, section 31, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.010; repealing section 43.61.020, chapter 8, Laws of 1965, section 32, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.020; repealing section 4, chapter 144, Laws of 1955 and RCW 69.30.040; repealing section 5, chapter 197, Laws of 1949, section 5, chapter 252, Laws of 1959 and RCW 70.40.050; repealing section 5, chapter 267, Laws of 1955 and RCW 70.41.050; repealing section 6, chapter 267, Laws of 1955 and RCW 70.41.060; repealing section 7, chapter 267, Laws of 1955 and RCW 70.41.070; repealing section 6, chapter 207, Laws of 1961, section 17, chapter 18, Laws of 1970 ex. sess. and RCW 70.98.060; repealing section 72.01.250, chapter 28, Laws of 1959, section 1, chapter 190, Laws of 1959 and RCW 72.01.250; repealing section 72.05.180, chapter 28, Laws of 1959 and RCW 72.05.180; repealing section 72.05.190, chapter 28, Laws of 1959 and RCW 72.05.190; repealing section 72.60.030, chapter 28, Laws of 1959 and RCW 72.60.030; repealing section 72.60.040, chapter 28, Laws of 1959 and RCW 72.60.040; repealing section 72.60.050, chapter 28, Laws of 1959 and RCW 72.60.050; repealing section 72.60.060, chapter 28, Laws of 1959 and RCW 72.60.060; repealing section 2, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.010; repealing section 3, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.020; repealing section 4, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.030; repealing section 5, chapter 90, Laws of 1965 ex. sess., section 22, chapter 172, Laws of 1967, and RCW 74.32.040; repealing section 18, chapter 172, Laws of 1967, section 3, chapter 172, Laws of 1969 ex. sess., section 21, chapter 18, Laws of 1970 ex. sess. and RCW 74.32.051; repealing section 19, chapter 172, Laws of 1967, section 22, chapter 18, Laws of 1970 ex. sess. and RCW 74.32.053; repealing section 20, chapter 172, Laws of 1967 and RCW 74.32.055; repealing section 7, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.060; repealing section 8, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.070; repealing section 9, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.080; repealing section 10, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.090; repealing section 12, chapter 90, Laws of 1965 ex. sess. and RCW 74.32.900; repealing section 2, chapter 39, Laws of 1965, section 23, chapter 18, Laws of 1970 ex. sess. and RCW 74.36.010; repealing section 3, chapter 39, Laws of 1965, section 24, chapter 18, Laws of 1970 ex. sess. and RCW 74.36.020; repealing section 4, chapter 39, Laws of 1965, section 25, chapter 18, Laws of 1970 ex. sess. and RCW 74.36.030; and repealing section 5, chapter 39, Laws of 1965, section 26, chapter 18, Laws of 1970 ex. sess. and RCW 74.36.040.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 418, by Representatives Ross, McDermott, Maxie, Zimmerman, Smythe and Blair:

An Act relating to port districts; amending section 1, chapter 92, Laws of 1911 as

amended by section 1, chapter 147, Laws of 1963 and RCW 53.04.010; amending section 11, chapter 65, Laws of 1955 and RCW 53.36.020; and creating new sections.

Referred to Committee on Local Government.

HOUSE BILL NO. 419, by Representatives O'Brien, Perry, Litchman, Hurley, Rosellini, Merrill, Chatalas, Gallagher, Maxie, Bagnariol, Ceccarelli, Marzano, Lysen, Van Dyk, Bradley, McCormick, Backstrom and Wojahn:

An Act relating to education; promoting the secular education of children of this state attending nonpublic schools; creating a state nonpublic elementary and secondary education fund to finance the purchase of secular educational services from nonpublic schools located in the state; authorizing additional powers and duties for certain state officers in carrying out the purposes of this act; providing for the payment of administrative costs incident to the operation of the act; providing procedures for reimbursement in payment for the rendering of secular educational service; providing certain conditions for receipt of funds under the act; designating a portion of certain tax revenues as the source of funds placed into the state nonpublic elementary and secondary education fund; providing for certain appropriations to be made by the legislature; providing a short title to the act; providing that sections of this act be severable; creating new sections; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 420, by Representatives Hubbard, Charette, Eikenberry, Kopet and Harris:

An Act relating to banks and trust companies; and amending section 30.04.260, chapter 33, Laws of 1955 and RCW 30.04.260.

Referred to Committee on Judiciary.

HOUSE BILL NO. 421, by Representative Brouillet:

An Act relating to public libraries; and making an appropriation.

Referred to Committee on Appropriations.

HOUSE BILL NO. 422, by Representatives Shera and Bagnariol:

An Act relating to insurance rates; and amending section .19.41, chapter 79, Laws of 1947 and RCW 48.19.410.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 423, by Representatives Ceccarelli, Shera, Bagnariol and Knowles:

An Act relating to costs in civil proceedings; and adding a new section to chapter 4.84 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 424, by Representatives Lysen, Brouillet, Grant, Backstrom and McCormick:

An Act relating to small loan companies; and adding new sections to chapter 212, Laws of 1959 and to chapter 31.08 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 425, by Representatives King and Morrison:

An Act relating to labor relations in health care activities.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 426, by Representatives Litchman, Perry, Kirk, Bagnariol, Hurley, Luders, Eikenberry, Spanton, Backstrom, Marzano, McCormick, Ceccarelli, Merrill, May, Rosellini, Anderson and Barden:

An Act relating to education, including the transportation of students or pupils therefor; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 427, by Representatives Brown, Grant, Smythe and Charnley (by Secretary of State request):

An Act relating to elections; and amending section 29.18.110, chapter 9, Laws of 1965 and RCW 29.18.110.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 428, by Representatives Bluechel, Perry and Conway (by Departmental request):

An Act relating to state government; providing for reorganization of the department of general administration; amending section 43.19.010, chapter 8, Laws of 1965 and RCW 43.19.010; amending section 1, chapter 27, Laws of 1967 and RCW 43.19.013; amending section 43.19.450, chapter 8, Laws of 1965 and RCW 43.19.450; and repealing section 43.19.180, chapter 8, Laws of 1965 and RCW 43.19.180.

Referred to Committee on State Government.

HOUSE BILL NO. 429, by Representatives Bluechel, Perry and Conway (by Departmental request):

An Act relating to the department of general administration; amending section 43.01.090, chapter 8, Laws of 1965 and RCW 43.01.090; and creating a new section.

Referred to Committee on State Government.

HOUSE BILL NO. 430, by Representatives Newhouse, Wojahn, Bottiger, Smythe, Chatalas, Backstrom and Haussler (by Departmental request):

An Act relating to social and economic development; amending section 1, chapter 14, Laws of 1965 and RCW 36.32.410; amending section 2, chapter 14, Laws of 1965 and RCW 43.06.110; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.11 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 431, by Representatives Bluechel, Charnley and Cunningham (by Secretary of State request):

An Act relating to corporations; and amending section 136, chapter 53, Laws of 1965 and RCW 23A.40.030.

Referred to Committee on State Government.

HOUSE BILL NO. 432, by Representatives Goldsworthy, Lynch, Marsh, Marzano, Anderson, Beck, Wolf, Kirk, Adams, Backstrom, Bagnariol, Barden, Bauer, Bledsoe, Bozarth, Ceccarelli, Copeland, Farr, Haussler, King, Litchman, Martinis, McCormick and Wojahn:

An Act relating to veterans' benefits; providing for the payment of a bonus or in lieu thereof credits for higher education purposes to certain veterans of the armed forces from the state of Washington from the current statutory excise tax on cigarettes and such additional means as the legislature shall provide; providing a burial allowance; amending section 2, chapter 272, Laws of 1959 and RCW 73.32.130; making an appropriation; and providing penalties.

Referred to Committee on State Government.

HOUSE BILL NO. 433, by Representatives Brown, Grant, King, Charnley, Copeland, Litchman and Maxie (by Secretary of State request):

An Act relating to elections; amending section 1, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.010; amending section 2, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.020; amending section 3, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.030; amending section 4, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.040; amending section 5, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.050; amending section 6, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.060; amending section 7, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.070; amending section 8, chapter 73, Laws of 1967 ex. sess. and RCW 29.72.080; and adding new sections to chapter 73, Laws of 1967 ex. sess. and to chapter 29.72 RCW.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 434, by Representatives Kirk, King and Hoggins (by Departmental request):

An Act relating to the Washington state teachers' retirement system; and amending section 59, chapter 80, Laws of 1947 as amended by section 5, chapter 132, Laws of 1961 and RCW 41.32.590.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 435, by Representatives Lynch, Sawyer, Bledsoe, Ross, Hurley, Wojahn, Bottiger, Litchman, King, Perry and Maxie (by Council on Higher Education request):

An Act relating to higher education; creating substantive sections; and making an appropriation.

Referred to Committee on Higher Education.

HOUSE BILL NO. 436, by Representatives Julin, Moon and Bledsoe (by Secretary of State request):

An Act relating to elections; amending section 29.24.010, chapter 9, Laws of 1965 and RCW 29.24.010; amending section 29.24.030, chapter 9, Laws of 1965 and RCW 29.24.030; amending section 29.24.040, chapter 9, Laws of 1965 and RCW 29.24.040; amending section 29.24.050, chapter 9, Laws of 1965 and RCW 29.24.050; amending section 29.30.100, chapter 9, Laws of 1965 and RCW 29.30.100; amending section 29.54.050, chapter 9, Laws of 1965 as amended by section 11, chapter 101, Laws of 1965 ex. sess. and RCW 29.54.050; and adding a new section to chapter 9, Laws of 1965 and to chapter 29.36 RCW.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 437, by Representatives Bagnariol, Barden and Kilbury (by State Auditor request):

An Act relating to state government; and amending section 30, chapter 91, Laws of 1915 and RCW 39.44.130.

Referred to Committee on Local Government.

HOUSE BILL NO. 438, by Representatives Kopet, Barden, Amen and Kilbury (by State Auditor request):

An Act relating to counties; providing for the creation of certain funds to be created for certain purposes; amending section 36.33.060, chapter 4, Laws of 1963 and RCW 36.33.060; and adding a new section to chapter 36.33 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 439, by Representatives Gladder, Randall, Backstrom, Kilbury and Wolf (by Departmental request):

An Act relating to public health and welfare; and providing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 440, by Representatives Brown, Randall, Bledsoe, Kraabel and Rabel (by Secretary of State request):

An Act relating to political parties; adding new sections to chapter 9, Laws of 1965 and to chapter 29.42 RCW; and providing penalties.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 441, by Representatives Lynch, Perry, O'Brien, Ross, Hurley, Marsh, King, Jueling, Litchman, Bledsoe, Bottiger, Wojahn, Brouillet, Chatalas and Maxie (by Council on Higher Education request):

An Act relating to education and certain institutions of higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 442, by Representatives Lynch, King, Kiskaddon, Ross, Bottiger, Litchman, Hurley, Bledsoe, Perry, Wojahn and Maxie (by Council on Higher Education request):

An Act relating to higher education; creating substantive sections; and making an appropriation.

Referred to Committee on Higher Education.

HOUSE BILL NO. 443, by Representatives Maxie, Ross, Grant, Bledsoe and Chatalas: An Act relating to elections; and amending section 29.18.110, chapter 9, Laws of 1965 and RCW 29.18.110.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 444, by Representatives North, Wojahn, Kirk, Perry, Backstrom, Barden, Bair, Charnley, Chatalas, Litchman, Maxie and Shipoch (by Attorney General request):

An Act relating to consumer protection; enacting a "Unit Pricing Act"; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 445, by Representatives Brouillet, Wolf, Zimmerman, Wojahn, McCormick, Shera, Knowles, Luders, Pardini, Litchman, Randall and Smythe (by Joint Committee on Education request):

An Act relating to public and instructional educational television; repealing sections 28A.91.010 through 28A.91.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.91.010 through 28A.91.060; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 446, by Representative Brouillet (by Joint Committee on Education request):

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 447, by Representative Hoggins (by Joint Committee on Education request):

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 448, by Representatives Brown, Brouillet, Smythe, Backstrom, Charnley, Johnson, Randall, Savage and Kraabel (by Joint Committee on Education request):

An Act relating to revenue and taxation; and providing special levy relief for school districts.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 449, by Representative Zimmerman (by Joint Committee on Education request):

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 450, by Representatives Moon, Merrill and Randall:

An Act relating to revenue and taxation; amending section 82.04.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.050; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 451, by Representatives Pardini, Bottiger, Kopet, Curtis, Litchman and Lynch (by Departmental request):

An Act relating to the department of social and health services; authorizing child support enforcement services; and amending section 5, chapter 322, Laws of 1959 as amended by section 3, chapter 206, Laws of 1963 and RCW 74.20.040.

Referred to Committee on Social and Health Services.

HOUSE JOINT MEMORIAL NO. 8, by Representatives Sawyer, Marsh, May, Johnson, Chatalas, Adams, Anderson, Backstrom, Bauer, Beck, Benitz, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brown, Ceccarelli, Charette, Charnley, Conway, Cunningham, Curtis, Eikenberry, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kuehnie, Litchman, Luders, Lynch, Martinis, Marzano, McCormick, McDermott, Merrill, Moon, North, O'Brien, Pardini, Paris, Polk, Randall, Rosellini, Ross, Schumaker, Shinpoch, Smith, Swayze, Wanamaker, Williams, Wojahn, Wolf, Zimmerman and Copeland:

Requesting the secretary of transportation to reconsider his "Preliminary report on the basic rail system."

#### MOTIONS

On motion of Mr. Bledsoe, the rules were suspended, House Joint Memorial No. 8 was advanced to second reading and read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 8 was placed on final passage.

Representatives May and Pardini spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 8, and the memorial passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnie, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Barden, Julin, Randall—4.

House Joint Memorial No. 8, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I was called to the door of the House for important consultation with a representative of organized labor and did not activate my voting lever. I intended to vote "aye" on House Joint Memorial No. 8. PAUL BARDEN, 30th District.

#### INTRODUCTION AND FIRST READING

HOUSE JOINT RESOLUTION NO. 33, by Representatives Brown, Brouillet and North:

Establishing constitutional reapportionment procedures.

Referred to Committee on Elections and Apportionment.

SENATE JOINT MEMORIAL NO. 3, by Senators Mardesich, Stender, Knoblauch and Keefe:

Requesting the secretary of transportation to reconsider his "Preliminary report on the basic rail system."

Referred to Committee on Transportation.

### RESOLUTIONS

HOUSE RESOLUTION NO. 71-9, by Representatives Johnson, Morrison, Bledsoe, Benitz, Kilbury, Knowles, Haussler, Merrill, Bozarth and Kraabel:

WHEREAS, The Hanford Atomic Energy Project was the first joint project between a state and the Atomic Energy Commission, devoted both to peaceful uses of atomic energy and the production of vital materials necessary to national defense and security; and

WHEREAS, The Hanford Project is unique both in the application of scientific research and the development of experimental programs; and

WHEREAS, The investment in the Hanford Project has created the greatest facility of its kind in the world with diversification of atomic energy industries for the peaceful use of the atom; and

WHEREAS, This diversification has provided an economy for the State of Washington based on forty million dollars in new private investment capital; and

WHEREAS, Unemployment rates in the Tri-Cities area now have reached an eleven percent level, and an additional five thousand persons would become jobless with the closure of the Hanford reactors; and

WHEREAS, The region would suffer the loss of employment for another seven thousand five hundred persons, with power loss resulting from the closure of the Hanford reactors and the loss of 500,000 kilowatts of power to the Northwest; and

WHEREAS, The loss of the dual-purpose reactor would put the Bonneville Power Administration in a deficit power position, at a time when critical power shortages are faced throughout the region; and

WHEREAS, New industrial expansion would be unable to proceed in the region without the Hanford steam plant power source, with irreparable damage to the economy to the State and the Nation;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Congress of the United States be urged to restore funds to continue the vital and necessary work being accomplished at the Hanford Diversification Project.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each member of Congress from the State of Washington.

Mrs. Johnson moved adoption of the resolution.

Representatives Johnson, Morrison, Kilbury, and Benitz spoke in favor of the resolution.

Mr. King demanded an electric roll call, and the demand was sustained.

Representatives Bledsoe and Savage spoke in favor of the resolution.

### ROLL CALL

The Clerk called the roll on the adoption of House Resolution No. 71-9, and the resolution was adopted by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Voting nay: Representative Ross—1.

## MOTIONS

On motion of Mr. Morrison, HOUSE BILL NO. 336 was rereferred from the Committee on Business and Professions to the Committee on State Government.

On motion of Mr. Morrison, HOUSE BILL NO. 404 was rereferred from the Committee on Judiciary to the Committee on State Government.

## SECOND READING

HOUSE BILL NO. 172, by Representatives Flanagan, Kiskaddon and Haussler (by Departmental request):

Restoring tax statutes based on passage of HJR 42 to previous status.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 41, by Representatives Wojahn, Kirk, Sawyer, Kiskaddon, Adams, Charnley, Gallagher, Kilbury, King, Marsh, Martinis, McCormick, Van Dyk and Wolf:

Requiring that bacon be packaged so that the quality and degree of leanness may be ascertained.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 126, by Representatives Shera, McCormick, Conway and Litchman (by Public Pension Commission request):

Providing for inclusion of court of appeals judges in judges retirement system.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 143, by Representatives Bottiger, Julin and Harris:

Providing that professional service corporations with one shareholder need have only one officer and director.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 108, by Representatives Zimmerman, Randall, Brown and Brouillet (by Joint Committee on Education request):

Providing for filling of vacancies in, quorum for, school districts.

Committee recommendation: Majority, do pass with the following amendments:

On page 4, section 2, line 11, after the comma strike "*the remaining members of the board of directors*" and insert "*a majority of the legally established number of board members*"

On page 4, section 2, line 17, after "by" strike "*majority vote*" and add "*the vote of a majority of its legally established number of board members*"

The bill was read the second time.

On motion of Mr. Hoggins, the committee amendments were adopted.

House Bill No. 108 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 113, by Representatives Thompson, Zimmerman and Spanton (by Departmental request):

Prescribing powers of game protectors.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 22, after "(4)" strike "," and insert "*and*"

On page 1, section 1, line 22, strike "*and (7),*"

On page 2, section 2, line 12, after "(4)" strike "," and insert "*and*"

On page 2, section 2, line 12, strike "*and (7),*"

The bill was read the second time.

On motion of Mr. Zimmerman, the committee amendments were adopted.



House Bill No. 113 was ordered engrossed.

#### MOTION

On motion of Mr. Bledsoe, Engrossed House Bill No. 113 was rereferred to the Committee on Judiciary.

HOUSE BILL NO. 109, by Representatives Zimmerman, Brown, Randall and Brouillet (by Joint Committee on Education request):

Authorizing state board of education to establish regulations governing school district numbering.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

#### THIRD READING

HOUSE BILL NO. 12, by Representatives Hoggins and Brouillet (by Joint Committee on Education request):

Abolishing obsolete authority of certain school districts to establish and maintain certain parental or truant schools.

House Bill No. 12 was read the third time and placed on final passage.

Representative Hoggins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 12, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 12, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 13, by Representatives Hoggins, Brouillet and King (by Joint Committee on Education request):

Repealing obsolete sections dealing with negotiations by certificated community college employees in school districts.

House Bill No. 13 was read the third time and placed on final passage.

Representative Polk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 13, and the bill passed the House by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley,

Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Voting nay: Representative Grant—1.

House Bill No. 13, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 14, by Representatives Hoggins, Brouillet, Knowles and Luders (by Joint Committee on Education request):

Deleting superfluous law relating to school holidays, including programs suitable thereto.

House Bill No. 14 was read the third time and placed on final passage.

Representative Jones spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Julin.

Mr. Julin: "Representative Hoggins: The bill, in the last line, purports to repeal RCW 28A.02.070 which deals with the observance of Veterans' Day. My reference to the RCW section just cited indicates that there are two sections. The second section is the language that is effective after January 1, 1971. I would like your assurance as to whether or not this bill will repeal the second section that still provides for Veterans' Day observances after January 1, 1971."

Mr. Hoggins: "I am glad you asked that question, Representative Julin. I just happen to have the answer. To assure you, and others who have concern that we are no longer going to be celebrating and recognizing these days with appropriate assemblies, etc. in the schools, in checking with Mr. Dick White of the Code Reviser's office, he assures me that the important aspect here is the historical footnote which is 1969 First Extraordinary Session, chapter 176, section 101. That is the section that we are repealing, and not both sections. So you can assure those who have been contacting you that suitable holiday recognitions will continue."

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Randall.

Mr. Randall: "Your great understanding of the Revised Code of Washington leads me to ask this question. Can you assure me that this law does not refer in any way to community colleges?"

Mr. Hoggins: "Yes, because this is in Title 28A RCW. The community college act is Title 28B."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 14, and the bill passed the House by the following vote: Yeas, 91; nays, 7; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charney, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Eikenberry, Gladder, Hausler, Hubbard, Maxie, Schumaker, Spanton—7.

Absent or not voting: Representative Jones—1.

House Bill No. 14, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I intended to vote "aye" on House Bill No. 14. KEITH J. SPANTON, 15th District.

HOUSE BILL NO. 15, by Representatives Hoggins, Brouillet and King (by Joint Committee on Education request):

Deleting certain common school provisions from the higher education code and reenacting them in their proper code.

House Bill No. 15 was read the third time and placed on final passage.

Representative Brouillet spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 15, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 15, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 16, by Representatives Hoggins, Brouillet and Luders (by Joint Committee on Education request):

Deleting obsolete authority of superintendent of public instruction.

House Bill No. 16 was read the third time and placed on final passage.

Representative Costanti spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 16, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 16, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 17, by Representatives Hoggins and Brouillet (by Joint Committee on Education request):

Repealing obsolete law which provides for apportionment of public school funds to certain school districts for pupils from orphan homes.

House Bill No. 17 was read the third time and placed on final passage.

Representative Mentor spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 17, and the bill passed the House by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charney, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Voting nay: Representative Grant—1.

House Bill No. 17, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 18, by Representatives Hoggins, Brouillet, King, Knowles and Luders (by Joint Committee on Education request):

Changing "county" and/or "intermediate district" to "intermediate school district" within certain sections of the common school code.

House Bill No. 18 was read the third and placed on final passage.

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Brouillet, is House Bill No. 18 a good bill?"

Mr. Brouillet: "Yes, Representative Hoggins, it helps out the intermediate superintendents quite a bit, and I am sure they would like to have it."

Mr. Hoggins: "Do you have any questions regarding this bill?"

Mr. Brouillet: "No, I am perfectly satisfied we should pass it unanimously."

Mr. Hoggins: "Representative Brouillet, can you recommend it to all members of the House without reservations?"

Mr. Brouillet: "With very few reservations, yes."

Representative Hoggins spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Gallagher.

Mr. Gallagher: "Will this bill satisfy my opponent that ran against me in the primary election?"

Mr. Brouillet: "Mr. Gallagher, this has nothing to do with 'remote and necessary' school districts."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 18, and the bill passed the House by the following vote: Yeas, 94; nays, 4; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley,

Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker-94.

Voting nay: Representatives Conner, Hubbard, King, Wolf-4.

Absent or not voting: Representative Spanton-1.

House Bill No. 18, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 27, by Representatives Chatalas, Wolf and Kilbury (by State Treasurer request):

Increasing the state treasurer's faithful performance bond.

House Bill No. 27 was read the third time and placed on final passage.

Representative Chatalas spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 27, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-98.

Absent or not voting: Representative Flanagan-1.

House Bill No. 27, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 28, by Representatives Chatalas, Wolf and Kilbury (by State Treasurer request):

Placing assistant and deputy state treasurers under state's blanket performance bond.

House Bill No. 28 was read the third time and placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 28, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien,

Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Cunningham—1.

House Bill No. 28, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 29, by Representatives Chatalas, Wolf, Kilbury and King (by State Treasurer request):

Allowing investment of state treasury surplus moneys in certain government sponsored corporations.

House Bill No. 29 was read the third time and placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 29, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 29, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 30, by Representatives Chatalas and Wolf (by State Treasurer request):

Changing from monthly to annually the frequency for distribution of overload fines to counties, cities and towns.

Engrossed House Bill No. 30 was read the third time and placed on final passage.

Representative Conway spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 30, and the bill passed the House by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Voting nay: Representative Charette—1.

Engrossed House Bill No. 30, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 92, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting apparent clerical error in RCW 7.33.280.

House Bill No. 92 was read the third time and placed on final passage.

Representative Charette spoke in favor of House Bill No. 92, and he explained that House Bills Nos. 92 through 99 on today's calendar were merely correction bills of clerical errors or double amendments from the previous session. He mentioned that it speaks well of the legislative staff that only eight such errors were made last session.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 92, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 92, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 93, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting clerical error in RCW 11.24.010 (Probate Code).

House Bill No. 93 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 93, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 93, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 94, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting education code sections.

House Bill No. 94 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 94, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 94, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 95, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 36.76.010.

House Bill No. 95 was read the third time and placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 95, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Polk—1.

House Bill No. 95, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 96, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 37.16.020.

House Bill No. 96 was read the third time and placed on final passage.

## PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, point of parliamentary inquiry. Isn't it true that our rules provide that any member who is sitting at his desk must vote?"

The Speaker: "I believe that is correct, Mr. Charette."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 96, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,



Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 96, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 97, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendments to RCW 43.17.010 and 43.17.020.

House Bill No. 97 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 97, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 97, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 98, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 54.24.018.

House Bill No. 98 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 98, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 98, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 99, by Representatives Charette, Julin, Bottiger, Eikenberry, Knowles, McDermott and Ross (by Statute Law Committee request):

Correcting double amendment to RCW 82.04.430.

House Bill No. 99 was read the third time and placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 99, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 99, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 130, by Representatives Chatalas, Wolf, Copeland, Anderson, Bledsoe, O'Brien, Conner, Bozarth, Backstrom, Grant, Johnson, Bottiger, Hurley, Sawyer, Perry, Litchman, Gallagher, Flanagan, Conway, Lynch, Kopet, Cunningham and Goldsworthy (by State Treasurer request):

Authorizing the state treasurer to cash certain checks for state officers and employees.

House Bill No. 130 was read the third time and placed on final passage.

Representative Wolf spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 130, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEM

Mr. Copeland: "Mr. Speaker, ladies and gentlemen of the House: I just want to call to your attention a document that was received by the state of Washington, in which I think we should take a certain amount of pride. This is the census information that has been delivered to the state of Washington. It now contains the questions of the 3,353,000

inhabitants of the state—all 38 questions. In addition, what we intend to do with this, and I sincerely hope it can come about in the next couple of weeks, is to put this on our legislative information system and be one of the first states in the nation to capture this and have it on an on-line system. Within a couple of weeks it would be my hope that anybody in state government who wants to go ahead and analyze these figures through our video screen tube could do so and be able to extract any information on the population count. Please understand there is no political significance contained in the tape at all. Whatever you may want to do in a political vein, I sincerely hope you do some place off the campus. I think that to keep this as just the basic information is highly desirable, but I am calling this to your attention because I think this is one of the rare significant days in the development of the legislative process. For the first time we will be able to receive in machine readable form, on an instant recall, those things that would have otherwise had to have been delivered to us in hard copy—a terribly, terribly laborious procedure. I ask your indulgence in please being patient with the staff and those people who are going to be operating the terminals. This will not be perfected for two or three weeks. At that time I sincerely hope you find this vast amount of information a tremendous value to you in your decision-making process.”

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Perry.

Mr. Perry: “In the census data there, does that have the census tracts on it, and the complete census data?”

Mr. Copeland: “Yes, it does. This is what they call the ‘Med List’ (Master Enumeration District List). It is all on enumeration districts. The block count is not here, but all the ‘ED’ (Enumeration Districts) information is.”

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. O’Brien.

Mr. O’Brien: “Mr. Copeland, then we can go right ahead with redistricting except for the block count?”

Mr. Copeland: “I think, to answer that question specifically, what you have here would be the document from which you can at least come up with the basic data for the count. Please understand that all political subdivisions have about a four-month period of time in order to be able to file a protest on the count. These figures probably will not be certified for some time. But this, of course, will be the basis from which we will all depart and can work on the factual information here. Certainly we can make our very, very first steps in congressional redistricting. The legislative redistricting probably will be a little more difficult because some of the ED’s that are currently contained in here would have as many as 2,500 residents, and you have no way of being able to divide enumeration districts without the block count. This could come later, there is no question about that, but at least this is the first step in the basis for congressional and legislative redistricting.”

Mr. O’Brien: “Why did you comment on the political significance if you didn’t want to use it for political purposes? Of course you know there isn’t anything done here for political purposes.”

Mr. Copeland: “Mr. O’Brien, I hardly know how to respond to that. It is totally within the capability of the computer to take this and superimpose precinct lines on this information and to go ahead and use any kind of formula you want to, one through ten, and create a political profile by population. I certainly hope we do not use our legislative information system for this type of mental gymnastics. I think this is something for the parties to do, but I think the citizens of the state of Washington deserve this knowledge of the fact that we are using the best source of information possible. The other thing I would point out is that we are one of the only states in the nation to have an on-line system for your own personal use and that of the public and other state agencies.”

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Perry.

Mr. Perry: “Mr. Copeland, you said that the information—if we are mandated by the court to redistrict this state, which we are, and also by our present laws, why wouldn’t it be proper to use public information?”

Mr. Copeland: “This is public information, Mr. Perry, and this is precisely what I was saying. What you have here is the basic point of departure. I would imagine any time you complete any type of redistricting bill the court is going to use this tape. They are going to lay down all the legislative districts and check them out with the totals contained in the tape, and try to understand and find out if we have great disparities of population. So the basis for accuracy starts here. As I said, I am happy we are doing it this way rather than as we did years ago, Representative Perry, when you were here. We didn’t do anything but use the adding machine and Standard Oil maps, and it was so grossly inadequate it wasn’t funny. But it was the best we could do at the time.”

## MOTION

On motion of Mr. Morrison, the House adjourned until 12:00 noon, Monday, February 1, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWENTY-SECOND DAY

## NOON SESSION

House Chamber, Olympia, Wash., Monday, February 1, 1971.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representative Bottiger who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

January 28, 1971.

HOUSE BILL NO. 55, exempting denial, suspension, or revocation of a driver's license from the administrative procedures act, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Hansey, Hubbard, Jastad, Johnson, Martinis, McCormick, Newhouse, Perry, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 75, authorizing school districts to permit emergency use by other governmental agencies of their school buses and equipment, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 8, strike the remainder of section 1 and insert:

"Notwithstanding any other provisions of law, after the effective date of this 1971 act any school district board of directors may authorize the use of school buses or any of its motor vehicles or equipment by any federal or state governmental agency when such school district board determines an emergency exists which necessitates the use of such school buses, motor vehicles or equipment, under such terms as the board shall determine: PROVIDED, HOWEVER, Such use shall be limited to events of natural disaster: PROVIDED, FURTHER, That privately owned transportation is not reasonably available.

NEW SECTION. Sec. 2. The agency utilizing the school buses under the provisions of this act must agree, in writing, to reimburse the school district for all costs and expenses related to their use and also must provide an indemnity agreement protecting the district against any type of claim or legal action whatsoever, including all legal costs incident thereto."

Renumber the remaining section consecutively.

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 101, providing for certification of sufficiency of recall charges by the attorney general and prosecuting attorneys, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 5, strike "six" and insert "three"

Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, May, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 129, implementing school districts' authority to insure students and others, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, McDermott, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 163, requiring unloaded school buses to stop at railroad crossings, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 10, after "bus" strike "[or private carrier bus]" and insert "or private carrier bus ["]"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Hansey, Hubbard, Jastad, Johnson, Kraabel, Martinis, McCormick, Newhouse, Perry, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 169, extending powers to stop motor vehicles for driver's license check and vehicle inspection and test to hours of darkness, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Hansey, Hubbard, Jastad, Martinis, McCormick, Newhouse, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

January 28, 1971.

HOUSE BILL NO. 298, providing for tire standards, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Hansey, Hubbard, Jastad, Kraabel, Martinis, McCormick, Newhouse, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

January 29, 1971.

Mr. Speaker: The Senate has passed:  
 SENATE BILL NO. 46,  
 SENATE BILL NO. 88,  
 ENGROSSED SENATE BILL NO. 95,  
 ENGROSSED SENATE BILL NO. 114,

SENATE BILL NO. 131,  
and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 29, 1971.

Mr. Speaker: The Senate has passed:  
SENATE BILL NO. 311,  
ENGROSSED SENATE BILL NO. 312,  
and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

January 29, 1971.

Mr. Speaker: The President has signed HOUSE JOINT MEMORIAL NO. 4, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

### MESSAGES FROM THE SECRETARY OF STATE

January 29, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.

SIR:

On August 20, 1970, Irving E. Stimpson, a registered voter and resident of the State of Washington, and secretary of the Washington Committee to Stop Litter, for and on behalf of said organization tendered five copies of a proposed measure to be an Initiative to the Legislature of the State of Washington, accompanied by his affidavit. The name and post office address of the organization proposing this initiative for submission to the 1971 Legislature is:

Washington Committee to Stop Litter  
1828 IBM Building  
Seattle, Washington 98101

The copies of the proposed measure were filed and the measure was identified as Initiative Measure No. 40 to the Legislature. A copy was transmitted to the Attorney General for ballot title and, on August 28, 1970, the following ballot title was received from the Attorney General:

#### "LITTER CONTROL ACT"

An Act regulating litter disposal; directing the Department of Ecology to administer its provisions and to promulgate necessary rules and regulations; establishing an ecology patrol with powers of enforcement; providing penalties and fines for littering; stating that littering from a moving vehicle is a moving violation; requiring litter receptacles marked with anti-litter symbols or logos to be placed in designated public places; and providing that administration of the act shall be financed in substantial part by assessments levied against manufacturers, wholesalers and retailers of goods, containers or wrappers which are reasonably related to the litter problem.

I further certify that on December 30, 1970, persons representing the Washington Committee to Stop Litter submitted signature petition sheets alleged to contain 140,000 signatures of registered voters for filing and canvass, and requested that a report of the final canvass and count be certified to the 1971 Legislature.

Accompanying the petitions was a financial statement reporting in detail the contributions received and expenditures made by the Washington Committee to Stop Litter relative to its signature campaign. The total amount of contributions reported was \$127,450.00, and the total amount of expenditures reported was \$117,543.15. The financial statement was certified over the signature of Irving E. Stimpson, the secretary of the sponsoring committee.

On January 11, 1971, a preliminary count of the signatures of the initiative petition was concluded by the office of the Secretary of State, and the result of which indicated that there were approximately 141,226 names signed to the petition.

The canvassing of said signature petitions by random sampling was completed on January 28, 1971. In view of the fact that the random sampling test demonstrated that this initiative contains more than the 111,356 valid signatures required by RCW 29.79.200 for certification, I am herewith certifying said Initiative to the Legislature Number 40 to this 42nd Session of the Legislature of the State of Washington. Further, I am attaching herewith a certified copy of the sponsor's affidavit, the ballot title as issued by the Attorney General, and the complete text of such measure.

Respectfully submitted,  
A. LUDLOW KRAMER  
Secretary of State.

Referred to Committee on Business and Professions.

January 29, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.

SIR:

On September 25, 1970, John R. Miller, a resident and registered voter of the State of Washington and Vice-President of the Washington Environmental Council, for and on behalf of said organization tendered five copies of a proposed measure to be an Initiative to the Legislature of the State of Washington, accompanied by his affidavit. The name and post office address of the organization proposing this initiative for submission to the 1971 Legislature is:

Washington Environmental Council  
119 South Main Street  
Seattle, Washington 98104

The copies of the proposed measure were filed and the measure was identified as Initiative Measure No. 43 to the Legislature. A copy was transmitted to the Attorney General for ballot title and, on October 5, 1970, the following ballot title was received from the Attorney General:

“REGULATING SHORELINE USE AND DEVELOPMENT”

An Act relating to the use and development of salt and fresh water shoreline areas, including lands located within 500 feet of ordinary high tide or high water and certain wetlands; requiring the State Ecological Commission, with the advice of regional citizens councils, to adopt a statewide regulatory plan for these areas; requiring cities and counties to adopt plans to regulate shoreline areas not covered by the state plan; requiring both local and statewide plans to be based upon considerations of conservation, recreation, economic development and public access; and providing both civil and criminal remedies for violations of the act.

I further certify that on December 31, 1970, persons representing the Washington Environmental Council submitted signature petition sheets alleged to contain 155,000 signatures of registered voters for filing and canvass, and requested that a report of the final canvass and count be certified to the 1971 Legislature.

Accompanying the petitions was a financial statement reporting in detail the contributions received and expenditures made by the Washington Environmental Council relative to its signature campaign. The total amount of contributions reported was \$4,448.50, and the total amount of expenditures reported was \$9,594.87. The financial statement was certified over the signature of Thomas O. Wimmer, the chairman of the Initiative 43 Committee of the Washington Environmental Council.

On January 12, 1971, a preliminary count of the signatures of the initiative petition was concluded by the office of the Secretary of State, the result of which indicated that there were approximately 160,217 names signed to the petition.

The canvassing of said signature petitions by random sampling was completed on January 28, 1971. In view of the fact that the random sampling test demonstrated that this initiative contains more than the 111,356 valid signatures required by RCW 29.79.200 for certification, I am herewith certifying said Initiative to the Legislature Number 43 to this 42nd Session of the Legislature of the State of Washington. Further, I am attaching herewith a certified copy of the sponsor's affidavit, the ballot title as issued by the Attorney General, and the complete text of such measure.

Respectfully submitted,  
A. LUDLOW KRAMER  
Secretary of State.

Referred to Committee on Natural Resources and Ecology.

January 29, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.

SIR:

On October 15, 1970, Lester P. Jenkins, a resident and registered voter of the State of Washington, and the Secretary of the 40-Mill Tax Limit Committee, for and on behalf of said organization tendered five copies of a proposed measure to be an Initiative to the Legislature of the State of Washington, accompanied by his affidavit. The name and post office address of the organization proposing this initiative for submission to the 1971 Legislature is:

40-Mill Tax Limit Committee  
1208 Vance Building  
Seattle, Washington 98101

The copies of the proposed measure were filed and the measure was identified as Initiative Measure No. 44 to the Legislature. A copy was transmitted to the Attorney General for ballot title and, on October 26, 1970, the following ballot title was received from the Attorney General:

“STATUTORY TAX LIMITATION—20 MILLS”

An Act to limit tax levies on real and personal property by the state, and other taxing districts, except port and power districts, to an aggregate of twenty (20) mills on assessed valuation (50% of true and fair value), without a vote of the people; allowing the legislature to allocate or reallocate up to twenty (20) mills among the various taxing districts.

I further certify that on December 30, 1970, persons representing the 40-Mill Tax Limit Committee submitted signature petition sheets alleged to contain 230,000 signatures of registered voters for filing and canvass, and requested that a report of the final canvass and count be certified to the 1971 Legislature.

Accompanying the petitions was a financial statement reporting in detail the contributions received and expenditures made by the 40-Mill Tax Limit Committee relative to its signature campaign. The total amount of contributions reported was \$13,935.63, and the total amount of expenditures reported was \$13,935.63. The financial statement was certified over the signature of Lester P. Jenkins, Secretary of the sponsoring committee.

On January 11, 1971, a preliminary count of the signatures of the initiative petition was concluded by the office of the Secretary of State, the result of which indicated that there were approximately 229,583 names signed to the petition.

The canvassing of said signature petitions by random sampling was completed on January 28, 1971. In view of the fact that the random sampling test demonstrated that this initiative contains more than the 111,356 valid signatures required by RCW 29.79.200 for certification, I am herewith certifying said Initiative to the Legislature Number 44 to this 42nd Session of the Legislature of the State of Washington. Further, I am attaching herewith a certified copy of the sponsor's affidavit, the ballot title as issued by the Attorney General, and the complete text of such measure.

Respectfully submitted,  
A. LUDLOW KRAMER  
Secretary of State.

Referred to Committee on Revenue and Taxation.

MOTION

On motion of Mr. Newhouse, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 452, by Representatives Bagnariol, McCormick and Barden:

An Act relating to television; providing for the regulation of community antenna television systems; creating new sections; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 453, by Representative Grant (by Public Employees Collective Bargaining Committee request):

An Act relating to public employees' collective bargaining; amending section 3, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.030; amending section 6, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.060; amending section 7, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.070; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 454, by Representatives Cunningham and Hoggins (by Superintendent of Public Instruction request):

An Act relating to vocational education.

Referred to Committee on Education and Libraries.



HOUSE BILL NO. 455, by Representatives Charette, Bluechel, Douthwaite, Rabel, Chamley, Kraabel, Williams, McDermott and Litchman (by Urban Affairs Council request):  
 An Act relating to state government; establishing a governor's population study council; adding a new chapter to Title 43 RCW; and providing an effective date.

Referred to Committee on State Government.

HOUSE BILL NO. 456, by Representatives Kuehnle, Beck and Newhouse (by Departmental request):

An Act relating to revenue and taxation; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 7, chapter 65, Laws of 1970 ex. sess., and RCW 82.12.030; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 457, by Representatives Cunningham, Bottiger and Morrison (by Attorney General request):

An Act relating to legislative lobbying; providing for the registration and regulation of lobbyists; amending section 1, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.010; amending section 2, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.020; amending section 3, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.030; amending section 4, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.040; amending section 6, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.060; adding new sections to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW; repealing section 5, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.050; and providing civil remedies.

Referred to Committee on State Government.

HOUSE BILL NO. 458, by Representatives Barden, Ceccarelli, Brown, Bagnariol and Randall (by Departmental request):

An Act relating to tuberculosis hospitalization and control; amending section 1, chapter 162, Laws of 1943 as last amended by section 7, chapter 47, Laws of 1970 ex. sess. and RCW 70.32.010; amending section 5, chapter 162, Laws of 1943 as last amended by section 16, chapter 54, Laws of 1967 and RCW 70.32.050; amending section 6, chapter 172, Laws of 1943 as last amended by section 17, chapter 54, Laws of 1967 and RCW 70.32.060; amending section 3, chapter 117, Laws of 1959 as last amended by section 15, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.090; creating new sections; repealing section 1, chapter 172, Laws of 1913, section 8, chapter 54, Laws of 1967 and RCW 70.30.010; repealing section 3, chapter 172, Laws of 1913, section 9, chapter 54, Laws of 1967 and RCW 70.30.040; repealing section 4, chapter 172, Laws of 1913, section 10, chapter 54, Laws of 1967 and RCW 70.30.050; repealing section 7, chapter 172, Laws of 1913, section 1, chapter 80, Laws of 1915, section 13, chapter 54, Laws of 1967 and RCW 70.30.080; repealing section 9, chapter 172, Laws of 1913, section 14, chapter 54, Laws of 1967 and RCW 70.30.100; repealing section 2, chapter 4, Laws of 1953 ex. sess., section 12, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.015; repealing section 1, chapter 4, Laws of 1953 ex. sess., section 2, chapter 117, Laws of 1959, section 13, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.021; repealing section 4, chapter 162, Laws of 1943, section 4, chapter 66, Laws of 1945, section 15, chapter 54, Laws of 1967 and RCW 70.32.040; repealing section 3, chapter 4, Laws of 1953 ex. sess., section 18, chapter 54, Laws of 1967, section 1, chapter 161, Laws of 1969 ex. sess. and RCW 70.32.080; repealing section 2, chapter 161, Laws of 1969 ex. sess. and RCW 70.32.085; making an appropriation; prescribing an effective date; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 459, by Representatives Cunningham, Hoggins and Litchman (by Superintendent of Public Instruction request):

An Act relating to vocational education in the state of Washington.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 460, by Representatives Flanagan, Beck and Randall (by Department of Revenue request):

An Act relating to revenue and taxation; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 461, by Representatives Ceccarelli, Kuehnle and Flanagan (by Departmental request):

An Act relating to revenue and taxation; amending section 82.32.090, chapter 15, Laws of 1961, as last amended by section 26, chapter 149, Laws of 1967 ex. sess. and RCW 82.32.090; adding a new section to chapter 15, Laws of 1961 and to chapter 82.32 RCW; declaring an emergency; and providing for an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 462, by Representative Bluechel (by Secretary of State request):

An Act relating to state government; amending section 2, chapter 150, Laws of 1965 ex. sess. and RCW 42.21.020; amending section 6, chapter 150, Laws of 1965 ex. sess. as amended by section 1, chapter 188, Laws of 1969 ex. sess. and RCW 42.21.060; and adding a new section to chapter 150, Laws of 1965 ex. sess. and the chapter 42.21 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 463, by Representatives Brown, Kilbury and Kiskaddon (by Executive request and by Secretary of State request):

An Act relating to elections; amending section 29.13.010, chapter 9, Laws of 1965 as amended by section 2, chapter 123, Laws of 1965 and RCW 29.13.010; adding a new section to chapter 9, Laws of 1965 and to chapter 29.13 RCW; and declaring an emergency.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 464, by Representatives Hoggins, Brouillet, King, Jones, Cunningham, Knowles and Randall (by Joint Committee on Education request):

An Act relating to public lands and the leasing and sale thereof to school districts; amending section 24, chapter 255, Laws of 1927 as last amended by section 1, chapter 46, Laws of 1970 ex. sess. and RCW 79.01.096; adding new sections to chapter 79.01 RCW; and providing penalties.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 465, by Representatives Brouillet, Kirk, Knowles, Luders and Lynch:

An Act relating to certain payroll deductions for employees of school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 466, by Representatives Kuehnle, Randall, Kopet and Backstrom:

An Act relating to education, and the sale of school lands; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 467, by Representatives Conway, Rabel, Bledsoe and Grant (by Secretary of State request):

An Act relating to the state civil service law; authorizing enumerated political activities by certain state employees; and amending section 25, chapter 1, Laws of 1961 and RCW 41.06.250.

Referred to Committee on State Government.

HOUSE BILL NO. 468, by Representatives Wolf, Charette, Pardini, Bottiger, Backstrom, Conner and Litchman (by Law Enforcement Officers Training Commission request):

An Act relating to the establishment of a law enforcement officers' training facility; and making an appropriation.

Referred to Committee on State Government.

HOUSE BILL NO. 469, by Representatives Bottiger, Sawyer, Gallagher, Wojahn and Marzano:

An Act relating to education; and amending section 2, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.180; amending section 29.21.210, chapter 9, Laws of 1965 as amended by section 2, chapter 131, Laws of 1969 and RCW 29.21.210; amending section 29.21.230, chapter 9, Laws of 1965 as amended by section 3, chapter 131, Laws of 1969 and RCW 29.21.230; amending section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 131, Laws of 1969 and RCW 28A.57.312; amending section 28A.57.336, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 131, Laws of 1969 and RCW 28A.57.336; adding substantive sections; declaring an emergency; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 470, by Representative Grant:

An Act relating to labor relations; enacting the "Washington State Labor Relations Act"; and providing penalties.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 471, by Representatives Wojahn, Smythe, Sawyer, Bottiger, Martinis, Perry, Johnson, McCormick, Adams and Bauer:

An Act relating to employment agencies; and repealing sections 1 through 28, chapter 228, Laws of 1969 ex. sess., and RCW 19.31.010 through 19.31.260, 19.31.900 and 19.31.910.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 472, by Representatives Maxie, Ross, Rabel and Charette:

An Act relating to mutual savings banks; authorizing investment in low-cost housing and environmental improvements; adding new sections to chapter 13, Laws of 1955 and to chapter 32.20 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 473, by Representatives Lynch, Bluechel, Backstrom and Beck (by State Board for Community College Education request):

An Act relating to insurance and health care programs for certain employees and officials; and amending section 5, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.050.

Referred to Committee on Higher Education.

HOUSE BILL NO. 474, by Representatives Bluechel, Lynch and Beck (by State Board for Community College Education request):

An Act relating to community college districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

HOUSE BILL NO. 475, by Representatives Hoggins, Lysen and Randall (by Joint Committee on Education request):

An Act relating to voluntary, tuition free attendance programs among school districts; and amending section 11, chapter 130, Laws of 1969 and RCW 28A.58.245.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 476, by Representatives North, Douthwaite and Kirk:

An Act relating to education, and elections relating thereto; amending section 9, chapter 131, Laws of 1969 and RCW 28A.57.425; amending section 2, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.180; amending section 29.21.230, chapter 9, Laws of 1965 as

amended by section 3, chapter 131, Laws of 1969 and RCW 29.21.230; and declaring an emergency and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 477, by Representatives Thompson, Zimmerman, Brouillet and Berentson:

An Act relating to natural resource management; amending section 3b added to chapter 154, Laws of 1923 by section 3, chapter 288, Laws of 1927 as last amended by section 1, chapter 110, Laws of 1969 and RCW 76.12.030; and amending section 4, chapter 178, Laws of 1961 as amended by section 2, chapter 63, Laws of 1967 ex. sess. and RCW 79.64.040.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 478, by Representatives Merrill and North (by Municipal Committee request):

An Act relating to annexation of unincorporated territory by code cities; amending section 35A.14.295, chapter 119 Laws of 1967 ex. sess. and RCW 35A.14.295; amending section 35A.14.297, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.297; and amending section 35A.14.299, chapter 119, Laws of 1967 ex. sess. and RCW 35A.14.299.

Referred to Committee on Local Government.

HOUSE BILL NO. 479, by Representatives Hoggins, Randall and Cunningham (by Joint Committee on Education request):

An Act relating to education, and funds necessary to the support thereof; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 138, Laws of 1969 and RCW 28A.41.130; amending section 28A.44.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.080; amending section 28A.44.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.090; amending section 28A.44.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.100; amending section 4, chapter 8, Laws of 1970 ex. sess. as amended by section 5, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.050; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.44 RCW; repealing section 28A.44.050; chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.050; declaring an emergency and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 480, by Representatives Thompson, Zimmerman and Harris (by Departmental request):

An Act relating to integration of various regulatory programs of the department of ecology; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 481, by Representatives Williams, Rabel and Kraabel (by Urban Affairs Council request):

An Act relating to counties; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 482, by Representatives Williams, Charnley and Rabel (by Urban Affairs Council request):

An Act relating to counties; amending section 36.70.330, chapter 4, Laws of 1963 and RCW 36.70.330; and amending section 36.70.350, chapter 4, Laws of 1963 and RCW 36.70.350.

Referred to Committee on Local Government.

HOUSE BILL NO. 483, by Representatives Charnley and Williams (by Urban Affairs Council request):

An Act relating to state government; amending section 3, chapter 41, Laws of 1967 ex. sess. and RCW 43.06.140; and adding new sections to chapter 43.06 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 484, by Representatives Zimmerman, Thompson, Berentson, Backstrom and Mentor (by Departmental request):

An Act relating to the rehabilitation of tidelands and shorelands; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 485, by Representatives Goldsworthy and Kopet (by Departmental request):

An Act relating to education; and amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 138, Laws of 1969 and RCW 28A.41.130.

Referred to Committee on Appropriations.

HOUSE BILL NO. 486, by Representatives Kopet, Marsh and Goldsworthy (by Departmental request):

An Act relating to revenue and taxation; amending section 82.44.150, chapter 15, Laws of 1961, as amended by section 15, chapter 255, Laws of 1969 ex. sess., and RCW 82.44.150; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 487, by Representatives Goldsworthy and Kopet (by Departmental request):

An Act relating to salaries of county officers; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 488, by Representatives North and Merrill (by Municipal Committee request):

An Act relating to first class cities and the procedures for amending the charters thereof; amending section 35.22.120, chapter 7, Laws of 1965 and RCW 35.22.120; and amending section 35.22.190, chapter 7, Laws of 1965 and RCW 35.22.190.

Referred to Committee on Local Government.

HOUSE BILL NO. 489, by Representatives Hoggins, Shera, Cunningham and Brouillet (by Superintendent of Public Instruction request):

An Act relating to vocational-technical education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 490, by Representatives Hoggins, Cunningham, Shera and Brouillet (by Superintendent of Public Instruction request):

An Act relating to education; defining certain terms; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.09 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 491, by Representatives Hoggins, Cunningham, Shera, Brouillet, Marsh, Mentor, Sawyer, Backstrom and Bauer (by Superintendent of Public Instruction request):

An Act relating to education; and amending section 28B.50.240, chapter 223, Laws of 1969 ex. sess. as amended by section 24, chapter 261, Laws of 1969 ex. sess. and RCW 28A.09.100.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 492, by Representatives Bluechel, Charette and Brown (by Departmental request):

An Act relating to state government; providing for abolishment of the administrative board and certain of its powers, duties, and functions and the transfer of certain of its powers, duties, and functions; amending section 1, chapter 79, Laws of 1921 and RCW

4.92.060; amending section 2, chapter 79, Laws of 1921 and RCW 4.92.070; amending section 43.17.100, chapter 8, Laws of 1965 and RCW 43.17.100; amending section 43.19.1935, chapter 8, Laws of 1965 and RCW 43.19.1935; repealing section 43.17.080, chapter 8, Laws of 1965 and RCW 43.17.080; and repealing section 43.17.090, chapter 8, Laws of 1965 and RCW 43.17.090.

Referred to Committee on State Government.

HOUSE BILL NO. 493, by Representatives Bledsoe, Brouillet, Wolf, O'Brien, Charette, Newhouse, Flanagan, Amen, Benitz, Bozarth, Mentor, Pardini and Schumaker:

An Act relating to revenue and taxation; amending section 84.40.030, chapter 15, Laws of 1961 and RCW 84.40.030; providing for both prospective and retroactive application; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 494, by Representatives Bluechel, Charnley and Brown:

An Act relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as amended by section 3, chapter 216, Laws of 1969 ex. sess. and RCW 84.56.020.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 495, by Representatives Gallagher, Copeland and King (by Departmental request):

An Act relating to ground water wells; providing for the licensing of water well construction operators and for the regulation of water well construction; adding a new chapter to title 18 RCW; providing penalties; and declaring an effective date.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 496, by Representatives Mentor, Polk and Cunningham (by Superintendent of Public Instruction request):

An Act relating to education; setting out factors determining amount of state aid to school districts; authorizing rules and regulations; providing incentive funds for school districts who reorganize; amending section 14, chapter 244, Laws of 1969 ex. sess. and RCW 28A.41.140; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 497, by Representatives Hoggins, Marsh, Cunningham, Polk, Sawyer and Bauer (by Superintendent of Public Instruction request):

An Act relating to education; providing for a rescheduled or extended school year; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 138, Laws of 1969 and RCW 28A.41.130; amending section 15, chapter 15, Laws of 1970 ex. sess. and RCW 28A.48.010; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 498, by Representatives Kuehnle, Hatfield and Wanamaker:

An Act relating to certification of teachers.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 499, by Representatives Julin, Charette and Harris:

An Act relating to crimes; and amending section 1, chapter 175, Laws of 1969 ex. sess. and RCW 9.41.025.

Referred to Committee on Judiciary.

HOUSE BILL NO. 500, by Representatives Thompson, Paris, Jastad and Smith:

An Act relating to highways; authorizing a study of a proposed highway in Wahkiakum county; and making an appropriation.

Referred to Committee on Transportation.

HOUSE BILL NO. 501, by Representatives Kuehne, Chatalas, Merrill, Juelling, Jones, Ceccarelli and Litchman:

An Act relating to real estate brokers and salesmen; amending section 2, chapter 252, Laws of 1941 as last amended by section 1, chapter 78, Laws of 1969 and RCW 18.85.010; amending section 5, part, chapter 252, Laws of 1941 as last amended by section 2, chapter 222, Laws of 1951 and RCW 18.85.030; amending section 4, chapter 252, Laws of 1941 as last amended by section 2, chapter 235, Laws of 1953 and RCW 18.85.040; amending section 5, part, chapter 252, Laws of 1941 as last amended by section 3, chapter 235, Laws of 1953 and RCW 18.85.050; amending section 8, chapter 252, Laws of 1941 and RCW 18.85.060; amending section 17, chapter 235, Laws of 1953 and RCW 18.85.071; amending section 18, chapter 235, Laws of 1953 and RCW 18.85.085; amending section 15, chapter 252, Laws of 1941 as last amended by section 5, chapter 235, Laws of 1953 and RCW 18.85.090; amending section 8, chapter 222, Laws of 1951 and RCW 18.85.100; amending section 3, chapter 252, Laws of 1941 as amended by section 9, chapter 222, Laws of 1951 and RCW 18.85.110; amending section 11, chapter 222, Laws of 1951 and RCW 18.85.130; amending section 12, chapter 222, Laws of 1951 as amended by section 7, chapter 235, Laws of 1953 and RCW 18.85.140; amending section 13, chapter 222, Laws of 1951 as amended by section 8, chapter 235, Laws of 1953 and RCW 18.85.150; amending section 21, chapter 222, Laws of 1951 as amended by section 9, chapter 235, Laws of 1953 and RCW 18.85.161; amending section 10, chapter 252, Laws of 1941 as last amended by section 14, chapter 222, Laws of 1951 and RCW 18.85.170; amending section 42, chapter 52, Laws of 1957 and RCW 18.85.190; amending section 43, chapter 52, Laws of 1957 and RCW 18.85.200; amending section 27, chapter 252, Laws of 1941 as last amended by section 10, chapter 235, Laws of 1953 and RCW 18.85.210; amending section 19, chapter 252, Laws of 1941 as last amended by section 3, chapter 22, Laws of 1967 and RCW 18.85.230; amending section 25, chapter 222, Laws of 1951 and RCW 18.85.271; amending section 17, chapter 222, Laws of 1951 as amended by section 46, chapter 52, Laws of 1957 and RCW 18.85.290; adding new sections to chapter 252, Laws of 1941 and to chapter 18.85 RCW; adding a new section to chapter 18.95 RCW; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 502, by Representatives Maxie, Wojahn, Chatalas and Ross:  
An Act relating to welfare and relief; and adding a new section to Title 74 RCW.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 503, by Representatives Julin and Wojahn:  
An Act relating to uniform rendition of accused persons; and adding a new chapter to Title 10 RCW.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 504, by Representatives Bluechel, Conway and Cunningham (by Secretary of State request):  
An Act relating to nonprofit corporations; and adding a new section to chapter 120, Laws of 1969 ex. sess. and to chapter 24.06 RCW.  
Referred to Committee on State Government.

HOUSE BILL NO. 505, by Representatives Brown, Haussler, Kopet, Merrill and Backstrom:  
An Act relating to revenue and taxation; and repealing section 12, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.910.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 506, by Representatives Polk, Jones, Curtis and Randall:  
An Act relating to revenue and taxation; defining gliders as aircraft; imposing an excise tax on gliders; amending section 82.48.010, chapter 15, Laws of 1961 as amended by section 1, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.010; and amending section

82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030.

Referred to Committee on Transportation.

HOUSE BILL NO. 507, by Representatives Lysen, Maxie, Douthwaite, Chatalas, Gallagher, King, Grant, Williams, Rabel, Charnley, Kraabel, Martinis, McDermott, Wojahn, Bradley, Adams, Bagnariol, Blair and Backstrom:

An Act relating to political parties; providing for the election of the state committee; amending section 29.42.020, chapter 9, Laws of 1965 and RCW 29.42.020; and amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 508, by Representatives Bottiger, Spanton, Litchman and Bagnariol:

An Act relating to the registration of escrow agents; amending section 2, chapter 153, Laws of 1965 as amended by section 1, chapter 76, Laws of 1967 ex. sess. and RCW 18.44.020; amending section 4, chapter 153, Laws of 1965 and RCW 18.44.040; amending section 5, chapter 153, Laws of 1965 and RCW 18.44.050; amending section 7, chapter 153, Laws of 1965 and RCW 18.44.070; amending section 8, chapter 153, Laws of 1965 and RCW 18.44.080; amending section 16, chapter 153, Laws of 1965 and RCW 18.44.150; amending section 17, chapter 153, Laws of 1965 and RCW 18.44.160; and adding new sections to chapter 153, Laws of 1965 and to chapter 18.44 RCW.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 509, by Representatives Bledsoe, Flanagan, Amen, Benitz, Morrison, Newhouse, Schumaker, Curtis, Hatfield, Lynch, Spanton, Wanamaker, Smith, Hansey, Goldsworthy, Haussler, Bozarth, Bauer and Van Dyk:

An Act relating to the collection of assessments by the Washington state beef commission; and adding new sections to chapter 133, Laws of 1969 and to chapter 16.67 RCW.

Referred to Committee on Agriculture.

HOUSE BILL NO. 510, by Representatives Wanamaker, Bozarth and Berentson:

An Act relating to highways; making appropriations for the operations and capital improvements of the state highway commission, the joint committee on highways, the urban arterial board, the Washington toll bridge authority, the county road administration board; making appropriations to the utilities and transportation commission for administration of the highway grade crossing protective program; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 511, by Representatives Brouillet and Knowles (by State Board for Community College Education request):

An Act relating to community colleges; and amending section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as amended by section 22, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.100.

Referred to Committee on Higher Education.

HOUSE BILL NO. 512, by Representative Brouillet (by State Board for Community College Education request):

An Act relating to the state building authority; amending section 2, chapter 162, Laws of 1967 as last amended by section 1, chapter 103, Laws of 1970 ex. sess., and RCW 43.75.020; amending section 3, chapter 162, Laws of 1967 as amended by section 2, chapter 103, Laws of 1970 ex. sess. and RCW 43.75.030; and amending section 4, chapter 162, Laws of 1967 and RCW 43.75.040.

Referred to Committee on Higher Education.



HOUSE JOINT MEMORIAL NO. 9, by Representatives Charnley and Williams (by Urban Affairs Council request):

Regarding unconventional automobile combustion systems.

Referred to Committee on Transportation.

SENATE BILL NO. 46, by Senators Wilson and Odegaard:

An Act relating to school districts; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 153, Laws of 1969 ex. sess. and RCW 28A.24.055; creating new sections; and declaring an emergency.

Referred to Committee on Education and Libraries.

SENATE BILL NO. 88, by Senators Guess, Twigg, Washington and Atwood:

An Act relating to the acquisition, leasing, releasing, and construction authority of the state building authority; amending section 3, chapter 162, Laws of 1967 as amended by section 2, chapter 103, Laws of 1970 ex. sess. and RCW 43.75.030; and amending section 4, chapter 162, Laws of 1967 and RCW 43.75.040.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 95, by Senators Talley, Washington, Huntley and Henry:

An Act relating to motor vehicles; amending section 46.37.420, chapter 12, Laws of 1961 as amended by section 1, chapter 7, Laws of 1969 ex. sess. and RCW 46.37.420; and declaring an emergency.

Referred to Committee on Transportation.

ENGROSSED SENATE BILL NO. 114, by Senators Francis, Woodall and Holman:

An Act relating to the discharge of public assistance liens and the payment of attorney's fees and costs; and amending section 12, chapter 173, Laws of 1969 ex. sess. and RCW 74.09.186.

Referred to Committee on Judiciary.

SENATE BILL NO. 131, by Senators Day, Keefe and Peterson (Ted) (by Legislative Council request):

An Act relating to enrichment of flour used in baking; amending section 1, chapter 192, Laws of 1945 and RCW 69.08.010; and adding a new section.

Referred to Committee on Agriculture.

SENATE BILL NO. 311, by Senator Foley:

An Act relating to housing authorities; and amending section 35.82.020, chapter 7, Laws of 1965 and RCW 35.82.020.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 312, by Senators Henry, Washington, Atwood, Huntley and Guess:

An Act relating to emergency protection and restoration of highways; adding a new section to chapter 47.28 RCW; creating new sections; providing a terminal date; and declaring an emergency.

On motion of Mr. Bledsoe, the rules were suspended, Engrossed Senate Bill No. 312 was advanced to second reading and read the second time.

Representative Berentson spoke in favor of the bill.

#### POINT OF INFORMATION

Mr. Bledsoe: "Mr. Speaker, ladies and gentlemen of the House: Just a word about the procedure we are following. In advance of the floor motion to suspend the rules, the committee chairman has explained the bill in its full status on second reading so that any member who wishes to submit amendments at this second reading point will have an opportunity to do so. It would not ordinarily be appropriate procedure to fully debate the

bill on second reading, but so the body will have full knowledge of what is being asked of it before the bill is moved to third reading this is the procedure we will follow, at least in these opening days."

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Charnley.

Mr. Charnley: "Mr. Berentson, this is not the first time this type of problem has occurred in this section of highway. Can you give me any kind of an assurance that the construction planned by the Highway Department at this time will sufficiently handle this problem? It is my feeling that this area is very poorly planned, both from the geologic and the engineering standpoint. This sort of thing seems to be occurring many times."

Mr. Berentson: "Well, of course, not being an engineer, I am not sure I could give you that assurance. I haven't seen the area so I am not exactly sure how this particular slide area relates to the work done up there in the last year or year and a half where they did have a tremendous problem with the bank sloughing off. I believe this is another area where they didn't expect this type of problem. I might just go back and say the intent of this legislation is to take care of all emergencies that we might face in this area, as quickly as possible, without going through the complete bidding process, etc. I think you have on your desk a list of twelve emergency situations throughout the state that we face because of the bad weather we had."

Mr. Charnley: "I would just like to suggest to the members of the Transportation Committee that study and consideration be made of the Highway Department's future planning, that they adequately plan and anticipate conditions of this sort so we aren't asked to year-by-year make this type of emergency appropriations."

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Sawyer.

Mr. Sawyer: "Mr. Berentson, during our caucus when I was attempting to explain this bill a question was asked of me which I was unable to answer. I thought you might have the information for some members of our caucus. We have had emergency slides in the passes before. They were wondering what made the situation different from the past, and why the additional authority was needed at this particular time."

Mr. Berentson: "To my knowledge now we do have an emergency proviso that takes care of anything up to the sum of \$7,500. This bill extends this to \$100,000, and actually what we are looking at here is about one million dollars. Now, I can't frankly tell you just off the top of my head whether we have had that many emergency situations where maybe you are looking at \$25,000 or \$50,000, but we do have within the highway budget certain budgeted funds that do take care of maintenance and emergency problems. We are looking here basically at the tremendous cost of, let's say, a disaster that cost 500,000 to a million dollars. Let me say this: Rest assured that this bill you are voting on today will not remain in effect after June 30, but we will come back with a new bill designed to take care of all emergencies. I think at that time any of you who have questions can look at that legislation and can put proper safeguards on then."

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Van Dyk.

Mr. Van Dyk: "I noted in your remarks that you said this bill would make legal what is being done. On this work that is proceeding on the highways now in my county, have they followed everything that is put in this bill?"

Mr. Berentson: "To my knowledge, everything that has and is being done now would be covered under this bill, yes."

Mr. Van Dyk: "Then, in other words, three firms were asked to submit bids?"

Mr. Berentson: "What we are doing here is giving a 30-day period for the emergency cleanup. This has an emergency clause in it, and I would assume (although I can't say for sure because I just didn't happen to ask the Director this morning) that they will follow the procedure on this and ask for bids from three qualified contractors."

Mr. Van Dyk: "Then it is your understanding that the work that is now being done has been done after they have asked the three qualified people? Is that correct?"

Mr. Berentson: "Yes, that is correct."

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 312 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 312, and the bill passed the House by the following vote: Yeas, 93; nays, 6; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Charnley, Douthwaite, Grant, Lysen, Shipoch, Williams—6.

Engrossed Senate Bill No. 312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

Mr. Van Dyk: "Mr. Speaker, I would like to request permission to explain my vote on this."

The Speaker: "You may enter your remarks in the Journal."

I voted for SB 312 with some reservation. I do not feel that emergency road repair work should be an excuse or cover to allow excessive profiteering.

I like the concept of competitive bidding to assure the lowest cost to build good roads.

I dislike enacting into law a bill which makes legal a contract already given out by the Highway Commission.

On the plus side Whatcom County today has Interstate 5 and the road to Mt. Baker in immediate need of repair. I have been assured by questioning on the House Floor that there will still be competition among the three written bids for all work except emergency work to protect roads from further damage and/or to remove debris from the surface of roads.

In light of the discussed facts, the emergency to my county and short life of this bill, if passed into law, I voted "yes" for SB 312.

DAN VAN DYK, 42nd District.

## MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, February 2, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWENTY-THIRD DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 2, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### REPORTS OF STANDING COMMITTEES

January 29, 1971.

HOUSE BILL NO. 158, consolidating state-wide city employees' retirement system with the Washington public employees' retirement system, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 3, line 30, strike all of sections 5 and 6

On page 1, line 2 of the title after "41.40 RCW;" insert "and" and also on line 2 after "41.44 RCW" insert a period and strike the balance of the title.

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Berentson, Blair, Hoggins, King, Litchman, Luders, Merrill.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 220, simplifying documentary requirements for foreign corporations requesting authority to do business in Washington, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 222, deleting the requirement that notice to a nonprofit corporation or association that it shall cease to exist shall be by certified mail, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 15 after "[certified]" insert "*first class*"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 223, providing for certain changes in the powers, duties and functions of the secretary of state, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

January 29, 1971.

HOUSE BILL NO. 225, deleting the requirement that notice to a corporation failing to

pay the annual license fee shall be by certified mail, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 21 after "requested,]" insert "*by first class mail,*"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE GOVERNOR

Office of the Governor, January 28, 1971.

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.  
LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bill, entitled:

HOUSE BILL NO. 199: Conforming Washington unemployment compensation law to federal law generally.

Sincerely,  
RICHARD W. HEMSTAD  
Legal Assistant.

MESSAGES FROM THE SENATE

February 2, 1971.

Mr. Speaker: The President has signed SENATE BILL NO. 312, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 312.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 513, by Representatives Knowles, Eikenberry, Luders, Gallagher, Grant and Bagnariol:

An Act relating to crimes and criminal procedure; amending section 1, chapter 48, Laws of 1970 ex. sess. and RCW 9.73.080; amending section 69.33.410, chapter 27, Laws of 1959 as amended by section 20, chapter 38, Laws of 1963 and RCW 69.33.410; amending section 2, chapter 6, Laws of 1939 as last amended by section 10, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.070; amending section 12, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.075; adding new sections to chapter 69.33 RCW; adding new sections to chapter 69.40 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 514, by Representative Smythe:  
An Act relating to local government.  
Referred to Committee on Local Government.

HOUSE BILL NO. 515, by Representative Smythe:  
An Act relating to local government.  
Referred to Committee on Local Government.

HOUSE BILL NO. 516, by Representative Smythe:  
An Act relating to local government.  
Referred to Committee on Local Government.

HOUSE BILL NO. 517, by Representative Smythe:

An Act relating to local government.

Referred to Committee on Local Government.

HOUSE BILL NO. 518, by Representatives Smythe and Gilleland:

An Act relating to boards of equalization; and amending section 84.48.010, chapter 15, Laws of 1961 as amended by section 2, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.010.

Referred to Committee on Local Government.

HOUSE BILL NO. 519, by Representatives Smythe, Thompson and Zimmerman:

An Act relating to vessels and boating; establishing a marine board to regulate boating; creating new sections; repealing section 1, chapter 72, Laws of 1933 and RCW 88.12.010; repealing section 2, chapter 72, Laws of 1933 and RCW 88.12.020; repealing section 3, chapter 72, Laws of 1933 and RCW 88.12.030; repealing section 4, chapter 72, Laws of 1933 and RCW 88.12.040; repealing section 5, chapter 72, Laws of 1933 and RCW 88.12.050; repealing section 6, chapter 72, Laws of 1933 and RCW 88.12.060; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 520, by Representative Smythe:

An Act relating to local government.

Referred to Committee on Local Government.

HOUSE BILL NO. 521, by Representatives Eikenberry and Bottiger:

An Act relating to intermediate school districts; and repealing sections 1 through 6, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.010 through 28A.21.060; repealing section 7, chapter 176, Laws of 1969 ex. sess. as amended by section 2, chapter 84, Laws of 1970 ex. sess. and RCW 28A.21.070; repealing section 3, chapter 84, Laws of 1970 ex. sess. and RCW 28A.21.073; repealing sections 8 through 10, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.080 through 28A.21.100; repealing sections 19 and 20, chapter 34, Laws of 1969 ex. sess. and RCW 28A.21.105 and 28A.21.106; repealing sections 11 through 18 and 20 through 24, chapter 176, Laws of 1969 ex. sess. and RCW 28A.21.110 through 28A.21.180 and RCW 28A.21.190 through 28A.21.230; and making an effective date.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 522, by Representatives Grant, Marzano and Kilbury:

An Act relating to labor relations; enacting the "Washington State Public Employment Labor Relations Act"; repealing section 1, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.010; repealing section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; repealing section 3, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.030; repealing section 4, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.040; repealing section 5, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.050; repealing section 6, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.060; repealing section 7, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.070; repealing section 8, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.080; repealing section 9, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.090; repealing section 10, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.100; repealing section 11, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.110; repealing section 12, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.120; repealing section 1, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.140; repealing section 2, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.150; repealing section 3, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.160; repealing section 4, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.170; repealing section 5, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.180; repealing section 6, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.190; and providing penalties.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 523, by Representatives Marsh, Kopet, Haussler and Bauer:

An Act relating to counties; authorizing employee safety awards; and adding a new section to Title 36 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 524, by Representatives Hoggins, Chatalas and Zimmerman:

An Act relating to cities and towns; excepting from local improvement districts the widening and construction of arterials; and amending section 35.43.040, chapter 7, Laws of 1965 as amended by section 1, chapter 258, Laws of 1969 ex. sess. and RCW 35.43.040.

Referred to Committee on Local Government.

HOUSE BILL NO. 525, by Representatives Hoggins, May and Kopet:

An Act relating to zoning; providing for the automatic lapse of variances and exceptions to zoning laws; adding a new section to chapter 7, Laws of 1965 and to chapter 35.63 RCW; adding a new section to chapter 119, Laws of 1967 ex. sess. and to chapter 35A.63; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.70 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 526, by Representatives Grant, McDermott, Charette, Chatalas, Douthwaite, Lysen and Ross:

An Act relating to public meetings; amending section 1, chapter 216, Laws of 1953 and RCW 42.32.010; and amending section 2, chapter 216, Laws of 1953 and RCW 42.32.020.

Referred to Committee on State Government.

HOUSE BILL NO. 527, by Representatives Backstrom, Martinis, King, Moon, Kirk and Ceccarelli:

An Act relating to public employment; and creating a new section.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 528, by Representatives McCormick, Shinpoch and Sawyer:

An Act relating to motorboats; amending section 3, chapter 72, Laws of 1933 and RCW 88.12.030; amending section 5, chapter 72, Laws of 1933 and RCW 88.12.050; creating new sections; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 529, by Representatives Grant, Bradley, Randall, Williams, Shinpoch, Anderson, Bagnariol and Kilbury:

An Act relating to industrial insurance; amending section 51.32.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 166, Laws of 1965 ex. sess. and RCW 51.32.070; adding new sections to chapter 23, Laws of 1961 and to chapter 51.32 RCW; making appropriations; and declaring an effective date.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 530, by Representatives Bottiger, Kirk, Maxie and Ceccarelli:

An Act relating to state institutions; admitting certain minors to hospitals for the mentally ill; providing for the payment of hospital charges; and adding new sections to chapter 28, Laws of 1959 and to chapter 72.23 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 531, by Representatives Bottiger and Gallagher:

An Act relating to education; providing for the classification and accreditation of certain schools; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.120; amending section 28A.04.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.130; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 532, by Representatives Hansey, Conner and Zimmerman:

An Act relating to fish and shellfish; amending section 75.16.020, chapter 12, Laws of

1955 and RCW 75.16.020; and amending section 75.16.030, chapter 12, Laws of 1955 and RCW 75.16.030.

Referred to Committee on Natural Resources and Ecology.

#### SECOND READING

HOUSE BILL NO. 40, by Representatives Newhouse, Moon, Berentson and Litchman (by Legislative Council request):

Removing mandatory directive to sell first class tide and shore lands and giving abutting owner preference to lease as well as buy.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 1, line 15 after "That" strike all of the matter down to and including "AND PROVIDED FURTHER, That" on line 23 and insert "[if the abutting upland owner has attempted to convey by deed to a bona fide purchaser any portion of the tide or shore lands in front of such uplands, or littoral rights therein, such right of purchase herein given to the upland owner shall be construed to belong to such purchaser, or to any person, association or corporation claiming by, through or under such purchaser, to the extent of the tract or right so conveyed]"

The bill was read the second time.

On motion of Mr. Zimmerman, the committee amendment was adopted.

House Bill No. 40 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 11, by Representatives Haussler, Bozarth, Ceccarelli, Hurley, Martinis and Marzano:

Establishing laws relating to the use, sale, control and possession of dangerous drugs.

Committee recommendation: Majority, do pass with the following amendment:

On page 3, section 3, line 22 before ", or" strike "copartnership" and insert "partnership"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

Mr. Haussler moved adoption of the following amendment:

On page 6, line 3, insert:

"NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions, and shall take effect immediately."

Representative Haussler spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Wolf: "Mr. Speaker, is the amendment New Section 5?"

The Speaker: "That is correct, New Section 5."

The amendment by Representative Haussler was adopted.

House Bill No. 11 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 245, by Representatives Bottiger, North, Smythe, Charnley and Mentor (by Secretary of State request):

Permitting election candidate's name twice on ballots if one position be that for precinct committeeman.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 71, by Representatives Bledsoe, Kiskaddon and Moon (by Legislative Council request):

Extending medical aid coverage to state volunteer workers.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 13, after "for the state," insert "except civil defense workers as described by RCW 38.52,"



On page 1, section 1, line 14, after "receives no salary," strike "expenses or other compensation therefor."

The bill was read the second time.

On motion of Mr. Hubbard, the committee amendments were adopted.

House Bill No. 71 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 10, by Representatives Brouillet, Bauer and Luders:

Recognizing certain items as evidence of educational competence for public employment.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 67, by Representatives Bottiger, Harris and Maxie (by Legislative Council request):

Regulating installment sales contracts.

Committee recommendation: Majority, do pass as amended. (For Committee Amendments see Journal of January 28, 1971, Eighteenth Day.)

The bill was read the second time.

On motion of Mr. Julin, the committee amendments to pages 3 and 5 were adopted.

Mr. Julin moved adoption of the amendment to page 6, adding a new section 4, and spoke in favor of its adoption.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Bottiger.

Mr. Bottiger: "Is this the text of the proposed amendment that was sent down by the Attorney General's Consumer Fraud Division?"

Mr. Julin: "Yes, it is, Representative Bottiger."

The committee amendment to page 6, adding a new section 4, was adopted.

Mr. Eikenberry moved adoption of the following amendment:

On page 6, add a new section 4 as follows:

"NEW SECTION. Sec. 4. This 1971 amendatory act shall take effect on October 1, 1971."

The Speaker stated that with the consent of Mr. Eikenberry, the amendment would be changed to read "new section 5" since the committee amendment just added a new section 4.

Representative Eikenberry spoke in favor of adoption of the amendment, and Representative Julin spoke against it.

The amendment was adopted on a rising vote.

On motion of Mr. Julin, the committee amendments to the title were adopted.

House Bill No. 67 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 234, by Representatives Bottiger, Julin and Hubbard:

Providing criminal penalties for removing from the state property subject to a security agreement.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 16 after "party" strike "(or his assignee)"

On page 1, section 1, line 18 after "or" strike "such lessor of" and insert "[such] the lessor under"

On page 1, section 1, line 19 after "agreement," insert "or any assignee of such security agreement, mortgage, lien, conditional sales contract, rental agreement or lease"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 234 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 171, by Representatives Zimmerman, Flanagan and Martinis:  
Defining "wildlife agent."

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 262, by Representatives Julin, Marsh and Harris:

Providing that bonds in civil cases shall not be required of banks and savings and loan associations.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 10 after "association" insert "or any institution"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 262 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

### THIRD READING

HOUSE BILL NO. 41, by Representatives Wojahn, Kirk, Sawyer, Kiskaddon, Adams, Charnley, Gallagher, Kilbury, King, Marsh, Martinis, McCormick, Van Dyk and Wolf:  
Requiring that bacon be packaged so that the quality and degree of leanness may be ascertained.

House Bill No. 41 was read the third time and placed on final passage.

Representatives Wojahn, Kirk, Maxie, Kilbury, Charnley and Chatalas spoke in favor of passage of the bill, and Representatives Kuehnle and Hatfield spoke against it.

Mr. Grant demanded the previous question, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 41, and the bill passed the House by the following vote: Yeas, 86; nays, 12; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Benitz, Eikenberry, Gladder, Hatfield, Hubbard, Jones, Kopet, Kraabel, Kuehnle, Pardini, Randall, Smith—12.

Absent or not voting: Representative Spanton—1.

House Bill No. 41, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 108, by Representatives Zimmerman, Randall, Brown and Brouillet (by Joint Committee on Education request):

Providing for filling of vacancies in, quorum for, school districts.

Engrossed House Bill No. 108 was read the third time and placed on final passage.

Representative Hoggins spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 108, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley,

Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

Engrossed House Bill No. 108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of the third reading calendar, and the bills were ordered placed on tomorrow's third reading calendar.

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Wednesday, February 3, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWENTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 3, 1971.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 1, 1971.

HOUSE BILL NO. 44, providing for the cancellation of county warrants after one year, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 6, beginning with "County" strike everything down to and including "commissioners" on line 8 and insert "[County warrants drawn but uncalled for one year after] *Registered or interest bearing county warrants not presented within one year of the date of their call, and all other county warrants not presented within one year of the date of their issue shall be canceled by the [board of county commissioners] legislative authority of the county*"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Litchman, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 1, 1971.

HOUSE BILL NO. 88, providing that port districts of less than county size cannot be formed, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Bauer, Blair, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Litchman, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Thompson.

MINORITY recommendation: Do not pass. Signed by Representative Amen.

Passed to Committee on Rules and Administration for second reading.

February 1, 1971.

HOUSE BILL NO. 110, providing for refunds of erroneously paid property taxes, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 4, after "overpaid]" and before "with" insert "*or paid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same*"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Litchman, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 1, 1971.

HOUSE BILL NO. 133, providing for control by the boundary review boards of certain action by cities, towns, or special purpose districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 22, strike "establishment" and insert "extension"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Litchman, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Thompson.

MINORITY recommendation: Do not pass. Signed by Representatives Bradley, Kuehnle.

Passed to Committee on Rules and Administration for second reading.

February 1, 1971.

HOUSE BILL NO. 134, providing for reduction in the number of fire commissioners in a merged fire protection district, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 6, strike "or more"

On page 1, section 1, line 8, strike "not more than" and insert "the"

On page 1, section 1, line 10, strike "occurring in the six years following the merger,"

On page 1, section 1, line 20, after "state." insert a new paragraph as follows:

"Whenever more than two fire protection districts merge, the board of fire commissioners shall consist of one commissioner from each of the original districts to be selected by the commissioners from each such original district. At the time of the next general election occurring thirty or more days after the merger, three commissioners shall be elected. The candidate receiving the highest number of votes shall serve for a term of six years, the candidate receiving the next highest number of votes shall serve for a term of four years, and the candidate receiving the next highest number of votes shall serve for a term of two years. Thereafter fire commissioners shall be elected in the same manner as is prescribed for all fire protection districts of this state."

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Brown, Douthwaite, Haussler, Jones, Kopet, Kuehnle, Litchman, Lysen, Martinis, Mentor, Merrill, Rabel, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 2, 1971.

HOUSE BILL NO. 212, removing the forty percent limitation from marine fuel taxes used for capital improvements on marine recreation areas, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Beck, Bradley, Charnley, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Smith, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 2, 1971.

HOUSE BILL NO. 215, providing for use of voting devices and vote tally systems in all elections and for listing of candidates thereat, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, Grant, May, Moon, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 2, 1971.

HOUSE JOINT RESOLUTION NO. 30, amending the Constitution to allow eighteen-year-old vote and updates residency requirements, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Grant, May, Moon, Smythe.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

February 2, 1971.

Mr. Speaker: The Senate has passed:  
 ENGROSSED SENATE BILL NO. 47,  
 SENATE BILL NO. 57,  
 ENGROSSED SENATE BILL NO. 63,  
 ENGROSSED SENATE BILL NO. 86,  
 SENATE BILL NO. 125,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 533, by Representative Conner:

An Act relating to food fish and shellfish; and adding a new section to 75 RCW.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 534, by Representatives Wanamaker, Hubbard, Ceccarelli, Mentor, Gilleland, Randall, Kirk, Douthwaite, Knowles, Litchman and Smythe:

An Act relating to revenue and taxation; providing certain tax exemptions; providing penalties; and making an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 535, by Representatives Chatalas, Barden and Grant:

An Act relating to revenue and taxation; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 536, by Representatives Sawyer, Jueling, Bottiger, Marzano, Brouillet, Adams, Wojahn, Spera and Gallagher:

An Act relating to judges of the superior courts; providing for ten judges in Pierce county; and amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 213, Laws of 1969 ex. sess. and RCW 2.08.061.

Referred to Committee on Judiciary.

HOUSE BILL NO. 537, by Representatives Smythe, Kopet and Pardini:

An Act relating to tuberculosis hospitalization and control.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 538, by Representatives Charette and Hubbard:

An Act relating to workman's compensation; and amending section 51.24.010, chapter 23, Laws of 1961 as amended by section 7, chapter 274, Laws of 1961 and RCW 51.24.010.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 539, by Representatives Berentson, McDermott, Cunningham, Lysen, Williams, Brown, Conway, Gilleland, Blair, Rabel, Bluechel, Kraabel and Smythe (by Executive request):

An Act relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties and functions; transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the department of motor vehicles, the state traffic safety commission, the canal commission, the utilities and transportation commission, and the urban arterial board; transferring to the jurisdiction of the secretary of transportation certain powers, duties and functions of certain state officials, boards and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices; renaming Title 47 RCW and adding certain code chapters thereto; amending section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; amending section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 22, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.160; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.245, chapter 13, Laws of 1961 as amended by section 53, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.245; amending section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250; amending section 3, chapter 257, Laws of 1961 and

RCW 47.56.254; amending section 4, chapter 165, Laws of 1947 as last amended by section 2, chapter 68, Laws of 1967 and RCW 14.04.040; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; amending section 3, chapter 147, Laws of 1967 ex. sess. as amended by section 1, chapter 105, Laws of 1969 ex. sess. and RCW 43.59.030; amending section 9, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.080; amending section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 14, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.130; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 1, chapter -- (HB No. 97), Laws of 1971 and RCW 43.17.010; amending section 2, chapter -- (HB No. 97), Laws of 1971 and RCW 43.17.020; adding new sections to Title 46 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; adding a new section to chapter 14.04 RCW; adding new sections to chapter 43.59 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; repealing section 3, chapter 165, Laws of 1947 as amended by section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing sections 4 and 7, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040 and 43.59.060; repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010; repealing section 2, chapter 156, Laws of 1965 and RCW 46.01.020; repealing section 9, chapter 156, Laws of 1965 and RCW 46.01.090; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing sections 47.01.080 and 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.080 and 47.01.090; repealing section 47.01.030, chapter 13, Laws of 1961 as amended by section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; repealing section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; repealing section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961 as amended by section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 47.01.160, chapter 13, Laws of 1961 as amended by section 29, chapter 170, Laws of 1965 ex. sess. and RCW 47.01.160; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess. as amended by section 1, chapter 36, Laws of 1967 and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; and providing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 540, by Representatives Amen, Haussler, Newhouse, Zimmerman, Ceccarelli, Thompson, Pardini, Bledsoe, Benitz, Cunningham, King, Paris, Farr and Hansey (by Executive request):

An Act relating to pesticides; establishing a control board; adding new sections to Title 15 RCW; repealing section 1, chapter 244, Laws of 1961 and RCW 15.57.010; repealing section 2, chapter 244, Laws of 1961 and RCW 15.57.020; repealing section 3, chapter 244, Laws of 1961 and RCW 15.57.030; repealing section 4, chapter 244, Laws of 1961 and RCW 15.57.040; repealing section 5, chapter 244, Laws of 1961 and RCW 15.57.050; repealing section 6, chapter 244, Laws of 1961 and RCW 15.57.060; repealing section 7, chapter 244, Laws of 1961 and RCW 15.57.070; repealing section 8, chapter 244, Laws of 1961 and RCW 15.57.080; repealing section 9, chapter 244, Laws of 1961 and RCW 15.57.090; repealing section 10, chapter 244, Laws of 1961 and RCW 15.57.100; repealing section 11, chapter 244, Laws of 1961 and RCW 15.57.110; repealing section 12, chapter 244, Laws of 1961 and RCW 15.57.120; repealing section 13, chapter 244, Laws of 1961 and RCW 15.57.130; repealing section 14, chapter 244, Laws of 1961 and RCW 15.57.140; repealing section 15, chapter 244, Laws of 1961 and RCW 15.57.150; repealing section 16, chapter 244, Laws of 1961 and RCW 15.57.160; repealing section 17, chapter 244, Laws of 1961 and RCW 15.57.170; repealing section 18, chapter 244, Laws of 1961 and RCW 15.57.180; repealing section 19, chapter 244, Laws of 1961 and RCW 15.57.190; repealing section 20, chapter 244, Laws of 1961 and RCW 15.57.200; repealing section 21, chapter 244, Laws of 1961 and RCW 15.57.210; repealing section 22, chapter 244, Laws of 1961

and RCW 15.57.220; repealing section 23, chapter 244, Laws of 1961 and RCW 15.57.230; repealing section 24, chapter 244, Laws of 1961 and RCW 15.57.240; repealing section 25, chapter 244, Laws of 1961 and RCW 15.57.250; repealing section 26, chapter 244, Laws of 1961 and RCW 15.57.260; repealing section 27, chapter 244, Laws of 1961 and RCW 15.57.270; repealing section 28, chapter 244, Laws of 1961 and RCW 15.57.280; repealing section 29, chapter 244, Laws of 1961 and RCW 15.57.290; repealing section 30, chapter 244, Laws of 1961 and RCW 15.57.300; repealing section 31, chapter 244, Laws of 1961 and RCW 15.57.310; repealing section 32, chapter 244, Laws of 1961 and RCW 15.57.320; repealing section 33, chapter 244, Laws of 1961 and RCW 15.57.330; repealing section 34, chapter 244, Laws of 1961 and RCW 15.57.340; repealing section 35, chapter 244, Laws of 1961 and RCW 15.57.350; repealing section 36, chapter 244, Laws of 1961 and RCW 15.57.360; repealing section 37, chapter 244, Laws of 1961 and RCW 15.57.370; repealing section 38, chapter 244, Laws of 1961 and RCW 15.57.900; repealing section 39, chapter 244, Laws of 1961 and RCW 15.57.910; repealing section 40, chapter 244, Laws of 1961 and RCW 15.57.920; repealing section 41, chapter 244, Laws of 1961 and RCW 15.57.930; and providing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 541, by Representatives Ross, Maxie, Blair, Kilbury and Smythe (by Executive request):

An Act relating to public contracts; creating new section; and adding a new section to chapter 49.60 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 542, by Representatives Newhouse, Hatfield, Barden, Curtis, Haussler, Jueling and Smith:

An Act relating to education, and certain contracts of employment relating thereto; amending section 16, chapter 15, Laws of 1970 ex. sess. and RCW 28A.67.070; and amending section 18, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.515.

Referred to Committee on Education and Libraries.

HOUSE JOINT RESOLUTION NO. 34, by Representatives Brown, Ceccarelli, Bluechel, Blair, Kiskaddon, Kopet, Cunningham, Mentor, Smith, Hoggins, Bledsoe, Chatalas and Kilbury (by Executive request):

Providing for annual sessions of the legislature.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 35, by Representatives Copeland, Litchman, Bledsoe, Bluechel, Backstrom, King, Shera, Smith, Curtis, Brown, North, Kraabel, Morrison, Farr, Cunningham, Kiskaddon, Lynch, Pardini, Lysen, Wojahn, Ceccarelli, Mentor, Kirk, Conway, Hoggins, Harris, Bauer, Chatalas, McCormick and Smythe (by Executive request):

Providing a new method for amending the Constitution.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 47, by Senators Henry, Knoblauch and Huntley (by Departmental request):

An Act relating to motor vehicles; amending section 46.08.120, chapter 12, Laws of 1961 as amended by section 45, chapter 170, Laws of 1965 ex. sess. and RCW 46.01.260.

Referred to Committee on Transportation.

SENATE BILL NO. 57, by Senators Holman, Wilson and Elicker:

An Act relating to appointment and payment of counsel and payment of certain costs and expenses for indigents; amending section 5, chapter 126, Laws of 1913 as last amended by section 1, chapter 31, Laws of 1970 ex. sess. and RCW 2.32.240; and amending section 2, chapter 133, Laws of 1965 as amended by section 2, chapter 31, Laws of 1970 ex. sess. and RCW 10.01.112.

Referred to Committee on Judiciary.



ENGROSSED SENATE BILL NO. 63, by Senators Atwood, Dore and Gissberg:

An Act relating to autopsies; amending section 237, chapter 249, Laws of 1909, as last amended by section 2, chapter 178, Laws of 1963, and RCW 68.08.100.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 86, by Senators Walgren and Twigg:

An Act relating to cities and towns; and amending section 2, chapter 88, Laws of 1965 ex. sess. and RCW 35.13.178.

Referred to Committee on Local Government.

SENATE BILL NO. 125, by Senators Odegaard, Lewis and Talley (by Departmental request):

An Act relating to work release programs; and amending section 13, chapter 17, Laws of 1967 and RCW 72.65.130.

Referred to Committee on Social and Health Services.

MOTION

On motion of Mr. Morrison, HOUSE BILL NO. 77 was rereferred from the Committee on Transportation to the Committee on Business and Professions.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Morrison, HOUSE BILL NO. 271 was rereferred from the Committee on State Government to the Committee on Education and Libraries.

SECOND READING

HOUSE BILL NO. 185, by Representatives Julin and Wojahn (by Judicial Council request):

Adding additional members to the judicial council.

The bill was read the second time.

Mr. Kilbury moved adoption of the following amendment:

On page 1, section 1, line 18, strike subsection (4) and substitute the following:

"(4) [Three] *Five* members of the state senate, no more than [two] *three* of whom shall be members of the same political party, one of whom will be the chairman of the senate judiciary committee, and the other [two] *four* to be designated by the chairman; [three] *five* members of the state house of representatives, no more than [two] *three* of whom shall be members of the same political party, one of whom shall be the chairman of the house judiciary committee and the other [two] *four* to be designated by the chairman; unless the house judiciary committee is organized into two sections, in which case the chairman of each section shall be a member and they shall designate the [third] *other three* house members:"

Representative Kilbury spoke in favor of the amendment, and Representative Julin spoke against it.

The amendment was not adopted.

House Bill No. 185 was passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 169, by Representatives Cunningham, Conner, Bozarth, Anderson, Gallagher, Beck, Hubbard, Douthwaite and Merrill (by Joint Committee on Highways request):

Extending powers to stop motor vehicles for driver's license check and vehicle inspection and test to hours of darkness.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 106, by Representatives Zimmerman, Thompson, North, Hurley and Ceccarelli (by Departmental request):

Protecting endangered species of fish and wildlife.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 163, by Representatives Cunningham, Conner, Hoggins, Bozarth, Kilbury and Merrill:

Requiring unloaded school buses to stop at railroad crossings.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 10, after "bus" strike "[or private carrier bus" and insert "or private carrier bus ["

The bill was read the second time.

On motion of Mr. Cunningham, the committee amendment was adopted.

On motion of Mr. Hoggins, the following amendment to the title was adopted:

On page 1, line 1 of the title after "to" and before "motor" insert the following:

"rules of the road for" and after "vehicles" and before the semicolon insert "at railroad crossings"

House Bill No. 163 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 57, by Representatives Wolf, Adams and Kopet (by Departmental request):

Providing for changes in licensing periods by the director of motor vehicles.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, beginning on line 6, strike the balance of the section and insert: "Notwithstanding any provision of law to the contrary, the director of motor vehicles may, from time to time, extend the duration of a licensing period for the purpose of staggering renewal periods. Such extension of a licensing period shall be by rule or regulation of the department of motor vehicles adopted in accordance with the provisions of chapter 34.04 RCW. Such rules and regulations may provide a method for imposing and collecting such additional proportional fee as may be required for the extended period."

The bill was read the second time.

On motion of Mr. Curtis, the committee amendment was adopted.

House Bill No. 57 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 48, by Representatives Thompson, Newhouse, Berentson and King (by Legislative Council request):

Authorizing department of natural resources to condemn access to public lands suitable for recreation.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 21, after "domain" insert ": PROVIDED, That the power of eminent domain shall be exercised for such purposes only after the lapse of sixty days following the making of a written offer to the record owner of the land to purchase such right of way. Said offer shall contain a statement of just compensation and shall be accompanied by a copy of the appraisal prepared by the department"

The bill was read the second time.

Mr. Zimmerman moved adoption of the committee amendment.

Mr. Hansey moved adoption of the following amendment to the committee amendment:

Amend the amendment by the Committee on Natural Resources and Ecology to page 1, section 1, line 21. On the last line of the amendment after "department" insert ": PROVIDED, FURTHER, For the purposes of this act, that the department of natural resources shall not acquire by eminent domain any land to be used for nonvehicular access to public lands where the access way is within one hundred feet of a residence unless the land to be acquired is presently in such use; nor shall the department acquire by eminent domain any land to be used as access to public lands by any sort of motor vehicle where the access way is within two hundred fifty feet of a residence unless the land to be acquired is presently in such use"

Representative Hansey spoke in favor of adoption of the amendment to the committee amendment, and Representative Zimmerman spoke against it.

Mr. Wolf demanded an electric roll call, and the demand was sustained.

Representative Thompson spoke against adoption of the amendment to the committee amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Hansey to the committee amendment to House Bill No. 48, and the amendment was not adopted by the following vote: Yeas, 30; nays, 66; absent or not voting, 3.

Voting yea: Representatives Barden, Benitz, Blair, Bluechel, Conway, Copeland, Costanti, Cunningham, Farr, Gilleland, Gladder, Hansey, Hatfield, Hubbard, Jueling, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, O'Brien, Pardini, Polk, Schumaker, Smith, Spanton, Wolf, Mr. Speaker—30.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Berentson, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Curtis, Douthwaite, Flanagan, Gallagher, Goldsworthy, Grant, Harris, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, North, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shipoch, Smythe, Thompson, Wanamaker, Williams, Wojahn, Zimmerman—66.

Absent or not voting: Representatives Bledsoe, Eikenberry, Van Dyk—3.

The Speaker stated the question before the House to be the adoption of the committee amendment.

Representative Zimmerman spoke in favor of the committee amendment.

The committee amendment was adopted.

House Bill No. 48 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 206, by Representatives Julin, Harris and Marsh:

Permitting immediate transfers of assets under the bulk sales act.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 11 after "agent" insert "or attorney"

On page 1, section 1, line 13 after "than" strike "ten" and insert "thirty"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 206 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 200, by Representatives Thompson, Wolf, Martinis and Paris:

Authorizing the relocation of harbor lines in front of Kalama and Everett.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 217, by Representatives Julin, Morrison and Bottiger (by Attorney General request):

Prohibiting certain acts by private foundations.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 216, by Representatives Julin, Morrison and Bottiger (by Attorney General request):

Providing for the contents of certain trust instruments to conform to requirements of the Internal Revenue Code of 1954.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 118, by Representatives Zimmerman, Brown, Brouillet and Randall (by Joint Committee on Education request):

Providing for number of school directors in new school districts.

The bill was read the second time.

Mr. Hoggins moved adoption of the following amendment:

On page 1, line 1 of the title after "to" strike "education" and insert "an increase in the number of school directors in consolidated school districts"

Representatives Hoggins and Bledsoe spoke in favor of adoption of the amendment.

The amendment was adopted.

House Bill No. 118 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

### THIRD READING

HOUSE BILL NO. 109, by Representatives Zimmerman, Brown, Randall and Brouillet (by Joint Committee on Education request):

Authorizing state board of education to establish regulations governing school district numbering.

House Bill No. 109 was read the third time and placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 109, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wajahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Flanagan—1.

House Bill No. 109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 126, by Representatives Shera, McCormick, Conway and Litchman (by Public Pension Commission request):

Providing for inclusion of court of appeals judges in judges retirement system.

House Bill No. 126 was read the third time and placed on final passage.

Representative Shera spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 126, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May,

McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 126, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 143, by Representatives Bottiger, Julin and Harris:

Providing that professional service corporations with one shareholder need have only one officer and director.

House Bill No. 143 was read the third time and placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 143, and the bill passed the House by the following vote: Yeas, 93; nays, 5; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Grant, Lysen, Moon, Pardini, Ross—5.

Absent or not voting: Representative Luders—1.

House Bill No. 143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 172, by Representatives Flanagan, Kiskaddon and Haussler (by Departmental request):

Restoring tax statutes based on passage of HJR 42 to previous status.

House Bill No. 172 was read the third time and placed on final passage.

Representative Flanagan spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 172, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 172, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 10, by Representatives Brouillet, Bauer and Luders:

Recognizing certain items as evidence of educational competence for public employment.

House Bill No. 10 was read the third time and placed on final passage.

Representative Brouillet spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Spanton.

Mr. Spanton: "How many state agencies or municipal agencies are not accepting the GED certificate at the moment, do you know?"

Mr. Brouillet: "We know of approximately three state agencies."

Mr. Spanton: "Approximately three?"

Mr. Brouillet: "Yes, give or take one."

Representative Spanton spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 10, and the bill passed the House by the following vote: Yeas, 96; nays, 3; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Hatfield, Polk, Spanton—3.

House Bill No. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 11, by Representatives Haussler, Bozarth, Ceccarelli, Hurley, Martinis and Marzano:

Establishing laws relating to the use, sale, control and possession of dangerous drugs.

Engrossed House Bill No. 11 was read the third time and placed on final passage.

Representative Haussler spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. O'Brien.

Mr. O'Brien: "You stated the physicians who were stopped at the border with large holdings of marijuana and other drugs were from California?"

Mr. Haussler: "This is right."

Mr. O'Brien: "This would prohibit doctors from other states from coming into our area with marijuana?"

Mr. Haussler: "It would do this, yes."

Mr. O'Brien: "How about the present physicians and others that are operating here? Would they be exempt?"

Mr. Haussler: "Yes, I read that. When these drugs are being used in the course of business, and the amounts are not excessive, then this is perfectly legal."

Mr. O'Brien: "I think you have answered my question. We are all deeply concerned about the drug pushers and people involved with marijuana and things that are happening in our schools today, so it is a very serious question."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 11, and the bill passed the House by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, SHERA, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Voting nay: Representative Ross—1.

Engrossed House Bill No. 11, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 40, by Representatives Newhouse, Moon, Berentson and Litchman (by Legislative Council request):

Removing mandatory directive to sell first class tide and shore lands and giving abutting owner preference to lease as well as buy.

Engrossed House Bill No. 40 was read the third time and placed on final passage.

Representative Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 40, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, SHERA, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

Engrossed House Bill No. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 67, by Representatives Bottiger, Harris and Maxie (by Legislative Council request):

Regulating installment sales contracts.

Engrossed House Bill No. 67 was read the third time and placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Bottiger, is there any provision contained herein whereby the purchaser may waive the three-day waiting period? This has become a real problem for some contractors and purchasers under the federal 'Z' laws, where for one reason or another they really want to go ahead with this contract, like tomorrow, because conditions which prevail would dictate the job needs to be done tomorrow and not three days from now. How is the waiver handled, or is it possible?"

Mr. Bottiger: "It is my understanding it would not be possible. You would have to

work out some kind of an escrow or trust arrangement. I have to tell you I just don't know the answer to that question, if it is possible under this bill."

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Pardini.

Mr. Pardini: "This might answer the first question. As I understand it, this relates only to those contracts which are sold away from the principal place of business—in other words, the door-to-door salesmen—and does not extend to retail installment contracts that might be entered into, for instance, at the Bon Marche or Frederick & Nelson's."

Mr. Bottiger: "This is absolutely correct and is my understanding of the bill. I might tell you the question came up at the Western Washington Fair, as to whether a contract signed there was signed away from the contractor's place of business. It was my opinion and I take it the position of the Attorney General's office—that it was not signed away from his place of business. He rented a booth at the fair and the party came there to make the contract. The bill is designed to get at the guy who comes to the door, away from his place of business. So I think, Mr. Kuehnle, if your client would come to your place of business to sign up for a swimming pool that this act does not provide for a three-day waiting period. But if you catch him at his house (in other words, you are the instigating or moving party) you would have three days before you better start digging your hole."

Representative Curtis pointed out some practical effects of the bill, stating however, that he was not speaking in opposition to it.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Polk.

Mr. Polk: "One of the common practices in the construction trade, for instance with concrete companies, is that a salesman will appear on a construction site and secure business for his concrete company. Now, if under the provisions of this, he should secure an order for a load of concrete, or 20 or 30 yards of concrete, and it is delivered that day and put in place, where does the contractor stand?"

Mr. Bottiger: "If he is a registered contractor, the bond will cover the situation. If he is not a registered contractor, he couldn't collect anyway."

#### POINT OF INFORMATION

Mr. Julin: "Further responding to Representative Polk, we are dealing with installment contracts, those that provide for payment over a period of time, and the normal transaction that he has referred to would normally be a cash contract, payable all at one time, so the act wouldn't apply to that."

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Mentor.

Mr. Mentor: "Most of these contracts are for putting down asphalt or concrete or siding, or any type of repairs—at least I have run into very few people who are going to pay cash. Usually when a blacktopping company comes to do a job for a neighbor, and some other people in the area want to have their driveways blacktopped, they come up to the contractor and ask him if he will do it, and they do this on the same day or the next day, then this guy is not obligated to pay any of these costs (as I understand it) even if he is bonded."

Mr. Julin: "Well, Representative Mentor, I think you are in error on that. I said a cash transaction—perhaps I overstated it. The situation you refer to is one that would require payment of the purchase price at one time. The time may be deferred, but you will not normally be talking about a long installment transaction."

Mr. Mentor: "That is not true. These contracts are for up to five years. Under FHA you can pay for a \$100.00 blacktop job over a five-year period, and most of these contracts are not due in 30 days; they are due over a six-month period or a one-year period."

Representative Mentor spoke against passage of the bill, and Representative Harris spoke in favor of the bill.

Mr. Beck demanded the previous question, and the demand was sustained.



ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 67, and the bill passed the House by the following vote: Yeas, 87; nays, 12; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Amen, Bluechel, Bradley, Conner, Conway, Flanagan, Gladder, Kuehnle, Mentor, Rabel, Schumaker, Spanton—12.

Engrossed House Bill No. 67, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 71, by Representatives Bledsoe, Kiskaddon and Moon (by Legislative Council request):

Extending medical aid coverage to state volunteer workers.

Engrossed House Bill No. 71 was read the third time and placed on final passage.

Representative Kiskaddon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 71, and the bill passed the House by the following vote: Yeas, 96; nays, 3; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Eikenberry, Kuehnle, Pardini—3.

Engrossed House Bill No. 71, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 171, by Representatives Zimmerman, Flanagan and Martinis:

Defining "wildlife agent."

House Bill No. 171 was read the third time and placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 171, and the bill passed the House by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti,

Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Voting nay: Representative Conner—1.

House Bill No. 171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 234, by Representatives Bottiger, Julin and Hubbard:

Providing criminal penalties for removing from the state property subject to a security agreement.

Engrossed House Bill No. 234 was read the third time and placed on final passage.

Representative Julin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 234, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

Engrossed House Bill No. 234, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 245, by Representatives Bottiger, North, Smythe, Charnley and Mentor (by Secretary of State request):

Permitting election candidate's name twice on ballots if one position be that for precinct committeeman.

House Bill No. 245 was read the third time and placed on final passage.

Representatives North, O'Brien and Brown spoke in favor of passage of the bill, and Representative Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 245, and the bill passed the House by the following vote: Yeas, 96; nays, 3; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini,

Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Jueling, Moon, Thompson—3.

House Bill No. 245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 262, by Representatives Julin, Marsh and Harris:

Providing that bonds in civil cases shall not be required of banks and savings and loan associations.

Engrossed House Bill No. 262 was read the third time and placed on final passage.

Representative Harris spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 262, and the bill passed the House by the following vote: Yeas, 90; nays, 8; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Bottiger, Charette, Grant, Lysen, Moon, Perry, Sawyer, Van Dyk—8.

Absent or not voting: Representative Berentson—1.

Engrossed House Bill No. 262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, February 4, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWENTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 4, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hubbard and Kopet who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 3, 1971.

HOUSE BILL NO. 66, classifying the property rights of persons having an interest in trust principal and persons having an interest in trust income, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 4, section 4, beginning on line 24, strike all the material in subsection (4) and insert the following:

"(4) On the termination of an income beneficiary's income interest, income earned but not distributed shall be held and distributed as part of the next eventual interest or estate in accordance with the provisions of the will or trust relating to such next eventual interest or estate; except, this shall not apply to any marital deduction income interest as provided in Section 2056 (and as amended or reenacted) of the Internal Revenue Code of the United States."

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 3, 1971.

HOUSE BILL NO. 83, authorizing traffic officers to issue arrest citations at scene of accident, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16 after "the" and before "license" strike "[driver's] operator's" and insert "driver's"

On page 2, section 2, line 12 before "officers" strike "[police] peace" and insert "police"

On page 2, section 2, line 14 after "presence" strike everything through "accidents" on line 16 and insert "or when the officers investigating at the scenes of motor vehicle accidents have reasonable and probable grounds to believe that the offense has been committed"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 2, 1971.

HOUSE BILL NO. 90, relating to educational opportunities for all handicapped children, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 3, 1971.

HOUSE BILL NO. 176, providing for payment of counsel's fees and expenses in any

case involving indigents where counsel is constitutionally required, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 181, establishing when any statute of limitations is tolled, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 12 after "complaint" insert "*PROVIDED FURTHER, That if the action is commenced by service on one or more of the defendants or by publication, upon written demand by any party, the plaintiff shall pay the filing fee and file the summons and complaint within twenty days or the action shall be deemed dismissed*"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 3, 1971.

HOUSE BILL NO. 239, denying liability of persons withdrawing blood for intoxication test, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 11 before "officer" strike "peace" and insert "law enforcement"

Signed by Representatives Julin, Chairman, Bottiger, Hubbard, Knowles, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

January 26, 1971.

HOUSE BILL NO. 244, making larceny by check constitute grand larceny, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 1 after "obtained" insert "*within any thirty-day period*"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 3, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 8,

SENATE BILL NO. 62,

ENGROSSED SENATE BILL NO. 73,

ENGROSSED SENATE BILL NO. 97,

ENGROSSED SENATE BILL NO. 143,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 543, by Representatives Wolf, Smythe, Pardini, Lynch, Mentor, Juelling, Conway and Backstrom:

An Act relating to public transportation; amending section 11, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.276; and amending section 82.44.150, chapter 15, Laws of 1961, as amended by section 15, chapter 255, Laws of 1969 ex. sess. and RCW 82.44.150.

Referred to Committee on Local Government.

HOUSE BILL NO. 544, by Representatives Charnley, Kiskaddon and Williams:

An Act relating to the department of general administration; amending section 43.19.1911, chapter 8, Laws of 1965 and RCW 43.19.1911; and amending section 43.19.1904, chapter 8, Laws of 1965 as amended by section 4, chapter 104, Laws of 1967 ex. sess. and RCW 43.19.1904.

Referred to Committee on State Government.

HOUSE BILL NO. 545, by Representatives Backstrom, Marsh, Kopet, Curtis and Pardini:

An Act relating to state government; amending section 43.09.050, chapter 8, Laws of 1965 and RCW 43.09.050; amending section 43.88.160, chapter 8, Laws of 1965 as amended by section 49, chapter 8, Laws of 1967 ex. sess. and RCW 43.88.160; and adding a new section to chapter 44.28 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 546, by Representatives Curtis, Litchman, Adams, Martinis, Bagnariol and Wolf:

An Act relating to intoxicating liquor; and amending section 231 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 5, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.310.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 547, by Representatives Grant, Van Dyk and Lysen:

An Act relating to justice courts; amending section 99, chapter 299, Laws of 1961 and RCW 3.54.020; amending section 109, chapter 299, Laws of 1961 as last amended by section 3, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.050; and adding new sections to chapter 299, Laws of 1961 and to chapter 3.30 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 548, by Representatives Beck and Anderson:

An Act relating to food fish and shellfish; providing for a personal use salmon license; designating the uses of moneys received from license fees; establishing a salmon hatchery on the Humpstulips river; creating new sections; providing penalties; and prescribing an effective date.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 549, by Representatives North, Perry and Rabel:

An Act relating to certain school districts in class AA counties; amending section 29.13.060, chapter 9, Laws of 1965 and RCW 29.13.060; amending section 9, chapter 131, Laws of 1969 and RCW 28A.57.425; amending section 10, chapter 131, Laws of 1969 and RCW 28A.57.435; and creating a new section.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 550, by Representatives Newhouse, Haussler, Morrison, Amen, Benitz, Berentson, Bledsoe, Bozarth, Costanti, Curtis, Moon and Van Dyk:

An Act relating to labor relations and practices; enacting the "Washington State Agricultural Labor Relations Act"; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 551, by Representatives Lynch, Maxie, Pardini, Jones, Ceccarelli, North, Kirk, Blair, Kraabel, Litchman, Paris and Ross (by Executive request):

An Act relating to rights of married women; amending section 5, page 131, Laws of 1854 as last amended by section 6, Code of 1881 and RCW 4.08.030; and amending section 2409, Code of 1881 and RCW 26.16.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 552, by Representatives Ross, Maxie, Blair, Smythe, Charnley, Ceccarelli and Douthwaite (by Executive request):

An Act relating to state government; authorizing the state board of health to adopt rules and regulations relating to housing, including maintenance and repair and the provisions of utilities in the facilities to protect the public health and safety; amending section 43.20.050, chapter 8, Laws of 1965 as amended by section 9, chapter 102, Laws of 1967 ex. sess. and RCW 43.20.050; amending section 2, chapter 18, Laws of 1970 ex. sess.

and RCW 43.20A.020; adding new sections to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW; creating a new section; and providing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 553, by Representatives Farr, Marsh and Lynch (by Executive request):

An Act relating to state government, providing for comprehensive health planning, and certificates of need for hospital and nursing home construction; and adding a new chapter to Title 70 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 554, by Representatives Bluechel, Lysen, Gilleland, Brown, Charnley, Luders, Litchman, Martinis and Sawyer (by Executive request):

An Act relating to waters of the state; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 555, by Representatives Cunningham, Van Dyk, Barden, Hoggins, Flanagan, Smith, Jones, Ceccarelli, Bluechel, North, Kiskaddon, Kraabel, Kirk, Brown, Charnley, Bauer, Mentor and Polk (by Executive request):

An Act relating to public beaches; amending section 46.08.180, chapter 12, Laws of 1961 as amended by section 7, chapter 120, Laws of 1967 and RCW 43.51.680; and describing offenses and penalties therefor.

Referred to Committee on Transportation.

HOUSE BILL NO. 556, by Representatives Hansey, Schumaker, Kopet, Costanti and Flanagan (by Executive request):

An Act relating to federal aid for the development of public airports; amending section 9, chapter 165, Laws of 1947 and RCW 14.04.090; amending section 9, chapter 182, Laws of 1945 and RCW 14.08.160; and adding a new section to chapter 165, Laws of 1947 and to chapter 14.04 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 557, by Representatives Bledsoe, Ceccarelli, Kraabel, Amen, Paris, Blair and Mentor (by Executive request):

An Act relating to elections; providing for the regulation and reporting of campaign contributions and expenditures; adding a new chapter to chapter 9, Laws of 1965 and to Title 29 RCW; repealing section 29.18.140, chapter 9, Laws of 1965, section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; prescribing penalties; and making an effective date.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 558, by Representatives Hubbard, Haussler and Bozarth:

An Act relating to the warehousing of agricultural commodities; and amending section 1, chapter 124, Laws of 1963 as amended by section 51, chapter 240, Laws of 1967, and RCW 22.09.010.

Referred to Committee on Agriculture.

HOUSE BILL NO. 559, by Representatives Copeland, Charnley and Costanti:

An Act relating to institutions of higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HOUSE BILL NO. 560, by Representatives Anderson and Charette:

An Act relating to state highways; establishing state route number 115; and adding a new section to chapter 47.17 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 561, by Representatives Kiskaddon, King, Smythe, Cunningham, Wanamaker, Kopet, Ross, McDermott, Zimmerman, Backstrom, Maxie and Mentor (by Executive request):

An Act relating to release or parole of prisoners; adding new sections to chapter 72.02 RCW; repealing section 72.08.343, chapter 28, Laws of 1959 and RCW 72.08.343; and repealing section 72.12.122, chapter 28, Laws of 1959 and RCW 72.12.122.

Referred to Committee on Social and Health Services.

HOUSE JOINT RESOLUTION NO. 36, by Representatives Grant, Chatalas, Sawyer and Bauer:

Allowing the legislature to make justices of the peace courts of record.

Referred to Committee on Judiciary.

HOUSE JOINT RESOLUTION NO. 37, by Representatives Kopet and Bluechel (by Executive request):

Authorizing the governor to make organizational changes in the executive branch.

Referred to Committee on State Government.

HOUSE CONCURRENT RESOLUTION NO. 8, by Representatives Lynch, King and Kiskaddon:

Authorizing a study to determine the feasibility of consolidating community college districts.

Referred to Committee on Higher Education.

ENGROSSED SENATE BILL NO. 8, by Senators Huntley, Day, Guess and Talley:

An Act relating to cemetery districts; amending section 1, chapter 6, Laws of 1947 as last amended by section 1, chapter 99, Laws of 1957, and RCW 68.16.010; amending section 13, chapter 6, Laws of 1947 as last amended by section 2, chapter 23, Laws of 1959 and RCW 68.16.130; amending section 7, chapter 53, Laws of 1961 and RCW 45.80.070; and amending section 8, chapter 53, Laws of 1961 and RCW 45.80.080.

Referred to Committee on Local Government.

SENATE BILL NO. 62, by Senators Francis, Walgren and Gissberg:

An Act relating to survival of actions and damages; and amending section 1, chapter 137, Laws of 1961 and RCW 4.20.046.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 73, by Senators Greive, Twigg, Woodall and Cooney (by Legislative Council request):

An Act relating to evidence; and adding a new section to Title 5 RCW.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 97, by Senators Whetzel, Walgren and Cooney (by Legislative Council request):

An Act relating to county officials; providing for certain changes in official bonds; and amending section 36.16.050, chapter 4, Laws of 1963 as amended by section 91, chapter 176, Laws of 1969 ex. sess. and RCW 36.16.050.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 143, by Senators Guess, Washington and Donohue (by Departmental request):

An Act relating to state highway construction; and amending section 47.28.060, chapter 13, Laws of 1961 as amended by section 1, chapter 64, Laws of 1965 ex. sess., and RCW 47.28.060.

Referred to Committee on Transportation.



MOTION

On motion of Mr. Morrison, HOUSE BILL NO. 399 was rereferred from the Committee on Business and Professions to the Committee on State Government.

THIRD READING

ENGROSSED HOUSE BILL NO. 48, by Representatives Thompson, Newhouse, Berentson and King (by Legislative Council request):

Authorizing department of natural resources to condemn access to public lands suitable for recreation.

Engrossed House Bill No. 48 was read the third time and placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill, and Representative Smith spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 48, and the bill passed the House by the following vote: Yeas, 73; nays, 22; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Grant, Hansey, Harris, Haussler, Hoggins, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Moon, Newhouse, North, O'Brien, Paris, Perry, Rabel, Randall, Rosellini, Savage, Sawyer, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—73.

Voting nay: Representatives Bagnariol, Blair, Conway, Gilleland, Gladder, Goldsworthy, Hatfield, Hurley, Jastad, Kuehnle, Lynch, Marzano, May, Merrill, Morrison, Pardini, Polk, Ross, Schumaker, Smith, Spanton, Wolf—22.

Absent or not voting: Representatives Copeland, Hubbard, Kopet, Luders—4.

Engrossed House Bill No. 48, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 57, by Representatives Wolf, Adams and Kopet (by Departmental request):

Providing for changes in licensing periods by the director of motor vehicles.

Engrossed House Bill No. 57 was read the third time and placed on final passage.

Representatives Wolf and Backstrom spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 57, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Hubbard, Kopet—2.

Engrossed House Bill No. 57, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 106, by Representatives Zimmerman, Thompson, North, Hurley and Ceccarelli (by Departmental request):

Protecting endangered species of fish and wildlife.

House Bill No. 106 was read the third time and placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. Zimmerman, some of the constituents that I represent are alarmed at the possibility of the introduction of a fish called the 'walking catfish' to the state of Washington. Will this bill effectively prevent that fish from being introduced to the state of Washington?"

Mr. Zimmerman: "This bill effectively gives the Game Commission the opportunity to deal with the walking catfish in a way that will protect your constituents."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 106, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charmley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Hubbard, Kopet—2.

House Bill No. 106, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 118, by Representatives Zimmerman, Brown, Brouillet and Randall (by Joint Committee on Education request):

Providing for number of school directors in new school districts.

Engrossed House Bill No. 118 was read the third time and placed on final passage.

Representative Brown spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 118, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charmley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch,

Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Hubbard, Kopet—2.

Engrossed House Bill No. 118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 163, by Representatives Cunningham, Conner, Hoggins, Bozarth, Kilbury and Merrill:

Requiring unloaded school buses to stop at railroad crossings.

Engrossed House Bill No. 163 was read the third time and placed on final passage.

Representative Cunningham spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 163, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Hubbard, Kopet—2.

Engrossed House Bill No. 163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 169, by Representatives Cunningham, Conner, Bozarth, Anderson, Gallagher, Beck, Hubbard, Douthwaite and Merrill (by Joint Committee on Highways request):

Extending powers to stop motor vehicles for driver's license check and vehicle inspection and test to hours of darkness.

House Bill No. 169 was read the third time and placed on final passage.

Representative Cunningham spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. Randall.

Mr. Randall: "Has it been the practice in the past or may it be the intent in the future to conduct isolated spot checks? Are we perhaps suggesting or perhaps submitting to block checks—a trap check where a number of cars will come in and be stopped? What has been the procedure in the past, and do we have protection against this?"

Mr. Cunningham: "The State Patrol has assured me that they have no intention of changing the method they now use, and that method is simply to bring off the number of cars or vehicles at a time that they have officers to make the inspection. I have never seen more than six to ten at any one time, and they have never delayed anyone very long."

Representative Backstrom spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. Knowles.

Mr. Knowles: "In your opinion, under this bill would the purpose for stopping these

vehicles be limited to the check of the driver's license and the condition of the vehicle, or would it permit the state patrolman under this (perhaps smelling alcohol on the breath of the driver who he might not have stopped otherwise because he was not driving erratically) to make an arrest and get them involved under implied consent?"

Mr. Cunningham: "I would think that the report that the State Patrol made for their operation would probably point this out best. They made 218,000 spot checks since they have had the authority to do so. They have issued about 25,000 warnings for defective equipment, about 9,000 warnings for no driver's license or registration, and about 9,000 citations. There is no mention in the State Patrol's report of having found any person that would be charged with drunken driving. Now they may have, but it would only be because that particular person was pulled over for a routine check."

Representatives Bradley and North spoke in favor of passage of the bill, and Representative Brouillet spoke against it.

Mr. Perry demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 169, and the bill passed the House by the following vote: Yeas, 82; nays, 15; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Jastad, Johnson, Jones, Juelling, Julin, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Maxie, May, McCormick, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—82.

Voting nay: Representatives Barden, Brouillet, Douthwaite, Grant, Haussler, Hurley, Kilbury, Lysen, Martinis, Marzano, McDermott, Mentor, Rosellini, Van Dyk, Mr. Speaker—15.

Absent or not voting: Representatives Hubbard, Kopet—2.

House Bill No. 169, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 185, by Representatives Julin and Wojahn (by Judicial Council request):

Adding additional members to the judicial council.

House Bill No. 185 was read the third time and placed on final passage.

Representative Wojahn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 185, and the bill passed the House by the following vote: Yeas, 93; nays, 4; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Brown, Grant, Juelling, Van Dyk—4.

Absent or not voting: Representatives Hubbard, Kopet—2.

House Bill No. 185, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 200, by Representatives Thompson, Wolf, Martinis and Paris:  
 Authorizing the relocation of harbor lines in front of Kalama and Everett.  
 House Bill No. 200 was read the third time and placed on final passage.  
 Representative Thompson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 200, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnl, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Poik, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Hubbard, Kopet, Lynch, Van Dyk—4.

House Bill No. 200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 206, by Representatives Julin, Harris and Marsh:  
 Permitting immediate transfers of assets under the bulk sales act.  
 Engrossed House Bill No. 206 was read the third time and placed on final passage.  
 Representative Julin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 206, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnl, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Poik, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Hubbard, Kopet—2.

Engrossed House Bill No. 206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 216, by Representatives Julin, Morrison and Bottiger (by Attorney General request):

Providing for the contents of certain trust instruments to conform to requirements of the Internal Revenue Code of 1954.

House Bill No. 216 was read the third time and placed on final passage.

Representatives Julin and Charette spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 216, and the bill passed the House by the following vote: Yeas, 87; nays, 10; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Jastad, Johnson, Jones, Jueling, Julin, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Bradley, Brouillet, Grant, Hurley, Kilbury, King, Lysen, Shipoch, Van Dyk, Wojahn—10.

Absent or not voting: Representatives Hubbard, Kopet—2.

House Bill No. 216, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 217, by Representatives Julin, Morrison and Bottiger (by Attorney General request):

Prohibiting certain acts by private foundations.

House Bill No. 217 was read the third time and placed on final passage.

Representative Julin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 217, and the bill passed the House by the following vote: Yeas, 87; nays, 10; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Jastad, Johnson, Jones, Jueling, Julin, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Bradley, Brouillet, Conner, Grant, Hurley, Kilbury, King, Lysen, Shipoch, Van Dyk—10.

Absent or not voting: Representatives Hubbard, Kopet—2.

House Bill No. 217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Friday, February 5, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 5, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bagnariol, Kuehnle and Wojahn who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend J. Alan Justad of the First United Methodist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 4, 1971.

HOUSE BILL NO. 53, providing changes in the regulation of classified driver's licenses, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Jastad, Johnson, Jones, Martinis, McCormick, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 56, providing certain changes in the tax on motor vehicle fuel, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 2, after "vehicles" strike "[, motorboats" and insert "[,] or motorboats ["

Beginning on page 8, line 10, strike sections 6 and 7.

On page 1, line 9 of the title after "82.42.070;" strike "amending section 82.50.160, chapter 15, Laws of 1961 as amended by section 1, chapter 274, Laws of 1969 ex. sess. and RCW 82.50.160;" and insert "and"

On page 1, line 12 of the title after "82.42 RCW" strike "; and adding a new section to chapter 15, Laws of 1961 and to chapter 82.50 RCW"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Amen, Bauer, Beck, Bozarth, Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Johnson, Jones, Kraabel, Martinis, McCormick, Newhouse, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 153, exempting certain aircraft from state registration, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 31, after "operating" strike "under" and insert "in accordance with the provisions of"

On page 2, section 1, line 32, after "necessity" insert "issued to it"

On page 3, line 17, add a new section following section 1 as follows:

"Sec. 2. Section 82.48.100, chapter 15, Laws of 1961, as amended by section 28, chapter 173, Laws of 1965, 1st ex. sess., and RCW 82.48.100 are each amended to read as follows:

This chapter shall not apply to:

Aircraft owned by and used exclusively in the service of any government or any political subdivision thereof, including the government of the United States, any state,

territory, or possession of the United States, or the District of Columbia, which are not engaged in carrying persons or property for commercial purposes;

Aircraft registered under the laws of a foreign country;

Aircraft which are owned by a nonresident and registered in another state [ : PROVIDED, That if any such aircraft shall remain in and/or be based in this state for a period of ninety days or longer it shall not be exempt under this section] *until such aircraft has been within Washington for a period of ninety days and, during such period, has not engaged in any commercial air activity for compensation within the state;*

Aircraft [engaged principally in commercial flying which constitutes interstate or foreign commerce] *used by any air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public convenience and necessity issued to it under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended;* and aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft;

Aircraft being held for sale, exchange, delivery, test, or demonstration purposes solely as stock in trade of an aircraft dealer licensed under RCW Title 14."

Remember the remaining section consecutively.

On page 1, line 1 of the title after "Relating to" strike "state government; exempting certain aircraft from state registration requirements" and insert "aircraft; restricting exemptions from state jurisdiction"

On page 1, line 4 of the title after "RCW 14.04.250;" insert "amending section 82.48.100, chapter 15, Laws of 1961, as amended by section 28, chapter 173, Laws of 1965, 1st ex. sess., and RCW 82.48.100;"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Amen, Bauer, Beck, Blair, Bozarth, Bradley, Charnley Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Jones, Kraabel, Martinis, McCormick, Newhouse, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 160, requiring all state aircraft to be equipped with downed aircraft rescue transmitters, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 21, strike "conveyance" and insert "[conveyance] *convenience*"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Amen, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Johnson, Jones, Kraabel, Martinis, McCormick, Newhouse, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 266, providing for a change in the filing of regulations of the liquor control board, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Juelling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 267, regulating liquor license transfers, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 2, line 7 after "[ten]" strike "*twenty-five*" and insert "*thirty-five*"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Juelling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 308, allowing racing commission to set license fees, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 20 after "[one dollar]" strike "*established by the commission*" and insert "*fifteen dollars for owners, trainers, and jockeys*"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Juelling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.



February 4, 1971.

HOUSE BILL NO. 310, establishing a dental disciplinary board, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehne, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gladder, Hatfield, Jastad, Jueling, O'Brien, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

February 5, 1971.

HOUSE BILL NO. 313, providing for changes in the law relating to county hospitals and infirmaries, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conway, Jastad, Kiskaddon, Kopet, Marsh, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 349, permitting investment of certain state funds in the obligations of the Asian development bank, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Barden, Berentson, Blair, Hoggins, Luders, Merrill.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 376, regulating motor vehicle noise, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, beginning on line 15 strike all of the matter down to and including "section:" on line 21 and insert the following:

"(1) No person shall at any time operate upon a public highway either a motor vehicle or combination of vehicles, of a type subject to registration under the motor vehicle registration laws of this state, under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following noise level for the category of motor vehicle based on a distance of fifty feet from the center lane of travel within the speed limits specified in this section:"

On page 3, section 2, line 6 after "to" and before "and in" strike "manufacturer's" and insert "manufacturers"

On page 3, section 3, line 14 after "vehicle" insert "subject to registration under the motor vehicle registration laws of this state"

On page 3, section 3, line 17 after "the" and before the colon, strike "WASHINGTON STATE PATROL" and insert "Washington state patrol"

On page 4, strike all of section 4.

On page 1, line 2 of the title after "46.37 RCW;" insert "and" and after "penalties" strike "and declaring an emergency"

Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Amen, Bauer, Beck, Blair, Bradley, Conway, Cunningham, Gallagher, Gilleland, Hansey, Johnson, Kraabel, Martinis, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE JOINT MEMORIAL NO. 3, memorializing Congress to have reflectors placed on the sides of rail cars, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Bauer, Beck, Bozarth, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Jones, Kraabel, Martinis, McCormick.

Passed to Committee on Rules and Administration for second reading.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 562, by Representatives Perry, Barden and Sawyer:

An Act relating to electrical inspections; and amending section 8, chapter 169, Laws of 1935 as last amended by section 4, chapter 71, Laws of 1969 ex. sess., and RCW 19.28.210. Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 563, by Representatives Gallagher, Sawyer, Brouillet, Bottiger and Marzano:

An Act relating to highways; directing construction of a Naches Pass tunnel; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 564, by Representatives Julin, Bottiger and Moon:

An Act relating to mechanics' and materialmen's liens; amending section 1, chapter 24, Laws of 1893 as last amended by section 1, chapter 279, Laws of 1959, and RCW 60.04.010; and amending section 3, chapter 24, Laws of 1893 as last amended by section 3, chapter 279, Laws of 1959 and RCW 60.04.040.

Referred to Committee on Judiciary.

HOUSE BILL NO. 565, by Representatives Wolf, Bottiger, Farr, Conway, Cunningham and Backstrom:

An Act relating to state correctional institutions for convicted felons; creating new sections; repealing sections 72.08.343 and 72.12.122, chapter 28, Laws of 1959, and RCW 72.08.343 and 72.12.122; and prescribing an effective date.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 566, by Representatives Beck, Hubbard and Wanamaker:

An Act relating to public moneys and fiscal matters; increasing vehicle license fees; disposition of vehicle license fees; increasing small private passenger car trailer fees; disposition of motor vehicle driver's license fees; use of funds from the motor vehicle fund; abolishing the state patrol highway account and providing for disposition of funds therein and moneys payable thereto; disposition of application fees; disposition of information report fees; amending section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.060; amending section 46.68.030, chapter 12, Laws of 1961 as last amended by section 25, chapter 281, Laws of 1969 ex. sess. and RCW 46.68.030; amending section 4, chapter 25, Laws of 1965 as last amended by section 9, chapter 99, Laws of 1969 and RCW 46.68.041; amending section 46.08.100, chapter 12, Laws of 1961 as last amended by section 14, chapter 156, Laws of 1965 and RCW 46.01.140; amending section 5, chapter 119, Laws of 1965 ex. sess. and RCW 46.52.085; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1963 and RCW 46.68.130; creating new sections; repealing section 46.68.140, chapter 12, Laws of 1961 and RCW 46.68.140; repealing section 46.16.065, chapter 12, Laws of 1961 as amended by section 10, chapter 7, Laws of 1961 ex. sess. and RCW 46.16.065; and providing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 567, by Representatives Bagnariol, Barden and Merrill:

An Act relating to water districts; providing for the merger of sewer districts into water districts; and adding new sections to chapter 57.40 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 568, by Representatives Ceccarelli, Merrill and Bagnariol:

An Act relating to revenue and taxation; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 82.24 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 569, by Representatives Charette, Kirk, Charnley, Maxie, McDermott, Douthwaite, Ross, Litchman, Kraabel, Ceccarelli and Mentor:

An Act relating to elections; providing for the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; adding new sections to chapter 9, Laws of 1965 and to Title 29 RCW as a new chapter thereof; repealing section

29.18.140, chapter 9, Laws of 1965 as amended by section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; and prescribing penalties.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 570, by Representatives Ceccarelli, Pardini and Backstrom:

An Act relating to the business and occupation tax; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 571, by Representatives Bottiger, Sawyer, Brouillet and Bauer:

An Act relating to property taxes; extending the filing period for filing applications for classification of certain land; and amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 572, by Representatives King, Lynch and Grant:

An Act relating to higher education; providing that no factoring charge shall be permitted if credit cards are honored for payment of tuition or fees at state universities, colleges, and community colleges; and amending section 10, chapter 269, Laws of 1969 ex. sess. and RCW 28B.10.290.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 573, by Representatives Kuehnle, Bottiger, Wolf and Bagnariol:

An Act relating to the regulation of contractors; amending section 4, chapter 77, Laws of 1963 as amended by section 1, chapter 126, Laws of 1967, and RCW 18.27.040; amending section 8, chapter 77, Laws of 1963 and RCW 18.27.080; and creating a new section.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 574, by Representatives Hansey, Van Dyk, Farr, Flanagan, Goldsworthy, Costanti, Ross, Blair, Lynch, Gladder, Benitz, Wanamaker, Zimmerman, Rabel, Paris, Schumaker, Harris, Kirk, Bauer, Maxie and Mentor:

An Act relating to elections; changing the title "precinct committeeman" to "precinct chairman"; amending section 2, chapter 156, Laws of 1965 ex. sess. as amended by section 2, chapter 225, Laws of 1967 and RCW 29.10.130; amending section 1, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.070; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050; amending section 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.040; amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030; and amending section 29.45.030, chapter 9, Laws of 1965 as amended by section 3, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.030.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 575, by Representatives Morrison, Moon, Newhouse, Wolf, Lynch and Smythe:

An Act relating to probation services; and amending section 5, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.050.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 576, by Representatives Kuehnle, Luders and Schumaker:

An Act relating to firearms; and preempting the field of firearms regulation for the state.

Referred to Committee on Judiciary.

HOUSE BILL NO. 577, by Representatives Charette, Newhouse, Wolf, Morrison, Bottiger and Cunningham:

An Act relating to legislative lobbying; providing for the registration and regulation of

lobbyists; amending section 1, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.010; amending section 2, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.020; amending section 3, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.030; amending section 4, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.040; amending section 6, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.060; adding new sections to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW; repealing section 5, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.050; and providing civil remedies.

Referred to Committee on State Government.

HOUSE BILL NO. 578, by Representatives Pardini, Curtis and Wojahn:

An Act relating to the regulation of funeral service; adding new sections to chapter 48.40 RCW; and repealing section 1, chapter 279, Laws of 1953 and RCW 48.40.080.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 579, by Representatives Conner and Ceccarelli:

An Act relating conservation and propagation; removing the bounty on seals and sea lions; and amending section 75.16.040, chapter 12, Laws of 1955 and RCW 75.16.040.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 580, by Representatives Zimmerman, Wolf, Bottiger, Smythe, Marzano, Bledsoe, Conway, Gallagher, Smith, Jastad, Marsh, Bauer, Sawyer, Brouillet, Paris, Adams, Backstrom, Barden, Beck, Benitz, Berentson, Bradley, Cunningham, Curtis, Gladder, Hansey, Hatfield, Hoggins, Hurley, Juelling, Kilbury, Knowles, Kuehnle, Martinis, Haussler, May, McCormick, Mentor, Newhouse, Pardini, Polk, Randall, Spanton, Wanamaker, Wojahn and Shera:

An Act relating to the regulation of outdoor music festivals; prescribing conditions for the issuance of a license; adding new sections to Title 19 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 581, by Representatives Pardini, Thompson, Juelling and Smythe:

An Act relating to insurance; amending section .17.15, chapter 79, Laws of 1947 as last amended by section 19, chapter 150, Laws of 1967 and RCW 48.17.150; amending section .18.02, chapter 79, Laws of 1947 as amended by section 4, chapter 17, Laws of 1970 ex. sess. and RCW 48.18.020; amending section 2, chapter 104, Laws of 1969 and RCW 48.18A.020; amending section 3, chapter 104, Laws of 1969 and RCW 48.18A.030; amending section 5, chapter 104, Laws of 1969 and RCW 48.18A.050; amending section 6, chapter 104, Laws of 1969 and RCW 48.18A.060; amending section 7, chapter 104, Laws of 1969 and RCW 48.18A.070; amending section .24.07, chapter 79, Laws of 1947 as last amended by section 1, chapter 86, Laws of 1963 and RCW 48.24.070; adding a new section to chapter 79, Laws of 1947 and to chapter 48.18 RCW; and repealing section .18.38, chapter 79, Laws of 1947 and RCW 48.18.380.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 582, by Representatives Lynch, Merrill and Smythe:

An Act relating to public assistance; establishing practices for the purchase of services by the division of public assistance, department of social and health services; and creating a new section.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 583, by Representatives Lynch, Merrill and Kirk:

An Act relating to public assistance; concerning the committee on vendor's rates; and adding new sections to chapter 74.32 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 584, by Representatives Julin, Marsh, Brown, Kiskaddon, Zimmerman and Smythe (by Executive request):

An Act relating to shoreline areas; adding new sections to Title 90 RCW as a new chapter therein; defining crimes; prescribing penalties; authorizing an alternative to Initiative 43; and declaring an effective date and an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 585, by Representatives Conway and Perry:

An Act relating to food fish and shellfish licenses; amending section 1, chapter 90, Laws of 1969 and RCW 75.28.095; adding new sections to chapter 75.28 RCW; defining crimes; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 586, by Representatives Bluechel, Bottiger, Haussler, Flanagan, North, Cunningham, Kopet, Eikenberry, Hoggins and Shera:

An Act relating to the preservation of open space areas; authorizing purchases by counties of developmental rights termed "conservation futures" and certain other interests and rights in real property; providing a method of taxation to finance such purchases; amending section 84.52.010, chapter 15, Laws of 1961 as amended by section 4, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.010; and adding new sections to chapter 87, Laws of 1970 ex. sess. and to Title 84 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 587, by Representatives Bluechel, Ross, Maxie, Mentor and Smythe (by Executive request):

An Act relating to housing; providing for the financing and development of housing for low and moderate income families in the state of Washington; creating a Washington Housing Corporation, and setting out its powers and duties; creating certain funds; and creating new sections.

Referred to Committee on State Government.

HOUSE BILL NO. 588, by Representative Ross:

An Act relating to marijuana; providing for control by the state liquor board and sales by state liquor and marijuana stores; providing for distribution of revenue; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010; amending section 4, chapter 6, Laws of 1961 ex. sess. as amended by section 1, chapter 239, Laws of 1963 and RCW 66.08.026; amending section 72, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 182, Laws of 1955 and RCW 66.08.028; amending section 79, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 102, Laws of 1943 and RCW 66.08.030; amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 178, Laws of 1969 ex. sess. and RCW 66.08.050; amending section 43, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.060; amending section 67, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.070; amending section 42-A added to chapter 62, Laws of 1933 ex. sess. by section 5, chapter 217, Laws of 1937 and RCW 66.08.075; amending section 68, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.080; amending section 31, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.090; amending section 29, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.120; amending section 56, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.130; amending section 73, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 6, Laws of 1961 ex. sess. and RCW 66.08.170; amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 75, Laws of 1967 ex. sess. and RCW 66.08.180; amending section 32, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 39, Laws of 1955 ex. sess. and RCW 66.12.010; amending section 48, chapter 62, Laws of 1933 ex. sess. and RCW 66.12.020; amending section 49, chapter 62, Laws of 1933 ex. sess. and RCW 66.12.030; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 4, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 172, Laws of 1939 and RCW 66.16.010; amending section 6, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.030; amending section 7, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 111, Laws of 1959 and RCW 66.16.040;

amending section 9, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 216, Laws of 1943 and RCW 66.16.060; amending section 10, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.070; amending section 11, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.080; amending section 89, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.090; amending section 1, chapter 67, Laws of 1949 as amended by section 4, chapter 111, Laws of 1959 and RCW 66.20.160; amending section 5, chapter 67, Laws of 1949 as last amended by section 2, chapter 178, Laws of 1969 ex. sess. and RCW 66.20.200; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 217, Laws of 1937 and RCW 66.28.010; amending section 90-A added to chapter 62, Laws of 1933 ex. sess. by section 2, chapter 48, Laws of 1945 as last amended by section 1, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.020; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.040; amending section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 8, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.050; amending section 52, chapter 62, Laws of 1933 ex. sess. as amended by section 7, chapter 174, Laws of 1935 and RCW 66.28.090; amending section 3, chapter 39, Laws of 1955 and RCW 66.32.010; amending section 4, chapter 39, Laws of 1955 as amended by section 1, chapter 288, Laws of 1955 and RCW 66.32.020; amending section 5, chapter 39, Laws of 1955 and RCW 66.32.030; amending section 6, chapter 39, Laws of 1955 and RCW 66.32.040; amending section 9, chapter 39, Laws of 1955 and RCW 66.32.070; amending section 55, chapter 62, Laws of 1933 ex. sess. as amended by section 8, chapter 174, Laws of 1935 and RCW 66.32.090; amending section 33-A added to chapter 62, Laws of 1933 ex. sess. by section 9, chapter 172, Laws of 1939 and RCW 66.36.010; amending section 70, chapter 62, Laws of 1933 ex. sess. as last amended by section 28, chapter 199, Laws of 1969 ex. sess. and RCW 66.44.010; amending section 57, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.040; amending section 59, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.060; amending section 60, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.070; amending section 3, chapter 289, Laws of 1955 and RCW 66.44.130; amending section 4, chapter 289, Laws of 1955 and RCW 66.44.110; amending section 5, chapter 289, Laws of 1955 and RCW 66.44.150; amending section 6, chapter 289, Laws of 1955 and RCW 66.44.160; amending section 7, chapter 289, Laws of 1955 and RCW 66.44.170; amending section 36, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.200; amending section 38, chapter 62, Laws of 1933 ex. sess. and RCW 66.44.210; amending section 442, chapter 249, Laws of 1909 and RCW 66.44.240; amending section 441, chapter 249, Laws of 1909 and RCW 66.44.250; amending sections 907 and 908, Code of 1881 as last amended by section 1, chapter 59, Laws of 1965 ex. sess. and RCW 66.44.260; amending section 1, chapter 200, Laws of 1929 as amended by section 1, chapter 2, Laws of 1933 and RCW 66.44.320; amending section 1, chapter 6, Laws of 1939 as last amended by section 9, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.060; amending section 1, chapter 198, Laws of 1969 and RCW 10.31.100; amending section 72.48.020, chapter 28, Laws of 1959 and RCW 72.48.020; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.16 RCW; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.28 RCW; adding new sections to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW; creating new sections; repealing section 2, chapter 6, Laws of 1939, section 23, chapter 38, Laws of 1963, section 10, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.070; repealing section 11, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.110; and providing penalties.

Referred to Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 9, by Representatives Conner, Savage, Wanamaker and Mentor:

Authorizing a study of the Keystone-Port Townsend ferry service.

Referred to Committee on Transportation.

HOUSE CONCURRENT RESOLUTION NO. 10, by Representatives Charnley, Brown, Ross, Douthwaite, Maxie and Van Dyk:

Requesting the legislative council to study population growth and migration.

Referred to Committee on State Government.

## NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Bledsoe gave notice that he would offer a proposed amendment to House Rule No. 81 and a proposed amendment to House Rule No. 86 on the next working day.

Mr. Bledsoe explained the reason for the proposed rule changes.

## NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Grant gave notice that he would offer proposed amendments to the House Rules on the next working day.

The Speaker: "For what purpose do you rise, Mr. Sawyer?"

Mr. Sawyer: "To acknowledge Mr. Bledsoe's remarks."

## RULING BY THE SPEAKER

The Speaker: "I am afraid you are out of order at this time as you have no motion to present or notice to serve."

## SECOND READING

HOUSE BILL NO. 75, by Representatives Bozarth, Copeland, Bottiger, Haussler and Randall:

Authorizing school districts to permit emergency use by other governmental agencies of their school buses and equipment.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, beginning on line 8, strike the remainder of section 1 and insert: "Notwithstanding any other provisions of law, after the effective date of this 1971 act any school district board of directors may authorize the use of school buses or any of its motor vehicles or equipment by any federal or state governmental agency when such school district board determines an emergency exists which necessitates the use of such school buses, motor vehicles or equipment, under such terms as the board shall determine: PROVIDED, HOWEVER, Such use shall be limited to events of natural disaster: PROVIDED, FURTHER, That privately owned transportation is not reasonably available.

NEW SECTION. Sec. 2. The agency utilizing the school buses under the provisions of this act must agree, in writing, to reimburse the school district for all costs and expenses related to their use and also must provide an indemnity agreement protecting the district against any type of claim or legal action whatsoever, including all legal costs incident thereto."

Renumber the remaining section consecutively.

The bill was read the second time.

On motion of Mr. Hoggins, the committee amendment was adopted.

On motion of Mr. Hoggins, the following amendment to the title was adopted:

On page 1, line 1 of the title strike "common schools" and insert "use of school buses in a declared emergency"

House Bill No. 75 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

## PARLIAMENTARY INQUIRY

Mr. Charette: "Mr. Speaker, point of parliamentary inquiry. Under Rule 3, is it to be your purpose in ruling during the course of the rest of the session to allow the majority floor leader to make comments and then to deny that right to the minority floor leader?"

## REPLY BY THE SPEAKER

The Speaker: "Mr. Charette, I see nothing in Rule 3 which prohibits the right of the Speaker to introduce those persons. Mr. Bledsoe had served notice of the amendment of certain rules and wished to comment on that particular notice. Then Mr. Grant served notice that he would also introduce amendments to certain rules, and I would have allowed him to likewise comment on his particular notice that he was serving. I asked Mr. Sawyer for what

purpose he was rising. We were under the eighth order of business, 'Propositions, Motions and Floor Resolutions.' He had no motion to present and no notice to serve. I felt his comments, therefore, were not appropriate."

Mr. Charette: "Thank you, Mr. Speaker."

#### SECOND READING

HOUSE BILL NO. 228, by Representatives Newhouse, Moon and Berentson:  
Relating to the interagency committee for outdoor recreation.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 158, by Representatives Shera, McCormick, Gladder, Bagnariol, Kopet, Morrison, Grant, Conway, Ceccarelli, Litchman, Marsh and Merrill (by Public Pension Commission request):

Consolidating state-wide city employees' retirement system with the Washington public employees' retirement system.

Committee recommendation: Majority, do pass with the following amendments:

Beginning on page 3, line 30, strike all of sections 5 and 6

On page 1, line 2 of the title after "41.40 RCW;" insert "and" and also on line 2 after "41.44 RCW" insert a period and strike the balance of the title.

The bill was read the second time.

Mr. Shera moved adoption of the committee amendment striking sections 5 and 6.

Representative Shera spoke in favor of adoption of the committee amendment.

#### POINT OF INQUIRY

Mr. Shera yielded to question by Mr. McDermott.

Mr. McDermott: "Mr. Shera, would you tell me how many people are being brought into the public employees' retirement system and what will be the fiscal impact of this move on our system?"

Mr. Shera: "Yes, I would be glad to, although your question is not germane to this amendment. There will be about 3,000 people brought into the public employees' system, of which there are 77,000 active members now. There will be no fiscal impact as far as the state is concerned since the employer contributions will all come from cities around the state."

#### MOTION

Mr. McDermott moved that House Bill No. 158 be rereferred to the Committee on Appropriations.

Representative McDermott spoke in favor of the motion.

#### POINT OF ORDER

Mr. Shera: "Point of order, Mr. Speaker. Is Mr. McDermott's motion in order at this stage?"

#### RULING BY THE SPEAKER

The Speaker: "Yes, Mr. Shera, the motion is in order. I find a motion to commit or commit to be of higher priority than the matter of the amendment before us."

Representative Shera spoke against the motion by Mr. McDermott to rerefer House Bill No. 158 to the Committee on Appropriations.

#### POINT OF INQUIRY

Mr. McDermott yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Might I request of you that you withdraw the motion for the moment in



order for us to perfect this bill with the amendment before us. At this point if you would again wish to put your motion, we would have a perfected document that will be subject to rereferal. Would that be satisfactory?"

Mr. McDermott: "Mr. Bledsoe, I would like to have it on second reading so that if in fact there is a fiscal impact of significance we would have an opportunity to change the date of effectiveness perhaps. Otherwise we will have a bill that goes into effect on January 1, 1972, which will mean in our next session in 1972 that we will have to come up with some dough."

Representative Sawyer spoke in favor of the motion by Mr. McDermott to rerefer House Bill No. 158 to the Committee on Appropriations.

#### POINT OF INQUIRY

Mr. Shera yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Shera, would you agree to deferring action on the bill until Monday, until somebody can check into the fiscal impact and find out what is involved here? I think Representative McDermott is very serious about this question, and if you could delay action perhaps until Monday, maybe somebody could find out definitely what is involved."

Mr. Shera: "Yes, I would agree to this. However, it has been very thoroughly explored for many months, but I would agree to defer it until Monday."

#### MOTION

Mr. Bledsoe moved that the House defer further consideration of House Bill No. 158 and the bill be ordered placed on Monday's second reading calendar.

#### POINT OF ORDER

Mr. Charette: "Point of order, Mr. Speaker. Does this motion take precedence over the motion to commit or recommit?"

#### RULING BY THE SPEAKER

The Speaker: "It is of equal rank to a motion to commit or recommit, Mr. Charette. I would probably rule that when it comes up on the second reading calendar on Monday, that the motion to commit or recommit will still be before the body, being of equal rank to the motion to defer."

#### POINT OF ORDER

Mr. Grant: "It seems to me, Mr. Speaker, if they are of equal rank, that the motion first put should be the first one disposed of. I think we can unwind this if you will recognize Mr. McDermott."

The Speaker recognized Mr. McDermott.

With the consent of the House, Mr. McDermott withdrew his motion to rerefer House Bill No. 158 to the Committee on Appropriations.

The Speaker stated the question before the House to be the motion by Mr. Bledsoe to defer further consideration of House Bill No. 158 and the bill be ordered placed on Monday's second reading calendar.

The motion was carried.

HOUSE BILL NO. 154, by Representatives Julin, Eikenberry and Charette:

Relating to appeals from acts and proceedings of court commissioners.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 237, by Representatives Schumaker, Savage, Zimmerman, Backstrom and Mentor:

Increasing the dollar amount of resources that can be sold through the small sale procedure of the department of natural resources.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 220, by Representatives Bluechel, Perry and Cunningham (by Secretary of State request):

Simplifying documentary requirements for foreign corporations requesting authority to do business in Washington.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 222, by Representatives Bluechel, Spanton and Ross (by Secretary of State request):

Deleting the requirement that notice to a nonprofit corporation or association that it shall cease to exist shall be by certified mail.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 15 after "[certified]" insert "*first class*"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 222 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 223, by Representatives Bluechel, McCormick and Cunningham (by Secretary of State request):

Providing for certain changes in the powers, duties, and functions of the secretary of state.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 225, by Representatives Bluechel, McCormick and Conway (by Secretary of State request):

Deleting the requirement that notice to a corporation failing to pay the annual license fee shall be by certified mail.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 1, line 21 after "requested,]" insert "*by first class mail,*"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 225 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

#### MOTION

On motion of Mr. Bledsoe, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Bagnariol, Kuehnle, Litchman and Wojahn who were excused.

#### SECOND READING

HOUSE JOINT RESOLUTION NO. 30, by Representatives Smythe, Thompson, Bledsoe, Charette, Kilbury, Backstrom, Bauer, Blair, Ceccarelli, Chatalas, Conner, Costanti, Douthwaite, Gilleland, Grant, Jones, King, Kraabel, Litchman, Paris, Rabel, Rosellini and Savage (by Executive request and by Secretary of State request):

Amending the Constitution to allow eighteen-year-old vote and updates residency requirements.

The bill was read the second time.

Mr. Newhouse moved adoption of the following amendment:

On page 1, Article VI, section 1, line 12 beginning with "[lived in" strike everything down through and including "vote;" and insert "lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote;"

Representative Newhouse spoke in favor of adoption of the amendment, and Representatives Brown, Grant and Bottiger spoke against it.

Mr. King demanded an electric roll call, and the demand was sustained.

Further debate ensued, Representative Pardini speaking in favor of adoption of the amendment by Mr. Newhouse to House Joint Resolution No. 30, and Representatives Charnley and Douthwaite speaking against it.

Mr. Newhouse spoke again in favor of his amendment.

Representative Harris stated he thought everyone understood the amendment, but there seemed to be a real dispute as to whether or not the amendment complies with the federal decision on voting.

#### MOTION

Mr. Harris moved that further consideration of House Joint Resolution No. 30 be deferred, and the resolution be ordered placed on Monday's second reading calendar.

#### RULING BY THE SPEAKER

The Speaker: "Your motion is out of order, Mr. Harris, by reason of the fact that you preceded it with your arguments and remarks."

Mr. Grant demanded the previous question, and the demand was not sustained.

#### MOTION

On motion of Mr. Bottiger, further consideration of House Joint Resolution No. 30 was deferred, and the resolution was ordered placed on Monday's second reading calendar.

HOUSE BILL NO. 298, by Representatives Wanamaker, Douthwaite, Cunningham, Conway and Hoggins (by Departmental request):

Providing for tire standards.

The bill was read the second time.

#### MOTION

On motion of Mr. Bledsoe, further consideration of House Bill No. 298 was deferred, and the bill was ordered placed on Monday's second reading calendar.

HOUSE BILL NO. 274, by Representatives Shera, Merrill, Curtis and Litchman:

Authorizing banks and trust companies in United States corporations insuring or marketing real estate mortgages.

The bill was read the second time.

On motion of Mr. Shera, the following amendment was adopted:

On page 1, section 1, line 6, after "chapter" and before "RCW" strike "31.04" and insert "30.04"

On motion of Mr. Shera, the following amendment to the title was adopted:

On page 1, line 4, of the title before "RCW" strike "31.04" and insert "30.04"

House Bill No. 274 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

## MOTION

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Monday, February 8, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## TWENTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 8, 1971.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Luders and Randall who were excused.

The flag was escorted to the rostrum by a Boy Scouts Color Guard consisting of Mitch Silver of Spokane and Don Turnbull of Mount Vernon. Prayer was offered by the Reverend Don Buteyn, Associate Synod Executive for the Presbytery of Seattle:

Reverend Buteyn: "Let us pray. Almighty God, we confront the immense challenge and need of the times with a mixture of awe, fear and anxiety. We are, and hopefully will continue to confront as well, our own inept and incompetent nature. Help us to confront with equal candor, oh God, Your concern for us, Your involvement in human affairs, and Your desire to motivate and guide us. In light of Your present and prevailing power, give us hope and help us to be wise. We confront also our responsibilities as human beings in a free society, and our responsibilities as elected representatives of the people. Equip us to act responsibly; keep us honest; preserve us from self interests that act contrary to the welfare of all of our citizens. Keep us from preoccupation with the unimportant. Help us to sort out truth from falsehood and fact from fiction. Keep us oriented to issues and preserve us from counterproductive attitudes, and nitpicking to no purpose. Keep our sense of humor alive and our love for one another capable of outliving our debate. Through Jesus Christ, our Lord, Amen."

Reverend Buteyn introduced Douglas Whitman, Eagle Scout from Olympia, who was present as part of the delegation of Boy Scouts from across the state to present their annual report on the scouting movement to the Governor.

Prayer was offered by Douglas Whitman:

"Our Dear Heavenly Father, we are thankful at this time for the opportunity we have of coming before Thee at the commencement of this legislative meeting. Father, we are thankful at this time for this great country and for the freedoms and privileges and responsibilities that we, as citizens of this country, can enjoy. We pray that we can, as citizens, continue to recognize and take on this responsibility. We are thankful, Father, for the great leadership of this country which is present at this time, and we pray that these men in leadership positions can continue to exemplify this fine quality to us as youth. And we pray that as youth we can follow the examples of these leaders and learn this fine leadership quality and continue to defend this freedom that we have. We are thankful for this country and pray we can recognize our freedoms and responsibilities, and we say these things in the name of Jesus Christ. Amen."

The Speaker: "We have with us also this morning, to bring greetings from the Boy Scouts of America to the House of Representatives and to present to us some appropriate remarks, Gordon Anderson from Olympia, member of the Tumwater Area Council of Boy Scouts of America."

The Speaker requested that the Sergeant at Arms conduct Gordon Anderson to a place on the rostrum.

Gordon Anderson: "I would like to say I consider it a very great honor to be here in front of such important, dedicated men and women as I see here. I would like to thank all those who made it possible, but mainly I would like to say a few words about the Boy Scouts of America. In my years of being associated with clubs and organizations in schools and in the community, not a single one of them has ever come close to comparing with the Boy Scouts of America in affecting my life. Boy Scouts is effective in getting down to the level of the young people of 11 through 18, reaching them, building them, strengthening them and making them into the people that are respected in society today—strong, dependable and responsible citizens. I think Boy Scouts deserves a great amount of credit for this, because no one else is able to do anything like this on this level. I have heard a rumor that the young people of today are irresponsible, thankless radicals who seek to overthrow the government. This is very wrong. I think the people who feel this way have been overly influenced by the four percent of the young people that are as I just described them. But ninety-six percent of the young people are represented by the Boy Scouts today—young people who are searching for the truth.

"We don't believe in overthrowing the government and destroying what we have. We believe in building on what we have."

#### SPEAKER'S PRIVILEGE

The Speaker: "We have with us in the south gallery a group of Eagle Scouts from throughout the state of Washington who are here this morning for our ceremonies and later ceremonies in the Governor's office. I would like to introduce specifically from within that group one scout who has within the past year performed an exceptional act of heroism, and who will be presented today with the meritorious action award for saving a life. I would like Mark Wilson of the Chief Seattle Council to stand for a special recognition."

Mark Wilson stood and received a standing ovation by members of the House.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

#### REPORTS OF STANDING COMMITTEES

February 4, 1971.

HOUSE BILL NO. 61, exempting from inheritance tax any annuity payments under the federal military retirement act, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Julin, Kilbury, King, Randall.

Passed to Committee on Rules and Administration for second reading.

February 5, 1971.

HOUSE BILL NO. 204, providing for the removal of wood fiber debris from state tidal waters, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 3, beginning on line 11, after "wood" strike the remainder of the section and insert "debris which is not merchantable or economically salvageable under the log patrol act, chapter 76.40 RCW. "Removal" as used in this act shall include all activities necessary for the collection and disposal of such wood debris."

On page 2, section 5, line 2, after "wood" strike "fiber"

On page 2, beginning on line 11, strike all of section 7 and insert the following:

"NEW SECTION. Sec. 7. It shall be unlawful to dispose of wood debris by depositing such material into any of the tidal waters of this state except as authorized by law including any discharge or deposit allowed to be made under and in compliance with RCW chapter 90.48 and any rules or regulations duly promulgated thereunder. Violation of this section shall be a misdemeanor."

On page 1, line 1 of the title after "wood" strike "fiber"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Berentson, Bradley, Charnley, Cunningham, Gilleland, Hansey, Julin, Kilbury, Luders, Martinis, North, Schumaker, Smith, Spanton, Van Dyk, Wanamaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 213, pertaining to payment of inheritance taxes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, on line 10, after "[fifteen]" and before "months" strike "eight" and insert "nine"

On page 1, section 1, on line 13, after "[fifteen]" and before "month" strike "eight" and insert "nine"

On page 1, section 1, on line 20, after "[fifteen]" and before "months" strike "eight" and insert "nine"

On page 1, section 1, on line 22, after "[fifteen]" and before "months" strike "eight" and insert "nine"

On page 1, section 1, on line 24, after "of" and before "percent" strike "six" and insert "[six] eight"

On page 1, after line 27 insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 83.44 a new section to read as follows:

The effective date of this 1971 amendatory act shall be September 1, 1971."

On page 1, line 1 of the title, after "taxation;" and before "amending" strike "and"

On page 1, line 3 of the title, after "RCW 83.44.010" and before the period insert "; adding a new section to chapter 83.44 RCW; and prescribing an effective date"

Signed by Representatives Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Kilbury, King, Randall.

Passed to Committee on Rules and Administration for second reading.

February 5, 1971.

HOUSE BILL NO. 300, relating to right of entry by department of natural resources employees, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 17, after "examinations," strike all the matter down to and including "appraisals" on line 18 and insert "appraisals and, after notice to the landowner, making surveys"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Berentson, Bradley, Charnley, Cunningham, Gilleland, Hansey, Julin, Kilbury, Luders, Martinis, North, Schumaker, Smith, Van Dyk, Wanamaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 307, extending two mill shift for schools, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bluechel, Ceccarelli, Eikenberry, Hatfield, Hurley, Julin, Kilbury, King, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 5, 1971.

HOUSE BILL NO. 434, authorizing deductions for certain state procured insurance from teachers' retirement allowances, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Barden, Berentson, Blair, Hubbard, King, Luders, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 589, by Representative Berentson:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 590, by Representatives Bluechel, Douthwaite, Hoggins, Charnley, Van Dyk, North, Cunningham, Farr and Kraabel (by Executive request):

An Act relating to highway advertising control; amending section 2, chapter 96, Laws of 1961 and RCW 47.42.020; amending section 3, chapter 96, Laws of 1961 and RCW 47.42.030; amending section 4, chapter 96, Laws of 1961 and RCW 47.42.040; amending section 6, chapter 96, Laws of 1961 and RCW 47.42.060; amending section 10, chapter 96,

Laws of 1961 as amended by section 55, chapter 3, Laws of 1963 ex. sess. and RCW 47.42.100; amending section 11, chapter 96, Laws of 1961 and RCW 47.42.110; amending section 12, chapter 96, Laws of 1961 and RCW 47.42.120; amending section 14, chapter 96, Laws of 1961 and RCW 47.42.140; and adding new sections to chapter 96, Laws of 1961, and to chapter 47.42 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 591, by Representatives Barden, Sawyer, Gladder, McCormick, Kopet, Hatfield, Cunningham, Pardini and Shera (by Executive request):

An Act relating to state government; creating a department of finance and business regulation; amending section 1, chapter --, (HB 97), Laws of 1971 and RCW 43.17.010; amending section 2, chapter ---, (HB 97), Laws of 1971 and RCW 47.17.020; amending section 43.19.010, chapter 8, Laws of 1965 and RCW 43.19.010; creating new sections; repealing section 43.19.020, chapter 8, Laws of 1965 and RCW 43.19.020; repealing section 43.19.100, chapter 8, Laws of 1965 and RCW 43.19.100; repealing section 5, chapter 156, Laws of 1965, section 34, chapter 281, Laws of 1969 ex. sess., and RCW 46.01.050; repealing section 117, chapter 32, Laws of 1967, section 35, chapter 281, Laws of 1969 ex. sess. and RCW 46.01.055; repealing section 43.33.010, chapter 8, Laws of 1965 and RCW 43.33.010; repealing section 43.33.020, chapter 8, Laws of 1965 and RCW 43.33.020; repealing section 43.33.030, chapter 8, Laws of 1965 and RCW 43.33.030; repealing section 43.33.040, chapter 8, Laws of 1965 and RCW 43.33.040; declaring an emergency; and providing an effective date.

Referred to Committee on State Government.

HOUSE BILL NO. 592, by Representatives Ceccarelli, Gilleland and Charnley (by Executive request):

An Act relating to vessels and boating; defining crimes; prescribing penalties; adding a new chapter to Title 88 RCW; repealing section 1, chapter 72, Laws of 1933 and RCW 88.12.010; repealing section 2, chapter 72, Laws of 1933 and RCW 88.12.020; repealing section 3, chapter 72, Laws of 1933 and RCW 88.12.030; repealing section 4, chapter 72, Laws of 1933 and RCW 88.12.040; repealing section 5, chapter 72, Laws of 1933 and RCW 88.12.050; and repealing section 6, chapter 72, Laws of 1933 and RCW 88.12.060.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 593, by Representatives Ross, Maxie and Shinpoch (by Executive request):

An Act relating to landlords and tenants; adding a new chapter to Title 59 RCW; and adding new sections to chapters 59.04, 59.08, 59.12, and 59.16 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 594, by Representatives North, Chatalas, Blair and Lynch (by Executive request):

An Act relating to discriminatory practices and prohibiting discrimination based on sex; amending section 8, chapter 270, Laws of 1955 as amended by section 7, chapter 37, Laws of 1957 and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 and RCW 49.60.130; amending section 9, chapter 37, Laws of 1957 as amended by section 1, chapter 100, Laws of 1961 and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as amended by section 2, chapter 100, Laws of 1961 and RCW 49.60.190; amending section 11, chapter 37, Laws of 1957 as amended by section 3, chapter 100, Laws of 1961 and RCW 49.60.200; and prescribing an effective date.

Referred to Committee on State Government.

HOUSE BILL NO. 595, by Representatives Lysen, Marsh, Bluechel, Luders and Charnley (by Executive request):

An Act relating to air and water pollution; amending section 53, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.431; amending section 14, chapter 139, Laws of 1967 ex. sess. as amended by section 13, chapter 88, Laws of 1970 ex. sess., and RCW 90.48.144;

amending section 7, chapter 133, Laws of 1969 ex. sess. as amended by section 9, chapter 88, Laws of 1970 ex. sess., and RCW 90.48.350; creating new sections; and increasing civil penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 596, by Representatives Polk, Bluechel and Kuehnlé:

An Act relating to contractors bonds; and amending section 4, chapter 77, Laws of 1963 as amended by section 1, chapter 126, Laws of 1967 and RCW 18.27.040.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 597, by Representatives Rosellini, Hatfield and Grant:

An Act relating to state government; adding a member to the mobile home and recreational vehicle advisory board; and amending section 3, chapter 229, Laws of 1969 ex. sess. as amended by section 9, chapter 27, Laws of 1970 ex. sess. and RCW 43.22.420.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 598, by Representatives Gilleland, Beck and Cunningham:

An Act relating to public highways; providing for the acquisition of property by public agencies; and amending section 47.52.050, chapter 13, Laws of 1961 and RCW 47.52.050.

Referred to Committee on Transportation.

HOUSE BILL NO. 599, by Representatives Eikenberry, Kirk and Jones:

An Act relating to the initiative and referendum powers; amending section 29.79.040, chapter 9, Laws of 1965 and RCW 29.79.040; amending section 29.79.310, chapter 9, Laws of 1965 and RCW 29.79.310; and adding a new section to Title 36 RCW.

Referred to Committee and Elections and Apportionment.

HOUSE BILL NO. 600, by Representatives Bledsoe, Benitz, Kilbury and Johnson:

An Act relating to the business and occupation tax; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 36, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.260; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 601, by Representatives Berentson, Wanamaker and Bozarth:

An Act relating to the acquisition of property by the state and its political subdivisions; amending section 3, chapter 137, Laws of 1967 ex. sess. and RCW 8.25.070; adding a new section to chapter 8.25 RCW; and repealing section 3, chapter 125, Laws of 1965 ex. sess. and RCW 8.25.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 602, by Representatives Martinis, Marzano, King and Gallagher:

An Act relating to public retirement; and amending section 18, chapter 274, Laws of 1947 as last amended by section 7, chapter 128, Laws of 1969 and RCW 41.40.170.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 603, by Representatives Wolf, Conner, Bottiger and Savage:

An Act relating to and regulating the practice of naturopathy; creating a state examining and disciplinary board for naturopathic practitioners; prescribing powers and duties; making exceptions; creating new sections; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 604, by Representatives Brouillet and Kirk:

An Act relating to the state advisory council on vocational education; and amending section 53, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.246.

Referred to Committee on Higher Education.

HOUSE BILL NO. 605, by Representatives Farr, Perry, Berentson and Litchman:



An Act relating to motor vehicles; providing for smoke and odor control; amending section 46.37.390, chapter 12, Laws of 1961 as amended by section 3, chapter 232, Laws of 1967 and RCW 46.37.390; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.37 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 606, by Representatives Goldsworthy and Bottiger:

An Act relating to damage by dogs; and amending section 2, chapter 77, Laws of 1941 and RCW 16.08.050.

Referred to Committee on Judiciary.

HOUSE BILL NO. 607, by Representatives Backstrom, Kirk, Ceccarelli, Moon, Litchman, McCormick, Merrill and Wojahn:

An Act relating to property taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; amending section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 608, by Representatives Grant, Barden, Lysen, Johnson, McCormick, Rosellini and Wojahn:

An Act relating to labor relations and practices; and enacting a "Washington State Labor Relations Act".

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 609, by Representative Berentson:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 610, by Representatives Berentson, Beck and Cunningham:

An Act relating to the intergovernmental disposition of property; and amending section 1, chapter 133, Laws of 1953, and RCW 39.33.010.

Referred to Committee on State Government.

HOUSE BILL NO. 611, by Representative Berentson:

An Act relating to highways.

Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 38, by Representatives North and Brown:

Establishing redistricting and reapportionment procedures.

Referred to Committee on Elections and Apportionment.

HOUSE JOINT RESOLUTION NO. 39, by Representatives Bottiger and Julin:

Amending the Constitution to remove limit on number of court commissioners in each county.

Referred to Committee on Judiciary.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

Mr. Charette moved that the Committee on State Government be relieved of HOUSE BILL NO. 526 and the bill be placed on the second reading calendar for today.

Mr. Charette spoke in favor of the motion, and Representative Bledsoe spoke against it.

Mr. King demanded an electric roll call, and the demand was sustained.

Representative Charette spoke again in favor of the motion.

## RULING BY THE SPEAKER

The Speaker: "Mr. Charette, you are not confining your remarks to your motion to rerefer the bill from committee and put it on second reading. You are discussing the merits of the legislation. Please confine your remarks to the motion."

Mr. Charette concluded his remarks in favor of the motion.

## POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Morrison.

Mr. Morrison: "Mr. Bluechel, as Chairman of the Committee handling this particular measure, have you planned hearings and committee action on it?"

Mr. Bluechel: "Yes, at the present time the State Government Committee has between 80 and 90 bills in it. We have scheduled, in the available amount of time to date, some 40 bills. This bill came in last week, and it just really entered the committee system. I must disagree with Representative Charette in the fact that we know all about the bill. Even in the State Government Committee, we have not had a chance to look at it as yet. It is my intention, as Chairman of the State Government Committee, to give every single bill in the committee a fair hearing. For this reason, we have gone this week to two-hour sessions on Monday, Wednesday and Friday to try to catch up with the amount of work in the committee. So in good time, and as soon as we can get to it, we will be up to this bill."

Representatives Morrison and Ross spoke against the motion by Mr. Charette to relieve the Committee on State Government of House Bill No. 526 and place the bill on today's second reading calendar.

Representative Charette closed debate, speaking in favor of his motion.

## ROLL CALL

The Clerk called the roll on the motion by Representative Charette to relieve the Committee on State Government of House Bill No. 526 and place the bill on today's second reading calendar, and the motion was lost by the following vote: Yeas, 46; nays, 51; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Paris, Perry, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn-46.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker-51.

Absent or not voting: Representatives Luders, Randall-2.

## SECOND READING

HOUSE BILL NO. 158, by Representatives Shera, McCormick, Gladder, Bagnariol, Kopet, Morrison, Grant, Conway, Ceccarelli, Litchman, Marsh and Merrill (by Public Pension Commission request): Consolidating state-wide city employees' retirement system with the Washington public employees' retirement system.

The House resumed consideration of House Bill No. 158 on second reading.

The Speaker declared the question before the House to be the committee amendment:

Beginning on page 3, line 30, strike all of sections 5 and 6

Representative Shera spoke in favor of adoption of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Shera, the following amendment to the title was adopted:

On page 1, line 2 of the title after "41.40 RCW;" insert "and" and also on line 2 after "41.44 RCW" insert a period and strike the balance of the title.

House Bill No. 158 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE JOINT RESOLUTION NO. 30, by Representatives Smythe, Thompson, Bledsoe, Charette, Kilbury, Backstrom, Bauer, Blair, Ceccarelli, Chatalas, Conner, Costanti, Douthwaite, Gilleland, Grant, Jones, King, Kraabel, Litchman, Paris, Rabel, Rosellini and Savage (by Executive request and by Secretary of State request):

Amending the Constitution to allow eighteen-year-old vote and updates residency requirements.

The House resumed consideration of House Joint Resolution No. 30 on second reading.

#### MOTION

Mr. Morrison moved that the House defer further consideration of House Joint Resolution No. 30 on second reading, and the resolution be placed at the top of Wednesday's second reading calendar.

Representatives Morrison and Bottiger spoke in favor of the motion.

The motion was carried.

HOUSE BILL NO. 298, by Representatives Wanamaker, Douthwaite, Cunningham, Conway and Hoggins (by Departmental request):

Providing for tire standards.

The House resumed consideration of House Bill No. 298 on second reading.

On motion of Mr. Wanamaker, the following amendments were adopted:

On page 1, line 2 of the title after "crimes;" insert "and providing penalties;"

On page 1, section 1, line 18, after "misdemeanor" and before the period insert "unless such tires are sold for off-highway use, as evidenced by a statement signed by the purchaser at the time of sale certifying that he is not purchasing such tires for use on the public highways of this state"

On page 2, section 2, line 6, after "misdemeanor" and before the period insert "unless such tires are sold or regrooved for off-highway use, as evidenced by a statement signed by the purchaser or regroover at the time of sale or regrooving certifying that he is not purchasing or regrooving such tires for use on the public highways of this state"

Mr. Wanamaker moved adoption of the following amendment:

On page 3, section 3, line 3, strike "law enforcement" and insert "Washington state patrolman, county sheriff or deputy sheriff, or municipal police"

Representative Wanamaker spoke in favor of the amendment, and Representative Douthwaite spoke against it.

The amendment was adopted on a rising vote.

The Clerk read the following amendment by Representative King:

On page 3, section 3, beginning on line 3, strike all material beginning with "Any law" through and including "violation, the" on line 9, and insert "If during any equipment or vehicle inspection otherwise authorized by law it is disclosed that the tires of any vehicle are in violation of the rules and regulations promulgated by the state commission on equipment hereunder, a law enforcement"

#### POINT OF INQUIRY

Mr. King: "Mr. Speaker, is there another amendment to the same section on the desk?"

The Speaker: "Yes, there is a further amendment to the same section by Representative Douthwaite."

With the consent of the House, Mr. King withdrew his amendment.

Mr. Douthwaite moved adoption of the following amendment:

On page 3, strike everything beginning with "Any" on line 3 through "vehicle." on line 8 and insert "These provisions shall be enforced by the state patrol under the authority granted in RCW 46.64.060 and RCW 46.64.070."

Representative Douthwaite spoke in favor of adoption of the amendment, and Representative Wanamaker spoke against it.

#### POINT OF INQUIRY

Mr. Wanamaker yielded to question by Mr. King.

Mr. King: "Is the other side of the amendment then going to put local law enforcement agencies under the spot check law in your opinion?"

Mr. Wanamaker: "No, it does not."

Mr. King: "All right, a specific question: Would local law enforcement officers have the right under this law to check the spare tire to see if it is safe?"

Mr. Wanamaker: "I think local law enforcement officers now (I don't know about a spare tire—I doubt if they would see it in the trunk where most of them are carried) have a law that allows them to spot check for faulty equipment. What this law would do is put bald tires and substandard tires under faulty equipment."

Representative King spoke in favor of adoption of the amendment, and Representative Spanton spoke against it.

#### POINT OF INQUIRY

Mr. Wanamaker yielded to question by Mr. Grant.

Mr. Grant: "Representative Wanamaker, what is your definition of deputy sheriff?"

Mr. Wanamaker: "I do not have a legal definition. My interpretation would be that it is someone with the authority of the sheriff's office who has been deputized by the duly elected sheriff to perform the duties that were laid out for him."

Representatives Grant and Sawyer spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Barden.

Mr. Barden: "Representative Julin, if this proposed amendment fails and the bill passes as it now stands, and I were driving down the road one night, legally, and I was stopped by a deputy sheriff or municipal policeman or state patrolman because he wanted to look and see if my tires were safe, would he then have the authority under the color of the bill to ask for my driver's license, to verify the registration of the car, require a breathalyzer test, etc.?"

Mr. Julin: "Representative Barden, in my opinion, he would."

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

Representative Bledsoe spoke against adoption of the amendment by Representative Douthwaite.

#### MOTION

Mr. Marsh moved that House Bill No. 298 be referred to the Committee on Judiciary. Representatives Marsh and Bottiger spoke in favor of the motion, and Representative Ross spoke against it.

Mr. Litchman demanded the previous question, and the demand was not sustained.

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Julin, as Chairman of the Judiciary Committee, where this bill would be routed if the motion as put by Representative Marsh is approved by this body, would you like to take a look at this measure, and would you promise it would appear before this body again in due time?"

Mr. Julin: "As God is my witness, yes."

#### MOTION

Mr. Sawyer moved that the motion by Mr. Marsh be amended to require that the bill be reported out within three days of its acceptance by the committee.

RULING BY THE SPEAKER

The Speaker: "The motion to commit is amendable by giving the committee instructions on the main question. The question in the mind of the Speaker was whether this would take a two-third's vote to so instruct the committee to report a bill back outside of the normal committee process, which is also included in our rules, which of course takes a majority 'do pass' recommendation of the total membership of the committee. The Speaker is going to rule that the amendment to the motion to commit is in fact a suspension of the rules, and the amendment must have a two-third's vote in order to carry. The question before the House is the amendment to the motion—to require the Judiciary Committee to report House Bill No. 298 back to this body within three days."

POINT OF ORDER

Mr. O'Brien: "Point of order, Mr. Speaker. How would you ever amend a motion to commit if you are not going to recognize this amendment by stating it requires a two-third's vote? Reed's Rule No. 120 states that the motion to commit can be amended with instructions as to the main question. The question before you—the main question—is the bill. The House now wishes to offer this amendment, have the amendment adopted, so the main question will be recommitted to the House within three days. We rerefer it back to the House in three days. So you have an amendment to the motion to commit, and it appears the amendment is in order, and certainly requiring a two-third's vote for the adoption of the amendment will be entirely out of order because amendments can be adopted by a majority vote."

RULING BY THE SPEAKER

The Speaker: "Mr. O'Brien, I am not ruling the amendment out of order."

Mr. O'Brien: "But you are requiring the amendment to have a two-third's vote."

The Speaker: "That is correct."

Mr. O'Brien: "Which is in violation of Reed's Rules and the House Rules."

The Speaker: "That is because it is in violation of the House Rules, not Reed's Rules, Mr. O'Brien."

POINT OF ORDER

Mr. Perry: "What is before the body now?"

The Speaker: "The question before the House is the amendment to the motion to commit by Mr. Sawyer, that the committee must report the bill back to the House within three days."

Mr. Perry: "What is the principal motion before us?"

The Speaker: "The principal motion is to commit House Bill No. 298 to the Committee on Judiciary. The question before that is the adoption of Mr. Douthwaite's amendment."

Mr. Perry: "If the principal question before the body is the question to commit to the Judiciary Committee, then how can we be past this order of business, which would require a two-third's vote?"

The Speaker: "I can't very well respond because I don't understand your question, Mr. Perry."

Mr. Perry: "I will state it again. If the principal business before this body is the motion to commit to the Judiciary Committee this measure, and the subsidiary question now arising in conjunction with the principal measure is the amendment, and we are on the principal measure and about to consider the amendment, why should it take a two-third's vote?"

The Speaker: "Because in effect the amendment to the motion to commit involves a suspension of the rules—House Rules dealing with committee business."

PARLIAMENTARY INQUIRY

Mr. Moon: "Mr. Speaker, what rule are we suspending in order to go about in this order rather than the motion that is before the body?"

The Speaker: "The suspension is of Rule No. 81, Mr. Moon. Rule No. 81 provides that: 'A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out.'"

POINT OF ORDER

Mr. O'Brien: "Also, Mr. Speaker, if you will look at and review Rule No. 81 further, it

is stated that: 'PROVIDED, That a majority of the members elected to the house may require a committee to report a bill back to the house at any time.' So you have other provisions in the rule other than the duties of standing committees. So in other words we could wait three days and move this bill out of committee—relieve the committee of the bill by a simple majority vote of the members present."

The Speaker: "That is correct."

Mr. O'Brien: "So that wouldn't require a suspension of the rules. But you are now requiring a suspension of the rules to amend the motion to commit which appears to be out of order. To require a suspension of the rules to adopt a simple amendment is contrary to our rules."

The Speaker: "The bill is not in committee yet. If it does not come out of committee within the time sought and desired by this body, then on a majority vote of this body they could pull it out of committee at any time."

#### PARLIAMENTARY INQUIRY

Mr. King: "With Representative Sawyer's amendment to this, aren't we in effect postponing consideration of this matter for a period of three days for the purpose of having the Judiciary Committee look at the bill? And do we not have the right to postpone consideration?"

The Speaker: "That was not Mr. Marsh's motion, Mr. King I am sorry."

Mr. King: "But as amended, it would be. It would have that effect."

The Speaker: "No, his motion was to recommit."

With the consent of the House, Mr. Sawyer withdrew his amendment to the motion by Representative Marsh.

The Speaker stated the question before the House to be the motion by Mr. Marsh to refer House Bill No. 298 to the Committee on Judiciary.

The motion was carried.

#### MOTION

On motion of Mr. Bledsoe, the House reverted to the eighth order of business.

#### NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Bledsoe gave notice that he would offer proposed amendments to House Rules No. 81 and No. 86 on the next working day.

#### POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, according to, I believe it is House Rule No. 88, notice of amendment to the rules should be given not only one day in advance, but also should be submitted in writing. It appears to me it might be proper that, if amendments to our rules are going to be offered, both sides of the aisle should have them submitted to the Chief Clerk and read a day in advance so the membership would have the opportunity to review those proposed rule changes and not be trying to second guess what is going to happen 24 hours after notice is given."

#### RULING BY THE SPEAKER

The Speaker: "As desirable as that may be, that is not what the rules provide. The Speaker would require that any proposed amendments to the rules be submitted in writing and on the desks of the members before they come on for debate, discussion and the vote."

#### NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Grant gave notice that he would offer proposed amendments to House Rules No. 48 and No. 86 on the next working day.

Mr. Grant explained the reason for the proposed rule changes.

## MOTIONS

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House deferred further consideration of the balance of the second reading calendar and the entire third reading calendar, and the bills were ordered placed on tomorrow's calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, February 9, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 9, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Randall who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Marshall Campbell of the United Methodist Church of Camas.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 9, 1971.

HOUSE BILL NO. 157, providing immunity from implied warrant and civil liability in blood transfusions, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 13, after "be" strike "a sale"

On page 1, section 1, line 13, after "by" strike "an" and insert "any"

On page 1, section 1, line 16, after "conduct" insert "": PROVIDED, HOWEVER, That this act shall apply only to liability alleged in the contraction of hepatitis and malaria and shall not apply to any transaction in which the blood donor receives compensation: PROVIDED, FURTHER, That nothing in this act shall be considered by the courts in determining or applying the law to any blood transfusion occurring before the effective date hereof and the court shall decide such case as though this act had not been passed"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 161, providing for fire protection for the state capitol, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 17 after "failure of the" strike "state capitol committee" and insert "department of general administration"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hurley, Kraabel, McCormick, Moon, Paris, Perry, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 173, enabling endowment of the state capitol historical association, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Kraabel, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 8, 1971.

HOUSE BILL NO. 198, providing that the legislative council and legislative budget committee may review all interim committee salaries, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 2, after "executive committee of the" insert "budget"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 8, 1971.

HOUSE BILL NO. 214, providing for a time limit on recalls, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 5, after "maximum of" strike "six" and insert "three"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, Paris, Spanton, Swayze.

MINORITY recommendation: Do not pass. Signed by Representatives Hurley, Knowles, Marzano, Perry.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 227, revising summons and complaint fees for nonresidents, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Kraabel, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE BILL NO. 253, providing for certain changes in the regulation of nonprofit corporations and associations, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 8, after "[one]" strike "two" and insert "ten"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, McCormick, Moon, Paris, Perry, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

February 8, 1971.

HOUSE BILL NO. 320, delegating elevator inspection to the division of safety, reported by Committee on Labor & Employment Security.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14 strike "[building and construction safety inspection services] safety" and insert "building and construction safety inspection services : PROVIDED, That except for the new construction thereof, all hand-powered elevators, belt manlifts, and one-man capacity manlifts installed in or on grain elevators shall be the responsibility of the division of safety of the department of labor and industries"

On page 2, section 1, beginning on line 2 strike all the matter down to and including "chapter.]" in line 5 and insert "The director of the department of labor and industries by rule and regulation shall establish a schedule of fees to pay the costs incurred by the department for the work related to administration and enforcement of this chapter."

On page 2, section 2, line 19 strike "[elevator inspection,]" and insert "elevator inspection, except as otherwise provided in RCW 70.87.030."



Signed by Representatives Hubbard, Chairman, Hatfield, Vice Chairman, Charette, Charnley, Curtis, Grant, Johnson, Newhouse, Morrison, Savage, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

HOUSE JOINT RESOLUTION NO. 22, providing for a new pattern of succession to fill vacancy in governor's office, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 31, after "*herein named:*" strike "*The president pro tempore of the senate, the speaker of the house of representatives.*" and insert "*The speaker of the house of representatives, the president pro tempore of the senate.*"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Kraabel, McCormick, Moon, Paris, Perry, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 4, 1971.

SENATE BILL NO. 131, requiring the use of enriched flour in all specialty breads and rolls, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14 after "flour," strike "but excludes" and insert "[but excludes] *including*"

On page 2, section 2, line 18 after "enriched" strike "white"

On page 2, section 2, beginning on line 19 after "thereof" strike all the matter down to and including "section" on line 21

Signed by Representatives Amen, Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 8, 1971.

Mr. Speaker: The Senate has passed SENATE JOINT RESOLUTION NO. 5, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 612, by Representative Curtis:

An Act relating to intoxicating liquor.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 613, by Representative Curtis:

An Act relating to intoxicating liquor.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 614, by Representative Curtis:

An Act relating to occupations and professions.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 615, by Representative Curtis:

An Act relating to occupations and professions.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 616, by Representative Curtis:

An Act relating to consumer protection.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 617, by Representative Curtis:

An Act relating to consumer protection.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 618, by Representatives Bagnariol, Kirk, Perry and Ceccarelli:

An Act relating to police relief and pensions in first class cities; and amending

section 1, chapter 82, Laws of 1963 as amended by section 27, chapter 209, Laws of 1969 ex. sess. and RCW 41.20.170.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 619, by Representatives King, Lysen, Maxie, Ross, Charnley and Douthwaite:

An Act relating to education; creating new sections; providing for an appropriation; and declaring an emergency.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 620, by Representatives Flanagan, Bledsoe and Julin:

An Act relating to justices of the peace; and amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 23, Laws of 1970 ex. sess. and RCW 3.34.010.

Referred to Committee on Judiciary.

HOUSE BILL NO. 621, by Representatives Flanagan, Bledsoe, Haussler, Bozarth and Bauer:

An Act relating to the deposit and investment of public funds; and amending section 43.85.240, chapter 8, Laws of 1965 and RCW 43.85.240.

Referred to Committee on Agriculture.

HOUSE BILL NO. 622, by Representatives Smythe, O'Brien and Bledsoe:

An Act relating to cities and towns; amending section 35.41.010, chapter 7, Laws of 1965 as amended by section 12, chapter 144, Laws of 1967 ex. sess. and RCW 35.41.010; amending section 35.41.030, chapter 7, Laws of 1965 as last amended by section 34, chapter 56, Laws of 1970 ex. sess. and RCW 35.41.030; amending section 35.41.080, chapter 7, Laws of 1965 and RCW 35.41.080; and amending section 35.41.090, chapter 7, Laws of 1965 and RCW 35.41.090.

Referred to Committee on Local Government.

HOUSE BILL NO. 623, by Representative Julin:

An Act relating to crimes.

Referred to Committee on Judiciary.

HOUSE BILL NO. 624, by Representative Julin:

An Act relating to probate.

Referred to Committee on Judiciary.

HOUSE BILL NO. 625, by Representative Julin:

An Act relating to crimes.

Referred to Committee on Judiciary.

HOUSE BILL NO. 626, by Representative Cunningham:

An Act relating to public funds.

Referred to Committee on Transportation.

HOUSE BILL NO. 627, by Representative Julin:

An Act relating to crimes.

Referred to Committee on Judiciary.

HOUSE BILL NO. 628, by Representative Julin:

An Act relating to the courts.

Referred to Committee on Judiciary.

HOUSE BILL NO. 629, by Representative Julin:

An Act relating to the courts.

Referred to Committee on Judiciary.

HOUSE BILL NO. 630, by Representative Julin:  
An Act relating to civil procedure.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 631, by Representative Julin:  
An Act relating to probate.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 632, by Representative Julin:  
An Act relating to civil procedure.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 633, by Representative Julin:  
An Act relating to the courts.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 634, by Representatives Paris, Conner, Benitz and Adams:  
An Act relating to the coordinating council for occupational education; amending section 28B.50.170, chapter 223, Laws of 1969 ex. sess. as amended by section 28, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.170; and amending section 28B.50.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.200.  
Referred to Committee on Higher Education.

HOUSE BILL NO. 635, by Representatives Beck and Kilbury:  
An Act relating to minimum salaries for state patrol officers; amending section 43.43.380, chapter 8, Laws of 1965 and RCW 43.43.380; and providing an effective date.  
Referred to Committee on State Government.

HOUSE BILL NO. 636, by Representatives Haussler, Kilbury and Amen:  
An Act relating to pesticides; amending section 2, chapter 249, Laws of 1961 as amended by section 2, chapter 177, Laws of 1967 and RCW 17.21.020; amending section 9, chapter 249, Laws of 1961 as amended by section 5, chapter 177, Laws of 1967 and RCW 17.21.090; amending section 10, chapter 249, Laws of 1961 and RCW 17.21.100; amending section 15, chapter 249, Laws of 1961 as amended by section 8, chapter 177, Laws of 1967 and RCW 17.21.150; amending section 18, chapter 177, Laws of 1967 and RCW 17.21.205; amending section 22, chapter 249, Laws of 1961 as amended by section 13, chapter 177, Laws of 1967 and RCW 17.21.220; amending section 23, chapter 249, Laws of 1961 as amended by section 14, chapter 177, Laws of 1967 and RCW 17.21.230; adding new sections to chapter 249, Laws of 1961 and chapter 17.21 RCW; and repealing section 21, chapter 249, Laws of 1961 and RCW 17.21.210.  
Referred to Committee on Agriculture.

HOUSE CONCURRENT RESOLUTION NO. 11, by Representatives Flanagan, North, Backstrom and Moon:  
Directing a study of public services.  
Referred to Committee on State Government.

HOUSE CONCURRENT RESOLUTION NO. 12, by Representatives Douthwaite, Charnley, Van Dyk, Williams, Lysen, Grant, Chatalas, Bradley, Shinpoch, King, McDermott, Kilbury, Knowles and Bauer:  
Directing the legislative council to study oil spills and supertankers.  
Referred to Committee on Natural Resources and Ecology.

SENATE JOINT RESOLUTION NO. 5, by Senators Walgren, Twigg, Keefe, Bailey and Atwood (by Municipal Committee request):

Authorizing lotteries.

Referred to Committee on Business and Professions.

#### SPEAKER'S PRIVILEGE

The Speaker observed within the bar of the House a distinguished visitor, the Honorable Charles E. Fry, Speaker Pro Tem of the Ohio General Assembly. The Speaker requested that Representatives O'Brien and Copeland and the Sergeant at Arms conduct him to a place on the rostrum.

The Speaker invited Mr. O'Brien to introduce Mr. Fry.

Mr. O'Brien: "Mr. Speaker, ladies and gentlemen of the House of Representatives: It is my great honor and pleasure this morning to present to you an outstanding legislative leader from another state. It so happens that the total membership of the Ohio General Assembly is 99. Their problems are common to ours, such as the question of adequate salaries for members of the legislature, also the question of whether the rules should be changed, and of course redistricting. Mr. Fry is an outstanding legislator, the Speaker Pro Tem of the Ohio General Assembly, and the President-elect of the National Society of State Legislators. It is on this mission that he is here today. Without further ado, it is an honor to present to you Mr. Charles Fry of the Ohio General Assembly."

Mr. Fry: "Thank you, Mr. O'Brien. Mr. Speaker, ladies and gentlemen of the House: I am delighted to be here. This is an honor for me. I have never been in Washington before, but I can assure you I will be back. I am a builder by profession and on my way to the state house I saw several types of buildings, and I will not be satisfied until I know more about them. I come today bringing greetings from the National Society of State Legislators and would also like to bring greetings from the Ohio General Assembly."

Mr. Fry described the similarity of problems in Ohio and Washington, and some of the solutions that had been found in Ohio. He also told about the accomplishments of the National Society of State Legislators and invited the members of the House of Representatives to join the association.

The Speaker: "Thank you, Mr. Fry. We appreciate those fine remarks. Mr. Fry will be in my office for approximately the next hour for any of you who wish to meet with him and chat with him about some of these problems he has brought out to us this morning."

Representatives O'Brien and Copeland and the Sergeant at Arms escorted Mr. Fry from the rostrum.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representative Randall who was excused.

#### MOTION

Mr. Hoggins moved that HOUSE BILL NO. 90 be rereferred from today's second reading calendar to the Committee on Appropriations.

#### POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Goldsworthy, in making this motion to refer this bill to your committee, I do so with some reluctance. Can you assure me that the bill will be handled as quickly as possible so the committee can take consideration and vote it out, if there are enough votes?"

Mr. Goldsworthy: "I can assure you, Representative Hoggins, we will take action as quickly as possible and there will be no intent to kill the bill because I think it is

a pretty good bill. It is funded to a certain extent in the Governor's budget. It does have a tremendous fiscal impact which we are going to have to look at. I will have to warn you of one thing when you say 'as quickly as possible.' The Appropriations Committee has budget hearings scheduled through the 43rd day. We will not be having an executive committee meeting until after all these hearings are over, but after the 43rd day we will take one day to write the budget and then we will go into all the legislation we have."

Representative Hoggins spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Hoggins, in view of your statement that the bill doesn't go into effect until the ensuing biennium, and the Governor has already set forth \$5.5 million for this purpose, why is it necessary to refer the bill to Appropriations Committee?"

Mr. Hoggins: "Because I think the Appropriations Committee, in its deliberation as we take a look at this budget, needs also to look at the future, to know what kind of problems we may be anticipating in the next biennium. It is only appropriate that those who are skilled in the matter of budget making take a look in this area."

Representative Chatalas spoke against the motion to rerefer House Bill No. 90 to the Committee on Appropriations.

Mr. Chatalas demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Hoggins to rerefer House Bill No. 90 to the Committee on Appropriations, and the motion carried by the following vote: Yeas, 59; nays, 37; absent or not voting, 3.

Voting yea: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Charnley, Conway, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jones, Jueling, Junin, Kiskaddon, Kopet, Kraabel, Kuehnle, Luders, Lynch, Maxie, May, McCormick, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Wolf, Zimmerman, Mr. Speaker—59.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Douthwaite, Grant, Jastad, Johnson, Kilbury, King, Kirk, Knowles, Litchman, Lysen, Marsh, Martinis, Marzano, McDermott, Merrill, Moon, O'Brien, Perry, Rosellini, Savage, Sawyer, Van Dyk, Williams, Wojahn—37.

Absent or not voting: Representatives Copeland, Gallagher, Randall—3.

#### SECOND READING

HOUSE BILL NO. 88, by Representatives Wolf, Charette and Bledsoe (by Legislative Council request):

Providing that port districts of less than county size cannot be formed.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 134, by Representatives Merrill, Cunningham and Barden (by Legislative Council request):

Providing for reduction in the number of fire commissioners in a merged fire protection district.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 6, strike "or more"

On page 1, section 1, line 8, strike "not more than" and insert "the"

On page 1, section 1, line 10, strike "occurring in the six years following the merger."

On page 1, section 1, line 20, after "state," insert a new paragraph as follows  
 "Whenever more than two fire protection districts merge, the board of fire commissioners shall consist of one commissioner from each of the original districts to be selected by the commissioners from each such original district. At the time of the next general election occurring thirty or more days after the merger, three commissioners shall be elected. The candidate receiving the highest number of votes shall serve for a term of six years, the candidate receiving the next highest number of votes shall serve for a term of four years, and the candidate receiving the next highest number of votes shall serve for a term of two years. Thereafter fire commissioners shall be elected in the same manner as is prescribed for all fire protection districts of this state."

The bill was read the second time.

On motion of Mr. Smythe, the committee amendments were adopted.

House Bill No. 134 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 215, by Representatives Smythe, Marsh, Hoggins, Zimmerman, Charette, Bauer, Backstrom, Chatalas, Curtis, Mentor and Moon (by Secretary of State request):

Providing for use of voting devices and vote tally systems in all elections and for listing of candidates thereat.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 129, by Representatives Wolf, Brouillet, Zimmerman, Hoggins and Mentor (by Joint Committee on Education request):

Implementing school districts' authority to insure students and others.

The bill was read the second time.

The Clerk read the following amendment by Mr. May:

On page 3, section 2, line 2, strike section 2 in its entirety and renumber the remaining section.

#### POINT OF ORDER

Mr. Hoggins: "Mr. Speaker, I believe that there is another amendment on the desk, and that I have an opportunity to perfect the bill before the amendment by Representative May (which is to strike the section) is considered."

The Speaker: "That is correct. Your amendment reads commencing on line 24, and Mr. May's amendment commences on line 2. That was taken first, but it is to strike the section in its entirety."

Mr. Hoggins moved adoption of the following amendment:

On page 3, section 2, line 24 after "activity" insert "*PROVIDED, HOWEVER, That the office of the superintendent of public instruction shall not include in any budget request to the legislature any request for funds to pay or reimburse local school districts for premiums paid on insurance policies extending coverage to all matters relating to school activities*"

Mr. Hoggins spoke in favor of the amendment.

#### MOTION

Mr. May moved that House Bill No. 129 be rereferred to the Committee on Appropriations.

Mr. May spoke in favor of the motion, and Mr. Hoggins spoke against it.

Mr. Wolf spoke against the motion by Mr. May.

#### POINT OF ORDER

Mr. Grant: "Mr. Speaker, I think Mr. Wolf is discussing the merits of the bill, not the motion to rerefer the bill to the Appropriations Committee."

The Speaker: "Please confine your remarks to the motion, Mr. Wolf."

Mr. Wolf concluded his remarks against the motion.

#### POINT OF INQUIRY

Mr. Wolf yielded to question by Mr. May.

Mr. May: "If this bill passed, the amount of money that would be called for would come from the local level. Where does this money come from? It comes out of the taxpayer's pocket. And I would ask another question. With private school attendance, who is going to pay the bill there? These people are not even allowed on these buses, and they would pay part of this insurance for getting off and on the buses. They are already paying a double toll to have their children in the private schools. This would add another burden to that. Is that not right?"

Mr. Wolf: "The answer to your first question is, 'yes.' It would have to be funded at the local level and it would be by local levy—part of their maintenance and operation or part of their millage that comes from property. Again, all I'm asking is not the question of whether it is right for your school district or mine, but the local option for that school board to make the decision on whether to insure extended accident coverage in their school system. The second question, I have forgotten now. Oh yes, there again it may—it is permissive. It would not have an effect on any school district in this state. My reason for opposing your motion to rerefer is that we speak local government, we speak letting them make a decision, and this is one that I would urge that we let them make from a management standpoint rather than a fiscal standpoint at the state level."

The Speaker stated the question before the House to be the motion by Mr. May to rerefer House Bill No. 129 to the Committee on Appropriations.

The motion was carried on a rising vote.

HOUSE BILL NO. 110, by Representatives Cunningham, Bluechel, North and Barden: Providing for refunds of erroneously paid property taxes.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 1, line 4, after "overpaid]" and before "with" insert "*or paid as a result of mistake, inadvertence, or lack of knowledge by either a public official or employee or by any person paying the same*"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendment was adopted.

Mr. Grant moved adoption of the following amendment:

On page 1, section 1, line 25 strike "on or before October 30 of the year for which the taxes have been paid" and insert "[on or before October 30 of the year for which the taxes have been paid] *within one year from the date when the taxes would have been delinquent*"

Mr. Grant spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Grant yielded to question by Mr. Smythe.

Mr. Smythe: "I think what you are attempting to do is meritorious, but I would ask you to turn to section 2 on page 2 where you will find the reference to RCW 84.69.030(2). This relates to tying the bill directly to that RCW section. As I read RCW 84.69.030(2) it says 'file within three years after making of the payment sought to be refunded.' Does that cover what you are trying to do here, Representative Grant?"

Mr. Grant: "I don't think so. The earlier section I am trying to amend in subsection (7)—section (1) of RCW 84.69.020—is what the county assessors are using as their criterion in dealing with these people who might be eligible for the fifty dollar exemption. I did bring this to the attention, Mr. Smythe, of the Department of Revenue when I inquired as to whether or not individuals would be able to apply for the exemption after October 30. They told me 'no.' So I really don't think the later reference is applicable."

Mr. Smythe: "I can't respond to that beyond the fact that it is my understanding that it does apply. Maybe we should take another look at this. I personally have no objection to what you are attempting to do here, but it is my understanding it is provided for."

#### MOTION

On motion of Mr. Grant, the House deferred further consideration of House Bill No. 110 and the bill was ordered held for tomorrow's second reading calendar.

HOUSE BILL NO. 55, by Representatives Berentson, Conner, and Hubbard (by Departmental request):

Exempting denial, suspension, or revocation of a driver's license from the administrative procedure act.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 244, by Representatives Julin, Bottiger, Wolf and Curtis:

Making larceny by check constitute grand larceny.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 1, line 1 after "*obtained*" insert "*within any thirty-day period*"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 244 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 66, by Representatives Bottiger, Harris and Knowles (by Legislative Council request):

Classifying the property rights of persons having an interest in trust principal and persons having an interest in trust income.

Committee recommendation: Majority, do pass with the following amendment:

On page 4, section 4, beginning on line 24, strike all the material in subsection (4) and insert the following:

"(4) On the termination of an income beneficiary's income interest, income earned but not distributed shall be held and distributed as part of the next eventual interest or estate in accordance with the provisions of the will or trust relating to such next eventual interest or estate; except, this shall not apply to any marital deduction income interest as provided in Section 2056 (and as amended or reenacted) of the Internal Revenue Code of the United States."

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 66 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 136, by Representatives Hansey, Haussler, Amen, Backstrom and Van Dyk:

Making the conversion or taking of returnable wholesale containers for agricultural commodities a misdemeanor.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 8, after "of eggs" strike ", milk, or any other agricultural commodity"

The bill was read the second time.

Mr. Amen moved adoption of the committee amendment, and spoke in favor of its adoption.

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Smith.

Mr. Smith: "Would you describe this egg container that you are talking about here?"

Mr. Amen: "I think Mr. Hansey could describe it better than I could. This evidently is a basket made out of wire or metal. It is my understanding that these cost about three dollars each, and some are purchasing up to twenty thousand and at the end of the year having about five thousand because other merchants are taking them, repainting them and using them."

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Grant.

Mr. Grant: "Mr. Amen, I don't know why we are writing a bill for egg containers and now, by the amendment leaving out containers for milk or other agricultural commodities. How about the milk container? How much does that cost?"



Mr. Amen: "What kind of a milk container?"

Mr. Grant: "The can milk comes in, not the carton or the bottle, but the can."

Mr. Amen: "I don't think they have cans. They have the big trucks, Representative Grant, and they probably cost about \$10,000 or so."

Mr. Grant: "Don't they use milk cans any more? That goes to show what I know about farming."

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Wolf and a couple others here have grocery businesses and they buy their eggs wholesale in a cardboard carton. Suppose they use this cardboard carton for some personal use?"

Mr. Amen: "You are speaking about egg containers?"

Mr. Hoggins: "Yes, when the carton comes from the egg company. He buys it wholesale, and the carton it comes in . . ."

#### ADMONITION BY THE SPEAKER

The Speaker: "Mr. Hoggins and Mr. Amen, this is an interesting discussion, but the committee amendment doesn't do anything about deleting egg cartons from the bill. That is in the original bill and it will still be in the bill after the amendment. I will have to rule you out of order unless you confine your remarks to the committee amendment."

Mr. Hoggins: "Mr. Speaker, I am trying to gain some information because it might be necessary to amend this bill, because this is quite broad language, to keep people from inadvertently being put in jail."

The Speaker: "You will have to investigate the merits of the bill on the whole outside of floor action on second reading on this committee amendment."

Mr. Hoggins: "But if Mr. Amen answers my question the way I think he is going to, I would want an opportunity to amend the bill. If we adopt the amendment and it goes back into Rules Committee we have no further opportunity, so then I would make a motion to hold it over or rerefer it to Judiciary Committee, to work this out."

The Speaker: "Has Mr. Amen satisfactorily answered your question, Mr. Hoggins?"

Mr. Hoggins: "I think he was interrupted before he had an opportunity."

The Speaker: "Pose your question."

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. Amen, the cartons that grocers receive when they buy their eggs wholesale—is this a wholesale container? If Mr. Wolf or someone else uses this container for some kind of personal use like putting garbage in it or some other food commodities, or if he takes it home and puts it in his garage, could he be put in jail?"

Mr. Amen: "I think I will defer this to Representative Hansey, the egg man. I don't know if he has looked into it or not, but the intent was just these big egg containers that cost quite a bit."

#### POINT OF INFORMATION

The Speaker recognized Mr. Hansey.

Mr. Hansey: "Yes, Mr. Speaker and ladies and gentlemen of the House: I think the key to this is the word 'returnable' container. This is only referring to the type of container that is returnable. The type Mr. Hoggins is talking about is probably the disposable type and would not be covered under the law."

Mr. Van Dyk explained the type of milk containers that are used in response to the question that had been posed by Mr. Grant.

The Speaker stated the question before the House to be the committee amendment.

The committee amendment was adopted on a rising vote.

Mr. Hansey moved adoption of the following amendment:

On page 1, line 9, after "misdemeanor" and before "and" insert a period and strike the balance of the bill

Representative Hansey spoke in favor of adoption of the amendment, and Representative Charette spoke against it.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. King.

Mr. King: "Representative Charette, would the theft of a three dollar article now be a misdemeanor under existing law?"

Mr. Charette: "Yes, if the person taking it has an intent to deprive the owner of the possession of the article, it could possibly be a misdemeanor. In fact theft of a two-cent item could be a misdemeanor."

## MOTION

Mr. King moved that House Bill No. 136 be rereferred to the Committee on Judiciary. Representatives King and Eikenberry spoke in favor of the motion, and Representatives Charette, Julin and Amen spoke against it.

The motion by Mr. King to rerefer House Bill No. 136 to the Committee on Judiciary was lost.

The Speaker stated the question before the House to be the amendment by Mr. Hansey.

The amendment was lost.

House Bill No. 136 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 44, by Representative Benitz:

Providing for the cancellation of county warrants after one year.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 6 beginning with "County" strike everything down to and including "commissioners" on line 8 and insert "[County warrants drawn but uncalled for one year after] *Registered or interest bearing county warrants not presented within one year of the date of their call, and all other county warrants not presented within one year of the date of their issue shall be canceled by the [board of county commissioners] legislative authority of the county*"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendment was adopted.

House Bill No. 44 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 133, by Representatives North, Bottiger and Smythe (by Legislative Council request):

Providing for control by the boundary review boards of certain action by cities, towns, or special purpose districts.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 22, strike "*establishment*" and insert "*extension*"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendment was adopted.

House Bill No. 133 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 239, by Representatives Kopet, McDermott and Eikenberry:

Denying liability of persons withdrawing blood for intoxication test.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 11 before "officer" strike "peace" and insert "law enforcement"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 239 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 181, by Representatives Julin and Wojahn (by Judicial Council request):

Establishing when any statute of limitations is tolled.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 12 after "complaint" insert "": *PROVIDED FURTHER, That if the action is commenced by service on one or more of the defendants or by publication, upon written demand by any party, the plaintiff shall pay the filing fee and file the summons and complaint within twenty days or the action shall be deemed dismissed"*

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 181 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

### THIRD READING

ENGROSSED HOUSE BILL NO. 75, by Representatives Bozarth, Copeland, Bottiger, Haussler and Randall:

Authorizing school districts to permit emergency use by other governmental agencies of their school buses and equipment.

Engrossed House Bill No. 75 was read the third time and placed on final passage.

Representative Bozarth spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 75, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, SHERA, Shipoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Bledsoe, Flanagan, Litchman, Randall, Smythe—5.

Engrossed House Bill No. 75, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 154, by Representatives Julin, Eikenberry and Charette:

Relating to appeals from acts and proceedings of court commissioners.

House Bill No. 154 was read the third time and placed on final passage.

Representative Eikenberry spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 154, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien,

Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Randall—2.

House Bill No. 154, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 220, by Representatives Bluechel, Perry and Cunningham (by Secretary of State request):

Simplifying documentary requirements for foreign corporations requesting authority to do business in Washington.

House Bill No. 220 was read the third time and placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 220, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Randall—2.

House Bill No. 220, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 222, by Representatives Bluechel, Spanton and Ross (by Secretary of State request):

Deleting the requirement that notice to a nonprofit corporation or association that it shall cease to exist shall be by certified mail.

House Bill No. 222 was read the third time and placed on final passage.

Representative Conway spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 222, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Bradley—1.

Absent or not voting: Representatives Bledsoe, Randall—2.

House Bill No. 222, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 223, by Representatives Bluechel, McCormick and Cunningham (by Secretary of State request):

Providing for certain changes in the powers, duties, and functions of the secretary of state.

House Bill No. 223 was read the third time and placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 223, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, Kopet, Randall—3.

House Bill No. 223, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 225, by Representatives Bluechel, McCormick and Conway (by Secretary of State request):

Deleting the requirement that notice to a corporation failing to pay the annual license fee shall be by certified mail.

Engrossed House Bill No. 225 was read the third time and placed on final passage.

Representative McCormick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 225, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representative Bradley—1.

Absent or not voting: Representatives Bledsoe, Kopet, Randall—3.

Engrossed House Bill No. 225, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 228, by Representatives Newhouse, Moon and Berentson:  
 Relating to the interagency committee for outdoor recreation.  
 House Bill No. 228 was read the third time and placed on final passage.  
 Representative Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 228, and the bill passed the House by the following vote: Yeas, 93; nays, 4; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Conner, Grant, Hoggins, Wolf—4.

Absent or not voting: Representatives Bledsoe, Randall—2.

House Bill No. 228, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 237, by Representatives Schumaker, Savage, Zimmerman, Backstrom and Mentor:

Increasing the dollar amount of resources that can be sold through the small sale procedure of the department of natural resources.

House Bill No. 237 was read the third time and placed on final passage.

Representative Schumaker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 237, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Randall—2.

House Bill No. 237, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 274, by Representatives Shera, Merrill, Curtis and Litchman:

Authorizing banks and trust companies in United States corporations insuring or marketing real estate mortgages.

Engrossed House Bill No. 274 was read the third time and placed on final passage.

Representative Shera spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 274, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Randall—2.

Engrossed House Bill No. 274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mrs. Lynch.

Mrs. Lynch: "Mr. Goldsworthy, I am sure you are as concerned as Representative Chatalas and I that House Bill No. 90 get out of your committee as fast as we can get it out. Is it not possible that you could call a special meeting at the end of one of our subcommittee meetings in the afternoon?"

Mr. Goldsworthy: "This is true. Because so many people have stopped by to say 'When are you going to have the committee meeting?' and because of the high interest on both sides of the aisle on this, I will promise to call a meeting. We will get the notices out immediately for 5:00 p.m., Friday afternoon. It is the earliest we can get to it, and we will have a meeting. We have subcommittee meetings all afternoon and we will end the last one at five o'clock. If the committee will be there, we will take care of this at that time."

Mrs. Lynch: "Thank you, I know you are a most efficient chairman and will get it done."

## NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Wolf gave notice that he would offer proposed amendments to House Rule No. 81 and House Rule No. 86 on the next working day.

Mr. Wolf stated that copies of the rule changes would be on the desk as early as possible tomorrow morning.

## NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Grant gave notice that he would offer a proposed amendment on the next working day to House Rule No. 81 in addition to the amendments to House Rule No. 48 and House Rule No. 86 that were presently on the members' desks.

## POINT OF ORDER

Mr. O'Brien: "I rise to a point of order. If you will review House Rule No. 88, it states: 'That one day's notice of the motion therefor be given, and the proposed change or changes in the rules be submitted in writing.' I submit to you that just giving a notice relative to a particular rule change isn't enough. The members are still in the dark as to the overall consequence or effect of the proposed rule, and we should follow the procedure established in the past that proposed changes be read in one day in advance of the proposed action. Therefore, the membership has the opportunity to review the proposed rule changes."

The Speaker asked if there was other business to be considered.

## POINT OF ORDER

Mr. O'Brien: "I raise a point of order on these rule changes. I would like to have you make a decision on whether or not these proposed rule changes should be in writing at least one day in advance of the action to be taken by the House."

The Speaker: "I submit, Mr. O'Brien, that the time we are to consider rule changes would be the appropriate time to make your point of order. There is nothing before the body at this particular time. Only notices were served. If at the time someone moves the adoption of the rule change you wish to raise the point of order that it has not been on the desk for one working day, you may do so."

## POINT OF ORDER

Mr. O'Brien: "I am raising a point of order at this time because notice was given at this time regarding the rule change. It is my position that along with the notice given, the rule change should be in writing at that time."

The Speaker: "The rule requires one day's notice, Mr. O'Brien. At this time I have no way of knowing whether the written proposed change will be on your desk this working day or the next working day. I cannot rule on your point of order at this time."

## MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Wednesday, February 10, 1971.

THOMAS A. SWAYZE, JR., Speaker

MALCOLM McBEATH, Chief Clerk.



## THIRTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 10, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Backstrom who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles W. Myers of the Emmanuel Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 9, 1971.

HOUSE BILL NO. 112, providing for the taxation and regulation of campers, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 1, line 1 after "is a" and before "travel trailer" insert "*utility trailer,*"

On page 10, section 15, line 24 after "basis of" strike all of the matter down to and including "*year*" in line 29 and insert "moneys collected in such districts from the excise taxes imposed under this chapter"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Bluechel, Eikenberry, Hatfield, Julin, Kilbury, Kuehnle, Pardini.

Passed to Committee on Rules and Administration for second reading.

February 8, 1971.

HOUSE CONCURRENT RESOLUTION NO. 4, providing for study on development of a state coordinated system for communication by department of general administration, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Knowles, McCormick, Paris, Swayze.

MINORITY recommendation: Do not pass. Signed by Representatives Hurley, Marzano, Perry.

## MOTION

On motion of Mr. Bluechel, House Concurrent Resolution No. 4 was rereferred to the Committee on Appropriations.

## MESSAGES FROM THE SENATE

February 9, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 49,

ENGROSSED SENATE BILL NO. 56,

SENATE JOINT RESOLUTION NO.14,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 9, 1971.

Mr. Speaker: The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 8, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 637, by Representatives Kuehnle, Kopet, Pardini and Knowles:

An Act relating to revenue and taxation and empowering townships to make excess property tax levies; amending section 1, chapter 243, Laws of 1969 ex. sess. and RCW 45.82.010; amending section 1, chapter 165, Laws of 1953, as last amended by section 4, chapter 243, Laws of 1969 ex. sess. and RCW 45.12.100; and amending section 84.52.052, chapter 15, Laws of 1961, as last amended by section 1, chapter 113, Laws of 1965 ex. sess., and RCW 84.52.052.

Referred to Committee on Local Government.

HOUSE BILL NO. 638, by Representatives Chatalas, Grant, Ross and Maxie:

An Act relating to crimes and punishment; amending section 12, page 78, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1919 and RCW 9.48.030; amending section 1, chapter 6, Laws of 1933 ex. sess. and RCW 9.52.010; amending section 65, chapter 249, Laws of 1909 and RCW 9.82.010; repealing section 8, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.040; repealing section 152, page 125, Laws of 1854, section 291, page 152, Laws of 1860, section 288, page 244, Laws of 1873, section 1130, Code of 1881, section 1, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.050; repealing section 2, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.060; repealing section 6, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.070; repealing section 3, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.080; repealing section 153, page 125, Laws of 1854, section 289, page 244, Laws of 1873, section 1131, Code of 1881, and RCW 10.70.090; repealing section 4, chapter 9, Laws of 1901 ex. sess., and RCW 10.70.100; repealing section 5, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.110; repealing section 155, page 125, Laws of 1854, section 291, page 245, Laws of 1873, section 1133, Code of 1881 and RCW 10.70.120; and repealing section 154, page 125, Laws of 1854, section 1132, Code of 1881, section 7, chapter 9, Laws of 1901 ex. sess. and RCW 10.70.130; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 639, by Representatives Ross McCormick and Williams:

An Act relating to businesses and professions; providing for the regulation and licensing of the practice of manicuring; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010; amending section 1, chapter 215, Laws of 1937 as amended by section 2, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.030; amending section 18, chapter 215, Laws of 1937 and RCW 18.18.040; amending section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090; amending section 7, chapter 180, Laws of 1951 as last amended by section 11, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.140; amending section 15, chapter 215, Laws of 1937 as amended by section 8, chapter 324, Laws of 1959 and RCW 18.18.220; amending section 11, chapter 52, Laws of 1957 as last amended by section 17, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.260; and adding a new section to chapter 18.18 RCW.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 640, by Representatives Conner and Flanagan:

An Act relating to fishing; amending section 75.18.080, chapter 12, Laws of 1955 and RCW 75.18.080; amending section 5, chapter 309, Laws of 1959 as amended by section 1, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.085; amending section 1, chapter 9, Laws of 1969 and RCW 75.28.095; amending section 75.28.130, chapter 12, Laws of 1955 as last amended by section 4, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.130; creating a new section; and repealing section 1, chapter 23, Laws of 1969 ex. sess. and RCW 75.12.650.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 641, by Representatives Adams, Jastad, Farr and Rosellini:

An Act relating to midwifery; amending section 19, chapter 192, Laws of 1909 as last amended by section 4, chapter 284, Laws of 1961 and RCW 18.71.030; repealing section 8,

chapter 160, Laws of 1917 and RCW 18.50.010; repealing section 1, chapter 160, Laws of 1917 and RCW 18.50.020; repealing section 12, chapter 160, Laws of 1917 and RCW 18.50.030; repealing section 2, chapter 160, Laws of 1917 and RCW 18.50.040; repealing section 3, chapter 160, Laws of 1917 and RCW 18.50.050; repealing section 4, chapter 160, Laws of 1917 and RCW 18.50.060; repealing section 5, chapter 160, Laws of 1917 and RCW 18.50.070; repealing section 6, chapter 160, Laws of 1917 and RCW 18.50.080; repealing section 8, part, chapter 160, Laws of 1917 and RCW 18.50.090; repealing section 7, chapter 160, Laws of 1917 and RCW 18.50.100; repealing section 7, part, chapter 160, Laws of 1917 and RCW 18.50.110; repealing section 9, chapter 160, Laws of 1917 and RCW 18.50.120; repealing section 11, chapter 160, Laws of 1917 and RCW 18.50.130; and repealing section 10, chapter 160, Laws of 1917 and RCW 18.50.900.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 642, by Representatives Pardini, Bagnariol and Shera:

An Act relating to mutual savings banks; amending section 32.20.270, chapter 13, Laws of 1955 as last amended by section 7, chapter 145, Laws of 1967 and RCW 32.20.270; amending section 6, chapter 80, Laws of 1955, and RCW 32.20.330; amending section 16, chapter 55, Laws of 1969 and RCW 32.20.255; adding a new section to chapter 13, Laws of 1955 and to chapter 32.04 RCW; adding a new section to chapter 13, Laws of 1955 and to chapter 32.16 RCW; and adding new sections to chapter 13, Laws of 1955 and to chapter 32.20 RCW; and directing the codification of one such section.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 643, by Representatives Wanamaker, Mentor, Van Dyk, Berentson, Farr, Hansey and Constanti:

An Act relating to judicial districts; amending section 5, chapter 125, Laws of 1951 as last amended by section 3, chapter 48, Laws of 1963 and RCW 2.08.063; and amending section 7, chapter 125, Laws of 1951 as last amended by section 3, chapter 213, Laws of 1969 ex. sess. and RCW 2.08.065.

Referred to Committee on Judiciary.

HOUSE BILL NO. 644, by Representatives Gallagher, Mentor and Beck:

An Act relating to motor vehicles; extending liability for penalties for overloading to a person controlling the loading; and amending section 1, chapter 69, Laws of 1969 ex. sess. and RCW 46.44.120.

Referred to Committee on Transportation.

HOUSE BILL NO. 645, by Representatives Cunningham, Conner and Amen:

An Act relating to motor vehicles; and amending section 2, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.030.

Referred to Committee on Transportation.

HOUSE BILL NO. 646, by Representatives Hoggins and Mentor.

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 647, by Representatives Hoggins and Mentor:

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 648, by Representatives Luders, Spanton and Bauer:

An Act relating to eminent domain; and creating new sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 649, by Representatives Hoggins and Mentor:

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 650, by Representatives Wolf, King, Martinis, Marzano and Gallagher:

An Act relating to retirement; amending section 18, chapter 274, Laws of 1947 as last amended by section 7, chapter 128, Laws of 1969 and RCW 41.40.170; and adding a new section to chapter 41.32 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 651, by Representatives Thompson, Flanagan and Bledsoe:

An Act relating to the use of state parks and other state owned recreation facilities; amending section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300; amending section 43.51.040, chapter 8, Laws of 1965 as amended by section 1, chapter 90, Laws of 1967 ex. sess. and RCW 43.51.040; amending section 43.51.060, chapter 8, Laws of 1965 as amended by section 1, chapter 99, Laws of 1969 and RCW 43.51.060; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 652, by Representatives Savage, Kiskaddon, Douthwaite, Charnley, Maxie, McDermott, Ross, Bauer, Litchman and Smythe:

An Act relating to education; and amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.500.

Referred to Committee on Higher Education.

HOUSE BILL NO. 653, by Representatives Kirk, Thompson, Zimmerman, Paris and Randall:

An Act relating to state government; establishing a board of park and recreation personnel examiners; prescribing its powers; and adding new sections to chapter 43.51 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 654, by Representatives Wolf, Charette and Brown (by Executive request):

An Act relating to state government; providing additional powers, duties, and functions to the department of revenue; amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020; amending section .14.03, chapter 79, Laws of 1947 and RCW 48.14.030; amending section .14.06, chapter 79, Laws of 1947 and RCW 48.14.060; amending section .14.07, chapter 79, Laws of 1947 and RCW 48.14.070; amending section .15.10, chapter 79, Laws of 1947 as amended by section 6, chapter 303, Laws of 1955 and RCW 48.15.100; amending section .15.11, chapter 79, Laws of 1947 as amended by section 7, chapter 303, Laws of 1955 and RCW 48.15.110; amending section .15.12, chapter 79, Laws of 1947 and RCW 48.15.120; amending section .15.13, chapter 79, Laws of 1947 and RCW 48.15.130; amending section .15.14, chapter 79, Laws of 1947 and RCW 48.15.140; amending section 75.32.070, chapter 12, Laws of 1955 as amended by section 2, chapter 10, Laws of 1963 ex. sess. and RCW 75.32.070; amending section 75.32.080, chapter 12, Laws of 1955 and RCW 75.32.080; amending section 75.32.090, chapter 12, Laws of 1955 as last amended by section 1, chapter 193, Laws of 1967 and RCW 75.32.090; amending section 2, chapter 9, Laws of 1963 ex. sess. and RCW 75.32.101; amending section 75.32.110, chapter 12, Laws of 1955 and RCW 75.32.110; amending section 75.32.120, chapter 12, Laws of 1955 and RCW 75.32.120; amending section 75.32.130, chapter 12, Laws of 1955 and RCW 75.32.130; amending section 82.36.010; chapter 15, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1967 and RCW 82.36.010; amending section 2, chapter 22, Laws of 1963 ex. sess. as amended by section 1, chapter 67, Laws of 1965 and RCW 82.37.020; amending section 82.40.010, chapter 15, Laws of 1961 as last amended by section 24, chapter 281, Laws of 1969 ex. sess. and RCW 82.40.010; amending section 1, chapter 10, Laws of 1967 ex. sess. as amended by section 1, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.010; adding a new section to chapter 48.14 RCW; adding a new section to chapter 75.32 RCW; adding new sections to chapter 82.01 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 655, by Representatives Farr, Kraabel, Hansey, Gilleland, Barden, Hoggins, North, Kirk, Bluechel, Litchman and Van Dyk (by Executive request):

An Act relating to state government; regulating the taking, transportation, and use of hydrocarbon substances; amending section 10, chapter 133, Laws of 1969 ex. sess. as amended by section 1, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.315; adding new sections to chapter 133, Laws of 1969 ex. sess. and to chapter 90.48 RCW; adding a new section to chapter 43.21A RCW; repealing section 4, chapter 146, Laws of 1951, section 7, chapter 300, Laws of 1961, and RCW 78.52.020; and providing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 656, by Representatives Brown, Brouillet and Smythe:

An Act relating to revenue and taxation; amending section 84.52.050, chapter 15, Laws of 1961 as last amended by section 5, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.050; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 40, by Representatives Newhouse, Bledsoe, Morrison, Kopet, Bluechel and Curtis:

Increasing number of signatures required upon petitions for initiatives and referendums.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 49, by Senators Washington, Henry and Huntley (by Departmental request):

An Act relating to motor vehicle wreckers; amending section 46.80.020, chapter 12, Laws of 1961, as amended by section 94, chapter 32, Laws of 1967 and RCW 46.80.020; amending section 46.80.030, chapter 12, Laws of 1961, as last amended by section 1, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.030; amending section 46.80.040, chapter 12, Laws of 1961, as amended by section 96, chapter 32, Laws of 1967 and RCW 46.80.040; amending section 46.80.050, chapter 12, Laws of 1961, as last amended by section 2, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.050; amending section 46.80.070, chapter 12, Laws of 1961, as amended by section 98, chapter 32, Laws of 1967 and RCW 46.80.070; amending section 46.80.080, chapter 12, Laws of 1961, as amended by section 99, chapter 32, Laws of 1967 and RCW 46.80.080; amending section 46.80.090, chapter 12, Laws of 1961, as amended by section 100, chapter 32, Laws of 1967 and RCW 46.80.090; amending section 46.80.110, chapter 12, Laws of 1961, as last amended by section 3, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.110; amending section 46.80.130, chapter 12, Laws of 1961, as last amended by section 4, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.130; amending section 46.80.150, chapter 12, Laws of 1961, as last amended by section 5, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.150.

Referred to Committee on Transportation.

ENGROSSED SENATE BILL NO. 56, by Senators Atwood, Henry and Talley (by Departmental request):

An Act related to civil defense and emergency services; amending section 13, chapter 178, Laws of 1951 as amended by section 1, chapter 210, Laws of 1955 and RCW 38.52.110; amending section 11, chapter 178, Laws of 1951 as amended by section 1, chapter 145, Laws of 1953 and RCW 38.52.180; amending section 5, chapter 223, Laws of 1953 and RCW 38.52.220; and adding new sections to chapter 178, Laws of 1951 and to chapter 38.52 RCW.

Referred to Committee on State Government.

SENATE JOINT RESOLUTION NO. 14, by Senators Lewis, Wilson, Metcalf, Washington, Greive, Jolly, Guess, Huntley, Peterson (Lowell), Newschwander, Day, Odegard, Stortini, McCutcheon, Francis and Twigg (by Legislative Council request):

Amending the Constitution to authorize gubernatorial veto of entire sections and any appropriation item or items.

Referred to Committee on State Government.

SENATE CONCURRENT RESOLUTION NO. 8, by Senators Metcalf, Knoblauch and Durkan:

Requesting legislators to attend a candlelight service in the capitol rotunda in support of American POW's.

On motion of Mr. Morrison, the rules were suspended, Senate Concurrent Resolution No. 8 was advanced to second reading and read the second time.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 8 was placed on final passage.

Representative Hoggins spoke in favor of the resolution. Representative Savage stated he had no objection to the resolution.

Senate Concurrent Resolution No. 8 was adopted.

### REMONSTRANCE TO HOUSE OF REPRESENTATIVES

By Representative Hurley:

WHEREAS, The rights of the electorate and the welfare of the general public is endangered when the right of their representatives in the Legislature to express the wishes of their constituents is abridged and thwarted; and

WHEREAS, When a department of state government has, in effect, made itself immune from the control of the Legislature and the general public, and thereafter uses its unique power and resources to inflict excessive dictatorship and aggressive opposition upon duly elected representatives of the people; and

WHEREAS, A single department of state government, namely the Department of Highways, has, through lack of financial accountability to the Legislature, achieved a position of arrogant and scornful disregard for the said duly elected representatives of the people;

NOW, THEREFORE, I hereby call the attention of the House of Representatives to the high-handed manner in which this department of state government has conducted itself relative to rewriting legislation introduced by a member of this House, substantially altering and diluting the purposes of such legislation, without communication of any kind with the prime sponsor or any consultation with the sponsor on the department's proposed changes in the measure:

House Bill No. 273, requiring an ecological impact survey of proposed highway projects, similar to that required by federal regulation, was submitted by the undersigned to this House, and is presently referred to the Committee on Natural Resources. Not one, but three bills on the same subject, designed to dilute and nullify the provisions of House Bill No. 273 were subsequently introduced by the Department of Highways without any consultation with or prior notification to the prime sponsor of House Bill No. 273.

NOW, THEREFORE, I submit that the Department of Highways, consuming huge sums of tax money, rooting up whole communities and covering them with concrete and asphalt, without accountability to anyone, is becoming a source of concern and outright fear to many citizens and legislators alike. I urge that the members of this House take note of the increasingly arrogant and high-handed manner in which the Department of Highways deals with the Legislature and the citizens of the State, and that the Chief Clerk of the House of Representatives enter this document upon the official House Journal.

Mrs. Hurley spoke in favor of the remonstrance.

### RULING BY THE SPEAKER

The Speaker: "Mrs. Hurley, I believe that your feelings were well expressed in the remonstrance itself. There is nothing before this body. I would not want to open this particular subject to general debate unless there is a motion to refer the remonstrance or something of that nature. As far as I have been able to determine, the remonstrance, not being an issue to be acted on by the House, would not be subject to debate."

### PERSONAL PRIVILEGE

Mrs. Hurley: "Mr. Speaker, point of personal privilege. I believe that in defending myself as an elected member of this House, it should be of interest to everybody, as members of this House, what has happened in relation to the treatment of one of those members, in case it would go on and on—today a Democrat, tomorrow a Republican. And I think the members of the House maybe are curious to find out just what has happened, not so much to my legislation but to the Highway Department's treatment of me personally. I think I owe them this explanation. And I will be very, very brief as to what I want to say.

"I introduced this little bill that was supposed to be in conformity with federal regulations, and it had to do with highways. It is no more, actually, than Senator Jackson's

Environmental Policy Act that went into effect January 1, 1970. But in relating it to our department, and enacting it in this state, it does bring our state more closely in conformity and directs the attention directly to the Highway Department rather than just to all public building.

"I will be brief, and I will just tell you that when our first subcommittee meeting was held on this bill, instead of conferring with me, the prime sponsor, and proposing a few amendments that might improve it, they presented a whole secret substitute bill. They had taken my legislation, rewritten it, had done what they wanted to and presented it to the subcommittee as a surprise. What I needed was a lawyer. How can any person go over a bill in the amount of time that a subcommittee has to consider a thing like this and figure out what has been done to it? No time at all, but we did talk it over back and forth.

"The next subcommittee meeting we had, I was prepared to discuss this bill, and what was presented to me but a second surprise substitute bill. It was a surprise to me although I had heard it existed at 9:00 in the morning, but wasn't able to get a copy of it until 4:00 p.m. I gave it to our caucus lawyer who had agreed to go with me. If he hadn't given his free time—he was supposed to be off at 5:00 and he gave me an hour and a half of his time and he sat beside me and gave me the benefit of his experience and his wisdom and his education. So I wasn't completely done in by the Highway Department that was there—the Director, his assistant, and their attorney. They didn't know I was going to have an attorney. What did they expect to do to me? Well, they expected to ruin the intent of my legislation.

"All right, some agreements were made. And when I appeared in the whole committee yesterday morning, what was presented to me? I think you guessed it—surprise substitute bill number three. Now I, in all my history of attending committee meetings, have never seen anything like this before. Never. And I challenge any one of you to come up with a time where a thing like this has happened before in any committee in this House of Representatives. I don't think it has. They did not confer with me once. They were requested to by the Department of Ecology. They were asked, 'Did you consult the prime sponsor?' The answer was 'no.' They did not call me, they didn't try to see me, they avoided calls from my attorney, they would not contact me, they didn't show me anything they had. It was intended to be a surprise, and it was. Well, my only solution was to come up with my own substitute bill, which I did. And it is not going to be a surprise. I have already instructed my secretary to send copies to every member of this House, the chairman, the subcommittee chairman, and the Department of Highways. I don't believe we should condone practices like this. I think if the people back home, when they made the Constitution, had wanted code departments to write their legislation for them, they would have written the Constitution this way. So I am happy to have this opportunity to call this to your attention, and I hope it doesn't ever happen to you."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## RESOLUTIONS

HOUSE RESOLUTION NO. 71-10, by Representatives Hoggins, Kiskaddon, Moon, Backstrom, Martinis, King, Bottiger, Jones, Copeland, Merrill, Cunningham, Morrison, Hubbard, Kuehnle, Shera and Goldsworthy:

WHEREAS, The Paine Field air show has attracted great numbers of people for fourteen years, and now as the Lynnwood Rotary International Air Fair, it receives national acclaim as one of the top six air shows on the North American continent; and

WHEREAS, It is the only air show to receive a one hundred percent rating from the Department of Defense out of four hundred sixty-four rated, and in addition it possesses the highest possible rating of the Federal Aviation Administration; and

WHEREAS, It is a charter member of the International Council of Airshows (and the only member to date in Washington State) and, as a member of the executive board, represents the entire Western United States; and

WHEREAS, It is the largest military and civilian air show west of the Mississippi and, with over one hundred and sixty booths, is the only air show in the Northwest that presents all facets of aerospace for public inspection; and

WHEREAS, It presents on public display categories representing the USAF, USA, USN, USMC, USCG, CAP, Foreign Military, Foreign Civilian, Experimental, Homebuilt, General Aviation, NASA, Antique, and Commercial Aviation; and

WHEREAS, This show presents twenty-five separate aerial performances daily for the two-day show and is the only show in the Northwest to present pylon racing to the public; and

WHEREAS, This show offers the opportunity for twenty other civic organizations to operate concessions to obtain needed funds to finance their public service functions; and

WHEREAS, This International Air Fair is the primary promoter of aviation in the state today and brings persons into the area from other states and foreign countries each year and

obtains much favorable publicity and recognition to Washington throughout the North American continent; and

WHEREAS, Eighty-five thousand people attended last year's two-day fair, thereby attesting to its popularity;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Lynnwood Rotary International Air Fair held at Paine Field, Washington, be recognized by the House of Representatives as the Official Air Show for the State of Washington.

On motion of Mr. Hoggins, the resolution was adopted.

#### AMENDMENT TO HOUSE RULE

Having served notice on the previous working day, in conformance with Rule No. 89, that he would offer a proposed amendment to the House Rules, Mr. Grant moved adoption of the following amendment to House Rule No. 48:

On page 15, amend Rule 48 as follows:

On line 1 after "recess," strike "*to lay on the table*"

Following the third paragraph of Rule 48, add a new paragraph to read as follows:

*"A motion to lay on the table shall not be debatable, except that the member who has a question pending before the house may briefly speak to the question. The vote on any motion to lay on the table shall be recorded."*

Representatives Grant and Sawyer spoke in favor of the amendment, and Representative Bledsoe spoke against it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Grant to House Rule No. 48, and the amendment was lost by the following vote: Yeas, 47; nays, 49; absent or not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—47.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—49.

Absent or not voting: Representatives Backstrom, Blair, Paris—3.

#### AMENDMENT TO HOUSE RULES

Having served notice on the previous working day, in conformance with Rule No. 89, that he would offer a proposed amendment to the House Rules, Mr. Grant moved the adoption of the following amendment to House Rule No. 86:

On page 26, amend House Rule 86 as follows: Strike paragraph 3 and insert

*"A record of all proceedings in the committee of the whole shall be kept and retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person and inserted in the daily journal as a permanent record."*

Mr. Grant spoke in favor of the amendment, and Representative Newhouse spoke against it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

Representatives King and Douthwaite spoke in favor of adoption of the amendment, and Representative Bledsoe spoke against it.

#### POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Moon.

Mr. Moon: "Representative Bledsoe, do you think my constituents should have the



right and the privilege as citizens of this state to look at a record and see how I voted on matters that were of importance to them that were considered in a committee of the whole, where they couldn't have these records available to them?"

Mr. Bledsoe: "Your constituency is not prevented from a full report on what you do in the proceedings as we go through the committee of the whole, because it is not conducted in secret. The *Everett Herald* has a very competent correspondent who reports the proceedings daily. So your actions in this committee meeting are certainly nothing that your constituency cannot be informed and reported about. Going further, sir, were all of the amendments offered in a committee of the whole procedure, as we have seen second reading calendars dealing with the budget spelled out in this body—were all of these amendments offered constructively, to, in real conscience, improve the budget document before this body, I think perhaps we might feel rather substantially different about this particular issue. But we have seen (and I think you have participated in second reading calendars on the budget that have run endlessly) amendments being offered, not with the intent to improve the measure, but rather to embarrass some particular individual who sits in this hall. These amendments must be processed, and eventually, as we defend the perfected budget measure which has been a matter of some one hundred hearings in the budget and the appropriations committee, a measure emerges which is in balance with the will of this body to fund by our stance on the revenue needed to balance it. Then we find that in our defense of fiscal sanity, those of us who would defend this document rise, and in defense of this balanced document, vote against amendments designed not to construct or improve the budget under debate, but amendments to construct a fictitious record. We who have defended fiscal sanity then stand on record accused of being against motherhood, the flag, the old, the lame, the young, the blind, the deaf—name them. We have seen amendments that stretch through that entire spectrum of state government, submitted without the revenue to finance, on the second reading budget calendar. This is the rationale again that leads us to stand here and oppose this amendment. Your constituency will be informed, sir, because you will do it in this open chamber."

Representative Moon spoke in favor of adoption of the amendment to House Rule No. 86.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Litchman.

Mr. Litchman: "May I ask you, Mr. O'Brien, as a former Speaker for four terms and President of the National Leaders Conference, if the rule applying to the committee of the whole has been abused here in the House since we have been in the minority?"

Mr. O'Brien: "Mr. Litchman, members of the House: I am getting like you are—I'm getting sick and tired of hearing about the committee of the whole. It certainly has been abused. The first time we had it in operation we worked until 5:30 in the morning. I don't know if Mr. Bledsoe has ever had the experience of having cameras in the gallery—people counting those who were standing up. You might see it was a terrific hardship, as far as we were concerned, trying to get recorded votes. Also I think in the last regular session we showed you our amendments beforehand, and still they weren't agreeable. They certainly weren't hero-type amendments whatsoever, but still the majority party wanted to go into committee of the whole. I think as members here serving for the first time that you should be accountable for all of your actions to the people back home. To hide under this camouflage because somebody might put you on the spot, perhaps, seems to be a very weak excuse for shrugging away your legislative responsibilities as legislators and not being able to face up to amendments. I can assure you that this side is just as responsible as you are, and we are just as conscious of balancing the budget and the revenue aspect of this entire fiscal picture. So we are trying to eliminate something—a gag procedure that is abused. It is something that was set into the rules, and by adopting such a gag procedure, it is very abusive, it doesn't give the legislator the right to know how the opposite party feels. All you can do is sort of guess, and this standing-up business certainly isn't conducive to recording of members' feelings, and the people should have every right to know how we vote. They are not given this opportunity."

Representatives Smythe and Barden spoke against the amendment to House Rule No. 86, and Representative Moon spoke in favor of it.

#### POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. Moon, would you agree to a rule then that would provide that when we are dealing with the budget, that the proposer of the motion to increase the budget by any amount would also propose what part of the budget he would cut to make it balance, or propose a new tax source, or propose a specific tax increase to take care of it? Would you accept that kind of a rule?"

Mr. Moon: "Yes, we have always in the past, and with each individual proposal that might be made. I have never done this in the Appropriations Committee—I have never proposed an amendment in the committee without also proposing a shift somewhere in the budget to take care of it. I don't think that many of the members on this side would. If there hasn't been a shift, I have been prepared at all times to propose revenue measures or means of raising the revenue, in the form of new revenue proposals or in the form of removing some of our tax exemptions that in effect take away from the base, our tax base, and providing new sources of income to the state, and new sources and ways of balancing the budget."

Mr. Hoggins spoke against adoption of the amendment to House Rule No. 86.

Mr. Jueling demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Grant to House Rule No. 86, and the amendment was lost by the following vote: Yeas, 46; nays, 49; absent or not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—46.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey; Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—49.

Absent or not voting: Representatives Backstrom, Blair, Litchman, Paris—4.

#### STATEMENT FOR THE JOURNAL

I was unable to get to my desk in time to vote on the amendment by Mr. Grant to House Rule No. 86. I sprained my leg and was using crutches. I would have voted in favor of the amendment. MARK LITCHMAN, 45th District.

#### AMENDMENT TO HOUSE RULES

Mr. Bledsoe moved adoption of the following amendment to House Rule No. 89:

After "PROVIDED" strike all the matter down to and including "writing" and insert the following:

*"That the proposed change or changes be submitted in writing to the members together with notice of the consideration thereof at least one day in advance"*

Representatives Bledsoe, Sawyer and O'Brien spoke in favor of the amendment.

The amendment to House Rule No. 89 was adopted.

#### MOTIONS

On motion of Mr. Morrison, the House deferred consideration of the bills on the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Morrison, the House was adjourned until 11:00 a.m., Thursday, February 11, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 11, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Wojahn who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Ken Boze of the Methodist Church of Washougal.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 10, 1971.

HOUSE BILL NO. 82, removing the tax exemption on steam plants owned or operated by joint operating agencies and requiring existing facilities to negotiate amounts due, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 12 after "That" strike all the matter down to and including "contracts" on line 21 and insert "such tax shall not apply to steam generated electricity produced by a nuclear steam powered electric generating facility constructed or acquired by a joint operating agency and in operation prior to the effective date of this amendatory act"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Julin, Kilbury, King, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 11, 1971.

HOUSE BILL NO. 298, providing for tire standards, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3, lines 3-14 strike everything.

On page 1, line 2 of the title after "crimes" insert "and providing penalties"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 10, 1971.

HOUSE BILL NO. 372, revising election laws relating to registration records, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 3, line 8 after "to any" strike "person or organization" and insert "[person] registered voter in the state of Washington"

On page 4, section 3, line 9 after "lists shall" insert "be used only for political purposes and shall"

On page 4, section 4, beginning on line 32 strike all matter starting with "a deputy" down to and including "precincts" on line 33 and insert "at least two deputy registrars for each five contiguous precincts, one from each major political party,"

Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, Grant, May, Moon, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 10, 1971.

HOUSE BILL NO. 509, providing for assessments by the Washington state beef commission, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman,

Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 10, 1971.

HOUSE BILL NO. 558, extending the definition of "public warehouse" to include open air enclosures adjacent to a warehouse building, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 10, 1971.

Mr. Speaker: The Senate has passed:

SENATE BILL NO. 10,

ENGROSSED SENATE BILL NO. 64,

ENGROSSED SENATE BILL NO. 177,

SENATE BILL NO. 219,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 657, by Representatives Amen, Julin and Pardini:

An Act relating to construction of statutes; creating new sections; and declaring an emergency.

Referred to Committee on Judiciary.

HOUSE BILL NO. 658, by Representative Hubbard:

An Act relating to the supreme court; reducing the membership to five judges; amending section 1, chapter 24, Laws of 1909 and RCW 2.04.070; amending section 2, chapter 24, Laws of 1909 as amended by section 1, chapter 119, Laws of 1911 and RCW 2.04.071; amending section 5, page 322, Laws of 1890 as last amended by section 3, chapter 24, Laws of 1909 and RCW 2.04.120; repealing section 4, part, chapter 24, Laws of 1909 and RCW 2.04.150; repealing section 4, part, chapter 24, Laws of 1909 and RCW 2.04.160; and repealing section 5, chapter 24, Laws of 1909 and RCW 2.04.170.

Referred to Committee on Judiciary.

HOUSE BILL NO. 659, by Representatives Mentor, Barden, Cunningham, Costanti, O'Brien, Conner, Berentson, Randall and Adams (by Executive request):

An Act relating to cross sound transportation; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 660, by Representatives Sawyer, Bagnariol and Pardini:

An Act relating to loans; exempting credit cards from the regulations applying to small loan companies; and amending section 19, chapter 208, Laws of 1941 and RCW 31.08.220.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 661, by Representative Chamley:

An Act relating to motorboat noise; adding new sections to chapter 72, Laws of 1933 and to chapter 88.12 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 662, by Representative Berentson:

An Act relating to public highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 663, by Representative Berentson:  
An Act relating to public highways.  
Referred to Committee on Transportation.

HOUSE BILL NO. 664, by Representatives Bottiger, Hansey, Copeland and Randall:  
An Act relating to state government; establishing a state aircraft pool; creating a revolving fund; adding a new chapter to Title 14 RCW; and creating new sections.  
Referred to Committee on Transportation.

HOUSE BILL NO. 665, by Representatives Bottiger, Lynch and Grant:  
An Act relating to state government; creating a state public service personnel board; amending section 2, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.020; amending section 1, chapter 12, Laws of 1970 ex. sess. and RCW 41.06.020; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; adding a new section to chapter 28B.16 RCW; creating new sections; repealing section 6, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.060; repealing section 7, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.070; repealing section 11, chapter 1, Laws of 1961 and RCW 41.06.110; and repealing section 12, chapter 1, Laws of 1961 and RCW 41.06.120.  
Referred to Committee on State Government.

HOUSE BILL NO. 666, by Representatives Johnson, Juelling, Marzano, Grant and Backstrom:  
An Act relating to revenue and taxation; modifying the occupancy requirement for the retired persons' tax exemption; and amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 667, by Representatives Johnson, North, Van Dyk, Backstrom, Bauer and Luders:  
An Act relating to teachers' retirement; amending section 27, chapter 80, Laws of 1947 and RCW 41.32.270; and amending section 48, chapter 80, Laws of 1947 as last amended by section 2, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.480.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 668, by Representatives Johnson, Benitz and Kilbury:  
An Act relating to horse racing; providing for the representation of the northern racing quarterhorse association on the commission; and amending section 2, chapter 55, Laws of 1933 as amended by section 1, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.012.  
Referred to Committee on Business and Professions.

HOUSE BILL NO. 669, by Representatives Beck and Haussler:  
An Act relating to revenue and taxation; and amending section 84.40.220, chapter 15, Laws of 1961 and RCW 84.40.220.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 670, by Representatives Grant and Zimmerman:  
An Act relating to the powers of initiative and referendum in code cities; and adding new sections to chapter 119, Laws of 1967 ex. sess. and to chapter 35A.11 RCW.  
Referred to Committee on Local Government.

HOUSE BILL NO. 671, by Representative Newhouse:  
An Act relating to seacoast management.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 672, by Representatives Wanamaker and Beck:  
An Act relating to motor vehicles; and amending section 4, chapter 232, Laws of 1967 as amended by section 1, chapter 42, Laws of 1969 and RCW 46.37.530.  
Referred to Committee on Transportation.

HOUSE BILL NO. 673, by Representatives Johnson, Hatfield and Hubbard:  
 An Act relating to state highways; amending section 92, chapter 51, Laws of 1970 ex. sess. and RCW 47.17.455; making an appropriation; and declaring an emergency.  
 Referred to Committee on Transportation.

#### PERSONAL PRIVILEGE

Representative Maxie: "Mr. Speaker, I rise to a point of personal privilege. There is a memo on the desks of the House members which refers to House Bill No. 643. That is in error. It should be House Bill No. 674."

HOUSE BILL NO. 674, by Representatives Maxie, Douthwaite and Kilbury:  
 An Act relating to education and certain school holidays; amending section 13, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.061; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW.  
 Referred to Committee on Education and Libraries.

HOUSE BILL NO. 675, by Representatives Bauer, Costanti and Kilbury:  
 An Act relating to agricultural commodity boards and their membership; and adding a new section to chapter 256, Laws of 1961 and to chapter 15.65 RCW.  
 Referred to Committee on Agriculture.

HOUSE BILL NO. 676, by Representatives Benitz, Kilbury and Van Dyk:  
 An Act relating to animals; providing for livestock identification and auditing at commercial feed lots; providing for a licensing and audit fees; adding a new chapter to Title 16 RCW; and providing penalties.  
 Referred to Committee on Agriculture.

HOUSE BILL NO. 677, by Representatives Maxie, Kiskaddon, Charnley, Chatalas, O'Brien and Rosellini:  
 An Act relating to child care services; creating new sections; and making an appropriation.  
 Referred to Committee on Social and Health Services.

HOUSE BILL NO. 678, by Representatives Brouillet, Morrison, Rabel, Ross, Backstrom, Kilbury, Randall and Rosellini:  
 An Act relating to state government; and creating the Washington commission on Mexican-American affairs; providing for membership thereon, terms and compensation; the organization thereof; and the powers and duties of such commission.  
 Referred to Committee on State Government.

HOUSE BILL NO. 679, by Representatives Litchman, Knowles, Bagnariol, Sawyer and Merrill:  
 An Act relating to motor vehicles; and adding a new section to Title 46 RCW.  
 Referred to Committee on Judiciary.

HOUSE BILL NO. 680, by Representatives Kopet, Charette and Jones:  
 An Act relating to state government; providing for local public works planning; and adding new sections to Title 43 RCW.  
 Referred to Committee on State Government.

HOUSE BILL NO. 681, by Representatives Bradley, Rabel and Conner:  
 An Act relating to motor vehicle tow trucks; prescribing regulation by the Washington utilities and transportation commission of transportation by tow truck of disabled, abandoned, or damaged motor vehicles, and motor vehicles incapable of self-propulsion, personal effects and/or cargo in custody by towing or hauling only; prescribing issuance of operating authority; requiring all operators of tow trucks offering service to the public to be subject to this chapter; authorizing the Washington utilities and transportation commission to adopt such rules and regulations, consistent with the provisions of this chapter as the

commission deems necessary or advisable in the public interest; amending section 81.80.040, chapter 14, Laws of 1961 as amended by section 7, chapter 59, Laws of 1963 and RCW 81.80.040; adding a new chapter to Title 81 RCW; providing penalties; and making an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 682, by Representatives Barden, Merrill, Lynch, Ceccarelli, Juelling, McCormick, Polk; Haussler, Kopet, Luders, Kuehnle, Smith, Mentor, Backstrom, Bauer, Litchman, Randall, Rosellini, Schumaker, Shera, Shinpoch and Wolf:

An Act relating to the referral and prosecution of criminal fraud cases under Title 74 RCW; authorizing the attorney general to act in certain circumstances; creating new sections; and making an appropriation.

Referred to Committee on Judiciary.

HOUSE JOINT RESOLUTION NO. 41, by Representatives Luders, Kraabel, Martinis, Backstrom, Litchman and Van Dyk:

Proposing an environmental bill of rights in the state Constitution.

Referred to Committee on Natural Resources and Ecology.

SENATE BILL NO. 10, by Senator Gissberg:

An Act relating to probate law and procedure; amending section 11.76.080, chapter 145, Laws of 1965 as amended by section 4, chapter 70, Laws of 1969 and RCW 11.76.080; amending section 11.76.090, chapter 145, Laws of 1965 and RCW 11.76.090; amending section 11.76.095, chapter 145, Laws of 1965 and RCW 11.76.095; amending section 11.88.020, chapter 145, Laws of 1965 and RCW 11.88.020; and amending section 11.92.010, chapter 145, Laws of 1965 and RCW 11.92.010.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 64, by Senators Atwood, Ridder and Gissberg (by Departmental request):

An Act relating to motor vehicles; adding a new section to chapter 12, Laws of 1961 and to chapter 46.20 RCW; and repealing section 46.20.390, chapter 12, Laws of 1961, section 32, chapter 32, Laws of 1967 and RCW 46.20.390.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 177, by Senator Clarke:

An Act relating to public indebtedness; and amending section 1, chapter 143, Laws of 1917 as last amended by section 27, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.020.

Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 219, by Senators Twigg and Guess:

An Act relating to first class cities; and amending section 35.22.280, chapter 7, Laws of 1965 as amended by section 2, chapter 116, Laws of 1965 ex. sess. and RCW 35.22.280.

Referred to Committee on Local Government.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House the Honorable Brock Adams, United States Congressman from the Seventh Congressional District of Washington, and requested that Representatives Ceccarelli, Maxie, Polk and Cunningham, along with the Sergeant at Arms, conduct him to a place on the rostrum.

The Speaker: "I would like to present to the folks in the galleries and to the House of Representatives for any appropriate remarks he may have, or words of greeting from back in the other capitol, the Honorable Brock Adams."

Congressman Adams: "Thank you, Mr. Speaker. Members of the House: I bring you greetings from your fellow beleaguered legislators in Washington, D.C., who, believe me, are having as much difficulty as you are.

"We are first grateful that your committees were kind enough to invite me to come out

and discuss a little bit that subject in which, of course, none of us have any interest at all—namely, redistricting. We have had a very good discussion this morning and, Mr. Speaker, and to your committee chairmen, I want to express the gratitude of the congressional delegation for doing this.

“The second thing, and I want to take only a minute to do this, but I think it is very important, is to discuss the interrelation between the federal government and state government in the particular field of revenue sharing and reorganization of the federal government, because I know that all of you are faced with the same problem that we are—a budget that is going to be out of balance and some very, very difficult problems in the state within the next year. I mention this because I was late arriving yesterday because the President had the Democratic members of the House and Senate to the White House to present his plan on revenue sharing yesterday morning. The Republican members had been there the day before.

“He is deadly serious about this, but I think that since you are about to approach the budget, and I know you have just worked on a measure based on revenue sharing, you should understand and get a feeling, as best I can transmit it to you, of the possibilities of whether this is going to give any relief to the state budget during the coming biennium. I want to pass to you my feeling that I do not believe that revenue sharing will come into existence from the federal Congress in this session. There are a certain number of reasons for it. I won't go into detail, but one involves the fact that we are going to have a fifteen billion dollar federal deficit. And this fifteen billion dollar federal deficit is going to be looked upon by the members of the House and Senate in Washington, D.C. as the members of the House and Senate in Olympia look upon your potential deficit. I do hope that you will consider some other alternatives that can possibly mean federal assistance to the state with its budgetary problems.

“We passed through the House last time basically a federalization of the welfare program for the United States. I think we can pass it again, and I think there is a potential that it can pass through the Senate. If this type of proposal is available, it could mean a great saving to the states and a potential for keeping the state budget from going into the red. I mention this because I think that we all know of your problems in trying to balance the budget. I have discussed this matter with members on the Democratic side of the aisle and with some of the individual Republican members. I hope you will at least consider it as a potential so that we will be able to reflect in the federal Congress the feeling of the Washington state officials on which way you believe we should go and how you think there are possibilities of helping the state.

“The other thing I wanted to say is to give you certainly my compliments on passing the unemployment compensation bill which you have and express the gratitude I know from the people in my area. We are in deadly difficult economic conditions in our area. Your assistance in helping with this is something for which I personally am grateful and I know the people from the seventh congressional district are. I have discussed with the minority leader the potential for either federalization of the welfare program, or perhaps you have alternatives of assistance in areas—such as the whole gamut of criminal justice. I want you to know that those of us in the congressional delegation are listening. We want to know what you want us to do to help. We will do what we can. The state of Washington is in a very difficult economic situation, and, believe me, our prognosis is that it will not improve during the coming year. I am sorry to give that kind of report, but what I am really trying to say is that we are all in this with you, and I didn't come to either make light of it or try to say that I think it is all going to go away.

“Finally, I just want to say I enjoy being here. It is fun for me to come back to see and talk and spend time in Olympia. I regret I am not able to do more of it. We will be able to be back, a number of us. I know Julia will be down to visit with you. I am sure the other members will, too. We appreciate your courtesy, Mr. Speaker, in letting me be here today and the courtesy of your committees. Welcome to Washington, D.C. When you think you have had enough time here and you are feeling sad about it, come on back and we will tell you about our troubles. Thank you.”

The Speaker requested the Sergeant at Arms and the committee consisting of Representatives Ceccarelli, Maxie, Polk and Cunningham to conduct Congressman Adams to the rear of the House Chamber.

#### NOTICE OF AMENDMENT TO HOUSE RULES

In conformance with House Rule No. 89, Mr. Moon gave notice that he would offer a proposed amendment to the House Rule dealing with the committee of the whole on the next working day.

#### MOTION

On motion of Mr. Bledsoe, the House advanced to the tenth order of business.



## THIRD READING

ENGROSSED HOUSE BILL NO. 44, by Representative Benitz:

Providing for the cancellation of county warrants after one year.

Engrossed House Bill No. 44 was read the third time and placed on final passage.

Representative Benitz spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 44, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Flanagan, Wojahn—2.

Engrossed House Bill No. 44, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 66, by Representatives Bottiger, Harris and Knowles (by Legislative Council request):

Classifying the property rights of persons having an interest in trust principal and persons having an interest in trust income.

Engrossed House Bill No. 66 was read the third time and placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 66, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Pardini—1.

Absent or not voting: Representative Wojahn—1.

Engrossed House Bill No. 66, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 88, by Representatives Wolf, Charette and Bledsoe (by Legislative Council request):

Providing that port districts of less than county size cannot be formed.  
House Bill No. 88 was read the third time and placed on final passage.  
Representative Wolf spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 88, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnlé, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Hatfield—1.

Absent or not voting: Representative Wojahn—1.

House Bill No. 88, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 133, by Representatives North, Bottiger and Smythe (by Legislative Council request):

Providing for control by the boundary review boards of certain action by cities, towns, or special purpose districts.

Engrossed House Bill No. 133 was read the third time and placed on final passage.

Representative North spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mrs. North yielded to question by Mr. Kuehnlé.

Mr. Kuehnlé: "At the last minute I became somewhat more confused about boundary review boards. I note that in House Bill No. 133, section 1, lines 9 through 12, 'Whenever any of the following described actions are proposed in a county in which a board has been established, the initiators of the action shall file a notice of intention with the board, which may review any such proposed actions pertaining to:' and then it recites those actions and includes the new action which you propose to include, that of the extension of water or sewer service. Now my point of confusion here is the permissive language on line 11 which indicates that the board *may* review this action, and then I refer to RCW 36.93.100, going back to the bill passed in 1969, and it says that the board *shall* review and approve, or disapprove, or modify any of these actions. Now I want to know whether this is permissive, whether the board may choose not to review an application, or whether they must in fact either approve or disapprove. It looks to me as if they can pigeonhole."

Mrs. North: "Mr. Kuehnlé, perhaps I can clarify this. It is mandatory that any proposed change of boundary *must* be filed. This is the word 'shall'—the notice of intention shall be placed with the boundary review board. Then the board in turn will look at this proposed boundary change. They may decide that they do not wish to conduct a formal hearing, that this is a very small proposed change in the boundary. In fact within the state, if the proposed addition to a local boundary unit is less than ten acres and less than a certain percentage (and I must admit I will have to look at the statute) the property tax evaluation is spelled out. In other words, if it is a very minor affair, the board will consider this a routine matter and will not feel it necessary to conduct a public hearing. But the board is overseeing all changes of boundaries. If it is a serious or major change, they generally feel justified in calling a public hearing and exploring all possibilities before they give their approval to go ahead. I hope that answers your question."

Mr. Kuehnlé: "Well it doesn't, Mrs. North. I still am of the opinion that the statute in RCW 36.93.100 requires that such actions as may be covered under the jurisdiction of the boundary review board (and this all relates to boundaries of cities and towns and water districts, etc.)—I would conclude from reading the statute that without the approval of the boundary review board, nothing can happen."

Mrs. North: "I am sorry. I guess I am not being very clear. That is correct. And if the

local petitioning unit is denied the request for the change of boundary, it has the right to go to the county superior court and seek relief there."

Mr. Kuehnle: "Then I think you are speaking to the point I am trying to make. If you are saying that the boundary review board must act on these requests or, excuse me, must approve or disapprove, and these actions cannot take place without the approval of the boundary review board, then I still don't understand the language in this bill which happens to be old language. It is not in the new section, but it says that the boundary review board may review. It would appear to me they could choose not to review, in which case the application would just lie there and nothing would happen."

Mrs. North: "We are having a problem with semantics. They may look at the application and decide indeed in a very quick review by reading through the material that this is proper and in accordance with the total county comprehensive plan. That is the short review, shall we say. If they feel that this is a more serious adjustment, and this requires a full-scale hearing, then they choose that route. Yes, they are reviewing by short method or long method. Does that help? But they do review."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 133, and the bill passed the House by the following vote: Yeas, 84; nays, 14; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hoggins, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Thompson, Wanamaker, Williams, Zimmerman, Mr. Speaker—84.

Voting nay: Representatives Bradley, Conway, Curtis, Gladder, Harris, Hubbard, Hurley, Kuehnle, Luders, May, Pardini, Spanton, Van Dyk, Wolf—14.

Absent or not voting: Representative Wojahn—1.

Engrossed House Bill No. 133, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 134, by Representatives Merrill, Cunningham and Barden (by Legislative Council request):

Providing for reduction in the number of fire commissioners in a merged fire protection district.

Engrossed House Bill No. 134 was read the third time and placed on final passage.

Representative Merrill spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 134, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Wojahn—1.

Engrossed House Bill No. 134, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 158, by Representatives Shera, McCormick, Gladder, Bagnariol, Kopet, Morrison, Grant, Conway, Ceccarelli, Litchman, Marsh and Merrill (by Public Pension Commission request):

Consolidating state-wide city employees' retirement system with the Washington public employees' retirement system.

Engrossed House Bill No. 158 was read the third time and placed on final passage.

Representative Shera spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 158, and the bill passed the House by the following vote: Yeas, 96; nays, 2; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Amen, Wolf—2.

Absent or not voting: Representative Wojahn—1.

Engrossed House Bill No. 158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 181, by Representatives Julin and Wojahn (by Judicial Council request):

Establishing when any statute of limitations is tolled.

Engrossed House Bill No. 181 was read the third time and placed on final passage.

Representative Julin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 181, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Randall, Wojahn—2.

Engrossed House Bill No. 181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 215, by Representatives Smythe, Marsh, Hoggins, Zimmerman, Charette, Bauer, Backstrom, Chatalas, Curtis, Mentor and Moon (by Secretary of State request):

Providing for use of voting devices and vote tally systems in all elections and for listing of candidates thereat.

House Bill No. 215 was read the third time and placed on final passage.

Representative Smythe spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Smythe yielded to question by Mrs. Hurley.

Mrs. Hurley: "Representative Smythe, I have heard that in other states these electronic devices actually chewed up the punch cards that were placed in them, and whole precincts, and even more than that, were actually destroyed so there would be no possibility of counting these votes again. You know when humans do it, at least the results are there so that you can recount or something like this. Votes are important to people and important to us. Just because you have used this—what for two years?"

Mr. Smythe: "We had it in three elections, right."

Mrs. Hurley: "And you haven't had any bad results. Have you heard about the bad results in other states?"

Mr. Smythe: "Yes, I have read a number of articles that have been presented against the machines—experiences from other states. They were very minimal and in checking most of them out, you find these were all related to the mechanical setups originally. We feel this is like any other machine, including the present voting machines that your county probably uses. If they are set up incorrectly you are going to have problems where you will lose the votes within the machines. That is exactly what you are talking about—this human involvement—whether you are talking about paper ballots, counting them or otherwise. But this is not a major problem. It was a smoke screen brought up by the opponents originally."

Mrs. Hurley: "I heard about it at the National Legislative Leaders Conference, and they were quite concerned."

Representatives Marsh, Mentor, Beck, Bledsoe and Savage spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 215, and the bill passed the House by the following vote: Yeas, 96; nays, 2; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehmler, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanmaker, Williams, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Conner, Cunningham—2.

Absent or not voting: Representative Wojahn—1.

House Bill No. 215, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I voted "No" on House Bill No. 215 in order to be eligible to serve on the conference committee if there is one. I support the bill. NORWOOD CUNNINGHAM, 30th District.

ENGROSSED HOUSE BILL NO. 239, by Representatives Kopet, McDermott and Eikenberry:

Denying liability of persons withdrawing blood for intoxication test.

Engrossed House Bill No. 239 was read the third time and placed on final passage.

Representatives Eikenberry and Charette spoke in favor of passage of the bill, and Representative Luders spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 239, and the bill passed the House by the following vote: Yeas, 75; nays, 23; absent or not voting, 1.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barden, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Ross, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—75.

Voting nay: Representatives Adams, Backstrom, Bauer, Bradley, Douthwaite, Grant, Haussler, Hurley, Jastad, King, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Perry, Rosellini, Savage, Sawyer, Van Dyk—23.

Absent or not voting: Representative Wojahn—1.

Engrossed House Bill No. 239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 244, by Representatives Julin, Bottiger, Wolf and Curtis:

Making larceny by check constitute grand larceny.

Engrossed House Bill No. 244 was read the third time and placed on final passage.

Representative Julin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 244, and the bill passed the House by the following vote: Yeas, 87; nays, 10; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brown, Ceccarelli, Charnley, Chatalas, Conner, Conway, Copeland, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Brouillet, Charette, Grant, Knowles, Lysen, Marzano, Perry, Savage, Sawyer, Van Dyk—10.

Absent or not voting: Representatives Costanti, Wojahn—2.

Engrossed House Bill No. 244, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Bledsoe, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representative Wojahn who was excused.

## MOTION

On motion of Mr. Newhouse, the House reverted to the ninth order of business.

## SECOND READING

HOUSE JOINT RESOLUTION NO. 30, by Representatives Smythe, Thompson, Bledsoe, Charette, Kilbury, Backstrom, Bauer, Blair, Ceccarelli, Chatalas, Conner, Costanti, Douthwaite, Gilleland, Grant, Jones, King, Kraabel, Litchman, Paris, Rabel, Rosellini and Savage (by Executive request and by Secretary of State request):

Amending the Constitution to allow eighteen-year-old vote and updates residency requirements.

The House resumed consideration of House Joint Resolution No. 30 on second reading.

The Speaker stated the question before the House was the following amendment by Representative Newhouse:

On page 1, Article VI, section 1, line 12 beginning with "[lived in" strike everything down through and including "vote;" and insert "lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote;"

The Speaker stated an electric roll call on the amendment by Mr. Newhouse had been demanded when the bill was on second reading February 5, 1971.

Mr. Morrison moved adoption of the following amendment to the amendment by Mr. Newhouse:

Amend the amendment to House Joint Resolution No. 30 by Representative Newhouse as follows: After "in the county ninety days" strike "and in the city, town, ward or precinct thirty days" and insert "[, and in the city, town, ward or precinct thirty days]"

Representatives Morrison, Grant and Newhouse spoke in favor of adoption of the amendment to the amendment.

The amendment by Mr. Morrison to the amendment by Mr. Newhouse to House Joint Resolution No. 30 was adopted.

## POINT OF INQUIRY

Mr. Wolf: "Mr. Speaker, has an electric roll call been demanded on the amendment?"  
The Speaker: "An electric roll call was demanded on the amendment."

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Newhouse to House Joint Resolution No. 30, as amended by Mr. Morrison, and the amendment was adopted by the following vote: Yeas, 71; nays, 26; absent or not voting, 2.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brown, Ceccarelli, Charette, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jastad, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Marsh, Martinis, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Rosellini, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wanamaker, Wolf, Zimmerman, Mr. Speaker—71.

Voting nay: Representatives Adams, Backstrom, Bottiger, Brouillet, Charnley, Conner,

Douthwaite, Gallagher, Grant, Haussler, Johnson, Kilbury, King, Knowles, Lysen, Marzano, Maxie, May, Moon, Randall, Ross, Savage, Sawyer, Shinpoch, Van Dyk, Williams—26.

Absent or not voting: Representatives Perry, Wojahn—2.

On motion of Mr. Newhouse, the following amendment was adopted:

On page 1, Article VI, section 1, line 17, after “j” strike everything down through and including “legislature” on line 19

House Joint Resolution No. 30 was ordered engrossed.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 30 was placed on final passage.

Representatives Bledsoe, King, Charette, Smythe, Lysen, Blair, Kraabel, Litchman, Charnley, Maxie and Van Dyk spoke in favor of passage of House Joint Resolution No. 30, and Representative Gladder spoke against it.

Mr. Morrison demanded the previous question, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 30, and the resolution passed the House by the following vote: Yeas, 83; nays, 15; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Grant, Hansey, Haussler, Hoggins, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—83.

Voting nay: Representatives Barden, Conway, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Hubbard, Hurley, Jueling, Kopet, Kuehnle, Newhouse, Schumaker, Spanton—15.

Absent or not voting: Representative Wojahn—1.

Engrossed House Joint Resolution No. 30, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 110, by Representatives Cunningham, Bluechel, North and Barden: Providing for refunds of erroneously paid property taxes.

The House resumed consideration of House Bill No. 110.

The Speaker stated the question before the House to be the following amendment by Representative Grant:

On page 1, section 1, line 25 strike “on or before October 30 of the year for which the taxes have been paid” and insert “[on or before October 30 of the year for which the taxes have been paid] *within three years following payment of such taxes, by the person who paid such taxes*”

With the consent of the House, Mr. Grant withdrew the amendment.

Mr. Grant moved adoption of the following amendment:

On page 1, section 1, line 25 strike “on or before October 30 of the year for which the taxes have been paid” and insert “[on or before October 30 of the year for which the taxes have been paid] *within one year from the date when the taxes would have been delinquent*”

Representatives Grant and Smythe spoke in favor of adoption of the amendment.

The amendment was adopted.

House Bill No. 110 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 266, by Representatives Barden, Eikenberry, Litchman and Kilbury (by Joint Committee on Governmental Cooperation request):



Providing for a change in the filing of regulations of the liquor control board. The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 267, by Representatives Spanton, Barden, Litchman and Backstrom (by Joint Committee on Governmental Cooperation request):

Regulating liquor license transfers.

Committee recommendation: Majority, do pass with the following amendment:

On page 5, section 2, line 7 after "[ten]" strike "twenty-five" and insert "thirty-five"  
The bill was read the second time.

On motion of Mr. Curtis, the committee amendment was adopted.

House Bill No. 267 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 308, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

Allowing racing commission to set license fees.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 20 after "[one dollar]" strike "established by the commission" and insert "fifteen dollars for owners, trainers, and jockeys"

The bill was read the second time.

Mr. Curtis moved adoption of the committee amendment and spoke in favor of its adoption.

#### POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Curtis, many 4-H members participate in the training of thoroughbred race horses by acting as exercisers over at the track. Would this 'trainer's amendment' require them to pay a \$15.00 license fee?"

Mr. Curtis: "To the best of my knowledge, Mr. Bottiger, no, it would not. I cannot tell you in terms of the present statute whether or not they would be considered attendants. At any rate, of course, you can see in the language above that we did not do anything with an attendant's fee. I would have to ask, I suppose, for an interpretation from the commission or perhaps someone more familiar than I as to whether or not they would be encompassed in this meaning of jockey. It was not the intent of the commission or the committee, I am certain, in considering this bill to add an additional fee onto those people, if indeed they pay one now, and I am not certain they do."

#### MOTION

Mr. Bottiger moved that the House defer further consideration of House Bill No. 308, and the bill be placed at the top of tomorrow's second reading calendar.

Mr. Bottiger spoke in favor of the motion and Mr. Wolf spoke against it.

#### POINT OF INQUIRY

Mr. Wolf yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Wolf, in order to incorporate this in the Journal, is it the intent of the movers of the bill and of the amendment to exclude 4-H Project type trainees?"

Mr. Wolf: "Yes, it is, Mr. Bottiger."

With the consent of the House, Mr. Bottiger withdrew his motion to defer consideration of House Bill No. 308.

The Speaker stated the question before the House to be the committee amendment.

The Committee amendment was adopted.

House Bill No. 308, was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 310, by Representatives Farr and Chatalas:

Establishing a dental disciplinary board.

The bill was read the second time.

On motion of Mr. Wolf, the following amendments were adopted:

On page 4, section 10, line 33 after "dollars" and before "for" strike "per diem" and insert "compensation per day"

On page 5, section 10, line 3 after "such" and before "and" strike "per diem" and insert "compensation"

House Bill No. 310 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 176, by Representatives Julin and Wojahn (by Judicial Council request):

Providing for payment of counsel's fees and expenses in any case involving indigents where counsel is constitutionally required.

#### MOTION

On motion of Mr. Julin, Substitute House Bill No. 176 was substituted for House Bill No. 176, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 176 was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 160, by Representatives Hansey, Bottiger, Copeland, Ceccarelli, Charnley, Douthwaite, May and Smith (by Departmental request):

Requiring all state aircraft to be equipped with downed aircraft rescue transmitters.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 21, strike "conveyance" and insert "[conveyance] convenience"

The bill was read the second time.

On motion of Mr. Conner, the committee amendment was adopted.

Mr. Randall moved adoption of the following amendments and spoke in favor of the amendments:

On page 1, section 1, line 18, after the semicolon strike "and" and insert "[and]"

On page 1, section 1, line 22, after "as amended" and before the period insert "; and (7) Aircraft used for the application of pesticides, as defined in RCW 17.21.020(5), upon land other than forest land as defined in RCW 17.21.020(23)"

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Conner.

Mr. Conner: "Does the state have any aircraft that they operate in this manner?"

Mr. Randall: "For spraying? I can't answer that. But I think the disclaimer on the bottom covers that where it says, *Notwithstanding any other provision of law, any aircraft used, owned or leased by the state of Washington ...*"

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Copeland.

Mr. Copeland: "Mr. Randall, are you trying, with your amendment, to exclude what would commonly be called 'crop dusters'?"

Mr. Randall: "Yes."

Mr. Copeland: "Then why wouldn't you include fertilizers and herbicides?"

Mr. Randall: "The amendment now excludes from the provisions of the act any aircraft that is being used for spraying or spreading herbicides, fertilizers, etc.—crop dusting. This proviso excludes them from needing a downed aircraft rescue transmitter."

#### POINT OF INFORMATION

Mr. Copeland: "Mr. Speaker, ladies and gentlemen of the House: Mr. Copeland raises the point of what is covered by RCW 17.21.020(5). As I understand it from Mr. Pretti, this is the crop duster section. So while Mr. Randall's definition says 'pesticides,' he has also included everything else because of the reference to RCW 17.21.020."

The amendment by Mr. Randall to House Bill No. 160 was adopted.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Cunningham:

After the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. There is added to chapter 157, Laws of 1929 and to chapter 14.16 RCW a new section to read as follows:

Every aircraft required to be registered with the state aeronautics commission pursuant to RCW 14.04.250 shall be equipped with a downed aircraft rescue transmitter after January 1, 1972, and it shall be unlawful for any person to operate such aircraft without such a transmitter: PROVIDED, HOWEVER, Nothing in this section shall apply to (1) Aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft; and (2) Aircraft used by any air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public conveyance and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended. Notwithstanding any other provision of law, any aircraft used, owned or leased by the state of Washington including all of its agencies, departments, boards, commissions, councils and institutions of higher education shall be equipped with a downed aircraft rescue transmitter on or after July 1, 1971.

NEW SECTION. Sec. 2. Section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080 are each repealed."

Representatives Martinis, Cunningham, King, Brown and Hoggins spoke in favor of adoption of the amendment, and Representatives Hansey, Bottiger and Copeland spoke against it.

#### PARLIAMENTARY PROCEDURE

Mr. Randall: "Point of parliamentary procedure. I don't want to see my little amendment go down the tube. Could I put it down as an amendment to the amendment? Or do I wait until this sinks or swims?"

The Speaker: "You would have to put it on as an amendment to the amendment if it fits within this particular section because this then would be the complete bill."

Mr. Randall: "Can I amend the amendment more than once? Two or three times as a matter of fact?"

The Speaker: "Yes."

#### MOTION

On motion of Mr. Morrison, the House deferred further consideration of House Bill No. 160 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 376, by Representatives Berentson, Beck, Martinis, Charnley and Kuehnle (by Joint Committee on Highways request):

Regulating motor vehicle noise.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 2, beginning on line 15, strike all of the matter down to and including "section:" on line 21 and insert the following:

"(1) No person shall at any time operate upon a public highway either a motor vehicle or combination of vehicles, of a type subject to registration under the motor vehicle registration laws of this state, under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following noise level for the category of motor vehicle based on a distance of fifty feet from the center lane of travel within the speed limits specified in this section:"

On page 3, section 2, line 6, after "to" and before "and in" strike "manufacturer's" and insert "manufacturers"

On page 3, section 3, line 14, after "vehicle" insert "subject to registration under the motor vehicle registration laws of this state"

On page 3, section 3, line 17, after "the" and before the colon, strike "WASHINGTON STATE PATROL" and insert "Washington state patrol"

On page 4, strike all of section 4.

On page 1, line 2 of the title, after "46.37 RCW;" insert "and" and after "penalties" strike "; and declaring an emergency"

The bill was read the second time.

On motion of Mr. Martinis, the committee amendments were adopted.

House Bill No. 376 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 349, by Representatives Julin, Bottiger and Shera:

Permitting investment of certain state funds in the obligations of the Asian development bank.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 83, by Representatives Harris, Bottiger, Eikenberry and Amen (by Legislative Council request):

Authorizing traffic officers to issue arrest citations at scene of accident.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 16 after "the" and before "license" strike "[driver's] operator's" and insert "driver's"

On page 2, section 2, line 12 before "officers" strike "[police] peace" and insert "police"

On page 2, section 2, line 14 after "presence" strike everything through "accidents" on line 16 and insert "or when the officers investigating at the scenes of motor vehicle accidents have reasonable and probable grounds to believe that the offense has been committed"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

Mr. Charette moved adoption of the following amendment:

On page 2, section 1, line 6, after "regulations" insert "*PROVIDED, HOWEVER, That where a citation or warrant is issued for a violation not committed in the officer's presence it shall be approved by the prosecuting attorney of the county where the alleged offense took place prior to such issuance*"

Representative Charette spoke in favor of adoption of the amendment, and Representatives Julin and Bottiger spoke against it.

Further debate ensued, Representative Charette again speaking in favor of the amendment, and Representatives Julin, Harris and Bottiger speaking against it.

The amendment was lost on a rising vote.

House Bill No. 83 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Friday, February 12, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 12, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Bledsoe, O'Brien and Poik who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 9, 1971.

HOUSE BILL NO. 86, reorganizing powers, duties and functions within intermediate school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Costanti, Hatfield, Jones, May, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives Brown, Conway, McDermott.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 188, relating to district courts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 233, providing that a lawyers' code of ethics shall be adopted by the supreme court, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Shipoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 11, 1971.

HOUSE CONCURRENT RESOLUTION NO. 7, providing for study of posthigh school education financing, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Bluechel, Douthwaite, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Rabel, Shipoch.

Passed to Committee on Rules and Administration for second reading.

February 11, 1971.

SENATE JOINT RESOLUTION NO. 5, authorizing lotteries, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8, beginning with "Article II," strike all the material down to and including the period following "in the state" on line 13 and insert the following:

"Article II, section 24. The legislature shall never authorize any lottery or grant any divorce: *PROVIDED, HOWEVER, That nothing herein shall prevent the legislature from authorizing any corporation sole, fraternal society, grange, agricultural fair, or any nonprofit corporation organized for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, religious, social, fraternal, athletic or agricultural purposes only, which has been*

*organized and is operated primarily for purposes other than the operation of bingo and raffles and which receives not more than twenty-five percent of its gross receipts in any calendar year (exclusive of the first one thousand dollars of such receipts in any calendar year) from the operation of bingo and raffles; (1) to conduct bingo when no consideration in excess of a maximum to be set by the legislature is accepted, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than one occasion per week and which does not conduct bingo in any location which is used for conducting bingo on more than one occasion per week, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game; and (2) to conduct raffles when prizes are awarded on the basis of a drawing by the person or persons conducting the raffle, when said raffle is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said raffle including the sale of tickets for consideration, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said raffle.*

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Farr, Gladder, Hatfield, Juelling, Pardini, Polk, Wolf.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 11, 1971.

Mr. Speaker: The Senate has passed:  
ENGROSSED SENATE BILL NO. 141,  
ENGROSSED SENATE BILL NO. 158,  
SENATE BILL NO. 244,  
HOUSE BILL NO. 130,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 11, 1971.

Mr. Speaker: The President has signed SENATE CONCURRENT RESOLUTION NO. 8, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 130,  
SENATE CONCURRENT RESOLUTION NO. 8.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 683, by Representative Bledsoe:  
An Act relating to revenue and taxation.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 684, by Representatives Zimmerman, Backstrom and Berentson:  
An Act relating to insurance; requiring the inclusion of psychological services under certain insurance contracts; adding a new section to chapter 79, Laws of 1947 and to chapter 48.20 RCW; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.21 RCW; and providing for the application of such sections to such contracts.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 685, by Representatives Litchman, Sawyer and Charnley:  
An Act relating to counties, cities and towns; authorizing the securing of options to acquire real property for public uses; exempting property subject to such options from real property taxation; amending section 1, chapter 34, Laws of 1969 and RCW 84.36.010; and creating new sections.  
Referred to Committee on Local Government.

HOUSE BILL NO. 686, by Representatives Eikenberry, Knowles and Hubbard:

An Act relating to judgments; amending section 1, chapter 133, Laws of 1893 as last amended by section 7, chapter 8, Laws of 1957 and RCW 6.32.010; and creating a new section.

Referred to Committee on Judiciary.

HOUSE BILL NO. 687, by Representatives Conner, Flanagan and Gallagher:

An Act relating to commercial fisheries; increasing commercial salmon fishing license fees; amending section 75.18.080, chapter 12, Laws of 1955 and RCW 75.18.080; amending section 1, chapter 171, Laws of 1957 and RCW 75.28.012; amending section 2, chapter 171, Laws of 1957 as amended by section 3, chapter 309, Laws of 1959 and RCW 75.28.013; amending section 75.28.060, chapter 12, Laws of 1955 as last amended by section 1, chapter 30, Laws of 1965 ex. sess. and RCW 75.28.060; amending section 5, chapter 309, Laws of 1959 as amended by section 1, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.085; amending section 6, chapter 309, Laws of 1959 and RCW 75.28.087; amending section 75.28.130, chapter 12, Laws of 1955 as last amended by section 4, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.130; amending section 75.28.140, chapter 12, Laws of 1955 as last amended by section 5, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.140; amending section 75.28.190, chapter 12, Laws of 1955 as last amended by section 10, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.190; amending section 75.28.220, chapter 12, Laws of 1955 as last amended by section 12, chapter 73, Laws of 1965 ex. sess. and RCW 75.28.220; and providing an effective date.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 688, by Representatives Charette, Wolf, Moon, Schumaker, Bozarth and Barden:

An Act relating to the department of natural resources; making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 689, by Representatives Barden, Bottiger, Jueling and Randall:

An Act relating to aircraft dealers; and amending section 2, chapter 150, Laws of 1955 and RCW 14.20.020.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 690, by Representatives Smythe, Thompson, Wolf, North and Zimmerman:

An Act relating to garbage and refuse collection; amending section 5, chapter 295, Laws of 1961 and RCW 81.77.040; amending section 6, chapter 295, Laws of 1961 and RCW 81.77.050; amending section 9, chapter 295, Laws of 1961 as last amended by section 11, chapter 210, Laws of 1969 ex. sess. and RCW 81.77.080; and amending section 2, chapter 105, Laws of 1965 ex. sess. and RCW 81.77.110.

Referred to Committee on Local Government.

HOUSE BILL NO. 691, by Representatives Smith, Jastad, Paris and Hatfield:

An Act relating to liability for rendering emergency care; and creating a new section.

Referred to Committee on Judiciary.

HOUSE BILL NO. 692, by Representatives Hoggins, Thompson, Cunningham, Pardini, Chatalas and Kirk:

An Act relating to youth camps; providing for the regulation of youth camps; creating new sections; defining crimes; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 693, by Representatives Hoggins, Kiskaddon, McCormick and Martinis:

An Act relating to leasing of school lands; amending section 61, chapter 255, Laws of

1927 as last amended by section 1, chapter 46, Laws of 1969 ex. sess. and RCW 79.01.244; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 694, by Representatives Paris, Marsh, Kirk and Thompson:

An Act relating to family courts; amending section 14, chapter 50, Laws of 1949 and RCW 26.12.140; and amending section 17, chapter 50, Laws of 1949 and RCW 26.12.170.

Referred to Committee on Judiciary.

HOUSE BILL NO. 695, by Representatives Rabel, Charnley, Polk and Gilleland (by Executive request):

An Act relating to state government; creating a state department of natural resources and recreation and setting out its powers, duties, and functions; amending section 1, chapter -- (HB --), Laws of 1971 and RCW 43.17.010; amending section 2, chapter -- (HB --), Laws of 1971 and RCW 43.17.020; amending section 43.30.150, chapter 8, Laws of 1965 and RCW 43.30.150; repealing section 43.30.030, chapter 8, Laws of 1965 and RCW 43.30.030; repealing section 43.30.040, chapter 8, Laws of 1965 and RCW 43.30.040; repealing section 43.30.050, chapter 8, Laws of 1965 and RCW 43.30.050; repealing section 43.30.060, chapter 8, Laws of 1965 and RCW 43.30.060; repealing section 43.30.160, chapter 8, Laws of 1965 and RCW 43.30.160; repealing section 43.51.020, chapter 8, Laws of 1965, section 1, chapter 132, Laws of 1965 ex. sess., section 1, chapter 31, Laws of 1969 ex. sess. and RCW 43.51.020; repealing section 43.51.030, chapter 8, Laws of 1965 and RCW 43.51.030; repealing section 2, chapter 31, Laws of 1969 ex. sess. and RCW 43.51.061; repealing section 11, chapter 5, Laws of 1965, section 2, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.110; repealing section 13, chapter 5, Laws of 1965, section 3, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.130; repealing section 77.04.020, chapter 36, Laws of 1955 and RCW 77.04.020; repealing section 77.04.030, chapter 36, Laws of 1955 and RCW 77.04.030; repealing section 77.04.040, chapter 36, Laws of 1955 and RCW 77.04.040; repealing section 77.04.050, chapter 36, Laws of 1955 and RCW 77.04.050; repealing section 77.04.060, chapter 36, Laws of 1955, section 1, chapter 352, Laws of 1955, section 9, chapter 307, Laws of 1961 and RCW 77.04.060; repealing section 77.04.080, chapter 36, Laws of 1955 and RCW 77.04.080; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 696, by Representatives Smythe, Adams, Shera, Backstrom, Brown, King, Wojahn, Zimmerman, Kilbury, Cunningham, Charnley, Hoggins, Curtis, North and Wolf (by Executive request):

An Act relating to state government; creating a temporary study commission on "no-fault" automobile insurance; setting forth the commission's powers and duties; providing an expiration date; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 697, by Representatives Benitz, Haussler, Hubbard, Eikenberry and Hatfield:

An Act relating to crimes; amending section 415, chapter 249, Laws of 1909 and RCW 9.61.070; amending section 1, chapter 111, Laws of 1899 as last amended by section 404, chapter 249, Laws of 1909 and RCW 9.61.010; amending section 1, chapter 64, Laws of 1893 as last amended by section 405, chapter 249, Laws of 1909 and RCW 9.61.020; amending section 16, chapter 69, Laws of 1891 as amended by section 406, chapter 249, Laws of 1909 and RCW 9.61.030; amending section 1, page 30, Laws of 1862 as last amended by section 407, chapter 249, Laws of 1909 and RCW 9.61.040; amending section 408, chapter 249, Laws of 1909 and RCW 9.61.050; amending section 1, chapter 114, Laws of 1899 and RCW 9.61.090; and amending section 41, chapter 117, Laws of 1917 as amended by section 2, chapter 103, Laws of 1921 and RCW 90.03.410.

Referred to Committee on Judiciary.



HOUSE BILL NO. 698, by Representative Maxie:

An Act relating to domestic relations; amending section 7, page 405, Laws of 1854 as last amended by section 4, chapter 26, Laws of 1967 and RCW 26.04.090; amending section 4, chapter 204, Laws of 1939 as amended by section 7, chapter 26, Laws of 1967 and RCW 26.04.160; and adding a new section to chapter 26.04 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 699, by Representatives Brown, Hurley and North:

An Act relating to the control of beverage containers within the state; adding a new chapter to Title 69 RCW; declaring an effective date; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 700, by Representative Bledsoe:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 701, by Representatives Blair, Grant, Goldsworthy, Brown and Knowles:

An Act relating to eligibility requirements for military reserve and national guard members receiving unemployment benefits; amending section 32, chapter 35, Laws of 1945 and RCW 50.04.310; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 702, by Representatives O'Brien, Merrill and Ceccarelli:

An Act relating to Puget Sound airports and marine ports; providing for the creation of a corporate operating, controlling, and ownership authority for specified airports and specified marine ports in a prescribed geographical area, including two or more cities and towns and all or part of one or more counties; and adding a new chapter to Title 53 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 703, by Representatives Cunningham, Charnley, Conway, Gilleland, Hoggins, Martinis, Shipoch, Randall, Bluechel and Bauer:

An Act relating to state government; transferring the state motor pool to the department of general administration; adding new sections to chapter 8, Laws of 1965 and to chapter 43.91 RCW; repealing section 43.91.010, chapter 8, Laws of 1965 and RCW 43.91.010; repealing section 43.91.020, chapter 8, Laws of 1965 and RCW 43.91.020; repealing section 43.91.030, chapter 8, Laws of 1965 and RCW 43.91.030; repealing section 43.91.040, chapter 8, Laws of 1965 and RCW 43.91.040; repealing section 43.91.050, chapter 8, Laws of 1965 and RCW 43.91.050; repealing section 43.91.060, chapter 8, Laws of 1965 and RCW 43.91.060; repealing section 43.91.070, chapter 8, Laws of 1965 and RCW 43.91.070; and repealing section 43.91.080, chapter 8, Laws of 1965 and RCW 43.91.080.

Referred to Committee on State Government.

HOUSE BILL NO. 704, by Representatives Charnley, North, Douthwaite and Litchman:

An Act relating to local improvements; and amending section 35.49.010, chapter 7, Laws of 1965 as last amended by section 13, chapter 258, Laws of 1969 ex. sess. and RCW 35.49.010.

Referred to Committee on Local Government.

HOUSE BILL NO. 705, by Representatives Amen, Haussler, Copeland, Moon, Bledsoe and Bozarth:

An Act relating to public livestock markets; amending section 3, chapter 107, Laws of 1959 as last amended by section 5, chapter 120, Laws of 1967 ex. sess. and RCW 16.65.030; amending section 8, chapter 107, Laws of 1959 as amended by section 3, chapter 182, Laws of 1961 and RCW 16.65.080; amending section 9, chapter 107, Laws of

1959 and RCW 16.65.090; amending section 14, chapter 107, Laws of 1959 and RCW 16.65.140; amending section 4, chapter 182, Laws of 1961 and RCW 16.65.200; amending section 21, chapter 107, Laws of 1959 and RCW 16.65.210; amending section 22, chapter 107, Laws of 1959 and RCW 16.65.220; and repealing section 7, chapter 107, Laws of 1959 and RCW 16.65.070.

Referred to Committee on Agriculture.

HOUSE BILL NO. 706, by Representatives Flanagan, Amen, Haussler, Benitz, Bozarth and Kilbury:

An Act relating to commission merchants—agricultural products; amending section 1, chapter 139, Laws of 1959 as last amended by section 40, chapter 240, Laws of 1967 and RCW 20.01.010; amending section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 132, Laws of 1969 ex. sess. and RCW 20.01.030; amending section 4, chapter 139, Laws of 1959 and RCW 20.01.040; amending section 6, chapter 139, Laws of 1959 and RCW 20.01.060; amending section 8, chapter 139, Laws of 1959 and RCW 20.01.080; amending section 8, chapter 232, Laws of 1963 and RCW 20.01.125; amending section 13, chapter 139, Laws of 1959 and RCW 20.01.130; amending section 5, chapter 232, Laws of 1963 and RCW 20.01.210; amending section 6, chapter 232, Laws of 1963 and RCW 20.01.212; amending section 7, chapter 232, Laws of 1963 and RCW 20.01.214; amending section 33, chapter 139, Laws of 1959 and RCW 20.01.330; amending section 41, chapter 139, Laws of 1959 and RCW 20.01.410; amending section 43, chapter 240, Laws of 1967 and RCW 20.01.475; and adding a new section to chapter 139, Laws of 1959 and to chapter 20.01 RCW.

Referred to Committee on Agriculture.

HOUSE BILL NO. 707, by Representatives McDermott, Farr, Sawyer, Curtis and Bauer:

An Act relating to community mental health and mental retardation services; and amending section 16, chapter 110, Laws of 1967 ex. sess. as amended by section 8, chapter 47, Laws of 1970 ex. sess. and RCW 71.20.110.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 708, by Representatives Thompson, Smythe and Merrill:

An Act relating to public utility district water systems; and amending section 19, chapter 390, Laws of 1955 as last amended by section 1, chapter 196, Laws of 1963 and RCW 54.16.180.

Referred to Committee on Local Government.

HOUSE BILL NO. 709, by Representatives Douthwaite, Lysen, Kraabel, Maxie, Charnley, Bagnariol, Luders, Blair, Williams, McDermott, Hurley and Randall:

An Act relating to the taxation of motor vehicle fuel; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 7, chapter 65, Laws of 1970 ex. sess. and RCW 82.12.030; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 85, Laws of 1970 ex. sess. and RCW 82.36.020; and amending section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440.

Referred to Committee on Transportation.

HOUSE BILL NO. 710, by Representatives Zimmerman and Thompson:

An Act relating to the seacoast.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 711, by Representatives Zimmerman and Thompson:

An Act relating to boats and boating.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 712, by Representatives Thompson and Zimmerman:  
An Act relating to water quality.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 713, by Representatives Thompson and Zimmerman:  
An Act relating to shoreline management.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 714, by Representatives Thompson and Zimmerman:  
An Act relating to recreation.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 715, by Representatives Thompson and Zimmerman:  
An Act relating to timber resources.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 716, by Representatives Zimmerman and Thompson:  
An Act relating to natural resource districts.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 717, by Representatives Rabel, Charette, Kraabel, Bledsoe, Blair, Douthwaite and Smythe:  
An Act relating to the public disclosure of official records; and creating new sections.  
Referred to Committee on State Government.

HOUSE BILL NO. 718, by Representatives Bledsoe, Marsh, Copeland, Harris, Rosellini, Martinis, Newhouse and Bradley:  
An Act relating to retail installment sales; increasing the allowable interest rate to fifteen percent; amending section 4, chapter 236, Laws of 1963 as last amended by section 1, chapter 2, Laws of 1969, and RCW 63.14.040; amending section 12, chapter 236, Laws of 1963 as last amended by section 2, chapter 2, Laws of 1969, and RCW 63.14.120; and amending section 13, chapter 236, Laws of 1963 as last amended by section 3, chapter 2, Laws of 1969, and RCW 63.14.130.  
Referred to Committee on Business and Professions.

HOUSE JOINT MEMORIAL NO. 10, by Representatives Sawyer, Beck, Chatalas, Grant, O'Brien, Lysen, Ceccarelli, Bottiger, Brouillet, Conner, Wojahn, Johnson, Maxie, Randall, Charnley, McCormick, Moon, Marzano, Kilbury, Adams, Marsh, Van Dyk, Luders, Jastad, Perry, May, Haussler, Backstrom, Hurley, Anderson, Charette, McDermott, Barden, Bagnariol, Knowles, Bauer, King, Rosellini, Bradley, Savage, Merrill, Douthwaite, Williams, Shinpoch and Litchman:  
Requesting Congress to assist in funding of state public assistance programs.  
Referred to Committee on Social and Health Services.

HOUSE JOINT RESOLUTION NO. 42, by Representatives Flanagan, Perry, and Pardini (by Executive request):  
Allowing for contracting of debt by the state.  
Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 141, by Senators Huntley, Peterson (Lowell) and Talley:  
An Act relating to firearms; and amending section 1, page 67, Laws of 1883 as amended by section 308, chapter 249, Laws of 1909 and RCW 9.41.240.  
Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 158, by Senators Ridder, Peterson (Ted) and Knoblauch (by Joint Committee on Education request):

An Act relating to education; amending section 15, chapter 15, Laws of 1970 ex. sess. and RCW 28A.48.010; and prescribing an effective date.

Referred to Committee on Education and Libraries.

SENATE BILL NO. 244, by Senators Holman and Francis (by Judicial Council request):

An Act relating to justice courts, justices of the peace and court clerks; amending section 3, chapter 299, Laws of 1961 and RCW 3.30.030; amending section 5, chapter 299, Laws of 1961 and RCW 3.30.050; amending section 7, chapter 299, Laws of 1961 and RCW 3.30.070; amending section 9, chapter 299, Laws of 1961 and RCW 3.30.090; amending section 18, chapter 299, Laws of 1961 and RCW 3.34.090; amending section 98, chapter 299, Laws of 1961 and RCW 3.54.010; amending section 99, chapter 299, Laws of 1961 and RCW 3.54.020; and amending section 106, chapter 299, Laws of 1961 as amended by section 2, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.020.

Referred to Committee on Judiciary.

#### NOTICE OF AMENDMENT TO HOUSE RULES

In conformance with House Rule No. 89, Mr. May gave notice that he would offer a proposed amendment to the House Rules on the next working day and that the amendment was on the Clerk's desk.

#### NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Moon stated that, at the request of the majority party, he would defer his amendment to the House Rules until the next working day.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 11, by Representatives Marzano, Backstrom, Copeland and Goldsworthy:

WHEREAS, The American's Creed, drafted by William Tyler Page in 1917, condenses into one hundred words the concepts which have made America great, and for which America stands; and

WHEREAS, During 1970 the Governor of the State of Washington and the Mayor of the City of Seattle, respectively, proclaimed periods during which the American's Creed should be recognized and studied; and

WHEREAS, It is fitting that the attention of all Americans be focused on the American Creed, and that all Americans be urged to study it;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests that the President and the Congress of the United States of America declare an American Creed Week, during which all citizens may be encouraged to examine, study and abide by the tenets of the American Creed.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

Mr. Backstrom moved adoption of the resolution.

Representatives Backstrom, Morrison, Kiskaddon and Beck spoke in favor of the resolution.

The resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker displayed the enlarged version of the American's Creed which had been presented by the Veterans of World War I to each member of the House of Representatives. The Speaker observed in the south gallery members of the Veterans of World War I and asked them to stand and be recognized. The members of the House of Representatives stood to show their appreciation to the Veterans of World War I.

## MOTION

On motion of Mr. Newhouse, the House deferred consideration of the entire second and third reading calendar, and the bills were ordered placed on the calendar of the next working day.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Monday, February 15, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 15, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bledsoe and Rosellini who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father Dennis Wood of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 12, 1971.

HOUSE BILL NO. 54, providing for reciprocal or proportional registration of vehicles, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 1, line 1, after "per" strike "vehicle" and insert "[vehicle] motor truck, truck tractor or auto stage, and three dollars per vehicle of any other type"

On page 3, section 2, line 26, after "[five]" strike "twenty-five" and insert "fifteen"

On page 5, section 4, line 21, after "carriers" strike "qualified under the provisions of this chapter must" and insert "registered under the provisions of this chapter shall"

On page 5, section 4, line 23, after "records" strike "must" and insert "shall"

On page 6, section 6, line 6, after "Agreement" and before the comma, insert "after indicating his intent to do so in his application to the state"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Jones, Kraabel, Martinis, McCormick, Perry, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 10, 1971.

HOUSE BILL NO. 78, providing for a new department of emergency services, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, section 4, line 2 after "*department*" insert *"/*"

On page 33, section 42, beginning on line 9 strike all the matter down to and including "*site.*" on line 15 and insert "(4) The county legislative authority of every county wherein an application for a proposed thermal power plant site is filed shall appoint a member to the council. The member so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents and such member shall serve until there has been a final acceptance or rejection of such proposed site."

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, Paris, Swayze, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Hurley, Knowles, Marzano, McCormick, Moon.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 90, relating to educational opportunities for all handicapped children, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Goldsworthy, Chairman, Backstrom, Brouillet, Charette, Chatalas, Costanti, Curtis, Hoggins, Kirk, Lynch, Marsh, Maxie, McDermott, Merrill, Moon, Paris, Shera, Shipoch, Thompson, Van Dyk, Wojahn, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 9, 1971.

HOUSE BILL NO. 114, providing certain nutritional measures for pupils attending the common schools, reported by Committee on Education and Libraries.

MAJORITY recommendation: That the substitute bill be substituted therefor, and that the substitute bill do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Savage.

MINORITY recommendation: Do not pass. Signed by Representative Polk.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 359, exempting firemen from requirement of having operator's license in their possession during emergency alarms, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 13, after "*alarm*" strike "*in a privately owned motor vehicle*"

On page 1, section 1, line 15, after "*produce a*" strike "*valid license*" and insert "*license which was valid at the time of such demand*"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Bauer, Beck, Blair, Bradley, Charnley, Conner, Conway, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Johnson, Jones, Kraabel, Martinis, McCormick, Perry, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 397, authorizing highway district engineers to award small construction and maintenance contracts, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Bauer, Beck, Blair, Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Jones, Kraabel, Martinis, McCormick, Perry, Rabel, Williams.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 427, reducing minimum vote needed for write-in nomination as party candidate, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 6, after "*No*" strike "*write in*"

On page 1, section 1, line 8, after "*percent of the*" strike "*highest number cast for any candidate of his party in the political subdivision in which he is a candidate*" and insert "[highest number cast for any candidate of his party in the political subdivision in which he is a candidate] *total number of votes cast for all candidates for that office at that primary*"

Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, Grant, May, Moon, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 10, 1971.

HOUSE BILL NO. 433, providing for the eighteen-year-old vote, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: That the Substitute bill be substituted therefor, and that the substitute bill do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, Grant, May, Moon, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 538, providing for a change in the right of action against a contractor for injury or death, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 19, after "payments" insert ", with respect to the plaintiff,"

On page 2, line 20, after ".070" and before the period insert "; nor shall any such action be maintained by any person for injuries to an employee of such contractor against any subcontractor for injuries incurred in the performance of a subcontract"

Signed by Representatives Hubbard, Chairman, Hatfield, Vice Chairman, Charette, Curtis, Flanagan, Newhouse, Morrison, Savage, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 12, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 79,

ENGROSSED SENATE BILL NO. 122,

SENATE BILL NO. 160,

ENGROSSED SENATE BILL NO. 168,

SENATE BILL NO. 320,

SENATE BILL NO. 333,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 719, by Representatives Lysen, Grant and Smythe:

An Act relating to state government; establishing a hospital rate commission; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 720, by Representatives Charette, Harris, Rosellini, Hubbard and Curtis:

An Act relating to limitations of actions; and adding a new section to chapter 4.16 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 721, by Representatives Newhouse, Moon, Thompson and Berentson:

An Act relating to public trust lands; directing the sale of certain trust lands to the state parks and recreation commission; and creating a new section.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 722, by Representatives Hansey, Conner and Zimmerman:

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 723, by Representatives Hansey, Conner and Zimmerman:

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 724, by Representatives Brown, King, Eikenberry and Charnley:

An Act relating to motor vehicles; amending section 46.32.010, chapter 12, Laws of 1961 as amended by section 48, chapter 32, Laws of 1967 and RCW 46.32.010; amending section 46.32.020, chapter 12, Laws of 1961 and RCW 46.32.020; amending section 46.32.040, chapter 12, Laws of 1961 and RCW 46.32.040; adding new sections to chapter 46.32 RCW; repealing section 46.32.030, chapter 12, Laws of 1961 and RCW 46.32.030; and repealing section 46.32.050, chapter 12, Laws of 1961 and RCW 46.32.050.

Referred to Committee on Transportation.

HOUSE BILL NO. 725, by Representative Brown:

An Act relating to elections.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 726, by Representatives Brown, Morrison and Smythe:

An Act relating to the redistricting and reapportionment of the state into congressional districts.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 727, by Representatives Amen, Haussler and Bauer:

An Act relating to livestock identification; amending section 2, chapter 54, Laws of 1959 as amended by section 1, chapter 66, Laws of 1965 and RCW 16.57.020; amending section 8, chapter 54, Laws of 1959 as last amended by section 3, chapter 66, Laws of 1965 and RCW 16.57.080; amending section 10, chapter 54, Laws of 1959 and RCW 16.57.100; amending section 16, chapter 54, Laws of 1959 and RCW 16.57.160; amending section 22, chapter 54, Laws of 1959 as amended by section 35, chapter 240, Laws of 1967 and RCW 16.57.220; adding a new section to chapter 54, Laws of 1959 and to chapter 16.57 RCW; repealing section 19, chapter 54, Laws of 1959 and RCW 16.57.190; and repealing section 25, chapter 54, Laws of 1959 and RCW 16.57.250.

Referred to Committee on Agriculture.

HOUSE BILL NO. 728, by Representatives Thompson, Benitz and Haussler:

An Act relating to taxation and revenue; adding new sections to chapter 15, Laws of 1961 and to chapter 84.40 RCW; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 729, by Representative Brown:

An Act relating to elections.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 730, by Representatives Thompson, Zimmerman and Pardini:

An Act relating to revenue and taxation; amending section 3, chapter 5, Laws of 1965 as amended by section 1, chapter 74, Laws of 1969 ex. sess. and RCW 43.99.030; amending section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1967 and RCW 82.36.010; amending section 82.36.235, chapter 15, Laws of 1961 as amended by section 10, chapter 79, Laws of 1965 ex. sess. and RCW 82.36.235; amending section 82.36.305, chapter 15, Laws of 1961 as amended by section 12, chapter 79, Laws of 1965 ex. sess. and RCW 82.36.305; and amending section 82.36.306, chapter 15, Laws of 1961 and RCW 82.36.306.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 731, by Representatives Bagnariol and Merrill:

An Act relating to school districts; and amending section 9, chapter 131, Laws of 1969 and RCW 28A.57.425.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 732, by Representatives Lysen, Pardini and Charette:

An Act relating to businesses and professions; increasing and reconstituting the membership of the state board of pharmacy; amending section 3, chapter 98, Laws of 1935



as amended by section 16, chapter 38, Laws of 1963 and RCW 18.64.001; and amending section 3, chapter 98, Laws of 1935 as amended by section 18, chapter 38, Laws of 1963 and RCW 18.64.005.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 733, by Representatives Bagnariol and Shera:

An Act relating to insurance holding companies and insurance company investments; amending section 13.26, chapter 79, Laws of 1947 and RCW 48.13.260; and adding new sections to chapter 79, Laws of 1947 and a new chapter to Title 48 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 734, by Representatives Eikenberry, Knowles and Julin:

An Act relating to probate; amending section 11.40.030, chapter 145, Laws of 1965 and RCW 11.40.030; amending section 11.44.070, chapter 145, Laws of 1965 as amended by section 10, chapter 168, Laws of 1967 and RCW 11.44.070; and amending section 11.44.080, chapter 145, Laws of 1965 as amended by section 11, chapter 168, Laws of 1967 and RCW 11.44.080.

Referred to Committee on Judiciary.

HOUSE BILL NO. 735, by Representatives Morrison, McCormick and Hubbard:

An Act relating to industrial accident prevention, vocational and medical rehabilitation services, and compensation and benefits on account of injury, disease, or death in the course of employment; authorizing the state, state agencies, counties, municipal corporations, and school districts to become an insuring employer or self-insuring employer; authorizing employers to provide benefits for their employees by becoming an insuring employer or self-insuring employer; establishing qualifications and requirements for self-insurers; requiring insurers to qualify with insurance commissioner; creating a department of workmen's compensation and prescribing its powers and duties; transferring powers and duties thereto from the department of labor and industries; creating a state workmen's compensation fund; defining responsibilities of board of industrial insurance appeals; establishing assessments for administrative costs; providing for the retiring of any existing accident fund deficit; amending section 13, chapter 223, Laws of 1953 and RCW 38.52.290; amending section 17, chapter 223, Laws of 1953 and RCW 38.52.330; amending section 6, chapter 263, Laws of 1955 and RCW 41.24.290; amending section 14, chapter 207, Laws of 1953, and RCW 75.08.206; creating new sections; repealing section 51.04.010, chapter 23, Laws of 1961 and RCW 51.04.010; repealing section 51.04.020, chapter 23, Laws of 1961, section 1, chapter 29, Laws of 1963, and RCW 51.04.020; repealing section 51.04.030, chapter 23, Laws of 1961 and RCW 51.04.030; repealing section 51.04.040, chapter 23, Laws of 1961 and RCW 51.04.040; repealing section 51.04.050, chapter 23, Laws of 1961 and RCW 51.04.050; repealing section 51.04.060, chapter 23, Laws of 1961 and RCW 51.04.060; repealing section 51.04.070, chapter 23, Laws of 1961 and RCW 51.04.070; repealing section 51.04.080, chapter 23, Laws of 1961 and RCW 51.04.080; repealing section 51.04.090, chapter 23, Laws of 1961 and RCW 51.04.090; repealing section 51.04.100, chapter 23, Laws of 1961 and RCW 51.04.100; repealing section 51.08.010, chapter 23, Laws of 1961 and RCW 51.08.010; repealing section 3, chapter 77, Laws of 1969 ex. sess. and RCW 51.08.012; repealing section 3, chapter 107, Laws of 1961 and RCW 51.08.013; repealing section 51.08.015, chapter 23, Laws of 1961 and RCW 51.08.015; repealing section 51.08.020, chapter 23, Laws of 1961 and RCW 51.08.020; repealing section 51.08.030, chapter 23, Laws of 1961, section 1, chapter 77, Laws of 1969 ex. sess., and RCW 51.08.030; repealing section 51.08.040, chapter 23, Laws of 1961 and RCW 51.08.040; repealing section 51.08.050, chapter 23, Laws of 1961 and RCW 51.08.050; repealing section 51.08.060, chapter 23, Laws of 1961 and RCW 51.08.060; repealing section 51.08.070, chapter 23, Laws of 1961 and RCW 51.08.070; repealing section 51.08.080, chapter 23, Laws of 1961 and RCW 51.08.080; repealing section 51.08.090, chapter 23, Laws of 1961 and RCW 51.08.090; repealing section 51.08.100, chapter 23, Laws of 1961 and RCW 51.08.100; repealing section 51.08.110, chapter 23, Laws of 1961 and RCW 51.08.110; repealing section 51.08.120, chapter 23, Laws of 1961 and RCW 51.08.120; repealing section 51.08.130, chapter 23, Laws of 1961 and RCW



Laws of 1961 and RCW 51.20.400; repealing section 51.20.410, chapter 23, Laws of 1961 and RCW 51.20.410; repealing section 51.20.420, chapter 23, Laws of 1961 and RCW 51.20.420; repealing section 51.20.430, chapter 23, Laws of 1961 and RCW 51.20.430; repealing section 51.20.440, chapter 23, Laws of 1961 and RCW 51.20.440; repealing section 51.20.450, chapter 23, Laws of 1961 and RCW 51.20.450; repealing section 51.20.460, chapter 23, Laws of 1961 and RCW 51.20.460; repealing section 51.20.470, chapter 23, Laws of 1961 and RCW 51.20.470; repealing section 51.20.480, chapter 23, Laws of 1961 and RCW 51.20.480; repealing section 51.20.490, chapter 23, Laws of 1961 and RCW 51.20.490; repealing section 51.20.500, chapter 23, Laws of 1961 and RCW 51.20.500; repealing section 51.20.600, chapter 23, Laws of 1961 and RCW 51.20.600; repealing section 51.24.010, chapter 23, Laws of 1961, section 7, chapter 274, Laws of 1961, and RCW 51.24.010; repealing section 51.24.020, chapter 23, Laws of 1961 and RCW 51.24.020; repealing section 51.28.010, chapter 23, Laws of 1961 and RCW 51.28.010; repealing section 51.28.020, chapter 23, Laws of 1961 and RCW 51.28.020; repealing section 51.28.030, chapter 23, Laws of 1961 and RCW 51.28.030; repealing section 51.28.040, chapter 23, Laws of 1961 and RCW 51.28.040; repealing section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050; repealing section 51.28.055, chapter 23, Laws of 1961 and RCW 51.28.055; repealing section 51.28.060, chapter 23, Laws of 1961 and RCW 51.28.060; repealing section 51.28.070, chapter 23, Laws of 1961 and RCW 51.28.070; repealing section 51.32.005, chapter 23, Laws of 1961, section 2, chapter 77, Laws of 1969 ex. sess. and RCW 51.32.005; repealing section 51.32.010, chapter 23, Laws of 1961 and RCW 51.32.010; repealing section 1, chapter 107, Laws of 1961 and RCW 51.32.015; repealing section 51.32.020, chapter 23, Laws of 1961 and RCW 51.32.020; repealing section 51.32.030, chapter 23, Laws of 1961 and RCW 51.32.030; repealing section 51.32.040, chapter 23, Laws of 1961, section 2, chapter 165, Laws of 1965 ex. sess. and RCW 51.32.040; repealing section 51.32.050, chapter 23, Laws of 1961, section 1, chapter 274, Laws of 1961, section 1, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.050; repealing section 51.32.060, chapter 23, Laws of 1961, section 2, chapter 274, Laws of 1961, section 2, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.060; repealing section 51.32.070, chapter 23, Laws of 1961, section 1, chapter 108, Laws of 1961, section 1, chapter 166, Laws of 1965 ex. sess. and RCW 51.32.070; repealing section 51.32.080, chapter 23, Laws of 1961, section 3, chapter 274, Laws of 1961, section 1, chapter 165, Laws of 1965 ex. sess. and RCW 51.32.080; repealing section 51.32.090, chapter 23, Laws of 1961, section 4, chapter 274, Laws of 1961, section 3, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.090; repealing section 51.32.100, chapter 23, Laws of 1961 and RCW 51.32.100; repealing section 51.32.110, chapter 23, Laws of 1961 and RCW 51.32.110; repealing section 51.32.120, chapter 23, Laws of 1961 and RCW 51.32.120; repealing section 51.32.130, chapter 23, Laws of 1961 and RCW 51.32.130; repealing section 51.32.135, chapter 23, Laws of 1961 and RCW 51.32.135; repealing section 51.32.140, chapter 23, Laws of 1961 and RCW 51.32.140; repealing section 51.32.150, chapter 23, Laws of 1961 and RCW 51.32.150; repealing section 51.32.160, chapter 23, Laws of 1961 and RCW 51.32.160; repealing section 51.32.180, chapter 23, Laws of 1961 and RCW 51.32.180; repealing section 51.36.010, chapter 23, Laws of 1961, section 2, chapter 166, Laws of 1965 ex. sess. and RCW 51.36.010; repealing section 51.36.020, chapter 23, Laws of 1961, section 3, chapter 166, Laws of 1965 ex. sess. and RCW 51.36.020; repealing section 51.36.030, chapter 23, Laws of 1961 and RCW 51.36.030; repealing section 2, chapter 107, Laws of 1961 and RCW 51.36.040; repealing section 51.40.010, chapter 23, Laws of 1961 and RCW 51.40.010; repealing section 51.40.020, chapter 23, Laws of 1961, section 1, chapter 36, Laws of 1965, section 2, chapter 80, Laws of 1965 ex. sess. and RCW 51.40.020; repealing section 51.40.030, chapter 23, Laws of 1961 and RCW 51.40.030; repealing section 51.40.040, chapter 23, Laws of 1961 and RCW 51.40.040; repealing section 51.40.050, chapter 23, Laws of 1961 and RCW 51.40.050; repealing section 51.40.060, chapter 23, Laws of 1961 and RCW 51.40.060; repealing section 51.40.070, chapter 23, Laws of 1961 and RCW 51.40.070; repealing section 51.44.010, chapter 23, Laws of 1961 and RCW 51.44.010; repealing section 51.44.020, chapter 23, Laws of 1961 and RCW 51.44.020; repealing section 51.44.030, chapter 23, Laws of 1961 and RCW 51.44.030; repealing section 51.44.040, chapter 23, Laws of 1961 and RCW 51.44.040; repealing section 51.44.050, chapter 23,

Laws of 1961 and RCW 51.44.050; repealing section 51.44.060, chapter 23, Laws of 1961 and RCW 51.44.060; repealing section 51.44.070, chapter 23, Laws of 1961, section 5, chapter 274, Laws of 1961, and RCW 51.44.070; repealing section 51.44.080, chapter 23, Laws of 1961 and RCW 51.44.080; repealing section 51.44.090, chapter 23, Laws of 1961 and RCW 51.44.090; repealing section 51.44.100, chapter 23, Laws of 1961, section 10, chapter 281, Laws of 1961, section 1, chapter 41, Laws of 1965 ex. sess. and RCW 51.44.100; repealing section 51.44.110, chapter 23, Laws of 1961 and RCW 51.44.110; repealing section 51.44.120, chapter 23, Laws of 1961 and RCW 51.44.120; repealing section 51.48.010, chapter 23, Laws of 1961 and RCW 51.48.010; repealing section 51.48.020, chapter 23, Laws of 1961 and RCW 51.48.020; repealing section 51.48.030, chapter 23, Laws of 1961 and RCW 51.48.030; repealing section 51.48.040, chapter 23, Laws of 1961 and RCW 51.48.040; repealing section 51.48.050, chapter 23, Laws of 1961 and RCW 51.48.050; repealing section 51.48.060, chapter 23, Laws of 1961 and RCW 51.48.060; repealing section 51.48.070, chapter 23, Laws of 1961 and RCW 51.48.070; repealing section 51.48.080, chapter 23, Laws of 1961 and RCW 51.48.080; repealing section 51.48.090, chapter 23, Laws of 1961 and RCW 51.48.090; repealing section 51.48.100, chapter 23, Laws of 1961 and RCW 51.48.100; repealing section 51.52.010, chapter 23, Laws of 1961, section 8, chapter 307, Laws of 1961, section 3, chapter 165, Laws of 1965 ex. sess. and RCW 51.52.010; repealing section 51.52.020, chapter 23, Laws of 1961 and RCW 51.52.020; repealing section 51.52.030, chapter 23, Laws of 1961 and RCW 51.52.030; repealing section 51.52.040, chapter 23, Laws of 1961 and RCW 51.52.040; repealing section 51.52.050, chapter 23, Laws of 1961 and RCW 51.52.050; repealing section 51.52.060, chapter 23, Laws of 1961, section 8, chapter 274, Laws of 1961, section 1, chapter 148, Laws of 1963, and RCW 51.52.060; repealing section 51.52.070, chapter 23, Laws of 1961 and RCW 51.52.070; repealing section 51.52.080, chapter 23, Laws of 1961, section 2, chapter 148, Laws of 1963, and RCW 51.52.080; repealing section 51.52.090, chapter 23, Laws of 1961 and RCW 51.52.090; repealing section 51.52.095, chapter 23, Laws of 1961, section 1, chapter 6, Laws of 1963, section 3, chapter 148, Laws of 1963, and RCW 51.52.095; repealing section 51.52.100, chapter 23, Laws of 1961, section 4, chapter 148, Laws of 1963, and RCW 51.52.100; repealing section 51.52.102, chapter 23, Laws of 1961, section 5, chapter 148, Laws of 1963 and RCW 51.52.102; repealing section 6, chapter 148, Laws of 1963 and RCW 51.52.104; repealing section 51.52.106, chapter 23, Laws of 1961, section 7, chapter 148, Laws of 1963, section 4, chapter 165, Laws of 1965 ex. sess., and RCW 51.52.106; repealing section 51.52.110, chapter 23, Laws of 1961 and RCW 51.52.110; repealing section 51.52.115, chapter 23, Laws of 1961 and RCW 51.52.115; repealing section 51.52.120, chapter 23, Laws of 1961, section 1, chapter 63, Laws of 1965 ex. sess. and RCW 51.52.120; repealing section 51.52.130, chapter 23, Laws of 1961 and RCW 51.52.130; repealing section 51.52.132, chapter 23, Laws of 1961, section 2, chapter 63, Laws of 1965 ex. sess. and RCW 51.52.132; repealing section 51.52.140, chapter 23, Laws of 1961 and RCW 51.52.140; repealing section 51.52.150, chapter 23, Laws of 1961 and RCW 51.52.150; repealing section 51.98.010, chapter 23, Laws of 1961 and RCW 51.98.010; repealing section 51.98.020, chapter 23, Laws of 1961 and RCW 51.98.020; repealing section 51.98.030, chapter 23, Laws of 1961 and RCW 51.98.030; repealing section 51.98.050, chapter 23, Laws of 1961 and RCW 51.98.050; prescribing penalties; and making effective dates.

Referred to Committee on Labor and Employment Security.

HOUSE JOINT MEMORIAL NO. 11, by Representatives Luders, Gladder, Bauer, Johnson and McDermott:

Memorializing Congress for educational aid to states in a block grant.

Referred to Committee on Education and Libraries.

HOUSE CONCURRENT RESOLUTION NO. 13, by Representatives Johnson, Morrison, Benitz, Kilbury, Savage and Van Dyk:

Relating to monitoring nuclear emissions.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 79, by Senators Elicker, Fleming and Herr (by Public Pension Commission request):

An Act relating to the retirement of judges; amending section 1, chapter 229, Laws of 1937 as amended by section 1, chapter 221, Laws of 1943 and RCW 2.12.010; amending section 1, chapter 286, Laws of 1961 and RCW 2.12.012; amending section 2, chapter 286, Laws of 1961 and RCW 2.12.015; amending section 2, chapter 229, Laws of 1937 and RCW 2.12.020; amending section 3, chapter 229, Laws of 1937 as last amended by section 3, chapter 286, Laws of 1961 and RCW 2.12.030; amending section 6, chapter 229, Laws of 1937 as last amended by section 2, chapter 243, Laws of 1957 and RCW 2.12.060; and adding a new section to chapter 2.12 RCW.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 122, by Senators Gissberg, Dore, Andersen and Greive (by Joint Committee on Governmental Cooperation request):

An Act relating to the judiciary; amending section 2, chapter 24, Laws of 1909 as amended by section 1, chapter 119, Laws of 1911, and RCW 2.04.071; amending section 14, page 324, Laws of 1890 and RCW 2.04.080; amending section 2, chapter 38, Laws of 1955 and RCW 2.04.100; amending section 1, chapter 206, Laws of 1909 and RCW 2.04.110; amending section 15, page 344, Laws of 1890 and RCW 2.08.080; amending section 11, page 343, Laws of 1890 as amended by section 1, chapter 149, Laws of 1967 and RCW 2.08.180; amending section 1, chapter 202, Laws of 1969 ex. sess. and RCW 2.12.035; amending section 6, chapter 229, Laws of 1937 as last amended by section 2, chapter 243, Laws of 1957 and RCW 2.12.060; amending section 2, chapter 53, Laws of 1891 and RCW 2.20.020; amending section 3, chapter 124, Laws of 1909 and RCW 2.24.050; amending section 3, chapter 54, Laws of 1891 as amended by section 1, chapter 39, Laws of 1895 and RCW 2.28.030; amending section 3, chapter 57, Laws of 1891 and RCW 2.32.050; amending section 5, chapter 126, Laws of 1921 and RCW 2.48.200; amending section 8, chapter 259, Laws of 1957 and RCW 2.56.080; amending section 90, chapter 299, Laws of 1961 and RCW 3.50.410; amending section 1, chapter 60, Laws of 1929 and RCW 4.56.190; amending section 2, chapter 60, Laws of 1929 and RCW 4.56.200; amending section 8, chapter 60, Laws of 1929 and RCW 4.56.225; amending section 2, chapter 138, Laws of 1933 and RCW 4.76.030; amending section 7, chapter 60, Laws of 1893 and RCW 4.80.050; amending section 17, chapter 60, Laws of 1893 and RCW 4.80.140; amending section 384, page 203, Laws of 1854 as last amended by section 1, chapter 62, Laws of 1959 and RCW 4.84.170; amending section 385, page 204, Laws of 1854 as last amended by section 523, Code of 1881 and RCW 4.84.180; amending section 3, chapter 95, Laws of 1895 and RCW 4.92.030; amending section 2, page 338, Laws of 1890 and RCW 5.48.020; amending section 2, chapter 25, Laws of 1929 and RCW 6.04.010; amending section 1, page 377, Laws of 1854 as last amended by section 335, Code of 1881 and RCW 6.08.010; amending section 265, page 182, Laws of 1854 as last amended by section 366, Code of 1881 and RCW 6.24.090; amending section 33, chapter 65, Laws of 1895 and RCW 7.16.330; amending section 35, chapter 65, Laws of 1895 and RCW 7.16.350; amending section 436, page 212, Laws of 1854 as last amended by section 10, chapter 9, Laws of 1957 and RCW 7.36.040; amending section 2, chapter 256, Laws of 1947 and RCW 7.36.140; amending section 2, chapter 213, Laws of 1955 and RCW 8.04.070; amending section 2, chapter 156, Laws of 1955 and RCW 8.04.098; amending section 7, chapter 74, Laws of 1891 as last amended by section 4, chapter 177, Laws of 1951, and RCW 8.04.130; amending section 9, chapter 74, Laws of 1891 and RCW 8.04.150; amending section 4, chapter 79, Laws of 1949 and RCW 8.08.040; amending section 8, chapter 79, Laws of 1949 and RCW 8.08.080; amending section 16, chapter 84, Laws of 1893 as last amended by section 16, chapter 153, Laws of 1907 and RCW 8.12.200; amending section 49, chapter 153, Laws of 1907 as amended by section 21, chapter 154, Laws of 1915 and RCW 8.12.530; amending section 13, page 375, Laws of 1909 and RCW 8.16.130; amending section 7, page 299, Laws of 1890 and RCW 8.20.100; amending section 9, page 300, Laws of 1890 and RCW 8.20.120; amending section 15, chapter 254, Laws of 1951 and RCW 9.81.090; amending section 67, chapter 249, Laws of 1909 and RCW 9.82.030; amending section 7, chapter 133, Laws of 1955 as amended by section 10, chapter 200, Laws of 1967 and RCW 9.95.060; amending section 4, chapter 42,

Laws of 1955 and RCW 9.95.063; amending section 16, page 75, Laws of 1865 as last amended by section 1, chapter 91, Laws of 1967 and RCW 10.31.060; amending section 5, chapter 30, Laws of 1907 and RCW 10.76.050; amending section 8, chapter 30, Laws of 1907 as last amended by section 1, chapter 9, Laws of 1965 ex. sess. and RCW 10.76.060; amending section 6, chapter 30, Laws of 1907 as last amended by section 2, chapter 9, Laws of 1965 ex. sess. and RCW 10.76.070; amending section 7, chapter 30, Laws of 1907 and RCW 10.76.080; amending section 11.96.010, chapter 145, Laws of 1965 and RCW 11.96.010; amending section 14, chapter 302, Laws of 1961 and RCW 13.04.220; amending section 24, chapter 87, Laws of 1961 and RCW 15.63.240; amending section 14, chapter 125, Laws of 1929 and RCW 17.04.230; amending section 12, chapter 140, Laws of 1921 and RCW 17.16.110; amending section 12, chapter 323, Laws of 1959 and RCW 18.08.210; amending section 36, chapter 52, Laws of 1957 and RCW 18.32.280; amending section 15, chapter 222, Laws of 1949 and RCW 18.78.140; amending section 16, chapter 305, Laws of 1955 as amended by section 16, chapter 70, Laws of 1965 and RCW 18.83.160; amending section 17, chapter 222, Laws of 1951 as amended by section 46, chapter 52, Laws of 1957 and RCW 18.85.290; amending section 15, chapter 71, Laws of 1941 and RCW 18.92.210; amending section 11, chapter 53, Laws of 1967 ex. sess. and RCW 19.10.110; amending section 10, chapter 211, Laws of 1955 and RCW 19.77.100; amending section 20, chapter 139, Laws of 1959 and RCW 20.01.200; amending section 7, chapter 154, Laws of 1933 and RCW 22.20.100; amending section 28, chapter 115, Laws of 1921 and RCW 24.32.360; amending section 4, page 404, Laws of 1854 as last amended by section 1, chapter 35, Laws of 1913 and RCW 26.04.050; amending section 9, chapter 215, Laws of 1949 and RCW 26.08.090; amending section 28A.58.500, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.500; amending section 16, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.160; amending section 28B.50.300, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.300; amending section 29.04.030, chapter 9, Laws of 1965 and RCW 29.04.030; amending section 29.21.070, chapter 9, Laws of 1965 and RCW 29.21.070; amending section 29.30.020, chapter 9, Laws of 1965 and RCW 29.30.020; amending section 29.65.130, chapter 9, Laws of 1965 and RCW 29.65.130; amending section 29.80.020, chapter 9, Laws of 1965 and RCW 29.80.020; amending section 30.04.040, chapter 33, Laws of 1955 and RCW 30.04.040; amending section 30.30.090, chapter 33, Laws of 1955 and RCW 30.30.090; amending section 23, chapter 208, Laws of 1941 and RCW 31.08.260; amending section 3, chapter 173, Laws of 1933 as last amended by section 1, chapter 65, Laws of 1969 and RCW 31.12.050; amending section 31, chapter 173, Laws of 1933 as last amended by section 15, chapter 180, Laws of 1967 and RCW 31.12.360; amending section 115, chapter 235, Laws of 1945 and RCW 33.04.060; amending section 8, chapter 235, Laws of 1945 as amended by section 1, chapter 71, Laws of 1953 and RCW 33.08.070; amending section 113, chapter 235, Laws of 1945 and RCW 33.40.120; amending section 14, chapter 234, Laws of 1959 and RCW 34.04.140; amending section 35.20.070, chapter 7, Laws of 1965 and RCW 35.20.070; amending section 35.22.560, chapter 7, Laws of 1965 and RCW 35.22.560; amending section 35.44.230, chapter 7, Laws of 1965 and RCW 35.44.230; amending section 35.44.260, chapter 7, Laws of 1965 and RCW 35.44.260; amending section 35.44.270, chapter 7, Laws of 1965 and RCW 35.44.270; amending section 35.50.260, chapter 7, Laws of 1965 and RCW 35.50.260; amending section 35.55.080, chapter 7, Laws of 1965 and RCW 35.55.080; amending section 35.56.090, chapter 7, Laws of 1965 and RCW 35.56.090; amending section 36.05.060, chapter 4, Laws of 1963 and RCW 36.05.060; amending section 16, chapter 189, Laws of 1967 as amended by section 9, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.160; amending section 29, chapter 72, Laws of 1967 and RCW 36.94.290; amending section 16, chapter 4, Laws of 1917 and RCW 37.16.130; amending section 7, chapter 1, Laws of 1961 as last amended by section 23, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.070; amending section 21, chapter 1, Laws of 1961 and RCW 41.06.210; amending section 12, chapter 1, Laws of 1959 and RCW 41.14.120; amending section 21, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.230; amending section 65, chapter 80, Laws of 1947 and RCW 41.32.650; amending section 16, chapter 50, Laws of 1951 and RCW 41.40.440; amending section 2, chapter 150, Laws of 1965 ex. sess. and RCW 42.21.020; amending section 43.07.120, chapter 8, Laws of 1965 and RCW 43.07.120; amending section 43.08.020, chapter 8, Laws of 1965 and RCW 43.08.020; amending section 43.10.030, chapter 8, Laws of 1965 and RCW 43.10.030;

amending section 3, chapter 32, Laws of 1969 and RCW 43.19.190; amending section 43.19.200, chapter 8, Laws of 1965 and RCW 43.19.200; amending section 43.24.120, chapter 8, Laws of 1965 and RCW 43.24.120; amending section 43.52.430, chapter 8, Laws of 1965 and RCW 43.52.430; amending section 43.78.030, chapter 8, Laws of 1965 and RCW 43.78.030; amending section 47.32.070, chapter 13, Laws of 1961 and RCW 47.32.070; amending section 10, chapter 7, Laws of 1933, ex. sess. and RCW 49.32.080; amending section 8, chapter 294, Laws of 1959 and RCW 49.46.080; amending section 21, chapter 37, Laws of 1957 and RCW 49.60.260; amending section 128, chapter 35, Laws of 1945 and RCW 50.32.120; amending section 129, chapter 35, Laws of 1945 and RCW 50.32.130; amending section 132, chapter 35, Laws of 1945 and RCW 50.32.160; amending section 51.52.110, chapter 23, Laws of 1961 and RCW 51.52.110; amending section 17, chapter 390, Laws of 1955 as amended by section 4, chapter 142, Laws of 1959 and RCW 54.16.160; amending section 1, chapter 142, Laws of 1959 and RCW 54.16.165; amending section 32, chapter 210, Laws of 1941 as amended by section 2, chapter 40, Laws of 1965 ex. sess. and RCW 56.20.080; amending section 13, chapter 114, Laws of 1929 as amended by section 2, chapter 39, Laws of 1965 ex. sess. and RCW 57.16.090; amending section 49, chapter 231, Laws of 1909 and RCW 58.28.490; amending section 22, chapter 96, Laws of 1891 and RCW 59.12.200; amending section 12, chapter 24, Laws of 1893 as last amended by section 1, chapter 38, Laws of 1969 and RCW 60.04.130; amending section 4, chapter 86, Laws of 1961 and RCW 60.76.040; amending section 3, chapter 33, Laws of 1929 as amended by section 1, chapter 13, Laws of 1931 and RCW 64.08.010; amending section 27, chapter 250, Laws of 1907 and RCW 65.12.175; amending section 6, chapter 127, Laws of 1967 ex. sess. as amended by section 1, chapter 268, Laws of 1969 ex. sess. and RCW 71.02.413; amending section 8, chapter 122, Laws of 1967 ex. sess. and RCW 72.15.060; amending section 72.33.240, chapter 28, Laws of 1959 and RCW 72.33.240; amending section 74.08.080, chapter 26, Laws of 1959 as amended by section 2, chapter 172, Laws of 1969 ex. sess. and RCW 74.08.080; amending section 74.08.100, chapter 26, Laws of 1959 and RCW 74.08.100; amending section 53, chapter 146, Laws of 1951 and RCW 78.52.500; amending section 125, chapter 255, Laws of 1927 and RCW 79.01.500; amending section 80.04.260, chapter 14, Laws of 1961 and RCW 80.04.260; amending section 80.28.190, chapter 14, Laws of 1961 and RCW 80.28.190; amending section 80.36.240, chapter 14, Laws of 1961 and RCW 80.36.240; amending section 81.04.260, chapter 14, Laws of 1961 and RCW 81.04.260; amending section 81.53.130, chapter 14, Laws of 1961 and RCW 81.53.130; amending section 81.53.170, chapter 14, Laws of 1961 and RCW 81.53.170; amending section 81.68.070, chapter 14, Laws of 1961 and RCW 81.68.070; amending section 81.80.340, chapter 14, Laws of 1961 and RCW 81.80.340; amending section 82.32.180, chapter 15, Laws of 1961 as last amended by section 51, chapter 26, Laws of 1967 ex. sess. and RCW 82.32.180; amending section 13, chapter 292, Laws of 1961 and RCW 83.24.020; amending section 83.32.050, chapter 15, Laws of 1961 and RCW 83.32.050; amending section 83.56.160, chapter 15, Laws of 1961 and RCW 83.56.160; amending section 84.28.080, chapter 15, Laws of 1961 as amended by section 9, chapter 214, Laws of 1963 and RCW 84.28.080; amending section 84.28.110, chapter 15, Laws of 1961 as amended by section 12, chapter 214, Laws of 1963 and RCW 84.28.110; amending section 84.64.120, chapter 15, Laws of 1961 and RCW 84.64.120; amending section 84.64.400, chapter 15, Laws of 1961 and RCW 84.64.400; amending section 10, chapter 153, Laws of 1915 and RCW 85.05.079; amending section 13, chapter 117, Laws of 1895 as last amended by section 1, chapter 89, Laws of 1913, and RCW 85.05.130; amending section 6, chapter 342, Laws of 1955 and RCW 85.05.470; amending section 13, chapter 115, Laws of 1895 as last amended by section 1, chapter 133, Laws of 1917 and RCW 85.06.130; amending section 3, chapter 170, Laws of 1935 and RCW 85.06.660; amending section 5, chapter 187, Laws of 1921 and RCW 85.06.750; amending section 1, chapter 157, Laws of 1921 and RCW 85.08.440; amending section 14, chapter 184, Laws of 1967 and RCW 85.15.130; amending section 14, chapter 26, Laws of 1949 and RCW 85.16.190; amending section 16, chapter 26, Laws of 1949 and RCW 85.16.210; amending section 15, chapter 45, Laws of 1951 and RCW 85.18.140; amending section 6, chapter 225, Laws of 1909 and RCW 85.24.130; amending section 7, chapter 225, Laws of 1909 and RCW 85.24.140; amending section 21, chapter 131, Laws of 1961 and RCW 85.32.200; amending section 8, chapter 194, Laws of 1933 and RCW 87.03.410; amending section 3, chapter

138, Laws of 1925 ex. sess. and RCW 87.03.760; amending section 4, chapter 138, Laws of 1925 ex. sess. and RCW 87.03.765; amending section 11, chapter 120, Laws of 1929 and RCW 87.22.090; amending section 29, chapter 124, Laws of 1925 ex. sess. and RCW 87.56.225; amending section 7, chapter 236, Laws of 1907 and RCW 88.32.090; amending section 23, chapter 117, Laws of 1917 and RCW 90.03.200; amending section 8, chapter 107, Laws of 1939 and RCW 90.24.070; amending section 20, chapter 11, Laws of 1911 and RCW 91.04.325; amending section 23, chapter 8, Laws of 1909 ex. sess. as amended by section 24, chapter 11, Laws of 1911 and RCW 91.04.360; amending section 23, chapter 23, Laws of 1911 and RCW 91.08.250; amending section 58, chapter 23, Laws of 1911 and RCW 91.08.580; adding a new section to chapter 221, Laws of 1969 ex. sess. and chapter 2.06 RCW; repealing section 17, page 324, Laws of 1890 and RCW 2.04.060; repealing section 5, page 322, Laws of 1890, section 2, chapter 5, Laws of 1905, section 3, chapter 24, Laws of 1909 and RCW 2.04.120; repealing section 2, page 321, Laws of 1890 and RCW 2.04.130; repealing section 6, chapter 24, Laws of 1909 and RCW 2.04.140; repealing section 2174, Code of 1881, section 13, page 324, Laws of 1890 and RCW 2.32.010; repealing section 2, page 366, Laws of 1854, section 2, page 417, Laws of 1863, section 2175, Code of 1881 and RCW 2.32.020; repealing section 3, page 366, Laws of 1854, section 2176, Code of 1881 and RCW 2.32.030; repealing section 4, chapter 57, Laws of 1891 and RCW 2.32.040; repealing section 1, chapter 192, Laws of 1947 and RCW 2.32.080; repealing section 1, page 320, Laws of 1890 and RCW 2.32.100; repealing section 6, page 320, Laws of 1890, section 1, chapter 58, Laws of 1891, section 1, chapter 30, Laws of 1897, section 1, chapter 148, Laws of 1909 and RCW 2.32.150; repealing section 1, page 331, Laws of 1890 and RCW 2.32.340; repealing section 2, page 331, Laws of 1890 and RCW 2.32.350; and declaring an emergency.

Referred to Committee on Judiciary.

SENATE BILL NO. 160, by Senators Wilson, Peterson (Ted) and Odegaard:

An Act relating to the state board of education; and amending section 28A.04.060, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 283, Laws of 1969 ex. sess. and RCW 28A.04.060.

Referred to Committee on Education and Libraries.

ENGROSSED SENATE BILL NO. 168, by Senators Wilson, Stender, Talley and Washington:

An Act relating to education, and school district budgets relating thereto; amending section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.080; amending section 28A.65.170, chapter 223, Laws of 1969 ex. sess. as amended by section 36, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.170; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW.

Referred to Committee on Education and Libraries.

SENATE BILL NO. 320, by Senator Durkan (by State Auditor request):

An Act relating to the Washington public employees' retirement system; and amending section 3, chapter 274, Laws of 1947, as last amended by section 2, chapter 174, Laws of 1963 and RCW 41.40.030.

Referred to Committee on Financial Institutions and Insurance.

SENATE BILL NO. 333, by Senators Jolly, Peterson (Lowell) and Peterson (Ted):

An Act relating to the state game commission; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 9, chapter 307, Laws of 1961, and RCW 77.04.060.

Referred to Committee on State Government.

#### AMENDMENT TO HOUSE RULES

The Speaker stated that notice had been given by Mr. Moon on February 11, 1971,



that he would offer a proposed amendment to the House Rule dealing with the committee of the whole on the next working day, and that on February 12, 1971, Mr. Moon requested that consideration of the amendment be deferred until the next working day.

Mr. Moon requested that the proposed amendment to the House Rules be deferred until the next working day to give the minority party an opportunity to caucus on the amendment.

Mr. Wolf objected and suggested that the minority party hold a caucus immediately.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Moon moved adoption of the following amendment to House Rule No. 86:

On page 26, amend House Rule 86 as follows: Strike paragraph 3 and insert: "A record of all proceedings in the committee of the whole shall be kept and retained by the chief clerk until the end of the session. It shall be available for inspection by any interested person and inserted in the daily journal as a permanent record: PROVIDED, That when the committee of the whole is considering matters dealing with appropriations, any motion to increase a proposed appropriation or add a new appropriation must also include a means for funding such appropriation."

#### MOTION

Mr. Moon moved that the House defer consideration of the proposed amendment to House Rule No. 86 until tomorrow's eighth order of business and spoke in favor of the motion.

The motion was lost on a rising vote.

Mr. Moon requested that his amendment to House Rule No. 86 be withdrawn, and he gave notice that he would offer a proposed amendment to House Rule No. 86 on the next working day.

The Speaker stated that consent to withdraw the amendment could be given by majority vote.

The House refused to give its consent to withdraw the amendment.

Mr. Moon spoke in favor of adoption of the amendment.

#### POINT OF ORDER

Mr. Morrison: "Mr. Speaker, is there actually a matter before us at this time?"

The Speaker: "Yes, the proposed amendment to House Rule No. 86 by Mr. Moon is before the body."

Mr. Morrison: "Has the motion been made to place it before the body?"

The Speaker: "Mr. Moon made that motion originally."

Mr. Moon continued speaking in favor of the amendment.

#### POINT OF ORDER

Mr. O'Brien: "I rise to a point of order, because I feel that the speaker who has the floor should be given the common courtesy of not having to argue while a little caucus is going on."

The Speaker: "Continue, Mr. Moon."

Mr. Moon concluded his remarks in favor of the amendment, and Mr. Newhouse spoke against the amendment.

Mr. Beck spoke in favor of adoption of the amendment.

#### ADMONITION BY THE SPEAKER

The Speaker: "Mr. Beck, please confine your remarks to the merit of the amendment, not prior proceedings of the House."

Mr. Beck continued his remarks.

The Speaker: "Mr. Beck, you are out of order. You are not confining your remarks to this particular rule change."

Mr. Moon requested that the amendment to House Rule No. 86 be withdrawn and spoke to the request.

With the consent of the House, the amendment by Mr. Moon to House Rule No. 86 was withdrawn.

#### AMENDMENT TO HOUSE RULES

The Speaker stated that notice had been given the previous day by Mr. May that he would offer a proposed amendment to the House Rules.

Mr. May moved adoption of the following amendment to House Rule No. 81:

On page 28, line 5, following "appropriation" insert ", and all bills which may have a fiscal impact."

Mr. May spoke in favor of adoption of the amendment and Mr. Goldsworthy spoke against it.

The amendment was lost on a rising vote.

#### SECOND READING

HOUSE BILL NO. 213, by Representatives Flanagan and Polk (by Departmental request):

Pertaining to payment of inheritance taxes.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, on line 10, after "[fifteen]" and before "months" strike "eight" and insert "nine"

On page 1, section 1, on line 13, after "[fifteen]" and before "month" strike "eight" and insert "nine"

On page 1, section 1, on line 20, after "[fifteen]" and before "months" strike "eight" and insert "nine"

On page 1, section 1, on line 22, after "[fifteen]" and before "months" strike "eight" and insert "nine"

On page 1, section 1, on line 24, after "of" and before "percent" strike "six" and insert "[six] eight"

On page 1, after line 27 insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 83.44 a new section to read as follows:

The effective date of this 1971 amendatory act shall be September 1, 1971."

On page 1, line 1 of the title, after "taxation;" and before "amending" strike "and"

On page 1, line 3 of the title, after "RCW 83.44.010" and before the period insert ";; adding a new section to chapter 83.44 RCW; and prescribing an effective date"

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments were adopted.

On motion of Mr. Flanagan, the following amendment was adopted:

On page 1, add a new section following line 27 as follows:

"Sec. 2. Section 20, chapter 292, Laws of 1961 and RCW 83.40.020 are each amended to read as follows:

The executor or administrator of every decedent whose estate may be subject to the federal estate tax or to the inheritance tax laws of the state of Washington, shall file in the office of the supervisor of the inheritance tax division within [twelve] nine months after the death of such decedent, one copy of the federal estate tax return and inventory provided for in the federal estate tax act, and in like manner, one copy of all supplemental or amended returns and inventories filed with the federal government."

Re-number section 2 to be section 3.

On motion of Mr. Flanagan, the committee amendment to the title was adopted.

On motion of Mr. Flanagan, the following amendment to the title was adopted:

In line 1 of the title after "taxation;" and before "and amending" insert "amending section 20, chapter 292, Laws of 1961 and RCW 83.40.020;"

House Bill No. 213 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 153, by Representatives Hansey, Bottiger and Copeland (by Departmental request):

Exempting certain aircraft from state registration.

The bill was read the second time.

#### MOTION

On motion of Mr. Morrison, further consideration of House Bill No. 153 was deferred, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 434, by Representatives Kirk, King and Hoggins (by Departmental request):

Authorizing deductions for certain state procured insurance from teachers' retirement allowances.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 307, by Representatives Flanagan, Kiskaddon, Brouillet and Luders:

Extending two mill shift for schools.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 160, by Representatives Hansey, Bottiger, Copeland, Ceccarelli, Charnley, Douthwaite, May and Smith (by Departmental request):

Requiring all state aircraft to be equipped with downed aircraft rescue transmitters.

The House resumed consideration of House Bill No. 160.

The Speaker stated the question before the House to be the following amendment by Representatives Martinis and Cunningham:

After the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. There is added to chapter 157, Laws of 1929 and to chapter 14.16 RCW a new section to read as follows:

Every aircraft required to be registered with the state aeronautics commission pursuant to RCW 14.04.250 shall be equipped with a downed aircraft rescue transmitter after January 1, 1972, and it shall be unlawful for any person to operate such aircraft without such a transmitter: PROVIDED, HOWEVER, Nothing in this section shall apply to (1) Aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft; and (2) Aircraft used by any air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public conveyance and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended. Notwithstanding any other provision of law, any aircraft used, owned or leased by the state of Washington including all of its agencies, departments, boards, commissions, councils and institutions of higher education shall be equipped with a downed aircraft rescue transmitter on or after July 1, 1971.

NEW SECTION. Sec. 2. Section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080 are each repealed."

#### POINT OF ORDER

Mr. Bottiger: "Mr. Speaker, I rise to a point of order in calling the chair's attention to House Rule 33 which requires that the subject matter of the amendment be germane to the title. The title of this bill is 'An Act relating to state government, requiring all state owned or leased aircraft to be equipped with a downed aircraft rescue transmitter; . . .' The effect of the amendment is to expand that to all aircraft."

#### POINT OF ORDER

Mr. Martinis: "Point of order. If you read down towards the bottom of the amendment, it does refer to aircraft owned and operated by the state."

## POINT OF ORDER

Mr. Cunningham: "On line 11 of the bill, it refers to any aircraft. Also, in the title it refers to an act dealing with state government. I submit that the title is rather broad. We are only attempting to perfect the effect of the bill, and the title, I think, covers it fairly well."

## RULING BY THE SPEAKER

The Speaker: "The Speaker is going to rule that under the title and under the language of Rule 32, the amendment is in order."

## MOTION

On motion of Mr. Morrison, the House deferred further consideration of House Bill No. 160 on second reading, and the entire third reading calendar and the bills were ordered placed on tomorrow's calendar.

## APPOINTMENTS TO OCEANOGRAPHIC COMMISSION

The Speaker announced the appointment of Representatives North and McDermott to the Oceanographic Commission to fill the unexpired terms of former Representatives Murray and Kink.

## MOTION

On motion of Mr. Morrison, the House recessed until 1:45 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m.

The Clerk called the roll and all members were present except Representatives Bledsoe and Rosellini who were excused.

## JOINT SESSION

The Sergeant at Arms announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President and President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the Senators to seats within the House Chamber.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate and all members were present except Senator Stender who was excused.

The Clerk of the House called the roll of the House, and all members were present except Representatives Bledsoe and Rosellini who were excused.

The President of the Senate: "Honorable members of the legislature, ladies and gentlemen: The purpose of this joint session of the Washington State Legislature is remarkably well stated in your program as a tribute to the memories of our former members of the House and Senate who have passed from among us during the preceding biennium of the Forty-second Legislative Session and it conveys its respect on behalf of the people of our state. May the memory of their dedicated service remain in our hearts."

The President requested that Senator Guess and Representative Wojahn escort Representative Kirk to a seat on the rostrum.

The President of the Senate: "Honorable members of the Washington State Legislature, ladies and gentlemen: It is indeed a pleasure for the President to present to you at this time a longtime friend. Mrs. Kirk, in addition to being a dedicated and conscientious member of

the House of Representatives, is a loving wife and mother, and a homemaker who is one of the most popular people, if not the most popular person, in the 36th District. In addition to her numerous services to the State of Washington, she is also a member of the Business and Professional Women's Club, the American Legion Auxiliary, Past President's Assembly, Health Facilities Planning Board, Committee on Planning Affiliates, Washington Association of Retarded Children, and King County Advisory Committee to the State Department of Public Assistance. Mrs. Kirk is presently in her eighth term as a legislator and is considered by all who know her as being one of the most capable members of the legislature. It is with great honor and pride that the President presents to you at this time Mrs. Gladys Kirk."

The President of the Senate turned the gavel over to Representative Kirk. The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. The following memorial services were observed:

MEMORIAL PROGRAM

Presiding: President of the Senate John A. Cherberg
Chairman: Representative Gladys Kirk

INVOCATION

by

Reverend Richard Denham

Bethany United Presbyterian Church, Seattle

23rd Psalm . . . . . Representative Kiskaddon

Accompanist, Dick Woodruff

"CHOIR OF THE WEST" Pacific Lutheran University

Maurice Skones, Director

"Agnus Dei" . . . . . Samuel Barber

"Make Us One" . . . . . Paul Christiansen

"Regeneration" . . . . . F. M. Christiansen

Memorial Tribute . . . . . Thomas A. Swayze, Jr.

Flower Tribute by Members of Senate and House

The Lord's Prayer . . . . . Representative Kiskaddon

Accompanist, Dick Woodruff

Benediction . . . . . Reverend Richard Denham

Bethany United Presbyterian Church, Seattle

Taps . . . . . Scott Mather

Olympia High School

IN MEMORIAM

In tribute to the memories of our distinguished former members of the House and Senate who have passed from among us during the preceding biennium, the Forty-second Legislative Session of the State of Washington conveys its respects on behalf of the people of our State. May the memory of their dedicated service remain in our hearts.

In Memory of:

- Homer T. Bone
Ward Bowden
W. Ward Davison
Earle C. Douglas
Joseph Drumheller
A. E. Edwards
H. E. Goldsworthy
Myron F. Hawley
David Hoefel
N. C. Mann
Shirley R. Marsh
Kermit W. McKay
Frank O. Miller

Tribute by:

- A. A. Adams
Gordon Sandison
Peter D. Francis
Lois North
Robert W. Twigg
R. Frank Atwood
Robert F. Goldsworthy
Donald G. Hansey
Otto Amen
Donn Charnley
Don L. Talley
Doris Johnson
Warren Smith

Sverre N. Omdahl  
 Clarence Orndorff  
 W. C. Raugust  
 Charles A. Richey  
 Thomas E. Smith  
 Harry H. Swofford

Duane L. Berentson  
 Carlton A. Gladder  
 Damon R. Canfield  
 Dave Ceccarelli  
 Fred H. Dore  
 Gary M. Odegaard

Representative Kirk returned the gavel to the President of the Senate.  
 On motion of Mrs. Kirk, the joint session was dissolved.

The President of the Senate: "Mr. Speaker, members of the House, ladies and gentlemen: Thank you very much. You have our compliments in this very impressive ceremony."

The President of the Senate returned the gavel to the Speaker of the House.

The Speaker of the House: "Thank you, Mr. President. Our thanks go to the Memorials Committee: Representative Gladys Kirk, Chairman; Senators Booth Gardner, Sam C. Guess and James E. Keefe; and Representatives Bill Kiskaddon and Lorraine Wojahn."

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President and President Pro Tempore to the Senate Chamber.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the members of the Senate to the Senate Chamber.

The House resumed its session.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, February 16, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 16, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bledsoe and Kopet who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father James J. McGreal of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 15, 1971.

HOUSE BILL NO. 150, extending real property tax exemption for retired homeowners to include totally disabled women, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Julin, Kilbury, King, Kuehnle, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 209, fiscal agencies, technical change, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 221, creating a secretary of state's revolving fund, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 9 after "matter" strike everything down to and including "revolving fund," on line 15 and insert "authorized by law to be issued by the office of secretary of state."

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, Marzano, Paris, Perry, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 224, amending the copyright act, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 beginning with "Section 1." strike all the matter down to and including "such list." on page 3, line 5, and insert

"NEW SECTION. Section 1. Section 4, chapter 218, Laws of 1937 and RCW 19.24.040; section 5, chapter 218, Laws of 1937 and RCW 19.24.050; and section 6, chapter 218, Laws of 1937 and RCW 19.24.055 are each repealed."

On page 1, line 1 of the title after "copyrights;" strike all the matter down to and including "RCW 19.24.055." and insert "repealing section 4, chapter 218, Laws of 1937 and RCW 19.24.040; repealing section 5, chapter 218, Laws of 1937 and RCW 19.24.050; and repealing section 6, chapter 218, Laws of 1937 and RCW 19.24.055."

Signed by Representatives Conway, Vice Chairman, Hoggins, Hurley, Knowles, Marzano, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 226, revising uniform commercial code fees for search and copy requests, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 20 after "shall be" strike "two" and insert "[two] three"

On page 1, section 1, line 20 after "dollars" strike "for reports listing fifteen statements or less and twenty-five cents for each additional statement reported thereon"

On page 1, section 1, line 24 after "fee of" strike "four" and insert "[four] five"

On page 1, section 1, line 24 after "dollars" strike "for the first fifteen statements or less and twenty-five cents for each additional page thereafter,"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 229, amending various items concerning public service companies, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 7 after "trains." strike all the material down to and including "trains." on line 14 and insert "The commission shall also fix and regulate the speed of railway trains at grade crossings as defined in RCW 81.53.010 where such grade crossings are outside the limits of cities and towns when in the judgment of the commission the public safety so requires; such speed limit to be fixed shall be discretionary with the commission and may be different for different grade crossings and shall be commensurate with the hazard presented and the practical operation of trains."

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, Paris, Perry, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 270, exempting agency vendors of liquor from civil service, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE JOINT RESOLUTION NO. 34, providing for annual sessions of the legislature, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 12, line 15 after "sixty days.]" strike all the matter down to and including "legislature" on line 17 and insert "A regular session of the legislature shall be held annually at a time to be determined by the legislature."

On page 1, section 12, line 22 after "year." strike "Extraordinary sessions" and insert "An extraordinary session"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Knowles, Kraabel, McCormick, Perry, Swayze, Williams.

MINORITY recommendation: Do not pass. Signed by Representative Hurley.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

February 15, 1971.

Mr. Speaker: The President has signed HOUSE BILL NO. 130, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 736, by Representatives McDermott, Charnley, Williams and Paris:

An Act relating to cigarette advertising; providing for a health warning on all signs advertising cigarettes; creating a new section; and declaring an emergency.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 737, by Representative Anderson:



An Act relating to rules of the road; amending section 15, chapter 155, Laws of 1965 as last amended by section 46, chapter 281, Laws of 1969 ex. sess. and RCW 46.61.100; and amending section 20, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.125.

Referred to Committee on Transportation.

HOUSE BILL NO. 738, by Representative Haussler:

An Act relating to counties; changing the name of the Washington state association of county commissioners to the Washington state association of counties; amending section 11, chapter 117, Laws of 1951 and RCW 18.51.100; amending section 36.21.011, chapter 4, Laws of 1963 as amended by section 7, chapter 146, Laws of 1967 ex. sess. and RCW 36.21.011; amending section 36.32.350, chapter 4, Laws of 1963 as amended by section 1, chapter 47, Laws of 1970 ex. sess. and RCW 36.32.350; amending section 36.40.040, chapter 4, Laws of 1963 as amended by section 1, chapter 252, Laws of 1969 ex. sess. and RCW 36.40.040; amending section 3, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.030; amending section 43.32.010, chapter 8, Laws of 1965 and RCW 43.32.010; amending section 3, chapter 147, Laws of 1967 ex. sess. as amended by section 1, chapter 105, Laws of 1969 ex. sess. and RCW 43.59.030; amending section 18, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.120; amending section 27, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.260; and amending section 8, chapter 183, Laws of 1945 as amended by section 19, chapter 51, Laws of 1967 ex. sess. and RCW 70.46.080.

Referred to Committee on Local Government.

HOUSE BILL NO. 739, by Representatives Lynch, King and Kiskaddon:

An Act relating to community college districts; providing for negotiations between boards of trustees and their academic employees; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof; repealing section 28A.72.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.040; and repealing section 28B.50.580, chapter 223, Laws of 1969 ex. sess. as amended by section 29, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.580.

Referred to Committee on Higher Education.

HOUSE BILL NO. 740, by Representatives Lynch, Kopet, Goldsworthy and Curtis:

An Act relating to institutions of higher education; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.100; amending section 28B.15.200, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.200; amending section 28B.15.300, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.300; amending section 28B.15.380, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 269, Laws of 1969 ex. sess. and RCW 28B.15.380; amending section 28B.15.400, chapter 223, Laws of 1969 ex. sess. as amended by section 6, chapter 102, Laws of 1970 ex. sess. and RCW 28B.15.400; amending section 28B.15.500, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.500; amending section 29, chapter 261, Laws of 1969 ex. sess. as amended by section 8, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.520; amending sections 9 and 10, chapter 59, Laws of 1970 ex. sess. and RCW 28B.15.523 and 28B.15.525; amending section 28B.15.600, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.600; amending section 9, chapter 269, Laws of 1969 ex. sess. and RCW 28B.40.361; amending section 28B.50.320, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 59, Laws of 1970 ex. sess. and RCW 28B.50.320; amending section 18, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.340; amending section 2, chapter . . . , Laws of 1971 (House Bill No. 94) and RCW 28B.50.350; amending section 20, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.360; amending section 28B.50.370, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 238, Laws of 1969 ex. sess. and RCW 28B.50.370; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing sections 28B.15.030, 28B.15.040 and 28B.15.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.030, 28B.15.040, and 28B.15.050; and repealing section 28B.15.410, chapter 223, Laws of 1969 ex. sess. and RCW 28B.15.410.

Referred to Committee on Higher Education.

HOUSE BILL NO. 741, by Representatives Shera, McCormick and Kopet:  
An Act relating to retirement and pensions.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 742, by Representatives Shera, McCormick and Kopet:  
An Act relating to retirement and pensions.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 743, by Representatives Bottiger and Wolf:  
An Act relating to state civil service; and amending section 7, chapter 1, Laws of 1961 as last amended by section 23, chapter 36, Laws of 1969 ex. sess. and RCW 41.06.070.  
Referred to Committee on State Government.

HOUSE BILL NO. 744, by Representative Amen:  
An Act relating to agriculture.  
Referred to Committee on Agriculture.

HOUSE BILL NO. 745, by Representatives Shera, McCormick and Kopet:  
An Act relating to retirement and pensions.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 746, by Representatives Shera, McCormick and Kopet:  
An Act relating to retirement and pensions.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 747, by Representatives Brown and Morrison:  
An Act relating to the legislature; and providing for the redistricting and reapportionment thereof.  
Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 748, by Representatives Wojahn, Bottiger, Curtis, Wolf and McCormick:

An Act relating to gambling; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; adding new sections to chapter 9.47 RCW; creating new sections; repealing section 99, page 93, Laws of 1854, sections 104 and 105, page 222, Laws of 1869, sections 110 and 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5 and 6, page 98, Laws of 1879, sections 1257 and 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 749, by Representatives Maxie, Douthwaite, Charnley, Rabel, Williams and Ross:

An Act relating to alcoholic beverage control; denying discount to licensees who discriminate; adding a new section to chapter 66.24 RCW; and declaring an effective date.  
Referred to Committee on Business and Professions.

HOUSE BILL NO. 750, by Representatives North, Williams and Charnley:

An Act relating to incorporation proceedings; and amending section 35.02.010,

chapter 7, Laws of 1965 as amended by section 1, chapter 48, Laws of 1969 and RCW 35.02.010.

Referred to Committee on Local Government.

HOUSE BILL NO. 751, by Representatives Newhouse and Morrison:

An Act relating to public service companies; and amending section 81.80.010, chapter 14, Laws of 1961 as amended by section 1, chapter 69, Laws of 1967 and RCW 81.80.010.

Referred to Committee on State Government.

HOUSE BILL NO. 752, by Representatives Luders and Charnley (by Executive request):

An Act relating to the protection of the environment; creating new sections; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 753, by Representatives Smythe, Kopet, Kiskaddon, Brown and Gilleland:

An Act relating to public utilities; and adding a new section to Title 80 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 754, by Representatives Smythe, Kopet, Kiskaddon, Brown, Gilleland, Grant, Paris and Zimmerman:

An Act relating to counties; creating a county utilities rate commission in each county; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 755, by Representatives Bradley, Kuehnle and Spanton:

An Act relating to self-propelled vehicles; providing for the regulation of trail bikes; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 756, by Representatives Bluechel, Perry, Wolf and Bauer:

An Act relating to veterans; amending section 10, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.100; amending section 1, chapter 269, Laws of 1969 ex. sess. and RCW 41.04.005; amending section 15, chapter 1, Laws of 1961 as amended by section 13, chapter 108, Laws of 1967 ex. sess. and RCW 41.06.150; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 757, by Representatives Brouillet, Sawyer, Perry and Bauer:

An Act relating to property taxes; and adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 758, by Representatives Lysen, Kiskaddon and Kopet:

An Act relating to community college district expenditures; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and making an effective date.

Referred to Committee on Higher Education.

HOUSE CONCURRENT RESOLUTION NO. 14, by Representatives Kopet, Backstrom and Lynch:

Directing a study of faculty tenure.

Referred to Committee on Higher Education.

HOUSE CONCURRENT RESOLUTION NO. 15, by Representatives Smythe, Perry, King, McDermott, Kiskaddon, Charnley, Maxie, Gallagher, Savage, Knowles, Bottiger, Shera, Douthwaite, Ross and Anderson:

Directing a study of day care centers.  
 Referred to Committee on Social and Health Services.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Miss Mary Anderson, Washington State Dairy Princess, and requested that the Sergeant at Arms and Representatives Van Dyk and Hansey conduct her to a place on the rostrum.

The Speaker: "I would like to present for your viewing enjoyment and for a few appropriate remarks, Miss Mary Anderson. Mary, it's nice to have you in the House of Representatives."

Mary Anderson: "Thank you very much. I am so happy to be with you this morning. I know I will never again be able to talk to so many important men and women. As Washington's Dairy Princess, I value this opportunity to share with you some of my observations. Dairying is big business in Washington State. Agriculture is the second largest industry in our state, and the processing and handling of dairy foods is the largest food manufacturing business in our state. Dairying adds to the economic security, employment, land conservation, soil fertility and food supply and health of all of us, yet less than four percent of our total population is involved in providing food to the population of the entire United States. I am very proud of our industry. No other industry provides such a boundless supply of the food needed for health.

"Before I give up this opportunity to speak to you, I'd like to give you just a little secret. I know you must all get real nervous working the long hours in the legislature. Scientists have proven that what you need when your nerves get out of whack is milk. So I recommend at least two glasses of milk a day to scare the nerves away."

The Speaker: "Mary, I understand, is from Thurston County. Thank you very, very much for those remarks. I would like to call for a special presentation to you."

The Speaker requested that Representatives Wolf and Conway come to the rostrum.

Representative Wolf: "Princess Mary we are very proud of you in the State of Washington, in Thurston County, and really proud of you in Yelm. As you know, Princess Mary will go on to national competition. On behalf of the Governor of our State, Daniel J. Evans, and the Secretary of State, A. Ludlow Kramer, this House of Representatives would like to present to you today a Distinguished Washington Citizen Award, and wish you well."

The Speaker: "Mary, thank you very much for blessing us with your attendance this morning."

The Speaker requested that the Sergeant at Arms and Representatives Van Dyk and Hansey conduct Miss Mary Anderson from the rostrum.

#### MOTIONS

On motion of Mr. Morrison, HOUSE BILL NO. 39 was rereferred from the Committee on Education to the Committee on Appropriations.

On motion of Mr. Morrison, ENGROSSED SENATE BILL NO. 79 was rereferred from the Committee on Judiciary to the Committee on Financial Institutions and Insurance.

#### SECOND READING

HOUSE BILL NO. 153, by Representatives Hansey, Bottiger and Copeland (by Departmental request):

Exempting certain aircraft from state registration.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, line 31 after "operating" strike "under" and insert "in accordance with the provisions of"

On page 2, section 1, line 32 after "necessity" insert "issued to it"

On page 3, line 17, add a new section following section 1 as follows:

"Sec. 2. Section 82.48.100, chapter 15, Laws of 1961, as amended by section 28, chapter 173, Laws of 1965, 1st ex. sess., and RCW 82.48.100 are each amended to read as follows:

This chapter shall not apply to:

Aircraft owned by and used exclusively in the service of any government or any political subdivision thereof, including the government of the United States, any state, territory, or possession of the United States, or the District of Columbia, which are not engaged in carrying persons or property for commercial purposes;

Aircraft registered under the laws of a foreign country;

Aircraft which are owned by a nonresident and registered in another state [: PROVIDED, That if any such aircraft shall remain in and/or be based in this state for a period of ninety days or longer it shall not be exempt under this section] *until such aircraft has been within Washington for a period of ninety days and, during such period, has not engaged in any commercial air activity for compensation within the state;*

Aircraft [engaged principally in commercial flying which constitutes interstate or foreign commerce] *used by any air carrier of supplemental air carrier operating in accordance with the provisions of a certificate of public convenience and necessity issued to it under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended; and aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft;*

Aircraft being held for sale, exchange, delivery, test, or demonstration purposes solely as stock in trade of an aircraft dealer licensed under RCW Title 14."

Re-number the remaining section consecutively.

On page 1, line 1 of the title after "Relating to" strike "state government; exempting certain aircraft from state registration requirements" and insert "aircraft; restricting exemptions from state jurisdiction"

On page 1, line 4 of the title after "RCW 14.04.250;" insert "amending section 82.48.100, chapter 15, Laws of 1961, as amended by section 28, chapter 173, Laws of 1965, 1st ex. sess., and RCW 82.48.100;"

The House resumed consideration of House Bill No. 153.

Mr. Berentson moved adoption of the first committee amendment.

#### MOTION

On motion of Mr. Berentson, the House deferred further consideration of House Bill No. 153 on second reading, and the bill was ordered placed at the bottom of today's calendar.

HOUSE BILL NO. 160, by Representatives Hansey, Bottiger, Copeland, Ceccarelli, Charnley, Douthwaite, May and Smith (by Departmental request):

Requiring all state aircraft to be equipped with downed aircraft rescue transmitters.

The House resumed consideration of House Bill No. 160.

The Speaker stated the question before the House to be the amendment by Representatives Martinis and Cunningham.

#### MOTION

On motion of Mr. Morrison, the House deferred further consideration of House Bill No. 160 on second reading, and the bill was ordered placed on tomorrow's second reading calendar.

#### THIRD READING

HOUSE BILL NO. 55, by Representatives Berentson, Conner and Hubbard (by Departmental request):

Exempting denial, suspension, or revocation of a driver's license from the administrative procedure act.

House Bill No. 55 was read the third time and placed on final passage.

Representative Berentson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 55, and the bill passed the House by the following vote: Yeas, 90; nays, 5; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hansey,

Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jueling, Julin, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Barden, Charnley, Kilbury, McDermott, Williams—5.

Absent or not voting: Representatives Bledsoe, Gilleland, Jones, Kopet—4.

House Bill No. 55, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 83, by Representatives Harris, Bottiger, Eikenberry and Amen (by Legislative Council request):

Authorizing traffic officers to issue arrest citations at scene of accident.

Engrossed House Bill No. 83 was read the third time and placed on final passage.

Representatives Harris, Julin and Bottiger spoke in favor of the bill, and Representative Charette spoke against it.

#### POINT OF INQUIRY

Mr. Harris yielded to question by Mr. Kuehne.

Mr. Kuehne: "While we are reciting our experiences, let me inquire about one that I had. I would like to know the consequences should this bill be passed. I was clobbered real good one day by an automobile coming from my right. This automobile, according to the officer who came after the accident to investigate the accident, was clearly traveling 30 to 40 miles an hour in excess of the speed limit in a 20 mile zone. He hit me so hard that I rolled over five times, so he did a pretty good job of it. However, I was given a citation for negligent driving because he was coming from my right. Now statutorily this is the law of this state. I would inquire, in this instance, if this inquiring officer clearly determined on the basis of skid marks which were there, etc. (as he did in this set of circumstances) that, in fact, the fellow that hit me was violating the law, to whom then would he issue the citation?"

Mr. Harris: "I doubt very much if I can answer your question. I am pleased that you had a chance to relate your experience. I am not a traffic officer or police officer, and I do not know exactly how he would have handled it, but I do know this: That no police officer is going to use it any more than he has to. He is going to use it with discretion. He is going to have to have probable grounds and beliefs that something did occur that was a violation of the traffic laws. In your case, if there were skid marks or anything to indicate, or if he knew about the speed, or the impact indicated tremendous speed, I am inclined to think that he would have issued a citation. As regarding issuing you one, of course, I don't know."

Mr. Charette spoke again in opposition to the bill.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Randall.

Mr. Randall: "Two questions—not being in law enforcement—can a citation be mailed?"

Mr. Charette: "At the present time it can, yes."

Mr. Randall: "There would appear to have been no reason for a policeman to come way out in the country and hand Mr. Bottiger a citation."

Mr. Charette: "The only reason he did with Mr. Bottiger is that the officer did not see the accident. The officer may mail you one now if the accident took place in his presence and he made a determination later. But under this bill, he could come along an hour later and make a determination from skid marks, or from what somebody told him (the fellow that hit you and caused you to roll over five times) and then mail you a citation."

Mr. Randall: "Is the effect of the defeat of this bill then to assure that when a citation is issued, it won't be issued by the officer who comes on the scene, but rather be screened carefully by the prosecuting attorney's office?"

Mr. Charette: "That is the effect of it. As a matter of fact, when a citation is now mailed, it goes into the court, and the court, through their procedure, really files a complaint within the court. If the accident did not take place in the presence of the officer he would have to make a report to either the city attorney or prosecuting attorney, and they would then issue a warrant for the arrest of the person who violated the law."

Mr. Barden spoke against passage of the bill, and Mr. Bottiger again spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 83, and the bill passed the House by the following vote: Yeas, 51; nays, 46; absent or not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hoggins, Jones, Jueling, Julin, Kirk, Kiskaddon, Knowles, Kuehne, Lynch, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—51.

Voting nay: Representatives Adams, Anderson, Backstrom, Barden, Bauer, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Kilbury, King, Kraabel, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Moon, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Van Dyk, Williams—46.

Absent or not voting: Representatives Bledsoe, Kopet—2.

Engrossed House Bill No. 83, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 110, by Representatives Cunningham, Bluechel, North and Barden:

Providing for refunds of erroneously paid property taxes.

Engrossed House Bill No. 110 was read the third time and placed on final passage.

Representative Cunningham spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 110, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, Eikenberry, Kopet—3.

Engrossed House Bill No. 110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 176, by Committee on Judiciary:

Providing for payment of counsel and transcript fees in cases involving indigents.

Substitute House Bill No. 176 was read the third time and placed on final passage.

Representative Julin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 176, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,

Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Kopet—2.

Substitute House Bill No. 176, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 266, by Representatives Barden, Eikenberry, Litchman and Kilbury (by Joint Committee on Governmental Cooperation request):

Providing for a change in the filing of regulations of the liquor control board.

House Bill No. 266 was read the third time and placed on final passage.

Representative Barden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 266, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Gallagher—1.

Absent or not voting: Representatives Bledsoe, Kopet—2.

House Bill No. 266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 267, by Representatives Spanton, Barden, Litchman and Backstrom (by Joint Committee on Governmental Cooperation request):

Regulating liquor license transfers.

Engrossed House Bill No. 267 was read the third time and placed on final passage.

Representative Spanton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 267, and the bill passed the House by the following vote: Yeas, 92; nays, 4; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch,



Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Brouillet, Douthwaite, Lysen, Smith—4.

Absent or not voting: Representatives Bledsoe, Gilleland, Kopet—3.

Engrossed House Bill No. 267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 308, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

Allowing racing commission to set license fees.

Engrossed House Bill No. 308 was read the third time and placed on final passage.

Representative Randall spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 308, and the bill passed the House by the following vote: Yeas, 94; nays, 3; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charney, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Chatalas, Grant, Marzano—3.

Absent or not voting: Representatives Bledsoe, Kopet—2.

Engrossed House Bill No. 308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 310, by Representatives Farr and Chatalas:

Establishing a dental disciplinary board.

Engrossed House Bill No. 310 was read the third time and placed on final passage.

Representative Farr spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Curtis, as chairman of the committee which considered this bill, I believe you could tell me—I read the bill and it doesn't define unprofessional conduct. Was there any testimony given in the committee hearing regarding unprofessional conduct of the advertising dentists? Would the advertising dentists come under the scope of unprofessional conduct?"

Mr. Curtis: "Representative Pardini, I am glad you asked that question. There was specific testimony given by Representative Farr and other representatives of the dental association that the advertising dentists do not come under the scope of that. It is not the intent of this bill or the association to in any way impede anything that is current practice."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 310, and the bill passed the House by the following vote: Yeas, 91; nays, 6; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Backstrom, Gallagher, Grant, Lysen, Perry, Rabel—6.

Absent or not voting: Representatives Bledsoe, Kopet—2.

Engrossed House Bill No. 310, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 349, by Representatives Julin, Bottiger and Shera:

Permitting investment of certain state funds in the obligations of the Asian development bank.

House Bill No. 349 was read the third time and placed on final passage.

Representative Julin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 349, and the bill passed the House by the following vote: Yeas, 93; nays, 4; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Hurley, Kuehnle, Lysen, Spanton—4.

Absent or not voting: Representatives Bledsoe, Kopet—2.

House Bill No. 349, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 376, by Representatives Berentson, Beck, Martinis, Charnley and Kuehnle (by Joint Committee on Highways request):

Regulating motor vehicle noise.

Engrossed House Bill No. 376 was read the third time and placed on final passage.

Representative Martinis spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Cunningham.

Mr. Cunningham: "In your opinion, does this bill affect motor vehicles manufactured for export? Would they have to meet these qualifications if they were not going to be licensed in this state?"

Mr. Martinis: "Perhaps not, in my opinion, but in the opinion of the committee attorney, it affects only motor vehicles—new motor vehicles sold or offered for sale in the state of Washington."

Representative Charnley spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 376, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Kopet—2.

Engrossed House Bill No. 376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Berentson, Bledsoe, Hubbard, Kopet and Wanamaker who were excused.

## MOTION

On motion of Mr. Morrison, the House reverted to the ninth order of business.

## SECOND READING

HOUSE BILL NO. 173, by Representatives Wolf, Bottiger, Conway, O'Brien and Cunningham (by Legislative Council request):

Enabling endowment of the state capitol historical association.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 161, by Representatives Wolf, Bottiger, Conway, O'Brien and Bozarth (by Legislative Council request):

Providing for fire protection for the state capitol.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 17 after "failure of the" strike "state capitol committee" and insert "department of general administration"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 161 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 53, by Representatives Cunningham, Berentson and Conner (by Departmental request):

Providing changes in the regulation of classified drivers licenses.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 320, by Representatives Amen, Bozarth and Goldsworthy:  
Delegating elevator inspection to the division of safety.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 14 strike "[building and construction safety inspection services] safety" and insert "building and construction safety inspection services: *PROVIDED, That, except for the new construction thereof, all hand-powered elevators, belt manlifts, and one-man capacity manlifts installed in or on grain elevators shall be the responsibility of the division of safety of the department of labor and industries*"

On page 2, section 1, beginning on line 2 strike all the matter down to and including "chapter.]" in line 5 and insert "The director of the department of labor and industries by rule and regulation shall establish a schedule of fees to pay the costs incurred by the department for the work related to administration and enforcement of this chapter."

On page 2, section 2, line 19 strike "[elevator inspection,]" and insert "elevator inspection, *except as otherwise provided in RCW 70.87.030,*"

The bill was read the second time.

On motion of Mr. Amen, the committee amendments were adopted.

House Bill No. 320 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 212, by Representatives Thompson, Kopet, Hoggins and Mentor (by Legislative Budget Committee request):

Removing the forty percent limitation from marine fuel taxes used for capital improvements on marine recreation areas.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 214, by Representatives Ross, Charette, Wolf, McDermott and Mentor:

Providing for a time limit on recalls.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 2, line 5 after "maximum of" strike "six" and insert "three"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

On motion of Mr. Brown, the following amendment was adopted:

On page 2, after section 2, add two new sections as follows:

*"NEW SECTION. Sec. 3. Any recall which has been in the process of obtaining supporting signatures for sixty or more days on the effective date of this act shall have only thirty additional days from the effective date of this act to complete such process.*

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

On motion of Mr. Brown, the following amendments to the title were adopted:

On page 1, line 3 of the title after "29.82.020;" and before "adding" strike "and"

On page 1, line 3 of the title after "adding" and before "to" strike "a new section" and insert "new sections"

On page 1, line 4 of the title after "29.82 RCW" and before the period insert "and declaring an emergency"

House Bill No. 214 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 112, by Representatives Smythe, Moon and Bledsoe (by Legislative Council request):

Providing for the taxation and regulation of campers.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 1, line 1 after "is a" and before "travel trailer" insert "*utility trailer,*"

On page 10, section 15, line 24 after "basis of" strike all of the matter down to and including "year" in line 29 and insert "moneys collected in such districts from the excise taxes imposed under this chapter"

The bill was read the second time.

On motion of Mr. Flanagan, the first committee amendment was adopted.

Mr. Flanagan moved adoption of the second committee amendment and spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Moon.

Mr. Moon: "When will this go into effect then? Will the local districts immediately begin to collect the revenues, or will they be put into the general state fund?"

Mr. Flanagan: "They are now collecting the revenue from the excise tax on mobile homes and travel trailers, but this bill would put an excise tax on campers. As of now, campers are being taxed under the personal property tax, and there are only about two counties in the state that are collecting any revenue whatsoever from the campers. This bill puts campers under an excise tax of one and a half percent and thereby would result in that tax being collected in all the counties in the state. It adds, I think, about \$663,000 a year to the total tax collection—20 percent of which goes to cities, 20 percent to counties, and 60 percent to schools. The part that will go to schools would become effective, I suppose, in the last half of this biennium, and on through from then on (of the additional revenues collected through the addition of campers to the excise tax)."

The committee amendment was adopted.

Mr. Bluechel moved adoption of the following amendment by Representatives Bluechel and Flanagan:

On page 10, section 15, line 32 after "28A.41.130" insert "": *PROVIDED, That after July 1, 1973, such funds distributed to school districts pursuant to this chapter shall be included as available revenues of the school district in computing state equalization support of RCW 28A.41.130*"

Representatives Bluechel and Flanagan spoke in favor of adoption of the amendment, and Representatives Barden, Haussler and Brouillet spoke against its adoption.

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Randall.

Mr. Randall: "To make a point, in 1965 when the equalization formula was revised, did you vote to put 874 funds inside the formula?"

Mr. Brouillet: "Yes, I voted to put 874 funds in the formula, but 874 funds are not exactly the same kind of funds because the people in 874 are not living in mobile homes. The people in mobile homes and these people that this money is going to, and that have all the children, aren't paying property taxes and aren't paying any special levies. I also voted to put back in the formula the federal forest funds which are still there."

Mr. King demanded an electric roll call, and the demand was sustained.

Representative Newhouse spoke in favor of adoption of the amendment, and Representatives Bottiger, Conner, Hoggins and Randall spoke against it.

Mr. Bluechel closed debate, speaking in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Bluechel and Flanagan to House Bill No. 112, and the amendment was lost by the following vote: Yeas, 10; nays, 81; absent or not voting, 8.

Voting yea: Representatives Benitz, Blair, Bluechel, Brown, Flanagan, Hatfield, Jones, Julin, Newhouse, Polk—10.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hurley, Jastad, Johnson, Juelling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—81.

Absent or not voting: Representatives Backstrom, Berentson, Bledsoe, Hubbard, Kopet, Ross, Sawyer, Wanamaker—8.

House Bill No. 112 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 157, by Representatives Kirk, McDermott, Farr, Charette, Wanamaker, Kraabel, Kilbury, Knowles, Kopet, Kuehnle, Lynch, Merrill, North, Pardini, Ross and Smith:

Providing immunity from implied warrant and civil liability in blood transfusions.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 13 after "be" strike "a sale"

On page 1, section 1, line 13 after "by" strike "an" and insert "any"

On page 1, section 1, line 16 after "conduct" insert "PROVIDED, HOWEVER, That this act shall apply only to liability alleged in the contraction of hepatitis and malaria and shall not apply to any transaction in which the blood donor receives compensation: PROVIDED, FURTHER, That nothing in this act shall be considered by the courts in determining or applying the law to any blood transfusion occurring before the effective date hereof and the court shall decide such case as though this act had not been passed"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 157 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE JOINT RESOLUTION NO. 22, by Representatives Bledsoe, Berentson and Wolf (by Legislative Council request):

Providing for a new pattern of succession to fill vacancy in governor's office.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, line 31 after "*herein named:*" strike "*The president pro tempore of the senate, the speaker of the house of representatives.*" and insert "*The speaker of the house of representatives, the president pro tempore of the senate.*"

The resolution was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

On motion of Mr. Bluechel, the following amendment was adopted:

On page 3, section 10, line 2 after "*herein named:*" strike "*The president pro tempore of the senate, and the speaker of the house of representatives.*" and insert "*The speaker of the house of representatives, and the president pro tempore of the senate.*"

House Joint Resolution No. 22 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 198, by Representatives Copeland, Goldsworthy and Kopet (by Legislative Council request):

Providing that the legislative council and legislative budget committee may review all interim committee salaries.

Committee recommendation: Majority, do pass with the following amendment:

On page 3, section 2, line 2 after "*executive committee of the*" insert "*budget*"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 198 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 313, by Representatives Gladder, Kopet, Eikenberry, Paris and Conway (by Departmental request):

Providing for changes in the law relating to county hospitals and infirmaries.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 253, by Representatives Bluechel, Perry and Conway (by Secretary of State request):

Providing for certain changes in the regulation of nonprofit corporations and associations.

Committee recommendation: Majority, do pass with the following amendment:

On page 3, section 2, line 8 after "[one]" strike "two" and insert "ten"

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 253 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 153, by Representatives Hansey, Bottiger and Copeland (by Departmental request):

Exempting certain aircraft from state registration.

The House resumed consideration of House Bill No. 153 on second reading.

The Speaker stated the question before the House to be the first committee amendment. (For Committee Amendments see morning session, today's Journal.)

Mr. Conner spoke in favor of adoption of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Conner, the other committee amendment to page 2 and the committee amendment to page 3 were adopted.

Mr. Barden moved adoption of the following amendment:

On page 2, section 1, on line 25 after "section]" strike the remainder of the subsection and insert the following: "*unless such aircraft is principally tied down, based, or otherwise permanently kept or stored in any kind of hangar within this state, or has engaged in any commercial air activity for compensation within the state;*"

Representatives Barden and Conner spoke in favor of adoption of the amendment.

The amendment was adopted.

Mr. Polk moved adoption of the following amendment by Representatives Polk and Bottiger:

On page 3 after line 20 insert new sections as follows:

"Sec. 3. Section 82.48.010, chapter 15, Laws of 1961 as amended by section 1, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.010 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

'Aircraft' means any weight-carrying device or structure for navigation of the air, designed to be supported by the air, but which is heavier than air *and includes all gliders;*

'Director' means the director of the department of motor vehicles; and

'Person' includes a firm, partnership or corporation.

Sec. 4. Section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030 are each amended to read as follows:

The amount of the tax imposed by this chapter for each calendar year shall be fifteen dollars for each single engine aircraft *and glider*, and twenty-five dollars for each multi-engine aircraft, irrespective of make, type, year of manufacture or any other type of classification: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon an aircraft registered for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the aircraft is being registered: PROVIDED FURTHER, That the minimum amount payable shall be three dollars.

An aircraft shall be deemed registered for the first time in this state when such aircraft was not previously registered by this state for the year immediately preceding the year in which application for registration is made."

Representatives Polk and Hansey spoke in favor of adoption of the amendment.

The amendment was adopted.

On motion of Mr. Conner, the committee amendments to the title were adopted.

On motion of Mr. Polk, the following amendment to the title was adopted:

On page 1, line 4 of the title after "RCW 14.04.250;" insert "amending section 82.48.010, chapter 15, Laws of 1961 as amended by section 1, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.010; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030;"

House Bill No. 153 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

## MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Wednesday, February 17, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 17, 1971.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Morrison presiding). The Clerk called the roll and all members were present except Representatives Backstrom, Bledsoe and Hubbard who were excused.

The Speaker assumed the chair.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father James J. McGreal of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 16, 1971.

HOUSE BILL NO. 35, prohibiting the off-reservation taking of steelhead trout with nets, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Hurley, Kilbury, Luders, Martinis, North, Schumaker, Smith, Spanton, Wanamaker.

MINORITY recommendation: Do not pass. Signed by Representatives Bradley, Charnley, Kraabel, Williams, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 50, renaming the Mayfield State Park as the Mary Kiona State Park, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 5, beginning with "Mary" strike all the matter down to and including "her" on line 16 and insert "Ike Kinswa State Park—Recreation Area" that area comprising approximately four hundred acres of Lewis County which is presently known as the "Mayfield Lake State Park." This park shall be designated as the "Ike Kinswa State Park—Recreation Area" in all literature published by the state wherever it is necessary and proper to refer to that park or area.

The legislature finds it appropriate to honor and preserve the memory of Ike Kinswa, who passed away many years ago, by renaming this park as a memorial to him "



Signed by Representatives Zimmerman, Chairman, Beck, Berentson, Charnley, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, North, Schumaker, Smith, Spanton, Thompson, Van Dyk, Wanemaker, Williams, Wojahn, Wolf.

Passed to committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 140, prohibiting cancellation of insurance because of sex and/or marital status, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 6, after "cancel" and before "the" insert "or to refuse to renew"

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Barden, Berentson, Blair, Hoggins, Hubbard, King, Litchman, Luders, Merrill.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 210, providing that the administrative costs of the law enforcement and firefighters retirement system are borne by the local government employer units, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 29, after "All" strike everything down to and including "and" on line 31

On page 4, section 2, line 7, after "shall," strike remainder of line 7 and all of line 8

On page 4, section 2, after line 30, add a new subsection as follows:

"(8) This act shall take effect commencing on January 1, 1972."

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Barden, Berentson, Blair, Hoggins, Hubbard, King, Litchman, Luders, Merrill.

Passed to Committee on Rules and Administration for second reading.

February 9, 1971.

HOUSE BILL NO. 218, authorizing regional law libraries, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, line 24, after "sum of" strike "three" and insert "[three] five"

Signed by Representatives Hoggins, Chairman, Brouillet, Brown, Charette, Conway, Hatfield, Jones, Randall, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives Mentor, Vice Chairman, Costanti, Lysen, May, McDermott.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 250, permitting school directors to petition for annexation of school property to city or town, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Bauer, Blair, Douthwaite, Gilleland, Haussler, Jones, Kopet, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 252, providing for a filing fee for affidavits claiming exemptions from the real estate excise tax, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kuehnle, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 286, providing that the classifications of counties for county salary purposes be based on the state census, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Douthwaite, Gilleland, Haussler, Jones, Kopet, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 312, changing the composition of the youth development and conservation committee and removing reenrollment limitation for youths, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Newhouse, Vice Chairman, Beck, Berentson, Charnley, Cunningham, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, North, Smith, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 324, providing for the licensing of domestic waste treatment plant operators, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 6, line 15 strike all matter beginning with "One" down to and including "directors" on line 25 and insert "One member shall be named from the department of ecology by its director, to serve at his pleasure and one member from the department of social and health services by its secretary, to serve at his pleasure. The governor shall appoint three members: two members who are operators holding a certificate of at least the second highest operator classification established by regulation of the director and one member who is an employee of a municipality required to employ a certified operator and who holds the position of city manager, city engineer, director of public works or an equivalent position"

On page 6, section 12, line 8 after "attorney" insert "or the attorney general, as appropriate."

Signed by Representatives Beck, Berentson, Charnley, Cunningham, Flanagan, Gallagher, Gilleland, Hansey, Harris, Hurley, Julin, Kilbury, Kraabel, Luders, Martinis, North, Schumaker, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 401, requiring charge of fees for use of state parks, and stating legislative intent therefor, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Berentson, Bradley, Charnley, Cunningham, Flanagan, Hansey, Harris, Julin, Kraabel, Luders, Martinis, North, Smith, Spanton, Thompson, Wanamaker.

MINORITY recommendation: Do not pass. Signed by Representatives Gallagher, Hurley, Kilbury, Schumaker, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 621, providing that interest earned from funds of the department of agriculture shall be credited to the department of agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 675, providing for producer-handlers on commodity boards, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

ENGROSSED SENATE BILL NO. 8, providing for cemetery districts in all counties, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Bradley, Gilleland, Haussler, Jones, Kopet, Martinis, Maxie, Mentor, Merrill, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

February 16, 1971.

Mr. Speaker: The Senate has passed:  
ENGROSSED SENATE BILL NO. 40,  
ENGROSSED SENATE BILL NO. 103,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 142,  
ENGROSSED SENATE BILL NO. 228,  
SENATE BILL NO. 266,  
ENGROSSED SENATE BILL NO. 380,  
and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 759, by Representatives Wanamaker, Berentson and Bozarth:

An Act relating to the urban arterial board; amending section 22, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.160; amending section 23, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.170; and amending section 25, chapter 83, Laws of 1967 ex. sess. as amended by section 4, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.190.

Referred to Committee on Transportation.

HOUSE BILL NO. 760, by Representatives Wolf, Thompson, Berentson and Beck:

An Act relating to self-propelled vehicles; providing for the regulation of trail bikes; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 761, by Representative Smythe:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 762, by Representatives Lynch, McDermott, Smythe, Eikenberry and Bauer:

An Act relating to adoptions; providing for preplacement studies of prospective adoptive parents and requiring the filing of certain information; amending section 9, chapter 291, Laws of 1955 and RCW 26.32.090; and adding new sections to chapter 291, Laws of 1955 and to chapter 26.32 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 763, by Representative Smythe:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 764, by Representatives Smythe, Thompson, Mentor, Wolf, Kopet, Kuehne, Marsh and Paris:

An Act relating to county government; providing for salaries of officials thereof; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020; amending section 36.27.060, chapter 4, Laws of 1963 as amended by section 2, chapter 226, Laws of 1969 ex. sess. and RCW 36.27.060; and repealing section 36.32.320, chapter 4, Laws of 1963 as amended by section 4, chapter 218, Laws of 1967 and RCW 36.32.320.

Referred to Committee on Local Government.

HOUSE BILL NO. 765, by Representatives Smythe, Haussler and Amen:

An Act relating to counties; providing an alternative date for a budget hearing, adding a new section to chapter 4, Laws of 1963 and to chapter 36.40 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 766, by Representatives Thompson and Smythe:

An Act relating to fire protection districts; and amending section 26, chapter 34, Laws of 1939 and RCW 52.12.050.

Referred to Committee on Local Government.

HOUSE BILL NO. 767, by Representative Douthwaite:

An Act relating to higher education.

Referred to Committee on Higher Education.

HOUSE BILL NO. 768, by Representatives Lynch, McDermott, Kiskaddon, Bauer and Curtis:

An Act relating to adoptions; authorizing the department of social and health services to charge for certain adoption services; authorizing deposits and transfers of funds and the making of payments for certain hard to place children who are adopted and for related purposes; adding new sections to chapter 30, Laws of 1965 and to chapter 74.13 RCW; adding a new section to chapter 291, Laws of 1955 and to chapter 26.32 RCW; and creating new sections.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 769, by Representatives Kraabel, Perry, Rabel, Hurley, Ross, McDermott and Brown:

An Act relating to highways; adding new sections to chapter 13, Laws of 1961 and to chapter 47.52 RCW; and repealing sections 2, 3, 4, and 6, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.133, 47.52.135, 47.52.137, and 47.52.195.

Referred to Committee on Transportation.

HOUSE BILL NO. 770, by Representative Douthwaite:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 771, by Representatives Lynch, King, Bluechel and Litchman:

An Act relating to cities, towns and counties; authorizing expenditures for attracting visitors and encouraging tourist expansion; adding a new section to chapter 4, Laws of 1963 and to chapter 36.32 RCW; and adding a new section to chapter 7, Laws of 1965 and to chapter 35.21 RCW.

Referred to Committee on Local Government.

HOUSE BILL NO. 772, by Representatives Thompson and Wolf:

An Act relating to air pollution control; requiring permits for certain fires; adding new sections to chapter 232, Laws of 1957 and to chapter 70.94 RCW; and repealing section 25, chapter 232, Laws of 1957 as amended by section 42, chapter 238, Laws of 1967 and RCW 70.94.250.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 773, by Representatives Schumaker, Benitz, Hurley and Gladder:

An Act relating to game; protecting deer and elk during certain periods of the year; and adding a new section to Title 77 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 774, by Representative Bluechel:

An Act relating to state government.

Referred to Committee on State Government.

HOUSE BILL NO. 775, by Representatives Perry, Berentson, Bradley and Smythe:

An Act relating to motor vehicles; and amending section 4, chapter 232, Laws of 1967 as amended by section 1, chapter 42, Laws of 1969 and RCW 46.37.530.

Referred to Committee on Transportation.

HOUSE BILL NO. 776, by Representatives Kiskaddon, Blair, Ross, Maxie and Kraabel (by Executive request):

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15,

Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 7, chapter 65, Laws of 1970 ex. sess. and RCW 82.12.030; amending section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440; creating new sections; declaring an emergency; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 777, by Representatives Kiskaddon, Blair, Ross, Maxie and Kraabel (by Executive request):

An Act making supplemental appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 778, by Representatives Kiskaddon, Blair, Ross, Maxie and Kraabel (by Executive request):

An Act relating to state government; establishing a "Citizens-Legislative Task Force"; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 779, by Representatives North, Chatalas and Goldsworthy:

An Act relating to public assistance; providing for cremation expenses; and amending section 74.08.120, chapter 26, laws of 1959 as last amended by section 1, chapter 259, Laws of 1969 ex. sess. and RCW 74.08.120.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 780, by Representatives Luders, Blair, Charnley, Savage, Gilleland, Hurley, McCormick, Cunningham and Randall:

An Act relating to water pollution control; requiring the construction of sewerage systems and/or treatment facilities under certain circumstances; creating a sewerage system fund; authorizing the sale of bonds; providing for legal action by the attorney general; adding new sections to Title 90 RCW; and providing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 781, by Representatives Costanti, Martinis and Hansey:

An Act relating to food fish licenses; and adding a new section to chapter 75.28 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 782, by Representatives Lynch, May, Kirk and Marsh:

An Act relating to residents or potential residents of the state residential schools; authorizing certain nonprofit charitable corporations and associations to be the parental successors of such mentally and/or physically deficient persons; and amending section 2, chapter 126, Laws of 1959 and RCW 72.33.510.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 783, by Representatives Kilbury, Maxie, Bagnariol and Ross:

An Act relating to cities and towns; amending section 29.13.024, chapter 9, Laws of 1965 and RCW 29.13.024; amending section 29.21.017, chapter 9, Laws of 1965 and RCW 29.21.017; amending section 35.17.020, chapter 7, Laws of 1965 and RCW 35.17.020; amending section 35.18.020, chapter 7, Laws of 1965 and RCW 35.18.020; amending section 35.24.050, chapter 7, Laws of 1965 as amended by section 2, chapter 116, Laws of 1969 and RCW 35.24.050; amending section 35A.12.040, chapter 119, Laws of 1967 ex. sess. as amended by section 3, chapter 52, Laws of 1970 ex. sess. and RCW 35A.12.040; and creating new sections.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 784, by Representatives Kilbury and Bagnariol:

An Act relating to motor vehicles; amending section 27, chapter 21, Laws of 1961 ex.

sess. as last amended by section 3, chapter 40, Laws of 1969 ex. sess. and RCW 46.52.130; and adding a new section to chapter 46.52 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 785, by Representatives Thompson, Morrison, Moon and Kraabel:  
An Act relating to public electric utilities; and creating new sections.

Referred to Committee on State Government.

HOUSE BILL NO. 786, by Representatives Smythe, Rabel, Mentor and North:

An Act relating to county assessments; amending section 36.16.030, chapter 4, Laws of 1963 and RCW 36.16.030; amending section 36.16.050, chapter 4, Laws of 1963 as amended by section 91, chapter 176, Laws of 1969 ex. sess. and RCW 36.16.050; and amending section 36.21.011, chapter 4, Laws of 1963 as amended by section 7, chapter 145, Laws of 1967 ex. sess. and RCW 36.21.011.

Referred to Committee on Local Government.

HOUSE BILL NO. 787, by Representative King:

An Act relating to education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 788, by Representatives O'Brien, Beck and Rosellini:

An Act relating to motor vehicles; amending section 7, chapter 140, Laws of 1967 as last amended by section 38, chapter 281, Laws of 1969 ex. sess. and RCW 46.12.101; amending section 2, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.040; amending section 46.16.230, chapter 12, Laws of 1961 and RCW 46.16.230; amending section 46.16.260, chapter 12, Laws of 1961 as last amended by section 11, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.260; amending section 46.16.290, chapter 12, Laws of 1961 and RCW 46.16.290; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW.

Referred to Committee on Transportation.

HOUSE JOINT RESOLUTION NO. 43, by Representative Bluechel:

Amending the Constitution to improve the operation and administration of state government.

Referred to Committee on State Government.

HOUSE CONCURRENT RESOLUTION NO. 16, by Representatives Ceccarelli, O'Brien, Copeland, Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Swayze, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf and Zimmerman:

Commending Will Bachofner for his service as Chief of Washington State Patrol.

#### MOTION

On motion of Mr. Morrison, the rules were suspended, House Concurrent Resolution No. 16 was advanced to second reading and read the second time.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 16 was placed on final passage.

Mr. Ceccarelli spoke in favor of passage of the resolution.

## MOTION

On motion of Mr. Morrison, the Chief Clerk was instructed to add the names of all members of the House of Representatives as sponsors of the resolution.

Representatives O'Brien, Newhouse, Spanton, Sawyer and Beck spoke in favor of the resolution.

House Concurrent Resolution No. 16 was adopted.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 40, by Senators Francis and Andersen:

An Act relating to civil procedure; amending section 36.23.065, chapter 4, Laws of 1963 and RCW 36.23.065.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 103, by Senators Metcalf, Ridder and Odegaard (by Joint Committee on Education request):

An Act relating to education, and matters relating thereto; and amending sections 28A.31.010, 28A.31.030, 28A.31.040, and 28A.31.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.31.010, 28A.31.030, 28A.31.040, and 28A.31.050.

Referred to Committee on Education and Libraries.

ENGROSSED SUBSTITUTE SENATE BILL NO. 142 by Committee on Natural Resources, Fisheries and Game:

An Act relating to fisheries; amending section 75.16.010, chapter 12, Laws of 1955 and RCW 75.16.010; and adding new sections to chapter 12, Laws of 1955 and to chapter 75.16 RCW.

Referred to Committee on Natural Resources and Ecology.

ENGROSSED SENATE BILL NO. 228, by Senators Francis, Elicker and Ridder (by Departmental request):

An Act relating to state government; providing for the control of pet animals transmitting disease communicable to human beings, by the department of social and health services; creating new sections; and prescribing penalties.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 266, by Senators Metcalf, Talley, Woodall, Gardner, Ridder and Herr (by Joint Committee on Education request):

An Act relating to education; and amending section 28A.58.107, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 53, Laws of 1969 and RCW 28A.58.107.

Referred to Committee on Education and Libraries.

ENGROSSED SENATE BILL NO. 380, by Senators Day, Woodall and Keefe:

An Act relating to insurance; adding a new section to chapter 48.20 RCW; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Financial Institutions and Insurance.

## MOTION

On motion of Mr. Morrison, HOUSE CONCURRENT RESOLUTION NO. 15 was rereferred from the Committee on Social and Health Services to the Committee on Higher Education.

## SECOND READING

HOUSE BILL NO. 160, by Representatives Hansey, Bottiger, Copeland, Ceccarelli, Charnley, Douthwaite, May and Smith (by Departmental request):

Requiring all state aircraft to be equipped with downed aircraft rescue transmitters.

The House resumed consideration of House Bill No. 160 on second reading.

The Speaker stated the question before the House to be the following amendment by Representatives Martinis and Cunningham:

After the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. There is added to chapter 157, Laws of 1929 and to chapter 14.16 RCW a new section to read as follows:

Every aircraft required to be registered with the state aeronautics commission pursuant to RCW 14.04.250 shall be equipped with a downed aircraft rescue transmitter after January 1, 1972, and it shall be unlawful for any person to operate such aircraft without such a transmitter: PROVIDED, HOWEVER, Nothing in this section shall apply to (1) Aircraft owned by the manufacturer thereof while being operated for test or experimental purposes, or for the purpose of training crews for purchasers of the aircraft; and (2) Aircraft used by any air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public conveyance and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended. Notwithstanding any other provision of law, any aircraft used, owned or leased by the state of Washington including all of its agencies, departments, boards, commissions, councils and institutions of higher education shall be equipped with a downed aircraft rescue transmitter on or after July 1, 1971.

NEW SECTION. Sec. 2. Section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080 are each repealed."

With the consent of the House, Mr. Martinis withdrew the amendment.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Cunningham:

After the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. There is added to chapter 157, Laws of 1929 and to chapter 14.16 RCW a new section to read as follows:

Every aircraft required to be registered with the state aeronautics commission pursuant to RCW 14.04.250 shall be equipped with a downed aircraft rescue transmitter after January 1, 1973, and it shall be unlawful for any person to operate such aircraft without such a transmitter: PROVIDED, HOWEVER, Nothing in this section shall apply to (1) Aircraft owned by the manufacturer thereof while being operated for test or experimental purposes; or for the purpose of training crews for purchasers of the aircraft; (2) Aircraft used by any air carrier or supplemental air carrier operating in accordance with the provisions of a certificate of public convenience and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended; and (3) Agricultural aviation aircraft when being operated by aerial applicators licensed in accordance with RCW 17.21.070 when used for the application of pesticides: PROVIDED FURTHER, HOWEVER, This exemption shall not apply when aircraft are used for aerial application of chemicals upon forest land as defined in RCW 76.04.010. Notwithstanding any other provision of law, any aircraft used, owned or leased by the state of Washington including all of its agencies, departments, boards, commissions, councils and institutions of higher education shall be equipped with a downed aircraft rescue transmitter on or after July 1, 1971.

NEW SECTION. Sec. 2. Section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080 are each repealed."

Mr. Martinis: "Mr. Speaker, ladies and gentlemen of the House: This thing has been kicked around in the House of Representatives now for four or five years. The pilots and the Director of the Aeronautics Commission, Mr. Ronald Pretti, have helped us reach what we hope is a final compromise on this bill. The change in this amendment over the one that we have had before us is that we set the date of January 1, 1973, as the date we will require these rescue beacons on all aircraft. The amendment that Mr. Randall proposed is also included in this and agricultural aircraft will be exempt from carrying these rescue beacons.

"If I may, Mr. Speaker, I would like to relate the happenings of the last few hours concerning our Assistant Sergeant at Arms. Last night Joe Schamer, Tom Harris (Representative Harris' son) and Perry Liljestrand left for eastern Washington. They were flying from Yakima as I understand it, and they hit bad weather. Joe radioed back that he was unable to control the aircraft. A few minutes later he said he was losing altitude and was going down. This was the last that was heard from these people. There was a search instituted for them.

"I have to back up a little bit now. Before Joe left, the aircraft he was flying was not equipped with a rescue beacon. Ron Pretti, the Director of the Aeronautics Commission personally gave Joe his rescue beacon to take on this flight. When they first started looking for the downed airplane, they couldn't find it for three hours. The Aeronautics Commission asked for help from the Air Force. They sent a high altitude plane, and the beacon was located immediately. Three hours, ladies and gentlemen, and this aircraft was located in a snow storm.

"I just got word from the Sergeant at Arms that the three are on the ground in Yakima and are in good condition, thanks to this radio beacon.



"I think we have belabored this long enough. Everyone is in agreement. We hope, and I urge, final passage. Thank you."

Mr. King moved adoption of the following amendment to the amendment by Representatives Martinis and Cunningham:

Amend the amendment by Representatives Martinis and Cunningham as follows: On line 7, strike "January 1, 1973" and insert "July 1, 1972"

Mr. King spoke in favor of the amendment to the amendment, and Mr. Bottiger spoke against it.

The amendment by Mr. King to the amendment by Representatives Martinis and Cunningham was lost on a rising vote.

The Speaker stated the question before the House to be the amendment by Representatives Martinis and Cunningham.

Representatives Cunningham and Hansey spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Unfortunately I don't have a copy on my desk of this last amendment, and there have been so many of them flying around in the last day or two that I am a little confused. Can you tell me, Representative Martinis, if this requires these transmitters on aircraft based in the state of Washington or flying over the state of Washington? If the latter is the case, what are we doing to transient pilots who occasionally will fly through the state of Washington?"

Mr. Martinis: "May I read the first sentence of the amendment: 'Every aircraft required to be registered with the state aeronautics commission pursuant to RCW 14.04.250 . . .' I think that takes care of your problem."

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Bottiger, the other day you quoted some figures to me which were interesting regarding the activities of the search and rescue group here in the state of Washington. I don't remember those figures. It related to the number of missions which were flown in search and rescue work last year, and the number of them that involved downed aircraft as opposed to the number of them that involved other types of flights. Would you give them to us?"

Mr. Bottiger: "Yes, Representative Kuehnle, and possibly for the edification of the House. When we get this price down, you may want to think about some other groups. The Department of Civil Defense reported there were 42 searches involving the use of aircraft through October, 1970—the first ten months of the year. Four of those searches involved downed airplanes. Thirty-eight involved hunters, hikers, fishermen, people with boats. I don't have enough hours to be asked to join in the searches myself, but many pilots go out and search for other than airplanes. They search for hunters and people of this nature. Someday maybe we can get the price down so a hunter can take one of these along with him in case he gets in trouble."

Mr. Kuehnle spoke against adoption of the amendment.

The amendment by Representatives Martinis and Cunningham was adopted.

On motion of Mr. Cunningham, the following amendment was adopted:

On page 1, line 28 add the following: "NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately."

On motion of Mr. Martinis, the following amendments by Representatives Martinis and Cunningham to the title were adopted:

Strike all of the title and substitute the following:

"An Act relating to aircraft regulation; requiring all state registered aircraft to be equipped with a downed aircraft rescue transmitter; adding a new section to chapter 157, Laws of 1929 and to chapter 14.16 RCW; and repealing section 2, chapter 205, Laws of 1969 ex. sess. and RCW 14.16.080."

On page 1, line 6, of the amendment to the title of House Bill No. 160, after "RCW 14.16.080" insert ":", declaring an emergency"

House Bill No. 160 was ordered engrossed.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 160 was placed on final passage.

Representative Hansey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 160 and the bill passed the House by the following vote: Yeas, 93; nays, 1; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representative Kuehnle—1.

Absent or not voting: Representatives Backstrom, Bledsoe, Copeland, Harris, Hubbard—5.

Engrossed House Bill No. 160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING

HOUSE BILL NO. 53, by Representatives Cunningham, Berentson and Conner (by Departmental request):

Providing changes in the regulation of classified drivers licenses.

House Bill No. 53 was read the third time and placed on final passage.

Representative Cunningham spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 53, and the bill passed the House by the following vote: Yeas, 89; nays, 5; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Gallagher, Hatfield, Haussler, Kopet, Kuehnle—5.

Absent or not voting: Representatives Backstrom, Bledsoe, Bradley, Copeland, Hubbard—5.

House Bill No. 53, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 112, by Representatives Smythe, Moon and Bledsoe (by Legislative Council request):

Providing for the taxation and regulation of campers.

Engrossed House Bill No. 112 was read the third time and placed on final passage.

Representative Smythe spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 112, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Conner, Gallagher, Hoggins, Savage—4.

Absent or not voting: Representatives Backstrom, Bledsoe, Copeland, Hubbard—4.

Engrossed House Bill No. 112, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 153, by Representatives Hansey, Bottiger and Copeland (by Departmental request):

Exempting certain aircraft from state registration.

Engrossed House Bill No. 153 was read the third time and placed on final passage.

Representative Hansey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 153, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Backstrom, Bledsoe, Copeland, Hubbard—4.

Engrossed House Bill No. 153, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 157, by Representatives Kirk, McDermott, Farr, Charette, Wanamaker, Kraabel, Kilbury, Knowles, Kopet, Kuehnle, Lynch, Merrill, North, Pardini, Ross and Smith:

Providing immunity from implied warrant and civil liability in blood transfusions.

Engrossed House Bill No. 157 was read the third time and placed on final passage.

Representative Kirk spoke in favor of passage of the bill.

#### ROLL CALL

The clerk called the roll on the final passage of Engrossed House Bill No. 157, and the bill passed the House by the following vote: Yeas, 89; nays, 6; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Bottiger, Grant, Hurley, Lysen, May, Wojahn—6.

Absent or not voting: Representatives Backstrom, Bledsoe, Copeland, Hubbard—4.

Engrossed House Bill No. 157, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 161, by Representatives Wolf, Bottiger, Conway, O'Brien and Bozarth (by Legislative Council request):

Providing for fire protection for the state capitol.

Engrossed House Bill No. 161 was read the third time and placed on final passage.

Representatives Bluechel and Wolf spoke in favor of passage of the bill, and Representative Charette spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 161, and the bill passed the House by the following vote: Yeas, 64; nays, 31; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Charnley, Conner, Conway, Costanti, Cunningham, Curtis, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Johnson, Juelling, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, May, McCormick, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Savage, Smythe, Spanton, Thompson, Wolf, Zimmerman, Mr. Speaker—64.

Voting nay: Representatives Barden, Bradley, Brouillet, Charette, Chatalas, Douthwaite, Eikenberry, Gallagher, Grant, Jastad, Jones, Julin, Kilbury, Lysen, Marzano, Maxie, McDermott, Mentor, Moon, Polk, Rosellini, Ross, Sawyer, Schumaker, Shera, Shinpoch, Smith, Van Dyk, Wanamaker, Williams, Wojahn—31.

Absent or not voting: Representatives Backstrom, Bledsoe, Copeland, Hubbard—4.

Engrossed House Bill No. 161, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of the third reading calendar, and the bills were ordered placed on tomorrow's third reading calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, February 18, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## THIRTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 18, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives O'Brien and Williams. Representative Williams was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Kenneth Dugan of the Elim Lutheran Church of Port Orchard.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 12, 1971.

HOUSE BILL NO. 166, requiring persons assessing real property to meet certain standards of training and experience and pass an examination, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 6 after "taxation" strike the comma

On page 1, section 1, line 7 strike "including county assessors"

On page 1, section 1, line 21 strike "motor vehicles" and insert "personnel"

On page 1, section 1, line 25 strike "licensed" and insert "certified"

On page 1, section 1, line 26 strike "motor vehicles" and insert "the department of personnel"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Bauer, Bradley, Douthwaite, Gilleland, Haussler, Jones, Lysen, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 16, 1971.

HOUSE BILL NO. 175, providing for grand juries and criminal investigations, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 5, after the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. This act shall be known as the criminal investigatory act of 1971 and is enacted on behalf of the people of the state of Washington to serve law enforcement in combating crime and corruption.

NEW SECTION. Sec. 2. For the purposes of this act:

(1) The term 'court' shall mean any superior court in the state of Washington.

(2) The term 'public attorney' shall include the prosecuting attorney of the county in which a grand jury or special grand jury is impaneled; the attorney general of the state of Washington when acting pursuant to section 7 (9) of this 1971 act and, the special prosecutor appointed by the governor, pursuant to section 7 (10) of this 1971 act, and their deputies or special deputies.

(3) The term 'indictment' shall mean a written accusation found by a grand jury.

(4) The term 'principal' shall mean any individual whose conduct is being investigated by a grand jury or special inquiry judge.

(5) The term 'witness' shall mean any individual not a principal or public attorney summoned to appear before a grand jury or special inquiry judge to answer questions or produce evidence.

(6) A 'grand jury' consists of not less than twelve nor more than seventeen persons, is impaneled by a superior court and constitutes a part of such court. The functions of a grand jury are to hear, examine and investigate evidence concerning criminal activity and corruption, either as a group or by committee, and to take action with respect to such evidence.

(7) A 'special inquiry judge' is a superior court judge designated by a majority of the superior court judges of a county to hear and receive evidence of crime and corruption.

*NEW SECTION.* Sec. 3. No grand jury shall be summoned to attend at any superior court except upon an order signed by a majority of the judges thereof. A grand jury shall be summoned by the court whenever in its opinion there is sufficient evidence of criminal activity or corruption within the county that public interest so demands, or whenever so requested by a public attorney upon showing of good cause. Grand juries shall be summoned at least once a year on or before the first day of May, in any county which has a full time prosecuting attorney unless a majority of the superior court judges of the county certify by written order on or before the first day of May that there has been no adequate showing of a need for a grand jury to be impaneled.

*NEW SECTION.* Sec. 4. The court shall select the members of the grand jury from either the petit jury panel, or from a grand jury panel of one hundred individuals drawn by lot in the manner provided for petit jury panels under chapter 2.36 RCW, or from both.

*NEW SECTION.* Sec. 5. In every county a superior court judge as designated by a majority of the judges shall be available to serve as a special inquiry judge to hear evidence concerning criminal activity and corruption.

*NEW SECTION.* Sec. 6. Neither the grand jury panel nor any individual grand juror may be challenged, but the court may:

(1) At any time before a grand jury is sworn discharge the panel and summon another if it finds that the original panel does not substantially conform to the requirements of chapter 2.36 RCW; or

(2) At any time after a grand juror is drawn, refuse to swear him, or discharge him after he has been sworn, upon a finding that he is disqualified from service pursuant to chapter 2.36 RCW, or incapable of performing his duties because of bias or prejudice, or guilty of misconduct in the performance of his duties such as to impair the proper functioning of the grand jury.

*NEW SECTION.* Sec. 7. (1) When the grand jury is completed, the court shall appoint one of the jurors to be foreman, and also another of the jurors to act as foreman in case of the absence of the foreman.

(2) The grand jurors must be sworn pursuant to the following oath: 'You, as grand jurors for the county of ....., do solemnly swear (or affirm) that you will diligently inquire into and true presentment make of all such matters and things as shall come to your knowledge and you will submit things truly as they come to your knowledge, according to your charge the laws of this state and your understanding; you shall indict no person through envy, hatred, or malice; neither will you leave any person unindicted through fear, favor, affection, or reward or the hope thereof. The counsel of the state, his advice, and that of your fellows you shall keep secret.'

(3) After a grand jury has been sworn, the court must deliver or cause to be delivered to each grand juror a printed copy of all the provisions of this act, and the court may give the grand jurors any oral or written instructions, or both, relating to the proper performance of their duties at any time it deems necessary or appropriate.

(4) The court shall appoint a reporter to record the proceedings before the grand jury or special inquiry judge, and shall swear him not to disclose any testimony or the name of any witness except as provided in section 9 of this 1971 act. In addition, the foreman of the grand jury may, in his discretion, select one of the grand jurors to act as secretary to keep records of the grand jury's business.

(5) The court, whenever necessary, shall appoint an interpreter, and shall swear him not to disclose any testimony or the name of any witness except as provided in section 9 of this 1971 act.

(6) When a person held in official custody is a witness before a grand jury or special inquiry judge, a public servant assigned to guard him during his appearance may accompany him. The court shall swear such public servant not to disclose any testimony or the name of any witness except as provided in section 9 of this 1971 act.

(7) Proceedings of a grand jury shall not be valid unless at least twelve of its members are present. The foreman or acting foreman of the grand jury shall conduct proceedings in an orderly manner and shall administer an oath or affirmation in the manner prescribed by law to any witness who shall testify before the grand jury.

(8) The legal advisers of a grand jury are the court and public attorneys, and a grand jury may not seek or receive legal advice from any other source. When necessary or appropriate, the court or public attorneys or both must instruct the grand jury concerning the law with respect to its duties or any matter before it, and such instructions shall be recorded by the reporter.

(9) (a) Upon request of the prosecuting attorney of the county in which a grand jury or special inquiry judge is impaneled or whenever directed by the court, the attorney general shall assist such prosecuting attorney in attending such grand jury or special inquiry judge.

(b) Whenever directed by the court, the attorney general shall supersede the prosecuting attorney in attending the grand jury and in which event the attorney general shall be responsible for the prosecution of any indictment returned by the grand jury.

(c) When the attorney general is conducting a criminal investigation pursuant to powers otherwise granted to him, he shall attend all grand juries or special inquiry judges in relation thereto and shall prosecute any indictments returned by a grand jury.

(10) After consulting with the court and receiving its approval, the grand jury may request the governor to appoint a special prosecutor to attend the grand jury. The grand jury shall in the request nominate three persons approved by the court. From those nominated, the governor shall appoint a special prosecutor, who shall supersede the

prosecuting attorney and the attorney general and who shall be responsible for the prosecution of any indictments returned by the grand jury attended by him.

(11) A public attorney shall attend the grand jurors when requested by them, and he may do so on his own motion within the limitations of sections 2 (2), 7 (9) and 7 (10) of this 1971 act hereof, for the purpose of examining witnesses in their presence, or of giving the grand jurors legal advice regarding any matter cognizable by them. He shall also, when requested by them, draft indictments and issue process for the attendance of witnesses.

**NEW SECTION. Sec. 8.** No person shall be present at sessions of the grand jury or special inquiry judge except the witness under examination and his attorney, public attorneys, the reporter, an interpreter and a public servant guarding a witness who has been held in custody, if any. The attorney advising the witness shall only advise such witness concerning his right to answer or not answer any questions and the form of his answer and shall not otherwise engage in the proceedings. No person other than grand jurors shall be present while the grand jurors are deliberating or voting. Any person violating either of the above provisions may be held in contempt of court.

**NEW SECTION. Sec. 9.** (1) Every member of the grand jury shall keep secret whatever he or any other grand juror has said, and how he or any other grand juror has voted, except for disclosure of indictments, if any, as provided in section 15 of this 1971 act.

(2) No grand juror shall be permitted to state or testify in any court how he or any other grand juror voted on any question before them or what opinion was expressed by himself or any other grand juror regarding such question.

(3) No grand juror, public or private attorney, reporter, interpreter or public servant who held a witness in custody before a grand jury or special inquiry judge, or witness, principal or other person shall disclose the testimony of a witness examined before the grand jury or special inquiry judge or other evidence received by it, except when required by the court to disclose the testimony of the witness examined before the grand jury or special inquiry judge for the purpose of ascertaining whether it is consistent with that of the witness given before the court, or to disclose his testimony given before the grand jury or special inquiry judge by any person upon a charge against such person for perjury in giving his testimony or upon trial therefor, or when permitted by the court in furtherance of justice.

(4) The public attorney shall have access to all grand jury and special inquiry judge evidence and may introduce such evidence before any other grand jury or any trial in which the same may be relevant.

(5) The court may make any or all grand jury or special inquiry judge evidence available to any other public attorney or prosecuting attorney upon proper application and notice to the public attorney attending such grand jury.

**NEW SECTION. Sec. 10.** The grand jurors shall inquire into every offense triable within the county for which any person has been held to answer, if an indictment has not been found or an information filed in such case, and all other indictable offenses within the county which are presented to them by a public attorney or otherwise come to their knowledge. If a grand juror knows or has reason to believe that an indictable offense, triable within the county, has been committed, he shall declare such a fact to his fellow jurors who may begin an investigation. In such investigation the grand juror may be sworn as a witness.

**NEW SECTION. Sec. 11.** The length of time which a grand jury may sit after being convened shall not exceed sixty days. Before expiration of the sixty day period and any extensions, and upon showing of good cause, the court may order the grand jury panel extended for a period not to exceed sixty days.

**NEW SECTION. Sec. 12.** Any individual called to testify before a grand jury or special inquiry judge, whether as a witness or principal, if not represented by an attorney appearing with the witness before the grand jury or special inquiry judge, must be told of his privilege against self-incrimination. Such an individual has a right to representation by an attorney to advise him as to his rights, obligations and duties before the grand jury or special inquiry judge, and must be informed of this right. The attorney may be present during all proceedings attended by his client.

**NEW SECTION. Sec. 13.** If in any proceedings before a grand jury or special inquiry judge, a person refuses, or indicates in advance a refusal, to testify or provide evidence of any other kind on the ground that he may be incriminated thereby, and if a public attorney requests the court to order that person to testify or provide the evidence, the court after notice to the person and hearing shall so order, unless it finds that to do so would be clearly contrary to the public interest, and that person shall comply with the order.

If, but for this section, he would have been privileged to withhold the answer given or the evidence produced by him, the witness may not refuse to comply with the order on the basis of his privilege against self-incrimination; but no testimony or other information compelled under the order (or any information directly or indirectly derived from such testimony or such other information) may be used against the witness in any criminal case, except a prosecution for perjury, offering false evidence, or otherwise failing to comply with the order.

**NEW SECTION. Sec. 14.** (1) Except as provided in this section, no person has the right to appear as a witness in a grand jury or special inquiry judge proceeding.

(2) A public attorney may call as a witness in a grand jury or special inquiry judge proceeding any person believed by him to possess information or knowledge relevant thereto and may issue legal process and subpoena to compel his attendance and the production of evidence.

(3) The grand jury or special inquiry judge may cause to be called as a witness any person believed by it to possess relevant information or knowledge. If the grand jury or special inquiry judge desires to hear any such witness who was not called by a public attorney, it may direct a public attorney to issue and serve a subpoena upon such witness and the public attorney must comply with such direction. At any time after service of such subpoena and before the return date thereof, however, the public attorney may apply to the court which impaneled the grand jury for an order vacating or modifying the subpoena on the grounds that such is in the public interest. Upon such application, the court may in its discretion vacate the subpoena, extend its return date, attach reasonable conditions to directions, or make such other qualification thereof as is appropriate.

(4) The proceedings to summon a person and compel him to testify or provide evidence shall as far as possible be the same as proceedings to summon witnesses and compel their attendance. Such persons shall receive only those fees paid witnesses in superior court criminal trials.

**NEW SECTION.** Sec. 15. After hearing, examining and investigating the evidence before it, a grand jury may, in its discretion, issue an indictment against a principal. A grand jury shall find an indictment only when from all the evidence taken together a majority of the jurors are convinced that there is probable cause to believe a principal is guilty of a criminal offense. When an indictment is found by a grand jury the foreman or acting foreman shall present it to the court.

**NEW SECTION.** Sec. 16. Under no circumstances is a grand jury or special inquiry judge to issue a report on the results of its hearings, examinations, or investigations.

**NEW SECTION.** Sec. 17. When any public attorney has reason to suspect crime or corruption, within the jurisdiction of such attorney, and there is reason to believe that there are persons who may be able to give material testimony or provide material evidence concerning such suspected crime or corruption, such attorney may petition the judge designated as a special inquiry judge pursuant to section 5 of this 1971 act for an order directed to such persons commanding them to appear at a designated time and place in said county and to then and there answer such questions concerning the suspected crime or corruption as the special inquiry judge may approve, or provide evidence as directed by the special inquiry judge.

**NEW SECTION.** Sec. 18. The judge serving as a special inquiry judge shall be disqualified from acting as a magistrate or judge in any subsequent court proceeding arising from such inquiry except alleged contempt for neglect or refusal to appear, testify or provide evidence at such inquiry in response to an order, summons or subpoena.

**NEW SECTION.** Sec. 19. Upon petition of a public attorney to the special inquiry judge that there is reason to suspect that there exists evidence of crime and corruption in another county, and with the concurrence of the special inquiry judge of the other county, the special inquiry judge may direct the public attorney to attend and participate in special inquiry judge proceedings in the other county held to inquire into crime and corruption. The proceedings of such special inquiry judge may be transcribed, certified and filed in the county of the public attorney's jurisdiction at the expense of that county.

**NEW SECTION.** Sec. 20. The following acts or parts of acts are each hereby repealed:

- (1) Section 3, chapter 48, Laws of 1891 and RCW 2.36.030;
- (2) Section 1, chapter 90, Laws of 1951 and RCW 2.36.031;
- (3) Section 2, chapter 90, Laws of 1951 and RCW 2.36.033;
- (4) Section 5, chapter 57, Laws of 1911 and RCW 2.36.040;
- (5) Section 45, page 110, Laws of 1854, section 163, page 220, Laws of 1873, section 977, Code of 1881, section 11, chapter 28, Laws of 1891 and RCW 10.28.010;
- (6) Section 47, page 110, Laws of 1854, section 165, page 220, Laws of 1873, section 979, Code of 1881, section 12, chapter 28, Laws of 1891 and RCW 10.28.020;
- (7) Section 46, page 110, Laws of 1854, section 164, page 220, Laws of 1873, section 978, Code of 1881 and RCW 10.28.030;
- (8) Section 48, page 110, Laws of 1854, section 166, page 220, Laws of 1873, section 980, Code of 1881 and RCW 10.28.040;
- (9) Section 49, page 110, Laws of 1854, section 167, page 220, Laws of 1873, section 981, Code of 1881, section 13, chapter 28, Laws of 1891 and RCW 10.28.050;
- (10) Section 50, page 110, Laws of 1854, section 168, page 221, Laws of 1873, section 982, Code of 1881, section 1, chapter 74, Laws of 1939 and RCW 10.28.060;
- (11) Section 52, page 110, Laws of 1854, section 170, page 221, Laws of 1873, section 984, Code of 1881, section 14, chapter 28, Laws of 1891 and RCW 10.28.070;
- (12) Section 1, chapter 130, Laws of 1967 and RCW 10.28.075;
- (13) Section 51, page 110, Laws of 1854, section 169, page 221, Laws of 1873, section 983, Code of 1881 and RCW 10.28.080;
- (14) Section 179, page 239, Laws of 1869, section 184, page 224, Laws of 1873, section 1001, Code of 1881, section 17, chapter 28, Laws of 1891 and RCW 10.28.085;
- (15) Section 53, part, page 111, Laws of 1854, section 1, page 19, Laws of 1865, section 171, page 221, Laws of 1873, section 985, Code of 1881, section 15, chapter 28, Laws of 1891 and RCW 10.28.090;
- (16) Section 57, page 111, Laws of 1854, section 176, page 222, Laws of 1873, section 992, Code of 1881 and RCW 10.28.100;
- (17) Section 53, page 111, Laws of 1854, section 172, page 221, Laws of 1873, section 989, Code of 1881 and RCW 10.28.110;



(18) Section 54, page 111, Laws of 1854, section 173, page 222, Laws of 1873, section 990, Code of 1881 and RCW 10.28.120;

(19) Section 986, Code of 1881 and RCW 10.28.130;

(20) Section 1, page 19, Laws of 1864, section 987, Code of 1881 and RCW 10.28.140;

(21) Sections 55 and 59, page 111, Laws of 1854, section 173, page 238, Laws of 1869, section 178, page 223, Laws of 1873, section 994, Code of 1881, section 1, chapter 150, Laws of 1925 ex. sess. and RCW 10.28.150;

(22) Section 996, Code of 1881 and RCW 10.28.160;

(23) Section 177, page 239, Laws of 1869, section 182, page 223, Laws of 1873, section 999, Code of 1881 and RCW 10.28.170;

(24) Section 178, page 239, Laws of 1869, section 183, page 224, Laws of 1873, section 1000, Code of 1881, section 16, chapter 28, Laws of 1891 and RCW 10.28.180;

(25) Section 2, page 20, Laws of 1864, section 988, Code of 1881 and RCW 10.28.190;

(26) Section 2, page 418, Laws of 1869, section 2104, Code of 1881 and RCW 10.28.195;

(27) Section 175, page 239, Laws of 1869, section 180, page 223, Laws of 1873, section 997, Code of 1881 and RCW 10.28.200;

(28) Section 176, page 239, Laws of 1869, section 181, page 233, Laws of 1873, section 998, Code of 1881 and RCW 10.28.210;

(29) Section 56, page 111, Laws of 1854, sections 175 and 181, pages 222 and 223, Laws of 1873, section 991, Code of 1881 and RCW 10.28.215; and

(30) Section 58, page 111, Laws of 1854, section 177, page 222, Laws of 1873, section 993, Code of 1881 and RCW 10.28.220.

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 12, 1971.

HOUSE BILL NO. 211, providing for the amendment and repeal of certain obsolete or inactive material relating to various local government units and agencies, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Bauer, Bradley, Douthwaite, Gilleland, Haussler, Jones, Lysen, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 337, requiring notice to owners of adjoining land when real property of an irrigation district is sold, reported by Committee on Local Government.

MAJORITY recommendation. Do pass with the following amendments:

On page 1, section 1, line 7, after "Whenever" and before "real" insert "as the result of abandonment of an irrigation district right of way"

On page 1, section 1, line 10, strike "preference right to the purchase of" and insert "right of first refusal to purchase at the appraised price"

On page 1, section 1, line 12, after the period insert a new paragraph as follows:

"Real property to be sold or otherwise disposed of under this section shall have been first appraised by the county assessor or by a person designated by him."

On page 1, section 1, line 20, strike "preference"

On page 1, section 1, line 21, after "rights" and before "of owners" insert "of first refusal"

On page 2, section 2, line 5, after "Whenever" and before "real" insert "as the result of abandonment of an irrigation district right of way"

On page 2, section 2, line 8, strike "preference right to the purchase of" and insert "right of first refusal to purchase at the appraised price"

On page 2, section 2, line 10, after the period insert a new paragraph as follows:

"Real property to be sold or otherwise disposed of under this section shall have been first appraised by the county assessor or by a person designated by him."

On page 2, section 2, line 18, strike "preference"

On page 2, section 2, line 19, after "rights" and before "of owners" insert "of first refusal"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kuehnle, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 362, providing that the rule against perpetuities applies to all trusts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 364, implementing law relating to candidates and voters' pamphlets, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, Grant, May, Moon, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 386, designating a state rock and state gem, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, McCormick, Paris, Perry, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 412, requiring metal dealers to keep certain records, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14 after "address," strike "description,"

On page 1, section 1, line 19 after "officer" insert "with appropriate jurisdiction"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, O'Brien, Pardini, Polk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 501, amending regulation of real estate brokers and salesmen, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Bagnariol, Ceccarelli, Gallagher, Gladder, Hatfield, Jastad, Jueling, O'Brien, Polk, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 518, providing for equalization by county equalization boards by appeal only, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Brown, Douthwaite, Gilleland, Haussler, Jones, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 523, authorizing safety awards for county employees, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Blair, Bradley, Gilleland, Haussler, Jones, Kuehnle, Martinis, Mentor, Merrill, North, Smith.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 546, regulating persons holding agents licenses issued by the Washington state liquor control board and who represent holders of certificates of approval, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, O'Brien, Pardini, Perry, Polk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 572, providing that no factoring charges are allowed if credit cards

are honored for payment of tuition and fees at state colleges and universities, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 13, after "charge" insert "on amounts charged for tuition or fees"

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Bagnariol, Barden, Berentson, Blair, Hoggins, King, Litchman, Luders, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 578, providing for the regulation of preneed funeral contracts, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Hatfield, Jastad, O'Brien, Pardini, Perry, Polk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 606, defining lawful entrance on private property for the purposes of chapter 16.08 RCW, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 620, reducing the number of justices of the peace in Grant county to one, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 657, providing a presumption that enactment of a statute was not intended to affect any litigation pending on or before the effective date of such statute, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 8 after "litigation" strike "pending" and insert "commenced"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE BILL NO. 660, exempting credit cards from small loan regulations, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 15, strike all of subsection (a) and insert the following:

"(a) 'Accepted credit card' means any credit card which the card holder has requested or applied for and received, or has signed, or has used, or has authorized another person to use for the purpose of obtaining money, property, labor, or services on credit. Any credit card issued in renewal of, or in substitution for, an accepted credit card becomes an accepted credit card when received by the card holder whether such card is issued by the same or a successor card issuer;"

On page 1, section 1, line 23 after "(b)" strike "The" and insert "Any"

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Bagnariol, Barden, Berentson, Blair, Hoggins, King, Litchman, Luders, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 686, changing the judgment creditors remedies in seeking to enforce a judgment on the judgment debtor, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Ross, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 720, establishing a statute of limitations for medical malpractice, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, lines 9 and 10, after "RCW" on line 9 strike everything through "under" on line 10 and insert "or"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Ross, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE JOINT MEMORIAL NO. 6, seeking amendments to federal communications act respecting television coverage of political candidates, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Grant, North, Pardini, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives May, Moon.

Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

SENATE BILL NO. 311, adding to the definition of "housing project" reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 1, line 1 after "authority" and before "are" insert "and with concurrence of the governing body"

Signed by Representatives Smythe, Chairman, Adams, Amen, Bauer, Blair, Douthwaite, Gilleland, Haussler, Jones, Kopet, Maxie, Mentor, Rabel, Thompson.

MINORITY recommendation: Do not pass. Signed by Representative Kuehnle.

Passed to Committee on Rules and Administration for second reading.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative Frank L. Hatley from Whatcom County, who served in the House of Representatives in 1937 and 1939, and requested that the Sergeant at Arms conduct him to a place on the rostrum.

#### MESSAGES FROM THE SENATE

February 17, 1971.

Mr. Speaker: The Senate has passed:

SENATE BILL NO. 150,

SENATE BILL NO. 208,

ENGROSSED SENATE BILL NO. 246,

SENATE BILL NO. 288,

HOUSE BILL NO. 92,

HOUSE BILL NO. 93,

HOUSE BILL NO. 94,

HOUSE BILL NO. 95,

HOUSE BILL NO. 96,

HOUSE BILL NO. 97,

HOUSE BILL NO. 98,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 17, 1971.

Mr. Speaker: The Senate has passed SENATE JOINT MEMORIAL NO. 9, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 92,

HOUSE BILL NO. 93,

HOUSE BILL NO. 94,  
HOUSE BILL NO. 95,  
HOUSE BILL NO. 96,  
HOUSE BILL NO. 97,  
HOUSE BILL NO. 98.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 789, by Representatives Randall, Hurley and Haussler:  
An Act relating to the taxation of property.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 790, by Representatives Brown, Ross, Douthwaite and Charnley:  
An Act relating to rights of students in the common schools; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.  
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 791, by Representatives Backstrom, Moon and May:  
An Act relating to revenue and taxation; amending section 84.52.050, chapter 15, Laws of 1961 as last amended by section 5, chapter 92, Laws of 1970 ex. sess. and RCW 84.52.050; amending section 1, chapter 133, Laws of 1967 ex. sess. as amended by section 2, chapter 216, Laws of 1969 ex. sess. and RCW 84.52.065; creating new sections; and declaring an emergency.  
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 792, by Representative Farr:  
An Act relating to the Washington state council on aging.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 793, by Representative Curtis:  
An Act relating to the public health and safety; adding a new section to chapter 47.04 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.47 RCW; declaring an emergency; and providing penalties.  
Referred to Committee on Transportation.

HOUSE BILL NO. 794, by Representative Conway:  
An Act relating to education.  
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 795, by Representatives Bagnariol, Grant and Ceccarelli:  
An Act relating to unemployment compensation; amending section 20, chapter 3, Laws of 1971 (uncodified); amending section 21, chapter 35, Laws of 1945 as last amended by section 9, chapter 3, Laws of 1971 and RCW 50.04.200; amending section 104, chapter 35, Laws of 1945 as last amended by section 14, chapter 3, Laws of 1971 and RCW 50.24.160; and declaring an emergency.  
Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 796, by Representatives Ross, Gladder, Kopet and Conway:  
An Act relating to husband and wife and family desertion or nonsupport; amending section 2407, Code of 1881 as amended by section 1, chapter 207, Laws of 1969 ex. sess. and RCW 26.16.205; and amending section 1, chapter 28, Laws of 1913 as last amended by section 2, chapter 207, Laws of 1969 ex. sess. and RCW 26.20.030.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 797, by Representative Charnley:  
An Act relating to air pollution.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 798, by Representative Bluechel:

An Act relating to state government.

Referred to Committee on State Government.

HOUSE BILL NO. 799, by Representatives Costanti, Charnley and Hansey:

An Act relating to fish and shellfish; and amending section 75.12.010, chapter 12, Laws of 1955 and RCW 75.12.010.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 800, by Representatives Sawyer and Charette:

An Act relating to cooperative associations; establishing procedures for conversion of a cooperative association to an ordinary business corporation or for merger with another cooperative association or ordinary business corporation; defining certain terms; and creating new sections.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 801, by Representative McDermott:

An Act relating to the protection of children involved in the investigation of and trial of crimes; creating new sections; and providing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 802, by Representatives Smythe, King, Bluechel and Kiskaddon:

An Act relating to institutions of higher education; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; and repealing section 28B.15.010, chapter 223, Laws of 1969 and RCW 28B.15.010.

Referred to Committee on Higher Education.

HOUSE BILL NO. 803, by Representatives Flanagan, Perry and Pardini:

An Act relating to state government; authorizing the state finance committee to supervise and control the incurrence of state debt; and creating new sections.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 804, by Representative Charnley:

An Act relating to highways and motor vehicles thereupon.

Referred to Committee on Transportation.

HOUSE BILL NO. 805, by Representatives Barden, Bagnariol, Shera, Jueling and Haussler:

An Act relating to installment loans; providing for the supervision, regulation and licensing of installment loan companies; and prescribing penalties.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 806, by Representatives Barden, Litchman, Chatalas, Jueling, Lynch, Wojahn, Perry and Hoggins:

An Act relating to mobile home parks and recreational vehicle parks; creating new sections; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 807, by Representatives Harris, Hurley, May, Gladder, Knowles, Kuehnle, Pardini, McCormick, Luders and Kopet:

An Act relating to state government; establishing a commission; authorizing construction; and authorizing the issuance of bonds.

Referred to Committee on State Government.

HOUSE BILL NO. 808, by Representatives Harris, Hurley, May, Gladder, Knowles, Kuehnle, Pardini, McCormick, Luders and Kopet:

An Act relating to business corporations.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 809, by Representatives Lynch, Farr and Ceccarelli:  
An Act relating to community mental health services.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 810, by Representatives Lysen, Ross, Maxie, Kopet and Rosellini:  
An Act relating to public assistance; and creating a new section.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 811, by Representatives Newhouse, Randall, Hoggins, Kilbury, Kiskaddon, Ross, Gilleland, Kraabel and Blair (by Executive request):  
An Act relating to land use; providing for state-wide planning; creating new sections; prescribing penalties; and declaring an effective date.  
Referred to Committee on State Government.

HOUSE BILL NO. 812, by Representatives Haussler and Moon:  
An Act relating to public utility districts.  
Referred to Committee on State Government.

HOUSE BILL NO. 813, by Representatives Perry, Barden and Bluechel:  
An Act relating to municipal corporations; requiring the prequalification of electrical contractors doing business with electrical utilities; amending section 3, chapter 124, Laws of 1955 and RCW 54.04.080; adding a new section to chapter 7, Laws of 1965 and to chapter 35.92 RCW; and adding a new section to chapter 54.04 RCW.  
Referred to Committee on State Government.

HOUSE BILL NO. 814, by Representatives Kopet, Harris and Eikenberry (by Executive request):  
An Act relating to state government; creating a department of justice; amending section 1, chapter 158, Laws of 1965 and RCW 43.100.010; amending section 2, chapter 158, Laws of 1965 and RCW 43.100.020; amending section 3, chapter 158, Laws of 1965 as amended by section 1, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.030; amending section 5, chapter 158, Laws of 1965 and RCW 43.100.050; amending section 8, chapter 158, Laws of 1965 as amended by section 2, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.080; and creating new sections.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 815, by Representative Savage:  
An Act relating to education; providing for a state-wide teachers' salary schedule; adding a new section to Title 28A RCW; and repealing section 1, chapter 283, Laws of 1969 ex. sess. and RCW 28A.67.066.  
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 816, by Representatives Harris, Charette, Conner, Chatalas, Mentor, Hubbard, Gladder, Zimmerman and Knowles:  
An Act relating to insurance and health care programs for state employees and officials; amending section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010; and amending section 2, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.020.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 817, by Representatives Flanagan, Perry and Pardini:  
An Act relating to funding or refunding indebtedness of the Washington state building authority.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 818, by Representatives Kirk, Rosellini and Charette:  
An Act establishing a retirement system for judges of courts of record; and creating new sections.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 819, by Representatives Randall, Shinpoch, Zimmerman, Mentor, Costanti and Bauer:

An Act relating to public health and safety; creating new sections; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Transportation.

HOUSE BILL NO. 820, by Representatives Randall, Haussler and Marzano:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 821, by Representatives Randall and Haussler:

An Act relating to common school education.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 822, by Representatives Johnson, Douthwaite, Brown and Knowles:

An Act relating to elections; and amending section 29.04.030, chapter 9, Laws of 1965 and RCW 29.04.030.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 823, by Representative Savage:

An Act relating to motor vehicles; prohibiting the use of evidence obtained by a traffic control officer in a concealed location; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.61 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 824, by Representatives Johnson, Costanti, Grant and Lysen:

An Act relating to real property mortgages and deeds of trust; providing for "economic distress areas"; deferring certain principal payments; staying certain foreclosure sales, extending certain redemption periods; providing for the protection of secured parties; adding new sections to Title 61 RCW; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 825, by Representative Hatfield:

An Act relating to the Washington public employees' retirement system; amending section 38, chapter 274, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1963 and RCW 41.40.370; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 826, by Representatives Zimmerman and Newhouse:

An Act relating to navigation.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 827, by Representative Randall:

An Act relating to the tax exempt status of medical service corporations.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 828, by Representative Morrison:

An Act relating to the regulation of farm labor contractors; amending section 3, chapter 392, Laws of 1955 and RCW 19.30.030; and providing an effective date.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 829, by Representative Randall:

An Act relating to health care contractors.

Referred to Committee on Social and Health Services.



HOUSE BILL NO. 830, by Representative Hatfield:

An Act relating to public employment; amending section 1, chapter 80, Laws of 1947 as last amended by section 95, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.010; amending section 38, chapter 80, Laws of 1947 and RCW 41.32.380; amending section 11, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.401; amending section 4, chapter 231, Laws of 1957 as last amended by section 15, chapter 174, Laws of 1963 and RCW 41.40.361; creating new sections; repealing section 4, chapter 22, Laws of 1961 ex. sess. and RCW 41.32.4941; repealing section 7, chapter 151, Laws of 1967 and RCW 41.32.4942; repealing section 7, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.4943; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 831, by Representatives Moon and Jastad:

An Act relating to the licensing, control, and regulation of intoxicating liquor; amending section 1, chapter 141, Laws of 1953 as amended by section 2, chapter 250, Laws of 1969 ex. sess. and RCW 66.24.481; adding new sections to chapter 66.24 RCW; repealing section 2, chapter 120, Laws of 1951 and RCW 66.24.480; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 832, by Representatives Johnson, Goldsworthy and Zimmerman:

An Act relating to water pollution control facilities; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 833, by Representatives Randall, Beck, O'Brien, Marzano, Grant, Sawyer, Wojahn, Mentor, Bradley, Gallagher, Merrill, Charnley, Douthwaite, Hansey, Haussler, Ceccarelli, Adams, Anderson, Bauer, Brouillet, Knowles and Maxie:

An Act relating to revenue and taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; and amending section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 834, by Representative Gallagher:

An Act relating to bartending; providing for the licensing of bartenders; adding a new chapter to Title 18 RCW; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 835, by Representatives Wojahn, Hatfield, Barden, Kilbury and Bottiger:

An Act relating to unfair business practices; and adding a new section to chapter 221, Laws of 1939 and to chapter 19.90 RCW.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 836, by Representatives Wojahn, Knowles, Barden and Smythe:

An Act relating to small claims court; and amending section 6, chapter 187, Laws of 1919 and RCW 12.40.060.

Referred to Committee on Judiciary.

HOUSE JOINT RESOLUTION NO. 44, by Representative Bluechel:

Amending the Constitution to improve the operation and administration of state government.

Referred to Committee on State Government.

HOUSE JOINT RESOLUTION NO. 45, by Representatives Mentor, Paris, Smythe, Hansey, Shinpoch, Wanamaker, Wolf, Costanti, Randall, Zimmerman and Kopet:

Providing that the county legislative body may set salaries of county elective officers.

Referred to Committee on Local Government.

HOUSE CONCURRENT RESOLUTION NO. 17, by Representatives Johnson, Bluchel and Shinpoch:

Directing the Legislative Council to make a study of taxing districts.

Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 150, by Senators Holman and Foley, (by State Finance Committee request):

An Act relating to general obligation bonds to finance acquisition and development of outdoor recreational areas and facilities; amending section 6, chapter 126, Laws of 1967 ex. sess. and RCW 43.99A.060; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 208, by Senators Sandison, Durkan, Foley and Atwood:

An Act relating to certain institutions of higher education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

ENGROSSED SENATE BILL NO. 246, by Senators Dore, Holman, Foley and Clarke (by Judicial Council request):

An Act relating to juries; amending section 4, chapter 48, Laws of 1891, and RCW 2.36.050; amending section 1, chapter 43, Laws of 1903 as last amended by section 2, chapter 304, Laws of 1961 and RCW 4.44.100; amending section 185, page 164, Laws of 1854 as last amended by section 206, Code of 1881 and RCW 4.44.120; amending section 1, chapter 36, Laws of 1895 and RCW 4.44.380; and amending section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 32, Laws of 1970 ex. sess. and RCW 36.18.020; and amending section 2, chapter 36, Laws of 1895 and RCW 4.44.390.

Referred to Committee on Judiciary.

SENATE BILL NO. 288, by Senators Bailey and Gardner (by Joint Committee on Governmental Cooperation request and by Departmental request):

An Act relating to the disposal of land not needed for state park purposes; and amending section 43.51.210, chapter 8, Laws of 1965 as amended by section 3, chapter 99, Laws of 1969.

Referred to Committee on Natural Resources and Ecology.

SENATE JOINT MEMORIAL NO. 9, by Senators Guess, Donohue and Huntley:

Requesting interim funding for Lower Granite Dam.

On motion of Mr. Bledsoe, the rules were suspended, Senate Joint Memorial No. 9 was advanced to second reading and read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 9 was placed on final passage.

Representative Hubbard spoke in favor of passage of the memorial and Representative Luders spoke against it.

#### MOTION

Mr. Grant moved that the House defer further consideration of Senate Joint Memorial No. 9 and that the memorial be placed at the top of tomorrow's third reading calendar.

Representatives Grant and Sawyer spoke in favor of the motion, and Representative Bledsoe spoke against it.

Mr. Chatalas demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clark called the roll on the motion by Mr. Grant that the House defer further consideration of Senate Joint Memorial No. 9 and the memorial be placed at the top of

tomorrow's third reading calendar and the motion was carried by the following vote: Yeas, 54; nays, 43; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Blair, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Hatfield, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Smith, Thompson, Van Dyk, Wojahn, Mr. Speaker—54.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Schumaker, Shera, Smythe, Spanton, Wanamaker, Wolf, Zimmerman—43.

Absent or not voting: Representatives O'Brien, Williams—2.

### MOTIONS

On motion of Mr. Morrison, HOUSE CONCURRENT RESOLUTION NO. 11 was rereferred from the Committee on State Government to the Committee on Revenue and Taxation.

Mr. Morrison moved that SENATE JOINT RESOLUTION NO. 5 be rereferred from today's second reading calendar to the Committee on Business and Professions.

Representatives Curtis and Bagnariol spoke in favor of the motion.

The motion was carried.

On the motion of Mr. Morrison, the House advanced to the tenth order of business.

### THIRD READING

HOUSE BILL NO. 173, by Representatives Wolf, Bottiger, Conway, O'Brien and Cunningham (by Legislative Council request):

Enabling endowment of the state capitol historical association.

House Bill No. 173 was read the third time and placed on final passage.

Representative Conway spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 173, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives O'Brien, Williams—2.

House Bill No. 173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 198, by Representatives Copeland, Goldworthy and Kopet (by Legislative Council request):

Providing that the legislative council and legislative budget committee may review all interim committee salaries.

Engrossed House Bill No. 198 was read the third time and placed on final passage. Representative Copeland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 198, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives O'Brien, Williams—2.

Engrossed House Bill No. 198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 212, by Representatives Thompson, Kopet, Hoggins and Mentor (by Legislative Budget Committee request):

Removing the forty percent limitation from marine fuel taxes used for capital improvements on marine recreation areas.

House Bill No. 212 was read the third time and placed on final passage.

Representative Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 212, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives O'Brien, Williams—2.

House Bill No. 212, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPEAKER'S PRIVILEGE

The Speaker excused Mr. Bledsoe from further proceedings of the House for the balance of the morning session.

ENGROSSED HOUSE BILL NO. 213, by Representatives Flanagan and Polk (by Departmental request):

Pertaining to payment of inheritance taxes.

Engrossed House Bill No. 213 was read the third time and placed on final passage.  
Representative Flanagan spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 213, and the bill passed the House by the following vote: Yeas, 91; nays, 5; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Sawyer, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker--91.

Voting nay: Representatives Conner, Curtis, Perry, Savage, Schumaker--5.

Absent or not voting: Representatives Bledsoe, O'Brien, Williams--3.

Engrossed House Bill No. 213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 214, by Representatives Ross, Charette, Wolf, McDermott and Mentor:

Providing for a time limit on recalls.

Engrossed House Bill No. 214 was read the third time and placed on final passage.

Representative Brown spoke in favor of passage of the bill, and Representative Moon spoke against it.

#### MOTION

Mr. Bradley moved that Engrossed House Bill No. 214 be rereferred to the Committee on Elections and Apportionment.

Representatives Bradley and Moon spoke in favor of the motion, and Representatives Bluechel and Brown spoke against it.

Mr. Bradley closed debate, speaking in favor of the motion.

The motion by Mr. Bradley to rerefer Engrossed House Bill No. 214 to the Committee on Elections and Apportionment was carried on a rising vote.

ENGROSSED HOUSE BILL NO. 253, by Representatives Bluechel, Perry and Conway (by Secretary of State request):

Providing for certain changes in the regulation of nonprofit corporations and associations.

Engrossed House Bill No. 253 was read the third time and placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 253, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel,

Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, O'Brien, Williams—3.

Engrossed House Bill No. 253, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 307, by Representatives Flanagan, Kiskaddon, Brouillet and Luders:

Extending two mill shift for schools.

House Bill No. 307 was read the third time and placed on final passage.

Representative Flanagan spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 307, and the bill passed the House by the following vote: Yeas, 86; nays, 10; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Bottiger, Bradley, Conner, Gallagher, Grant, Haussler, Marzano, Savage, Sawyer, Wojahn—10.

Absent or not voting: Representatives Bledsoe, O'Brien, Williams—3.

House Bill No. 307, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 313, by Representatives Gladder, Kopet, Eikenberry, Paris and Conway (by Departmental request):

Providing for changes in the law relating to county hospitals and infirmaries.

House Bill No. 313 was read the third time and placed on final passage.

Representative Gladder spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Gladder yielded to question by Mrs. Hurley.

Mrs. Hurley: "Just to clarify the record, Mr. Gladder, does this House Bill refer in anyway to Edgecliff Tuberculosis Sanitarium in Spokane?"

Mr. Gladder: "No, it does not."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 313, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad,

Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Bledsoe, Newhouse, O'Brien, Williams—4.

House Bill No. 313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 320, by Representatives Amen, Bozarth and Goldsworthy:

Delegating elevator inspection to the division of safety.

Engrossed House Bill No. 320 was read the third time and placed on final passage.

Representative Amen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 320, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, O'Brien, Williams—3.

Engrossed House Bill No. 320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 434, by Representatives Kirk, King and Hoggins (by Departmental request):

Authorizing deductions for certain state procured insurance from teachers' retirement allowances.

House Bill No. 434 was read the third time and placed on final passage.

Representative Kirk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 434, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris,

Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, O'Brien, Williams—3.

House Bill No. 434, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE JOINT RESOLUTION NO. 22, by Representatives Bledsoe, Berentson and Wolf (by Legislative Council request):

Providing for a new pattern of succession to fill vacancy in governor's office.

Engrossed House Joint Resolution No. 22 was read the third time and placed on final passage.

Representative Wolf spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 22, and the resolution passed the House by the following vote: Yeas, 80; nays, 13; absent or not voting, 6.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bozarth, Brown, Ceccarelli, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—80.

Voting nay: Representatives Adams, Bottiger, Bradley, Brouillet, Charette, Conner, Douthwaite, Eikenberry, Grant, Jastad, Maxie, Sawyer, Van Dyk—13.

Absent or not voting: Representatives Anderson, Bledsoe, Marzano, O'Brien, Pardini, Williams—6.

Engrossed House Joint Resolution No. 22, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:45 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m.

The Clerk called the roll and all members were present except Representatives Bledsoe and Williams who were excused.

#### MOTION

On motion of Mr. Morrison, the House reverted to the ninth order of business.

#### SECOND READING

HOUSE BILL NO. 558, by Representatives Hubbard, Haussler and Bozarth:

Extending the definition of "public warehouse" to include open air enclosures adjacent to a warehouse building.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.



HOUSE BILL NO. 227, by Representatives Bluechel, Spanton and Hoggins (by Secretary of State request):

Revising summons and complaint fees for nonresidents.

The bill was read the second time, and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 298, by Representatives Wanamaker, Douthwaite, Cunningham, Conway and Hoggins (by Departmental request):

Providing for tire standards.

The House resumed consideration of House Bill No. 298 on second reading.

The Speaker stated the question before the House to be the amendment by Mr. Douthwaite. (For previous action on House Bill No. 298 on second reading, see Journal for twenty-ninth day, February 8, 1971.)

With the consent of the House, Mr. Douthwaite withdrew his amendment.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 3, lines 3-14, strike everything.

On page 1, line 2 of the title after "crimes" insert "and providing penalties"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 298 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 204, by Representatives Martinis, Julin, Adams, Wanamaker, Williams, Hoggins, Luders and Mentor:

Providing for the removal of wood fiber debris from state tidal waters.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 3, beginning on line 11, after "wood" strike the remainder of the section and insert "debris which is not merchantable or economically salvageable under the log patrol act, chapter 76.40 RCW. 'Removal' as used in this act shall include all activities necessary for the collection and disposal of such wood debris."

On page 2, section 5, line 2, after "wood" strike "fiber"

On page 2, beginning on line 11, strike all of section 7 and insert the following:

"NEW SECTION. Sec. 7. It shall be unlawful to dispose of wood debris by depositing such material into any of the tidal waters of this state except as authorized by law including any discharge or deposit allowed to be made under and in compliance with RCW chapter 90.48 and any rules or regulations duly promulgated thereunder. Violation of this section shall be a misdemeanor."

On page 1, line 1 of the title after "wood" strike "fiber"

The bill was read the second time.

On motion of Mr. Zimmerman, the first two committee amendments were adopted.

Mr. Zimmerman moved adoption of the committee amendment adding a new section

7.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Wolf.

Mr. Wolf: "I don't know chapter 90.48 RCW. Could you tell me the description of that chapter? I will phrase the question differently: Does this amendment make it possible for a product to be invented to be used for oil spills and the cleaning up of the water? Would it be possible under new section 7 to develop a wood product that we could deposit in the water and therefore clean up oil spills?"

Mr. Zimmerman: "Would it prevent that, you say? I would say this would not prevent that kind of a development."

The committee amendment adding a new section 7 was adopted.

On motion of Mr. Zimmerman, the committee amendment to the title was adopted.

House Bill No. 204 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 56, by Representatives Beck, Wanamaker and Wolf (by Departmental request):

Providing certain changes in the tax on motor vehicle fuel.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, line 2, after "vehicles" strike "[, motorboats" and insert "[,] or motorboats ["]

Beginning on page 8, line 10, strike sections 6 and 7.

On page 1, line 9 of the title after "82.42.070;" strike "amending section 82.50.160, chapter 15, Laws of 1961 as amended by section 1, chapter 274, Laws of 1969 ex. sess. and RCW 82.50.160;" and insert "and"

On page 1, line 12 of the title after "82.42 RCW" strike "": and adding a new section to chapter 15, Laws of 1961 and to chapter 82.50 RCW"

The bill was read the second time.

On motion of Mr. Amen, the committee amendments were adopted.

House Bill No. 56 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 372, by Representatives Brown, Copeland, Conner, Grant, Blair and Chatalas (by Secretary of State request):

Revising election laws relating to registration records.

Committee recommendation: Majority, do pass with the following amendments:

On page 4, section 3, line 8 after "to any" strike "person or organization" and insert "[person] registered voter in the state of Washington"

On page 4, section 3, line 9 after "lists shall" insert "be used only for political purposes and shall"

On page 4, section 4, beginning on line 32 strike all matter starting with "a deputy" down to and including "precincts" on line 33 and insert "at least two deputy registrars for each five contiguous precincts, one from each major political party,"

The bill was read the second time.

On motion of Mr. Brown, the committee amendments were adopted.

Mr. Pardini moved adoption of the following amendment:

On page 4, section 3, line 8 after "at" and before "cost" insert "a uniform"

Representative Pardini spoke in favor of adoption of the amendment, and Representatives Bottiger and Grant spoke against it.

Mr. Pardini closed debate, speaking in favor of the amendment.

The amendment by Mr. Pardini was adopted on a rising vote.

On motion of Mr. Brown, the following amendments were adopted:

On page 8, section 9, beginning on line 12 strike everything down to and including the semicolon on line 14 and insert "[ (14) Whether the applicant has lost his civil rights by reason of being convicted of an infamous crime, and if so, whether such rights have been restored in the manner provided by law;] (14) Whether the applicant is presently denied his civil rights as a result of being convicted of an infamous crime;"

On page 14, section 19, line 9 after "containing" and before "information" strike "all of the" and insert "such"

On page 14, section 19, line 10 after "amendatory act" and before "and on" insert "as may be prescribed by the secretary of state as necessary and pertinent to the conduct of the elections"

House Bill No. 372 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 86, by Representatives Zimmerman, Brouillet and Hoggins (by Joint Committee on Education request):

Reorganizing powers, duties and functions within intermediate school districts.

The bill was read the second time.

On motion of Mr. Haussler, the following amendment was adopted:

On page 14, section 13, line 4 after "contracts" and before "and employ" insert:

"including contracts with common and intermediate school districts for the joint financing of cooperative service programs conducted pursuant to section 11 (3) of this 1971 amendatory act,"

House Bill No. 86 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 233, by Representatives Bottiger, Hubbard and Charette:

Providing that a lawyers' code of ethics shall be adopted by the supreme court.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 82, by Representatives Moon, Newhouse, Bledsoe and Benitz (by Legislative Council request):

Removing the tax exemption on steam plants owned or operated by joint operating agencies and requiring existing facilities to negotiate amounts due.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 12 after "That" strike all the matter down to and including "contracts" on line 21 and insert "such tax shall not apply to steam generated electricity produced by a nuclear steam powered electric generating facility constructed or acquired by a joint operating agency and in operation prior to the effective date of this amendatory act"

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendment was adopted.

House Bill No. 82 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 300, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

Relating to right of entry by department of natural resources employees.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 17 after "examinations," strike all the matter down to and including "appraisals" on line 18 and insert "appraisals and, after notice to the landowner, making surveys"

The bill was read the second time.

On motion of Mr. Zimmerman, the committee amendment was adopted.

House Bill No. 300 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 188, by Representatives Julin and Wojahn (by Judicial Council request):

Relating to district courts.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 78, by Representatives Bledsoe, Bottiger, Goldsworthy and Litchman (by Departmental request):

Providing for a new department of emergency services.

Committee recommendation: Majority, do pass with the following amendments:

On page 6, section 4, line 2 after "department" insert "/"

On page 33, section 42, beginning on line 9 strike all the matter down to and including "site," and insert "(4) The county legislative authority of every county wherein an application for a proposed thermal power plant site is filed shall appoint a member to the council. The member so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents and such member shall serve until there has been a final acceptance or rejection of such proposed site."

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendments were adopted.

The Clerk read the following amendment by Mr. Moon:

On page 3, section 2, line 30 after "functions," insert "Except that the emergency functions anticipated by this act are not intended to conflict with or supersede the normal responsibilities carried out by other agencies of government as provided by law."

#### MOTION

Mr. Moon moved that the House defer further consideration of House Bill No. 78 on

second reading, and the bill be ordered placed at the top of tomorrow's second reading calendar.

Representatives Moon and Bluechel spoke in favor of the motion.  
The motion was carried.

HOUSE BILL NO. 509, by Representatives Bledsoe, Flanagan, Amen, Benitz, Morrison, Newhouse, Schumaker, Curtis, Hatfield, Lynch, Spanton, Wanamaker, Smith, Hansey, Goldsworthy, Haussler, Bozarth, Bauer and Van Dyk:

Providing for assessments by the Washington state beef commission.

#### MOTION

Mr. Newhouse moved that the House defer consideration of House Bill No. 509 and the bill be ordered placed on tomorrow's second reading calendar following House Bill No. 78.

Representatives Newhouse and Bauer spoke in favor of the motion.  
The motion was carried.

HOUSE BILL NO. 54, by Representatives Beck, Berentson, and Wanamaker (by Departmental request):

Providing for reciprocal or proportional registration of vehicles.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 1, line 1, after "per" strike "vehicle" and insert "[vehicle] motor truck, truck tractor or auto stage, and three dollars per vehicle of any other type"

On page 3, section 2, line 26 after "[five]" strike "twenty-five" and insert "fifteen"

On page 5, section 4, line 21, after "carriers" strike "qualified under the provisions of this chapter must" and insert "registered under the provisions of this chapter shall"

On page 5, section 4, line 23, after "records" strike "must" and insert "shall"

On page 6, section 6, line 6, after "Agreement" and before the comma, insert "after indicating his intent to do so in his application to the state"

The bill was read the second time.

On motion of Mr. Amen, the committee amendments were adopted.

House Bill No. 54 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 61, by Representatives Brown, Ceccarelli and Goldsworthy:

Exempting from inheritance tax any annuity payments under the federal military retirement act.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Friday, February 19, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FORTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 19, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father Dennis Wood of St. Michael's Catholic Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 16, 1971.

HOUSE BILL NO. 52, regulating the production and marketing of milk, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 3 after the enacting clause strike the remainder of the bill and insert the following:

*NEW SECTION.* Section 1. This act may be known and cited as the Washington state milk pooling act to provide for equitable pooling among producers.

*NEW SECTION.* Sec. 2. The production and distribution of milk is hereby declared to be a business affected with the public interest. The provisions of this act are enacted for the purpose of protecting the health and welfare of the people of this state.

*NEW SECTION.* Sec. 3. It is hereby declared that milk is a necessary article of food for human consumption; that the production and maintenance of an adequate supply of healthful milk of proper chemical and physical content, free from contamination, is vital to the public health and welfare.

*NEW SECTION.* Sec. 4. It is recognized by the legislature that conditions within the milk industry of this state are such that it may be necessary to establish marketing areas wherein pooling arrangements between producers are necessary, and for that purpose the director shall have the administrative authority, with such additional duties as are herein prescribed, after investigations and public hearings, to prescribe such marketing areas and modify the same when advisable or necessary.

*NEW SECTION.* Sec. 5. The statement of facts, policy, and application of this act as set forth in sections 1 through 4 is hereby declared a matter of legislative determination.

*NEW SECTION.* Sec. 6. The purposes of this act are to:

(1) Authorize and enable the director to prescribe marketing areas and to establish pooling arrangements which are necessary due to varying factors of costs of production, health regulations, transportation, and other factors in said marketing areas of this state;

(2) Authorize and enable the director to formulate marketing plans subject to the provisions of this act with respect to the contents of such pooling arrangements and declare such plans in effect for any marketing area;

(3) Provide funds for administration and enforcement of this act by assessments to be paid by producers.

*NEW SECTION.* Sec. 7. It is the intent of the legislature that the powers conferred in this act shall be liberally construed. Nothing in this act shall be construed as permitting or authorizing the development of conditions of monopoly in the production or distribution of milk.

*NEW SECTION.* Sec. 8. For the purposes of this act:

(1) 'Department' means the department of agriculture of the state of Washington;

(2) 'Director' means the director of the department or his duly appointed representative;

(3) 'Person' means a natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent, or employee thereof. This term shall import either the singular or plural as the case may be;

(4) 'Market' or 'marketing area' means any geographical area within the state comprising one or more counties or parts thereof, or one or more cities or towns or parts thereof where marketing conditions are substantially similar and which may be designated by the director as one marketing area;

(5) 'Milk' means all fluid milk as defined in chapters 15.32 and 15.36 RCW as enacted or hereafter amended and rules adopted thereunder;

(6) 'Milk products' includes any product manufactured from milk or any derivative or product of milk;

(7) 'Milk dealer' means any person engaged in the handling of milk in his capacity as the operator of a milk plant, a country plant or any other plant from which milk or milk products are disposed of to any place or establishment within a marketing area other than to a plant in such marketing area;

(8) 'Producer' means a person producing milk within this state for sale under a grade A milk permit issued by the department under the provisions of chapter 15.36 RCW as enacted or hereafter amended;

(9) 'Classification' means the classification of milk into classes according to its utilization by the department.

(10) 'Producer-dealer' means a producer who engages in the production as well as the distribution of milk products.

**NEW SECTION.** Sec. 9. The director shall in carrying out the provisions of this act and any marketing plan thereunder confer with the legally constituted authorities of other states of the United States, and the United States department of agriculture, for the purpose of seeking uniformity of milk control with respect to milk coming in to the state and going out of the state in interstate commerce with a view to accomplishing the purposes of this act, and may enter into a compact or compacts which will insure a uniform system of milk control between this state and other states.

**NEW SECTION.** Sec. 10. Subject to the provisions of this act and the specific provisions of any marketing plan established thereunder, the director is hereby vested with the authority:

(1) To investigate all matters pertaining to the production, processing, storage, transportation, and distribution of milk and milk products in the state, and including but not limited to the authority to:

(a) prescribe the method and time of payment to be made to producers by dealers in accordance with a marketing plan for milk;

(b) determine what constitutes a natural milk market area;

(c) determine by using uniform rules, what portion of the milk produced by each producer subject to the provisions of a marketing plan shall be marketable in fluid form and what proportion so produced shall be considered as surplus; such determination shall also apply to milk dealers who purchase or receive milk, for sale or distribution in such marketing area, from plants whose producers are not subject to such pooling arrangements;

(d) provide for the pooling and averaging of all returns from the sales of milk in a designated market area, and the payment to all producers of a uniform pool price for all milk so sold;

(e) provide and establish distributor pools or market pools for a designated market area with such rules and regulations as the director may adopt;

(f) employ an executive officer, who shall be known as the milk pooling administrator;

(g) employ such persons as may be necessary and incur all expenses necessary to carry out the purposes of this act;

(h) determine by rule, what portion of any increase in the demand for fluid milk subject to a pooling arrangement and marketing plan providing for quotas shall be assigned new producers or existing producers.

(2) To issue subpoenas to compel the attendance of witnesses and/or the production of books, documents, and records anywhere in the state in any hearing affecting the authority of privileges granted by a license issued under the provisions of this act. Witnesses shall be entitled to fees for attendance and travel as provided for in chapter 2.40 RCW as enacted or hereafter amended;

(3) To make, adopt, and enforce all rules necessary to carry out the purpose of this act subject to the provisions of chapter 34.04 RCW concerning the adoption of rules, as enacted or hereafter amended: PROVIDED, That nothing contained in this act shall be construed to abrogate or affect the status, force, or operation of any provision of the public health laws enacted by the state or any municipal corporation or the public service laws of this state.

**NEW SECTION.** Sec. 11. (1) The director, either upon his own motion or upon petition by ten percent of the producers in any proposed area, shall conduct a hearing to determine whether to establish or discontinue a market area pooling arrangement. Upon determination by the director that in order to satisfy the purposes of this act a pooling arrangement should either be established or terminated, a referendum of affected individual producers shall be conducted by the department.

(a) Sixty-six and two-thirds percent of the producers that vote must be in favor of establishing a market area and pooling plan before it can be put into effect by the director. The director, within one hundred twenty days from the date the results of the referendum are filed with the secretary of state, shall establish a market pool in the market area, as provided for in this act.

(b) If fifty-one percent of those voting representing fifty-one percent of the milk produced in the market area vote to terminate a pooling plan, the director, within one hundred twenty days, shall terminate all the provisions of said market area and pooling arrangement.

**NEW SECTION.** Sec. 12. (1) The producers qualified to sign a petition, or to vote in any referendum concerning a market pool, shall be all those producers shipping milk to the market area on a regular supply basis and who would or do receive or pay equalization in an existing market pool in a market area, or in a market pool if established in such market area.

(2) The director is authorized during business hours to review the books and records of handlers to obtain a list of the producers qualified to sign petitions or to vote in referendums.

**NEW SECTION.** Sec. 13. Petitions filed with the director by producers shall:

(1) Consist of one or more pages, each of which is dated at the bottom. The date shall be inserted on each sheet prior to, or at the time the first signature is obtained on each sheet. The director shall not accept a sheet on which such date is more than sixty days, prior to the time it is filed with the director. After a petition is filed, additional pages may be filed if time limits have not expired.

(2) Contain wording at the top of each page which clearly explains to each person whose signature appears thereon the meaning and intent of the petition. Such wording shall also clearly indicate to the director if it is in reference to a request for public hearing, exactly what matters are to be studied and desired. Similar information must be directed to the director if the matter relates to a referendum. The director has the authority to clarify wording from a petition before making it a part of a referendum.

No informalities or technicalities in the conduct of a referendum, or in any matters relating thereto, shall invalidate any referendum if it is fairly and reasonably conducted by the director.

**NEW SECTION.** Sec. 14. (1) The director shall establish a system of pooling of all milk used in each market area established under section 11 of this act.

(2) Hereafter the director shall establish a system in each market area for the equalization of returns for all quota milk and all surplus over quota milk whereby all producers selling milk to milk dealers or delivering milk in such market area, will receive the same price for all quota milk and all surplus over quota milk, except that any premium paid to a producer by a dealer above established prices shall not be considered in determining average pool prices.

**NEW SECTION.** Sec. 15 (1) Under a market pool and as used in this section, 'quota' means a producer's portion of the total sales of class I milk in a market area plus a reserve determined by the director.

(2) The director shall in each market area subject to a market plan establish each producer's initial quota in the market area. Such initial quota shall be determined by the department after due notice and the opportunity for a hearing as provided in chapter 34.04 RCW. In making this determination, consideration shall be given to a history of the producer's production record.

In any system of establishing quotas, provision shall be made for new producers to qualify for allocation of quota and for old producers to participate in any new roles.

All subsequent changes or new quota issued shall be determined by the department after due notice and the opportunity for a hearing as provided in chapter 34.04 RCW.

**NEW SECTION.** Sec. 16. No provision of this act shall be deemed or construed to:

(1) Affect or impair the contracts of any such cooperative association with its members or other producers marketing their milk through such corporation;

(2) Impair or affect any contract which any such cooperative association has with milk dealers or others which are not in violation of this act;

(3) Affect or abridge the rights and powers of any such cooperative association conferred by the laws of this state under which it is incorporated.

**NEW SECTION.** Sec. 17. Quotas provided for in this act may not in any way be transferred without the consent of the director. Regulations regarding transfer of quotas shall be determined by the department after due notice and the opportunity for a hearing as provided in chapter 34.04 RCW. Any contract for the transfer of quotas, unless the transfer has previously been approved by the director, shall be null and void. The director shall make rules and regulations to preclude any person from using a corporation as a device to evade the provisions of this section. The quotas assigned to any corporation shall become null and void as of any time the corporation does not own the means of production to which the quotas pertain. Quotas shall in no event be considered as property not to be taken or abolished by the state without compensation.

**NEW SECTION.** Sec. 18. The director shall examine and audit not less than one time each year or at any other such time he considers necessary, the books and records, and may photostat such books, records, and accounts of milk dealers and cooperatives licensed or believed subject to license under this act for the purpose of determining:

(1) How payments to producers for the milk handled are computed and whether the amount of such payments are in accordance with the applicable marketing plan;

(2) If any provisions of this act affecting such payments directly or indirectly have been or are being violated.

No person shall in any way hinder or delay the director in conducting such examination.

**NEW SECTION.** Sec. 19. All milk dealers subject to the provisions of this act shall keep the records as deemed necessary by the director.

**NEW SECTION.** Sec. 20. Each milk dealer subject to the provisions of this act shall from time to time, as required by rule of the director, make and file a verified report, on forms prescribed by the director, of all matters on account for which a record is required to

be kept, together with such other information or facts as may be pertinent and material within the scope of the purpose of this act, Such reports shall cover a period specified in the order, and shall be filed within a time fixed by the director.

**NEW SECTION.** Sec. 21. It shall be unlawful for any milk dealer subject to the provisions of a marketing plan to handle milk subject to the provisions of such marketing plan without first obtaining an annual license from the director for each separate place of business where such milk is received or sold. Such license shall be in addition to any other license required by the laws of this state: PROVIDED, That the provisions of this section shall not become effective for a period of sixty days subsequent to the inception of a marketing plan in any marketing area prescribed by the director.

**NEW SECTION.** Sec. 22. Application for a license to act as a milk dealer shall be on a form prescribed by the director and shall contain, but not be limited to, the following:

- (1) The nature of the business to be conducted;
- (2) The full name and address of the person applying for the license if an individual; and if a partnership, the full name and address of each member thereof; and if a corporation, the full name and address of each officer and director;
- (3) The complete address at which the business is to be conducted;
- (4) Facts showing that the applicant has adequate personnel and facilities to properly conduct the business of a milk dealer;
- (5) Facts showing that the applicant has complied with all the rules prescribed by the director under the provisions of this act;
- (6) Any other reasonable information the director may require.

**NEW SECTION.** Sec. 23. (1) Application for each milk dealer's license shall be accompanied by an annual license fee of five dollars.

(2) If an application for the renewal of a milk dealer's license is not filed on or before the first day of an annual licensing period a fee of three dollars shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license shall be issued: PROVIDED, That such additional assessment shall not apply if the applicant furnishes an affidavit that he has not acted as a milk dealer subsequent to the expiration of his prior license.

**NEW SECTION.** Sec. 24. The director may deny, suspend, or revoke a license upon due notice and an opportunity for a hearing as provided in chapter 34.04 RCW, concerning contested cases, as enacted or hereafter amended, or rules adopted thereunder by the director, when he is satisfied by a preponderance of the evidence of the existence of any of the following facts:

(1) A milk dealer has failed to account and make payments without reasonable cause, for milk purchased from a producer subject to the provisions of this act or rules adopted hereunder;

(2) A milk dealer has committed any act injurious to the public health or welfare or to trade and commerce in milk;

(3) A milk dealer has continued in a course of dealing of such nature as to satisfy the director of his inability or unwillingness to properly conduct the business of handling or selling milk, or to satisfy the director of his intent to deceive or defraud producers subject to the provisions of this act or rules adopted hereunder;

(4) A milk dealer has rejected without reasonable cause any milk purchased or has rejected without reasonable cause or reasonable advance notice milk delivered in ordinary continuance of a previous course of dealing, except where the contract has been lawfully terminated;

(5) Where the milk dealer is insolvent or has made a general assignment for the benefit of creditors or has been adjudged bankrupt or where a money judgment has been secured against him upon which an execution has been returned wholly or partially satisfied;

(6) Where the milk dealer has been a party to a combination to fix prices, contrary to law; a cooperative association organized under chapter 24.32 RCW and making collective sales and marketing milk pursuant to the provisions of such act shall not be deemed or construed to be a conspiracy or combination in restraint of trade or an illegal monopoly;

(7) Where there has been a failure either to keep records or to furnish statements or information required by the director;

(8) Where it is shown that any material statement upon which the license was issued is or was false or misleading or deceitful in any particular;

(9) Where the applicant is a partnership or a corporation and any individual holding any position or interest or power of control therein has previously been responsible in whole or in part for any act for which a license may be denied, suspended, or revoked, pursuant to the provisions of this act or rules adopted hereunder;

(10) Where the milk dealer has violated any provisions of this act or rules adopted hereunder;

(11) Where the milk dealer has ceased to operate the milk business for which the license was issued.

**NEW SECTION.** Sec. 25. There is hereby levied upon all milk sold or received in any marketing area subject to a marketing plan established under the provisions of this act an assessment, not to exceed five cents per one hundred pounds of all such milk, to be paid by the producer of such milk. Such assessment shall be collected by the first milk dealer who receives or handles such milk from any producer or his agent subject to such marketing plan and shall be paid to the director.

The amount to be assessed and paid to the director under any marketing plan shall be



determined by the director within the limits prescribed by this section and shall be determined according to the necessities required to carry out the purpose and provisions of this act under any such marketing plan.

Upon the failure of any dealer to withhold out of amounts due to or to become due to a producer at the time a dealer is notified by the director of the amounts to be withheld and upon failure of such dealer to pay such amounts, the director subject to the provisions of section 26 of this act, may revoke the license of the dealer required by section 23 of this act. The director may commence an action against the dealer in a court of competent jurisdiction in the county in which the dealer resides or has his principal place of business to collect such amounts. If it is determined upon such action that the dealer has wrongfully refused to pay the amounts the dealer shall be required to pay, in addition to such amounts, all the costs and disbursements of the action, to the director as determined by the court. If the director's contention in such action is not sustained, the director shall pay to the dealer all costs and disbursements of the action as determined by the court.

**NEW SECTION.** Sec. 26. Each licensee, in addition to other records required under the provisions of this act, shall keep such records and make such reports as the director may require for the purpose of computing payments of assessments by such licensee.

**NEW SECTION.** Sec. 27. All assessments on milk subject to the provisions of this act and a marketing order shall be paid to the director on or before the twentieth day of the succeeding month for the milk which was received or handled in the previous month.

**NEW SECTION.** Sec. 28. The director shall establish a separate account for each marketing plan established under the provisions of this act, and all license fees and assessments collected under any such marketing plan shall be deposited in its separate account to be used only for the purpose of carrying out the provisions of such marketing plan: **PROVIDED,** That the director may deduct from each such account the necessary costs incurred by the department. Such costs shall be prorated among the several marketing plans if more than one is in existence under the provisions of this act.

**NEW SECTION.** Sec. 29. In addition to any other remedy provided by law, the director in the name of the state shall have the right to sue in any court of competent jurisdiction for the recovery of any moneys due it from any persons subject to the provisions of this act and shall also have the right to institute suits in equity for injunctive relief and for purpose of enforcement of the provisions of this act.

**NEW SECTION.** Sec. 30. Any violation of this act and/or rules and regulations adopted thereunder shall constitute a misdemeanor: **PROVIDED,** That this section shall not apply to retail purchasers who purchase milk for domestic consumption.

**NEW SECTION.** Sec. 31. The provisions of this act shall not apply to a producer who acts as a milk dealer only for milk he produces on his own dairy farm from cows which he owns or is purchasing: **PROVIDED,** That such producer shall lease or own his processing facilities, or that he shall not have more than seventy-five percent of the milk he produces processed, bottled, or packaged by another milk dealer or producer who acts as a dealer: **PROVIDED FURTHER,** That such milk producer shall remain exempt from the provisions of this act if he purchases not more than ten percent of the milk he handled from another producer or milk dealer and if he sells any excess production from his farm or farms to the pool at the lowest use classification price.

**NEW SECTION.** Sec. 32. If any provision of this act, or its application to any person of circumstance is held invalid, the remainder of the act, or the application of the provisions to other persons or circumstances, is not affected.

**NEW SECTION.** Sec. 33. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "milk;" and before "providing" strike "and"

On page 1, line 1 of the title after "penalties" and before the period insert "; and declaring an emergency"

Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

**HOUSE BILL NO. 207,** establishing regulations for publishing municipal ordinances, reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Smythe, Chairman, Bauer, Blair, Brown, Gilleland, Haussler, Jones, Kopet, Martinis, Mentor, Merrill, North, Rabel.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

**HOUSE BILL NO. 355,** increasing cigarette excise tax, reported by Committee on Revenue and Taxation.

**MAJORITY recommendation:** Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Bluechel, Eikenberry, Hatfield, Julin, Kuehnle, Pardini.

**MINORITY recommendation:** Do not pass. Signed by Representatives Hurley, Randall.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 460, increasing liquor excise tax, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Bluechel, Eikenberry, Hatfield, Julin, Kuehnle, Pardini, Randall.

MINORITY recommendation: Do not pass. Signed by Representative Hurley.  
Passed to Committee on Rules and Administration for second reading.

February 15, 1971.

HOUSE BILL NO. 543, changing motor vehicle excise tax collection and distribution provisions, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 3 after "fraction" and before "the" insert a comma.

On page 2, section 2, line 15, before the period insert "*who shall adjust the fraction annually*"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Douthwaite, Gilleland, Haussler, Jones, Kopet, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE JOINT RESOLUTION NO. 3, limiting property taxes to one percent of true value, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Eikenberry, Hatfield, Hurley, Julin, Kuehnle, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

SENATE BILL NO. 219, providing authority for first class cities to exchange property for park purposes, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Amen, Bauer, Blair, Brown, Gilleland, Haussler, Jones, Kopet, Kuehnle, Martinis, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 837, by Representatives Grant and Kilbury:  
An Act relating to consumer protection.  
Referred to Committee on Business and Professions.

HOUSE BILL NO. 838, by Representatives Grant and Kilbury:  
An Act relating to unemployment compensation; amending section 21, chapter 35, Laws of 1945 as last amended by section 9, chapter 3, Laws of 1971 and RCW 50.04.115; amending section 20, chapter 3, Laws of 1971 (uncodified); creating a new section; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 839, by Representatives Bottiger, Hansey and Bledsoe:

An Act relating to revenue and taxation; amending section 82.36.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1967 and RCW 82.36.010; adding new sections to chapter 82.42 RCW; repealing section 1, chapter 10, Laws of 1967 ex. sess., section 1, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.010; repealing section 2, chapter 10, Laws of 1967 ex. sess., section 2, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.020; repealing section 3, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.030; repealing section 4, chapter 10, Laws of 1967 ex. sess., section 3, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.040; repealing section 5, chapter 10, Laws of 1967 ex. sess., section 4, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.050; repealing section 6, chapter 10, Laws of 1967 ex. sess., section 4, chapter 139, Laws of

1969, section 5, chapter 254, Laws of 1969 ex. sess. and RCW 82.42.060; repealing section 7, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.070; repealing section 8, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.080; repealing section 9, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.090; repealing section 10, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.100; repealing section 11, chapter 10, Laws of 1967 ex. sess. and RCW 82.42.900; and prescribing an effective date.

Referred to Committee on Transportation.

HOUSE BILL NO. 840, by Representatives Kirk, Chatalas and Lynch:

An Act relating to revenue and taxation; adding a new section to chapter 82.01 RCW; adding a new section to chapter 82.02 RCW; adding a new section to chapter 84.09 RCW; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 841, by Representatives Merrill, Paris, Adams, Lynch, Marzano and O'Brien:

An Act relating to public health and safety; requiring that provision be made for handicapped persons in public accommodations; and creating new sections.

Referred to Committee on State Government.

HOUSE BILL NO. 842, by Representatives Bagnariol, Pardini, Maxie and Kilbury:

An Act relating to consumer credit; providing for correcting of credit reports; adding a new chapter to Title 18 RCW; creating new sections; and providing penalties.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 843, by Representatives Bagnariol, Barden and Charnley:

An Act relating to the department of labor and industries; establishing the division of industrial hygiene; amending section 43.22.010, chapter 8, Laws of 1965 as amended by section 1, chapter 32, Laws of 1969 ex. sess. and RCW 43.22.010; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.22 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 844, by Representative Curtis:

An Act relating to gambling.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 845, by Representative Curtis:

An Act relating to gambling.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 846, by Representative Smythe:

An Act relating to education in the common schools.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 847, by Representatives Johnson, Gilleland and Savage:

An Act relating to motor vehicles; requiring certain safety equipment on motorcycles; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.37 RCW.

Referred to Committee on Transportation.

HOUSE BILL NO. 848, by Representative Smythe:

An Act relating to education in the common schools.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 849, by Representatives Bottiger, Sawyer and Randall:

An Act relating to state government; and creating a new section.

Referred to Committee on State Government.

HOUSE BILL NO. 850, by Representatives Bagnariol, Barden and Merrill:

An Act relating to counties; and providing payment of costs of relocating public utility facilities on county roads from state or federal funds to the extent such funds may be available.

Referred to Committee on Transportation.

HOUSE BILL NO. 851, by Representatives Grant, Johnson and Morrison:

An Act relating to labor relations and collective bargaining; broadening the scope of the interim committee on public employees collective bargaining to include the private sector; amending section 7, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.400; amending section 8, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.405; amending section 11, chapter 215, Laws of 1969 ex. sess. and RCW 41.56.420; and adding a new section to chapter 215, Laws of 1969 ex. sess. and to chapter 41.56 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 852, by Representatives Bagnariol, Barden and Merrill:

An Act relating to promissory notes; creating a new section; and providing a penalty.

Referred to Committee on Judiciary.

HOUSE BILL NO. 853, by Representatives Bledsoe, Morrison, North and Ross:

An Act relating to crimes and punishments; and repealing section 208, chapter 249, Laws of 1909 and RCW 9.68.030.

Referred to Committee on Judiciary.

HOUSE BILL NO. 854, by Representatives Bagnariol, Barden and Merrill:

An Act relating to public highways; and providing payment of costs of relocating public utility facilities from federal funds to extent such funds may be available.

Referred to Committee on Transportation.

HOUSE BILL NO. 855, by Representatives Kopet, McDermott, Gladder and Ross:

An Act relating to state government; amending section 1, chapter 61, Laws of 1961 and RCW 15.76.100; amending section 2, chapter 61, Laws of 1961 and RCW 15.76.110; amending section 6, chapter 61, Laws of 1961 as amended by section 2, chapter 32, Laws of 1965 ex. sess. and RCW 15.76.150; amending section 8, chapter 61, Laws of 1961 and RCW 15.76.170; amending section 9, chapter 55, Laws of 1933 as last amended by section 7, chapter 148, Laws of 1965 and RCW 67.16.100; amending section 2, chapter 94, Laws of 1969 ex. sess. and RCW 67.16.130; amending section 4, chapter 148, Laws of 1965 and RCW 43.31.820; amending section 5, chapter 148, Laws of 1965 and RCW 43.31.830; amending section 6, chapter 148, Laws of 1965 and RCW 43.31.840; creating new sections; repealing section 36, chapter —, Laws of 1971 (House Bill No. 151); abolishing certain funds and transferring moneys therein; making appropriations; declaring an emergency; and making an effective date.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 856, by Representatives Berentson and Gilleland:

An Act relating to mass public transportation.

Referred to Committee on Transportation.

HOUSE BILL NO. 857, by Representative Berentson:

An Act relating to transportation across Puget Sound.

Referred to Committee on Transportation.

HOUSE BILL NO. 858, by Representatives Johnson, Jueling and Morrison:

An Act relating to the state-wide city employees' retirement system; amending section 3, chapter 71, Laws of 1947 as last amended by section 6, chapter 28, Laws of 1967 ex. sess. and RCW 41.44.030; amending section 6, chapter 71, Laws of 1947 as amended by section 3, chapter 275, Laws of 1951 and RCW 41.44.060; amending section 8, chapter 71, Laws of 1947 as last amended by section 2, chapter 227, Laws of 1961 and RCW

41.44.080; amending section 9, chapter 71, Laws of 1947 as last amended by section 2, chapter 228, Laws of 1953 and RCW 41.44.090; amending section 12, chapter 71, Laws of 1947 as last amended by section 2, chapter 70, Laws of 1959 and RCW 41.44.120; amending section 13, chapter 71, Laws of 1947 as last amended by section 3, chapter 99, Laws of 1965 ex. sess. and RCW 41.44.130; amending section 14, chapter 71, Laws of 1947 as last amended by section 4, chapter 28, Laws of 1967 ex. sess. and RCW 41.44.140; amending section 15, chapter 71, Laws of 1947 as last amended by section 5, chapter 99, Laws of 1965 ex. sess. and RCW 41.44.150; amending section 16, chapter 71, Laws of 1947 as last amended by section 6, chapter 99, Laws of 1965 ex. sess. and RCW 41.44.160; amending section 17, chapter 71, Laws of 1947 as last amended by section 7, chapter 99, Laws of 1965 ex. sess. and RCW 41.44.170; amending section 18, chapter 71, Laws of 1947 as amended by section 8, chapter 227, Laws of 1961 and RCW 41.44.180; amending section 19, chapter 71, Laws of 1947 as last amended by section 5, chapter 28, Laws of 1967 ex. sess. and RCW 41.44.190; amending section 21, chapter 71, Laws of 1947 as last amended by section 10, chapter 227, Laws of 1961 and RCW 41.44.210; adding a new section to chapter 41.44 RCW; declaring an emergency; and providing an effective date.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 859, by Representatives Morrison, Charette, Hubbard and Grant:

An Act relating to unemployment compensation; amending section 11, chapter 35, Laws of 1945 and RCW 50.04.100; amending section 41, chapter 35, Laws of 1945 and RCW 50.12.020; amending section 43, chapter 35, Laws of 1945 and RCW 50.12.040; amending section 68, chapter 35, Laws of 1945 as last amended by section 4, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.010; amending section 78, chapter 35, Laws of 1945 and RCW 50.20.100; amending section 92, chapter 35, Laws of 1945 as amended by section 16, chapter 8, Laws of 1953 ex. sess. and RCW 50.24.040; amending section 93, chapter 35, Laws of 1945 as amended by section 19, chapter 215, Laws of 1947 and RCW 50.24.050; amending section 10, chapter 2, Laws of 1970 ex. sess. as amended by section 16, chapter 3, Laws of 1971 and RCW 50.29.010; amending section 13, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.040; amending section 16, chapter 2, Laws of 1970 ex. sess. and RCW 50.29.070; amending section 120, chapter 35, Laws of 1945 and RCW 50.32.040; amending section 125, chapter 35, Laws of 1945 and RCW 50.32.090; amending section 128, chapter 35, Laws of 1945 and RCW 50.32.120; amending section 129, chapter 35, Laws of 1945 and RCW 50.32.130; repealing section 47.64.050, chapter 13, Laws of 1961 and RCW 47.64.050; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 860, by Representatives Lynch and Hatfield:

An Act relating to property taxes; amending section 84.36.160, chapter 15, Laws of 1961 and RCW 84.36.160; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 861, by Representatives Bradley, Van Dyk and Costanti:

An Act relating to food fish and shellfish; providing for a personal use razor clam license; creating new sections; providing penalties; and declaring an effective date.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 862, by Representatives Blair, Douthwaite, Grant, Ross, Rabel, Merrill and Jones:

An Act relating to alcoholic beverage control; ending the prohibition on the sale of liquor on the campus of the University of Washington; repealing section 1, chapter 75, Laws of 1895, section 1, chapter 49, Laws of 1933 ex. sess., section 1, chapter 120, Laws of 1951, section 1, chapter 21, Laws of 1967 and RCW 66.44.190; and declaring an effective date.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 863, by Representatives Jones, Costanti and Gilleland:

An Act relating to education; and amending section 28A.01.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.01.010.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 864, by Representatives Kopet, Kirk and Blair:

An Act relating to common schools; and amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.160.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 865, by Representative Bluechel:

An Act relating to state government.

Referred to Committee on State Government.

HOUSE BILL NO. 866, by Representatives Kopet, Shera and Bagnariol:

An Act relating to certain retirement systems.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 867, by Representative Berentson:

An Act relating to transportation.

Referred to Committee on Transportation.

HOUSE BILL NO. 868, by Representative Berentson:

An Act relating to state government.

Referred to Committee on Transportation.

HOUSE BILL NO. 869, by Representative Gladder:

An Act relating to hotels and motels; providing for the licensing and regulation of hotels and motels by the state department of social and health services; providing for licensure fees; amending section 43.22.050, chapter 8, Laws of 1965 and RCW 43.22.050; repealing section 43.22.060, chapter 8, Laws of 1965 and RCW 43.22.060; repealing section 43.22.070, chapter 8, Laws of 1965 and RCW 43.22.070; repealing section 43.22.080, chapter 8, Laws of 1965 and RCW 43.22.080; repealing section 43.22.090, chapter 8, Laws of 1965 and RCW 43.22.090; repealing section 43.22.100, chapter 8, Laws of 1965 and RCW 43.22.100; repealing section 43.22.110, chapter 8, Laws of 1965 and RCW 43.22.110; repealing sections 1 through 6, chapter 169, Laws of 1915, sections 1 through 11, chapter 29, Laws of 1909, sections 1 and 2, chapter 48, Laws of 1905 and RCW 70.62.010 through 70.62.130; creating new sections; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 870, by Representatives Brown, North and Gilleland:

An Act relating to the legislature; and providing for the redistricting and reapportionment thereof.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 871, by Representatives Morrison and Brown:

An Act relating to the redistricting and reapportionment of the state into congressional districts.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 872, by Representatives Brown, McDermott and Smythe:

An Act relating to education; amending section 28A.57.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.020; amending section 28A.57.050, chapter 223, Laws of 1969 ex. sess. as amended by section 120, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.050; amending section 28A.57.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.055; amending section 28A.57.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.060; amending section 28A.57.070, chapter 223, Laws of 1969 ex. sess. as amended

by section 121, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.070; amending section 28A.57.075, chapter 223, Laws of 1969 ex. sess. as amended by section 122, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.075; amending section 28A.57.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.100; amending section 28A.57.150, chapter 223, Laws of 1969 ex. sess. as amended by section 126, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.150; amending section 28A.57.170, chapter 223, Laws of 1969 ex. sess. as amended by section 127, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.170; amending section 28A.57.180, chapter 223, Laws of 1969 ex. sess. as amended by section 128, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.180; amending section 28A.57.190, chapter 223, Laws of 1969 ex. sess. as amended by section 129, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.190; amending section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 86, Laws of 1970 ex. sess. and RCW 28A.57.200; amending section 28A.57.342, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.342; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.344; amending section 28A.57.370, chapter 223, Laws of 1969 ex. sess. as amended by section 139, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.370; amending section 28A.57.390, chapter 223, Laws of 1969 ex. sess. as amended by section 140, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.390; amending section 9, chapter 131, Laws of 1969 and RCW 28A.57.425; amending section 28A.56.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.005; amending section 28A.56.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.010; amending section 28A.56.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.020; amending section 28A.56.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.030; amending section 28A.56.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.040; amending section 28A.56.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.060; amending section 28A.56.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.070; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; creating new sections; repealing section 28A.57.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.030; repealing section 28A.57.031, chapter 223, Laws of 1969 ex. sess. as amended by section 115, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.031; repealing section 28A.57.032, chapter 223, Laws of 1969 ex. sess. as amended by section 116, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.032; repealing section 28A.57.033, chapter 223, Laws of 1969 ex. sess. as amended by section 117, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.033; repealing section 28A.57.034, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.034; repealing section 28A.57.035, chapter 223, Laws of 1969 ex. sess. as amended by section 118, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.035; repealing section 28A.57.040, chapter 223, Laws of 1969 ex. sess. as amended by section 119, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.040; repealing section 28A.57.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.110; repealing section 28A.57.240, chapter 223, Laws of 1969 ex. sess. as amended by section 131, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.240; repealing section 28A.57.245, chapter 223, Laws of 1969 ex. sess. as amended by section 132, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.245; making an effective date; and providing penalties.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 873, by Representatives Morrison, North and Smythe:

An Act relating to the redistricting and reapportionment of the state into congressional districts.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 874, by Representatives Brown, Morrison and Smythe:

An Act relating to the redistricting and reapportionment of the state into congressional districts.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 875, by Representatives Ceccarelli, Curtis, Rosellini and Blair:

An Act relating to alcoholic beverage control; providing for employment of persons

under twenty-one years of age; and adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 876, by Representatives Curtis, Eikenberry, Ross and Maxie:

An Act relating to intoxicating liquor; amending section 23-S-1 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 and RCW 66.24.400; and amending section 2, chapter 13, Laws of 1970 ex. sess. and RCW 66.24.420.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 877, by Representatives Shera and Bagnariol:

An Act relating to insurance.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 878, by Representatives Charette, Goldsworthy and Knowles:

An Act relating to the publication of the session laws of the state of Washington; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HOUSE BILL NO. 879, by Representatives Bluechel, Polk and Kopet:

An Act relating to factory built housing; amending section 1, chapter 44, Laws of 1970 ex. sess. and RCW 43.22.450; amending section 2, chapter 44, Laws of 1970 ex. sess. and RCW 43.22.455; and amending section 5, chapter 44, Laws of 1970 ex. sess. and RCW 43.22.470.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 880, by Representatives Ceccarelli, North, Rosellini and Adams:

An Act relating to humane societies; and amending section 1, chapter 146, Laws of 1901 and RCW 16.52.020.

Referred to Committee on Agriculture.

HOUSE BILL NO. 881, by Representatives Flanagan, Moon, Haussler and Bledsoe:

An Act relating to property tax assessments; and amending section 84.40.020, chapter 15, Laws of 1961 as amended by section 35, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.020.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 882, by Representatives Bluechel, Chamley, Brown and Randall:

An Act relating to wild animals or wild animal products; creating new sections; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 883, by Representative Wanamaker:

An Act relating to aeronautics.

Referred to Committee on Transportation.

HOUSE BILL NO. 884, by Representative Wanamaker:

An Act relating to motor vehicles.

Referred to Committee on Transportation.

HOUSE BILL NO. 885, by Representative Wanamaker:

An Act relating to highways; making appropriations for the operations and capital improvements of the state highway commission, the joint committee on highways, the urban arterial board, the Washington toll bridge authority, the county road administration board; making appropriations to the utilities and transportation commission for administration of the highway grade crossing protective program; and declaring an emergency.

Referred to Committee on Transportation.



HOUSE BILL NO. 886, by Representatives Wanamaker and Gilleland:  
An Act relating to traffic safety.  
Referred to Committee on Transportation.

HOUSE BILL NO. 887, by Representative Wanamaker:  
An Act relating to the operators of motor vehicles.  
Referred to Committee on Transportation.

HOUSE BILL NO. 888, by Representatives Morrison, Rosellini, Savage, Johnson and Benitz:

An Act relating to business and occupation taxes; amending section 82.04.110, chapter 15, Laws of 1961 and RCW 82.04.110; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 35, chapter 262, Laws of 1969 and RCW 82.04.250; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 36, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 37, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.270; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 889, by Representative Morrison:  
An Act relating to farm labor contractors.  
Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 890, by Representative Hansey:  
An Act relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.24 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 891, by Representatives Douthwaite, Perry, Grant, North, Blair, Charnley, Lysen and Gallagher:

An Act relating to the practice of dentistry; amending section 20, chapter 52, Laws of 1957, as amended by section 1, chapter 98, Laws of 1957 and RCW 18.32.020; and amending section 19, chapter 112, Laws of 1935 and RCW 18.32.310.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 892, by Representative Berentson:  
An Act relating to transportation.  
Referred to Committee on Transportation.

HOUSE BILL NO. 893, by Representatives Shera and Luders:  
An Act relating to financial institutions.  
Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 894, by Representatives Kuehnle, Pardini and Hatfield:  
An Act relating to revenue and taxation; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 37, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.270; and prescribing an effective date.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 895, by Representatives Kuehnle, Luders, Kopet, Pardini, Knowles and Haussler:

An Act relating to agriculture; and making an appropriation.  
Referred to Committee on Agriculture.

HOUSE BILL NO. 896, by Representative Smith:  
An Act relating to Indian artifacts.  
Referred to Committee on Local Government.

HOUSE BILL NO. 897, by Representatives Perry, Barden and Sawyer:

An Act relating to inheritance taxes; and amending section 1, chapter 8, Laws of 1965 ex. sess. and RCW 83.20.030.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 898, by Representatives Newhouse, Bagnariol, North, Grant and Mentor (by Executive request):

An Act relating to state government; establishing a state building council within the department of labor and industries; adopting a state building code; and adding a new chapter to Title 70 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 899, by Representatives Lynch, King and McDermott:

An Act relating to crimes and punishment; amending section 164, chapter 249, Laws of 1909 and RCW 9.11.040; and repealing section 28A.87.140, chapter 223, Laws of 1969 ex. sess. as amended by section 61, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.140.

Referred to Committee on Judiciary.

HOUSE BILL NO. 900, by Representatives Beck, Marzano, Kirk, Backstrom, Adams, Bottiger, Haussler, Knowles, Martinis, Savage, Sawyer and Wojahn:

An Act relating to veterans; amending section 44, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.505; amending section 43.61.010, chapter 8, Laws of 1965 as amended by section 31, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.010; amending section 43.61.020, chapter 8, Laws of 1965 as amended by section 32, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.020; amending section 43.61.030, chapter 8, Laws of 1965 as amended by section 33, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.030; amending section 43.61.040, chapter 8, Laws of 1965 as amended by section 34, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.040; amending section 43.61.050, chapter 8, Laws of 1965 as amended by section 35, chapter 18, Laws of 1970 ex. sess. and RCW 43.61.050; creating new sections; declaring an emergency; and making an effective date.

Referred to Committee on State Government.

HOUSE BILL NO. 901, by Representatives Douthwaite, Kopet and Thompson:

An Act relating to the department of ecology; authorizing the department to take charge of the preservation of artifacts of ancient cultures; and adding new sections to chapter 62, Laws of 1970 ex. sess. and to chapter 43.21A RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 902, by Representative Kilbury:

An Act relating to political parties; creating the Washington state political history commission; and adding new sections to Title 29 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 903, by Representatives Kopet, Douthwaite and Ross:

An Act relating to water pollution; amending section 17, chapter 216, Laws of 1945 as amended by section 10, chapter 13, Laws of 1967 and RCW 90.48.110; and adding new sections to chapter 90.48 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 904, by Representatives Chatalas, Charette, Ross, Grant, Thompson, Paris, Bagnariol, Perry, King, Rosellini, Beck, Sawyer, Luders, Marzano, Bradley, Bauer, Merrill, Kilbury, Maxie, Ceccarelli, Martinis, Adams, O'Brien, Jastad, Brouillet, Randall, Marsh, Knowles, Backstrom, Johnson, May, Shinpoch, Douthwaite, Savage, Charnley, McCormick, Gallagher, Anderson, Bottiger, Brown and Litchman:

An Act relating to industrial insurance; amending section 3, chapter 107, Laws of 1961 and RCW 51.08.013; amending section 51.08.070, chapter 23, Laws of 1961 and RCW

51.08.070; amending section 51.12.010, chapter 23, Laws of 1961 and RCW 51.12.010; amending section 51.12.020, chapter 23, Laws of 1961 and RCW 51.12.020; amending section 51.16.110, chapter 23, Laws of 1961 and RCW 51.16.110; amending section 51.28.010, chapter 23, Laws of 1961 and RCW 51.28.010; amending section 51.28.030, chapter 23, Laws of 1961 and RCW 51.28.030; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 1, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.050; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 2, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.060; amending section 51.32.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 166, Laws of 1965 ex. sess. and RCW 51.32.070; amending section 51.32.080, chapter 23, Laws of 1961 as last amended by section 1, chapter 165, Laws of 1965 ex. sess. and RCW 51.32.080; amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 3, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.090; amending section 51.32.110, chapter 23, Laws of 1961 and RCW 51.32.110; adding new sections to chapter 51.08 RCW; adding a new section to chapter 51.16 RCW; repealing section 51.16.010, chapter 23, Laws of 1961 and RCW 51.16.010; repealing section 51.16.020, chapter 23, Laws of 1961, section 6, chapter 274, Laws of 1961 and RCW 51.16.020; repealing section 51.16.030, chapter 23, Laws of 1961 and RCW 51.16.030; repealing section 51.16.050, chapter 23, Laws of 1961 and RCW 51.16.050; repealing section 51.16.080, chapter 23, Laws of 1961 and RCW 51.16.080; providing an effective date; and declaring an emergency.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 905, by Representatives Copeland, Martinis and Pardini:

An Act relating to the definition of "public place"; and adding a new section to chapter 66.04 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 906, by Representatives Gallagher and Hoggins:

An Act relating to the salaries of supreme court justices, court of appeals judges, and superior court judges; and creating new sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 907, by Representatives Zimmerman, Marsh, Smythe and Bauer:

An Act relating to interstate Columbia River development.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 908, by Representatives Bagnariol, Wolf and Ceccarelli:

An Act relating to business and professions; providing for the regulation and licensing of men's hair styling; establishing an examining committee; adding a new chapter to Title 18 RCW; creating a new section; and providing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 909, by Representative Wojahn:

An Act relating to employment.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 910, by Representatives O'Brien, Brown and McDermott:

An Act relating to cities and towns; providing for off-street parking facilities; amending section 7, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.070; adding a new section to chapter 204, Laws of 1969 ex. sess. and to chapter 35.86A RCW; adding a new section to chapter 7, Laws of 1965 and to chapter 35.86 RCW; repealing section 35.86.040, chapter 7, Laws of 1965, section 13, chapter 204, Laws of 1969 ex. sess. and RCW 35.86.040; repealing section 11, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.110; and repealing section 12, chapter 204, Laws of 1969 ex. sess. and RCW 35.86A.120.

Referred to Committee on Local Government.

HOUSE BILL NO. 911, by Representatives Bagnariol, Gladder, Backstrom, Merrill, Blair, Ceccarelli, Spanton, Barden, Shipoch, Chatalas, Morrison, Marzano and Litchman:

An Act providing freedom of choice of doctors; prohibiting discrimination, relating to the state, public institutions, political subdivisions and municipal corporations; and adding a new section to chapter 149, Laws of 1949, and to chapter 18.53 RCW.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 912, by Representatives Bagnariol, Gladder, Backstrom, Merrill, Blair, Ceccarelli, Spanton, Barden, Morrison, Chatalas, Marzano and Litchman:

An Act relating to health care service contractors; public freedom of choice of doctors for vision care; adding new sections to chapter 48.44 RCW; repealing section 1, chapter 143, Laws of 1969 and RCW 48.44.025; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 913, by Representatives Bagnariol, Merrill, Backstrom, Ceccarelli, Spanton, Barden, Shinpoch, Chatalas, Morrison, Marzano and Litchman:

An Act relating to health care service contractors; public freedom of choice of doctors; adding new sections to chapter 48.44 RCW; repealing section 1, chapter 143, Laws of 1969 and RCW 48.44.025; and prescribing penalties.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 914, by Representatives Polk, May and Rabel:

An Act relating to commercial drivers training schools and instructors; amending section 2, chapter 39, Laws of 1963 as amended by section 1, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.010; amending section 3, chapter 39, Laws of 1963 as amended by section 2, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.020; amending section 46.82.040, chapter 12, Laws of 1961 and RCW 46.82.040; amending section 46.82.140, chapter 12, Laws of 1961 as amended by section 48, chapter 170, Laws of 1965 ex. sess. and RCW 46.82.140; and amending section 46.82.190, chapter 12, Laws of 1961 as amended by section 111, chapter 32, Laws of 1967 and RCW 46.82.190.

Referred to Committee on Transportation.

HOUSE BILL NO. 915, by Representatives Kopet, O'Brien, Kiskaddon, Lynch and Perry:

An Act relating to social and health services; providing for the use of nonappropriated funds to improve such services; and adding new sections to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20A RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 916, by Representatives Bagnariol, Gladder, Backstrom, Merrill, Blair, Ceccarelli, Spanton, Barden, Shinpoch, Chatalas, Morrison, Marzano and Litchman:

An Act providing freedom of choice of doctors; prohibiting discrimination, relating to the state, public institutions, political subdivisions and municipal corporations; adding new sections to chapter 149, Laws of 1949 and to chapter 18.53 RCW; and prescribing penalties.

Referred to Committee on State Government.

HOUSE BILL NO. 917, by Representatives Flanagan, Benitz, Newhouse, Amen and Bledsoe:

An Act relating to family farm units and agricultural labor; and creating new sections.

Referred to Committee on Agriculture.

HOUSE BILL NO. 918, by Representatives Perry and Cunningham:

An Act relating to officers and employees of the state of Washington; amending section 13, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.130; and adding a new section to chapter 42.18 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 919, by Representative Kuehnle:

An Act relating to the control of tuberculosis.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 920, by Representative Kuehnl:  
An Act relating to the control of tuberculosis.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 921, by Representative Thompson:  
An Act relating to water pollution.  
Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 922, by Representatives Hoggins and Brouillet:  
An Act relating to education; amending section 28A.01.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.01.010; amending section 28A.01.025, chapter 223, Laws of 1969 ex. sess. and RCW 28A.01.025; amending section 28A.58.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.180; adding new sections; and declaring an emergency.  
Referred to Committee on Education and Libraries.

HOUSE BILL NO. 923, by Representative Backstrom:  
An Act relating to crimes and the power of arrest and detention by one other than an officer; amending section 164, chapter 249, Laws of 1909 and RCW 9.11.040; and amending section 3, chapter 76, Laws of 1967 and RCW 4.24.220; and adding a new section to chapter 10.31 RCW.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 924, by Representative Farr:  
An Act relating to scenic highways.  
Referred to Committee on Transportation.

HOUSE BILL NO. 925, by Representative Douthwaite:  
An Act relating to public utilities.  
Referred to Committee on State Government.

HOUSE BILL NO. 926, by Representative Douthwaite:  
An Act relating to hitchhiking.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 927, by Representatives Zimmerman, Kraabel, Moon, Thompson, Paris and May:  
An Act relating to the utilization of asbestos in the construction trades; creating new sections; and declaring an emergency.  
Referred to Committee on Business and Professions.

HOUSE BILL NO. 928, by Representative Ross:  
An Act relating to revenue and taxation; extending the sales tax to certain business and service activities, job classifications, and professions; and amending section 1, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.050.  
Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 929, by Representatives Shera, Conway, Barden, Curtis, Pardini and Berentson:  
An Act relating to general assistance; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 1, chapter 173, Laws of 1969 ex. sess. and RCW 74.04.005; and declaring an emergency.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 930, by Representatives King, Wolf, Flanagan, Benitz, Hatfield and Lynch:  
An Act relating to revenue and taxation; amending section 82.24.130, chapter 15,

Laws of 1961 and RCW 82.24.130; adding a new section to chapter 15, Laws of 1961 and to chapter 82.24 RCW; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 931, by Representatives Zimmerman, Moon, Barden and Douthwaite:

An Act relating to development of oil facilities.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 932, by Representatives Bagnariol and Merrill:

An Act relating to intoxicating liquor by regulating the sale of wine in this state.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 933, by Representatives Berentson, Zimmerman, North, Luders, Conner and Chatalas:

An Act relating to the control of noise.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 934, by Representatives Kilbury and Lysen:

An Act relating to industrial insurance; authorizing a cause of action against an employer; and amending section 51.24.020, chapter 23, Laws of 1961 and RCW 51.24.020.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 935, by Representative Randall:

An Act relating to state government; establishing a state land use commission; adding new sections to 43.63A RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 936, by Representatives Grant, Johnson, Marzano, Gallagher, Chatalas and Backstrom:

An Act relating to intoxicating liquor; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010; amending section 1, chapter 13, Laws of 1970 ex. sess. and RCW 66.24.160; amending section 23K added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 2, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.200; amending section 24A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 3, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.210; amending section 25, chapter 62, Laws of 1933 as amended by section 4, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.230; amending section 23I added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 5, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.310; amending section 27D added to chapter 62, Laws of 1933 ex. sess. by section 8, chapter 172, Laws of 1939 as amended by section 6, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.030; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.040; amending section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 8, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.050; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 11, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as amended by section 12, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.160; repealing section 9, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.204; repealing section 10, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.206; repealing section 14, chapter 21, Laws of 1969 ex. sess., section 3, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.025; providing an effective date; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 937, by Representative Bagnariol:

An Act relating to forest fire prevention.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 938, by Representatives Harris, Wojahn and Eikenberry:

An Act relating to franchises; creating new sections; defining crimes; providing an effective date; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 939, by Representatives Bagnariol, Shinpoch, Kilbury and Merrill:

An Act relating to insurance; and amending section .17.16, chapter 79, Laws of 1947 as last amended by section 20, chapter 150, Laws of 1967 and RCW 48.17.160.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 940, by Representatives Wojahn, Kirk, Sawyer, McCormick and Litchman:

An Act relating to consumer protection; and amending section 9, chapter 216, Laws of 1961 as amended by section 2, chapter 26, Laws of 1970 ex. sess. and RCW 19.86.090.

Referred to Committee on Judiciary.

HOUSE BILL NO. 941, by Representative Pardini:

An Act relating to the acquisition of land and the construction and use of a state building in the city of Spokane; authorizing the state building authority to acquire the necessary land and construct such building; providing for the lease thereof by the state building authority to the department of commerce and economic development; authorizing the sublease thereof; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 942, by Representatives Barden and Grant:

An Act relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.72 RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 943, by Representative Copeland:

An Act relating to agricultural products; providing for mediation of disputes arising between growers and processors contracting for the production of agricultural products, and to contracts for the production of agricultural products; providing civil remedies, creating new sections; and providing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 944, by Representatives Ross, Douthwaite and Maxie:

An Act relating to education; authorizing certain school districts to contract with a community educational service corporation for educational services; and creating a new chapter in Title 28A RCW.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 945, by Representative Williams:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 946, by Representatives Ross, Curtis, Douthwaite, Jones, Kiskaddon, Kraabel, Maxie, Mentor, Smythe and Wolf:

An Act relating to discrimination; and adding a new section to chapter 18, Laws of 1970 ex. sess. and to chapter 43.20 RCW.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 947, by Representative Bottiger:

An Act relating to the state administrative procedure act; and amending section 8, chapter 237, Laws of 1967 and RCW 34.04.170.

Referred to Committee on Judiciary.

HOUSE BILL NO. 948, by Representatives Polk, Eikenberry and Kopet:

An Act relating to revenue and taxation; and providing for new methods of school funding.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 949, by Representatives Hubbard, Bottiger, Maxie, Ross, Wojahn and Rabel:

An Act relating to the regulation of collection agencies; creating new sections; repealing section 1, chapter 90, Laws of 1929 and RCW 19.16.010; repealing section 2, chapter 90, Laws of 1929 and RCW 19.16.020; repealing section 3, chapter 90, Laws of 1929 and RCW 19.16.030; repealing section 4, chapter 90, Laws of 1929 and RCW 19.16.040; repealing section 5, chapter 90, Laws of 1929 and RCW 19.16.050; providing an effective date; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 950, by Representative Charette:

An Act relating to courts; and amending section 4, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.040.

Referred to Committee on Judiciary.

HOUSE BILL NO. 951, by Representative Williams:

An Act relating to cities and towns.

Referred to Committee on Local Government.

HOUSE BILL NO. 952, by Representatives Zimmerman, Marsh, Smythe, Bauer and Kilbury:

An Act relating to interstate Columbia Gorge development.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 953, by Representative North:

An Act relating to the regulation of contractors.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 954, by Representatives Bagnariol, Benitz and Schumaker:

An Act relating to assessment; altering the revenue from taxation of buildings; and repealing section 36.21.080, chapter 4, Laws of 1963 and RCW 36.21.080.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 955, by Representatives Wolf, Morrison, Hubbard and Savage:

An Act relating to hotels and motels; providing for the licensing and regulation of hotels and motels by the department of labor and industries; providing for licensure fees; creating new sections; repealing section 43.22.060, chapter 8, Laws of 1965 and RCW 43.22.060; repealing section 43.22.070, chapter 8, Laws of 1965 and RCW 43.22.070; repealing section 43.22.080, chapter 8, Laws of 1965 and RCW 43.22.080; repealing section 43.22.090, chapter 8, Laws of 1965 and RCW 43.22.090; repealing section 43.22.100, chapter 8, Laws of 1965 and RCW 43.22.100; repealing section 43.22.110, chapter 8, Laws of 1965 and RCW 43.22.110; repealing sections 1 through 6, chapter 169, Laws of 1915, sections 1 through 11, chapter 29, Laws of 1909, sections 1 and 2, chapter 48, Laws of 1905, and RCW 70.62.010 through 70.62.130; and prescribing penalties.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 956, by Representatives Charette, Marsh, Thompson, Paris and Ross:

An Act relating to law enforcement officers' and firefighters' social security; amending section 3, chapter 184, Laws of 1951 as last amended by section 1, chapter 5, Laws of 1967 and RCW 41.48.030; and amending section 5, chapter 184, Laws of 1951 as amended by section 5, chapter 4, Laws of 1955 ex. sess. and RCW 41.48.050.

Referred to Committee on Financial Institutions and Insurance.



HOUSE BILL NO. 957, by Representatives Kuehnle, Eikenberry, Luders, Wolf, Polk, Van Dyk, Bradley, Randall and Bauer:

An Act relating to motor vehicles; providing for suspension of certain operators' licenses; and adding a new section to chapter 46.20 RCW.

Referred to Committee on Judiciary.

HOUSE BILL NO. 958, by Representatives Shera and Bagnariol:

An Act relating to insurance.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 959, by Representatives May, Kopet, Smythe, Pardini, Luders, Kuehnle, Harris, Knowles, Gladder, Hurley and McCormick:

An Act relating to counties; providing for the determination of the salaries of county officers; adding a new section to chapter 36.17 RCW; and repealing section 36.17.020, chapter 4, Laws of 1963, section 1, chapter 164, Laws of 1963, section 3, chapter 218, Laws of 1967, section 2, chapter 77, Laws of 1967 ex. sess., section 1, chapter 226, Laws of 1969 ex. sess. and RCW 36.17.020.

Referred to Committee on Local Government.

HOUSE BILL NO. 960, by Representative Hubbard:

An Act relating to damage by dogs; amending section 5, chapter 198, Laws of 1929 and RCW 16.08.010; amending section 6, chapter 198, Laws of 1929 and RCW 16.08.020; and prescribing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 961, by Representatives Morrison and Brown:

An Act relating to the legislature; and providing for the redistricting and reapportionment thereof.

Referred to Committee on Elections and Apportionment.

HOUSE BILL NO. 962, by Representatives Moon, Martinis, King, Ceccarelli, Maxie, Ross and Wojahn:

An Act relating to the state's elderly citizens; providing certain state aid thereto; and creating new sections.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 963, by Representative Shinpoch:

AN Act relating to game farmers; amending section 77.28.010, chapter 36, Laws of 1955 and RCW 77.28.010; amending section 77.28.020, chapter 36, Laws of 1955 as amended by section 14, chapter 29, Laws of 1970 ex. sess. and RCW 77.28.020; amending section 77.28.030, chapter 36, Laws of 1955 and RCW 77.28.030; amending section 77.28.050, chapter 36, Laws of 1955 and RCW 77.28.050; amending section 77.28.060, chapter 36, Laws of 1955 and RCW 77.28.060; amending section 77.28.100, chapter 36, Laws of 1955 and RCW 77.28.100; and adding new sections to chapter 77.28 RCW.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 964, by Representatives Grant and Kilbury:

An Act relating to consumer protection.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 965, by Representatives Van Dyk, Costanti and Kilbury:

An Act relating to water rights; creating new sections; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 966, by Representatives Bledsoe, Chatalas, Berentson, Jones, Gilleland, Cunningham, Perry, North, Blair, Ceccarelli, Charnley, Douthwaite, Hurley, Kraabel, Litchman, Lysen, Maxie, McDermott, Rabel and Ross:

An Act relating to revenue and taxation and public transportation; amending section 2, chapter 111, Laws of 1965 ex. sess. as last amended by section 2, chapter 255, Laws of 1969 ex. sess. and RCW 35.95.020; amending section 4, chapter 111, Laws of 1965 ex. sess. and RCW 35.95.040; amending section 5, chapter 111, Laws of 1965 ex. sess. as amended by section 66, chapter 145, Laws of 1967 ex. sess. and RCW 35.95.050; amending section 6, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.050; amending section 7, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.060; creating new sections; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 967, by Representative Bradley:

An Act relating to the maintenance and operation of certain machines or mechanical devices, salesboards, bingo equipment and cardrooms; providing for the licensing thereof; imposing a tax; creating new sections; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 968, by Representatives Barden, Martinis and Brown:

An Act relating to local improvements by cities and towns; and amending section 35.43.190, chapter 7, Laws of 1965 and RCW 35.43.190.

Referred to Committee on Local Government.

HOUSE BILL NO. 969, by Representative Kiskaddon:

An Act relating to social and health services.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 970, by Representatives Kiskaddon, Smythe and Williams:

An Act relating to the common schools.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 971, by Representative Thompson:

An Act relating to utility rights of way.

Referred to Committee on State Government.

HOUSE BILL NO. 972, by Representatives Bledsoe, Chatalas, Berentson, Jones, Gilleland, Cunningham, Perry, North, Blair, Ceccarelli, Charnley, Douthwaite, Hurley, Kraabel, Lysen, Maxie, McDermott, Rabel and Ross:

An Act relating to metropolitan municipal corporations; amending section 35.58.040, chapter 7, Laws of 1965 as amended by section 1, chapter 105, Laws of 1967 and RCW 35.58.040; amending section 10, chapter 105, Laws of 1967 and RCW 35.58.118; amending section 35.58.120, chapter 7, Laws of 1965 as last amended by section 1, chapter 235, Laws of 1969 ex. sess. and RCW 35.58.120; amending section 35.58.140, chapter 7, Laws of 1965 as last amended by section 2, chapter 135, Laws of 1969 ex. sess. and RCW 35.58.140; amending section 35.58.200, chapter 7, Laws of 1965 and RCW 35.58.200; amending section 35.58.240, chapter 7, Laws of 1965 as amended by section 11, chapter 105, Laws of 1967 and RCW 35.58.240; amending and reenacting section 1, chapter 11, Laws of 1970 ex. sess. as amended by section 13, chapter 42, Laws of 1970 ex. sess. and by section 38, chapter 56, Laws of 1970 ex. sess. and RCW 35.58.450; amending section 16, chapter 105, Laws of 1967 and RCW 35.58.560; and declaring an emergency.

Referred to Committee on Local Government.

HOUSE BILL NO. 973, by Representatives Mentor and Backstrom:

An Act relating to budgeting and accounting; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 974, by Representative Conway:

An Act relating to public health and safety; requiring hospitals to have a licensed

physician or osteopath on duty on the premises at all times; and adding new sections to chapter 70.41 RCW.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 975, by Representatives Zimmerman and Bradley:

An Act relating to motor vehicles.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 976, by Representatives Zimmerman and Gallagher:

An Act relating to management of wildlife.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 977, by Representative Gallagher:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 978, by Representative Gallagher:

An Act relating to the alcoholic beverages; authorizing actions against third parties in certain cases for injury caused by intoxicated person or by reason of the intoxication of a person; and creating a new section.

Referred to Committee on Judiciary.

HOUSE BILL NO. 979, by Representatives Thompson, North and Van Dyk:

An Act relating to civil actions; and providing that the attorney general must be notified of any action concerning rights in water, shorelands, or tidelands.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 980, by Representatives Conway, Curtis, Hatfield, Spanton, Shera, Gladder, Smith, Juelling, Backstrom, Kuehnle, Wolf, Bottiger, Paris, Sawyer, Bauer, Litchman, Schumaker and Wojahn:

An Act relating to private property; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 981, by Representatives Gallagher and Hoggins:

An Act relating to the salaries of supreme court justices, court of appeals judges, and superior court judges; and creating new sections.

Referred to Committee on Judiciary.

HOUSE BILL NO. 982, by Representatives Conway, Savage, Cunningham and Paris:

An Act relating to warranties on consumer goods; and prescribing an effective date.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 983, by Representatives Kopet, Gladder and May:

An Act relating to the Washington public employees' retirement system; amending section 43, chapter 274, Laws of 1947 as last amended by section 13, chapter 128, Laws of 1969, and RCW 41.40.410; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 984, by Representatives Lynch, King and Kiskaddon:

An Act providing for a study by the joint interim committee on higher education of differences in professional negotiations or collective bargaining between faculties of the various institutions of higher education within the state; and creating a new section.

Referred to Committee on Higher Education.

HOUSE BILL NO. 985, by Representative Kopet:

An Act relating to state funds and fiscal policies.

Referred to Committee on Appropriations.

HOUSE BILL NO. 986, by Representative Kopet:

An Act relating to public assistance; and adding a new section to chapter 74.09 RCW.  
Referred to Committee on Social and Health Services.

HOUSE BILL NO. 987, by Representatives Kiskaddon, Sawyer and Luders:

An Act relating to vehicles; providing for school patrols; and amending section 46.48.160, chapter 12, Laws of 1961 and RCW 46.61.385.

Referred to Committee on Transportation.

HOUSE BILL NO. 988, by Representatives Marzano, Backstrom, Beck, Adams, Bauer,

Conner, Gallagher, Haussler, Knowles, Martinis, Savage, Sawyer and Wojahn:

An Act relating to the department of social and health services.

Referred to Committee on State Government.

HOUSE BILL NO. 989, by Representatives Hoggins and Mentor:

An Act relating to underground wiring.

Referred to Committee on State Government.

HOUSE BILL NO. 990, by Representative Hoggins:

An Act relating to pawnbrokers and stolen property.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 991, by Representatives Rabel and Kilbury:

An Act relating to outdoor recreation areas and facilities; and directing the state finance committee to issue general obligation bonds for the purchase of certain properties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 992, by Representatives Wojahn, Berentson and Thompson:

An Act relating to the prevention of air pollution to protect the public health or safety; and repealing section 57, chapter 238, laws of 1967 as amended by section 43, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.415.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 993, by Representatives Backstrom, Moon and Wolf:

An Act relating to the police power; authorizing the establishment and maintenance of uniformed volunteer sheriff's reserves and uniformed volunteer police reserves; amending section 36.28.010, chapter 4, laws of 1963, as amended by section 1, chapter 92, Laws of 1965, and RCW 36.28.010; amending section 36.28.020, chapter 4, Laws of 1963 and RCW 36.28.020; amending section 1, chapter 50, Laws of 1963 and RCW 36.28.170; amending section 35.24.160, chapter 7, Laws of 1965 and RCW 35.24.160; amending section 35.27.240, chapter 7, Laws of 1965, as amended by section 1, chapter 125, Laws of 1965, and RCW 35.27.240; and amending section 35.23.200, chapter 7, Laws of 1965 and RCW 35.23.200.

Referred to Committee on Local Government.

HOUSE BILL NO. 994, by Representatives Zimmerman, Hurley, Kraabel and Mentor:

An Act relating to marine mammals.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 995, by Representative Charnley:

An Act relating to private zoos.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 996, by Representatives Wojahn, Hubbard, Morrison and Jueling:

An Act defining eligibility requirements for the receipt of certain unemployment compensation benefits; adding a new section to chapter 35, Laws of 1945 and to Title 50 RCW; and making an effective date.

Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 997, by Representatives Kopet, Hurley and Farr:

An Act relating to controlled substances; enacting the Uniform Controlled Substances Act; repealing section 2072, Code of 1881, section 418, chapter 249, Laws of 1909, section 4, chapter 205, Laws of 1963, and RCW 9.91.030; repealing section 69.33.220, chapter 27, Laws of 1959, section 7, chapter 256, Laws of 1969 ex. sess., and RCW 69.33.220; repealing sections 69.33.230 through 69.33.280, chapter 27, Laws of 1959, and RCW 69.33.230 through 69.33.280; repealing section 69.33.290, chapter 27, Laws of 1959, section 1, chapter 97, Laws of 1959, and RCW 69.33.290; repealing section 69.33.300, chapter 27, Laws of 1959, section 8, chapter 256, Laws of 1969 ex. sess. and RCW 69.33.300; repealing sections 69.33.310 through 69.33.400, chapter 27, Laws of 1959, and RCW 69.33.310 through 69.33.400; repealing section 69.33.410, chapter 27, Laws of 1959, section 20, chapter 38, Laws of 1963, and RCW 69.33.410; repealing sections 69.33.420 through 69.33.440, 69.33.900 through 69.33.950, chapter 27, Laws of 1959, and RCW 69.33.420 through 69.33.440, 69.33.900 through 69.33.950; repealing section 255, chapter 249, Laws of 1909 and RCW 69.40.040; repealing section 1, chapter 6, Laws of 1939, section 1, chapter 29, Laws of 1939, section 1, chapter 57, Laws of 1945, section 1, chapter 24, Laws of 1955, section 1, chapter 49, Laws of 1961, section 1, chapter 71, Laws of 1967, section 9, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.060; repealing section 1, chapter 23, Laws of 1955, section 2, chapter 49, laws of 1961, section 2, chapter 71, Laws of 1967 and RCW 69.40.061; repealing section 21, chapter 38, Laws of 1963 and RCW 69.40.063; repealing section 22, chapter 38, Laws of 1963, section 3, chapter 71, Laws of 1967 and RCW 69.40.064; repealing section 2, chapter 33, Laws of 1970 ex. sess. and RCW 69.40.065; repealing section 2, chapter 6, Laws of 1939, section 23, chapter 38, Laws of 1963, section 10, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.070; repealing section 12, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.075; repealing section 1, chapter 205, Laws of 1963, and RCW 69.40.080; repealing section 2, chapter 205, Laws of 1963 and RCW 69.40.090; repealing section 3, chapter 205, Laws of 1963 and RCW 69.40.100; repealing section 11, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.110; repealing section 1, chapter 33, Laws of 1970 ex. sess. and RCW 69.40.120; repealing section 1, chapter 80, Laws of 1970 ex. sess.; adding new chapter 69.50 RCW to Title 69 RCW; defining crimes; prescribing penalties; declaring an emergency; and prescribing an effective date.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 998, by Representatives Ross and Maxie:

An Act relating to deaths and dead bodies; establishing a medical examiner system; abolishing the office of coroner; prescribing powers and duties of certain officials; defining certain crimes; amending section 1, part, chapter 56, Laws of 1907 as last amended by section 1, chapter 73, Laws of 1959 and RCW 2.36.150; amending section 5, chapter 48, Laws of 1891 and RCW 2.36.160; amending section 5, chapter 126, Laws of 1921 and RCW 2.48.200; amending section 3, page 223, Laws of 1854 as last amended by section 3, chapter 11, Laws of 1955 and RCW 3.04.040; amending section 10, chapter 11, Laws of 1955 and RCW 3.08.060; amending section 4, page 363, Laws of 1854 as last amended by section 1, chapter 127, Laws of 1937 and RCW 4.16.080; amending section 4, chapter 25, Laws of 1929 and RCW 6.04.040; amending section 36.16.030, chapter 4, Laws of 1963 and RCW 36.16.030; amending section 36.16.050, chapter 4, Laws of 1963 as amended by section 91, chapter 176, Laws of 1969 ex. sess. and RCW 36.16.050; amending section 36.28.040, chapter 4, Laws of 1963 and RCW 36.28.040; amending section 36.47.020, chapter 4, Laws of 1963 as amended by section 1, chapter 5, Laws of 1969 ex. sess. and RCW 36.47.020; amending section 46.04.040, chapter 12, Laws of 1961 and RCW 46.04.040; amending section 46.52.050, chapter 12, Laws of 1961 and RCW 46.52.050; amending section 3, chapter 58, Laws of 1903 and RCW 49.08.030; amending section 3, chapter 290, Laws of 1953 as amended by section 1, chapter 133, Laws of 1961 and RCW 68.05.280; amending section 3, chapter 90, Laws of 1917 as last amended by section 1, chapter 178, Laws of 1963 and RCW 68.08.010; amending section 4, chapter 90, Laws of 1917 and RCW 68.08.020; amending section 6, chapter 90, Laws of 1917 and RCW 68.08.040; amending section 7, chapter 90, Laws of 1917 and RCW 68.08.050; amending section 2, chapter 123, Laws of 1891 as last amended by section 1, chapter 23, Laws of

1959 and RCW 68.08.070; amending section 237, chapter 249, Laws of 1909 as last amended by section 2, chapter 178, Laws of 1963 and RCW 68.08.100; amending section 6, chapter 188, Laws of 1953 and RCW 68.08.103; amending section 7, chapter 188, Laws of 1953 as amended by section 3, chapter 178, Laws of 1963 and RCW 68.08.104; amending section 13, chapter 188, Laws of 1953 as amended by section 1, chapter 24, Laws of 1970 ex. sess. and RCW 68.08.107; amending section 6, chapter 90, Laws of 1961 and RCW 68.08.290; amending section 2, chapter 159, Laws of 1945 as amended by section 13, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.170; amending section 3, chapter 159, Laws of 1945 as last amended by section 14, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.180; amending section 72.23.190, chapter 28, Laws of 1959 and RCW 72.23.190; amending section 88, chapter 36, Laws of 1917 as amended by section 2, chapter 51, Laws of 1939 and RCW 78.40.351; creating new sections; repealing section 36.18.030, chapter 4, Laws of 1963 and RCW 36.18.030; repealing section 36.24.010, chapter 4, Laws of 1963 and RCW 36.24.010; repealing section 36.24.020, chapter 4, Laws of 1963 and RCW 36.24.020; repealing section 36.24.030, chapter 4, Laws of 1963 and RCW 36.24.030; repealing section 36.24.040, chapter 4, Laws of 1963 and RCW 36.24.040; repealing section 36.24.050, chapter 4, Laws of 1963 and RCW 36.24.050; repealing section 36.24.060, chapter 4, Laws of 1963 and RCW 36.24.060; repealing section 36.24.070, chapter 4, Laws of 1963 and RCW 36.24.070; repealing section 36.24.080, chapter 4, Laws of 1963 and RCW 36.24.080; repealing section 36.24.090, chapter 4, Laws of 1963 and RCW 36.24.090; repealing section 36.24.100, chapter 4, Laws of 1963 and RCW 36.24.100; repealing section 36.24.110, chapter 4, Laws of 1963 and RCW 36.24.110; repealing section 36.24.120, chapter 4, Laws of 1963 and RCW 36.24.120; repealing section 36.24.130, chapter 4, Laws of 1963 and RCW 36.24.130; repealing section 36.24.140, chapter 4, Laws of 1963 and RCW 36.24.140; repealing section 36.24.150, chapter 4, Laws of 1963 and RCW 36.24.150; repealing section 2, chapter 259, Laws of 1969 ex. sess. and RCW 36.24.155; repealing section 36.24.160, chapter 4, Laws of 1963 and RCW 36.24.160; repealing section 36.24.170, chapter 4, Laws of 1963 and RCW 36.24.170; repealing section 3, chapter 259, Laws of 1969 ex. sess. and RCW 36.24.175; repealing section 36.24.180, chapter 4, Laws of 1963 and RCW 36.24.180; repealing section 5, chapter 90, Laws of 1917 and RCW 68.08.030; repealing section 10, chapter 188, Laws of 1953 and RCW 68.08.106; repealing section 8, chapter 188, Laws of 1953 and RCW 68.08.108; repealing section 1, chapter 90, Laws of 1917 and RCW 68.12.010; repealing section 2, chapter 90, Laws of 1917 and RCW 68.12.020; repealing section 4, chapter 159, Laws of 1945 and RCW 70.58.190; providing an effective date; and prescribing penalties.

Referred to Committee on Judiciary.

HOUSE BILL NO. 999, by Representatives Sawyer, Litchman, Adams and Martinis:

An Act relating to rivers; establishing a rivers preservation system; and creating new sections.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 1000, by Representatives Conner and Copeland (by Executive request):

An Act relating to state jurisdiction over Indians and Indian territories, country or lands; disclaiming state and local zoning on Indian reservations; and adding a new section to chapter 240, Laws of 1957 and to chapter 37.12 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 1001, by Representatives Conner and Copeland (by Executive request):

An Act relating to state jurisdiction over Indians and Indian territories, country or lands; providing for retrocession of state jurisdiction; and adding new sections to chapter 240, Laws of 1957 and to chapter 37.12 RCW.

Referred to Committee on State Government.

HOUSE BILL NO. 1002, by Representatives Charnley and Williams:

An Act relating to the regulation of the sale of land; enacting a Uniform Land Sales Practices Act; prescribing penalties; and declaring an emergency.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 1003, by Representatives Anderson and Bradley:

An Act relating to the granting of authority to each city with a population over one hundred sixty thousand to grant one franchise permitting greyhound dog racing meets; prescribing qualifications for franchises; authorizing parimutuel wagering; permitting franchisees to retain ten percent of all moneys wagered; requiring payment of a privilege tax of five percent of parimutuel machine gross receipts to the licensing city; requiring franchisees to pay an additional one percent of such gross receipts to the Washington state horse racing commission; providing for disposition of both dog and horse race breakage and unclaimed dog and horse race winnings to the state; adding a new chapter to Title 67 RCW; adding a new section to chapter 55, Laws of 1933 and to chapter 67.16 RCW; and adding new sections to chapter 385, Laws of 1955 and to chapter 63.28 RCW.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 1004, by Representatives Blair, Copeland and Wolf (by Executive request):

An Act relating to Indian fishing rights; creating new sections; and providing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 1005, by Representatives Conner, Copeland and Wolf:

An Act relating to Indian fishing rights; creating new sections; and providing penalties.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 1006, by Representatives Hurley, Jueling, Wojahn, Barden, Benitz, Bozarth, Costanti, Gladder, Luders, Marsh, Mentor, Schumaker and Shinpoch:

An Act relating to state government.

Referred to Committee on Appropriations.

HOUSE BILL NO. 1007, by Representative Bottiger:

An Act relating to animals; supplementing the federal Laboratory Animal Welfare Act (P.L. 89-544); providing standards for the care of animals in animal shelters, pounds, and pet shops; regulating dealers and dog wardens; adding a new chapter to Title 16 RCW; creating new sections; and providing penalties.

Referred to Committee on Agriculture.

HOUSE BILL NO. 1008, by Representative Perry:

An Act relating to certificates of title and registration for motor vehicles; amending section 7, chapter 140, Laws of 1967 as last amended by section 38, chapter 281, Laws of 1969 ex. sess. and RCW 46.12.181; and prescribing penalties.

Referred to Committee on Transportation.

HOUSE BILL NO. 1009, by Representatives Barden, Jueling, Flanagan, May and Schumaker:

An Act relating to public assistance; and creating new sections.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 1010, by Representative Pardini:

An Act relating to revenue and taxation.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 1011, by Representatives Berentson, Bluechel and Sawyer:

An Act relating to public highways.

Referred to Committee on Transportation.

HOUSE BILL NO. 1012, by Representatives Bledsoe, Haussler, Benitz, Jones, Gilleland, Copeland, Pardini, Paris and Thompson (by Executive request):

An Act relating to the economic development of distressed or low growth regions; creating new sections; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 1013, by Representatives King and Lysen:

An Act relating to education; amending section 28A.61.030, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 184, Laws of 1969 ex. sess. and RCW 28A.61.030; amending section 28A.61.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.61.040; and amending section 28A.61.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 125, Laws of 1969 and RCW 28A.61.050.

Referred to Committee on Education and Libraries.

HOUSE BILL NO. 1014, by Representatives Randall, Brown, Grant, Kilbury, Douthwaite, Gilleland, Curtis, Hatfield, Rabel, Maxie and Thompson:

An Act relating to state government; establishing a state land use commission; adding new sections to 43.63A RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

HOUSE BILL NO. 1015, by Representative Perry:

An Act relating to cities and counties; requiring occupancy certificates in connection with sales of certain real estate; and creating new sections.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 1016, by Representatives Perry, Adams, Knowles and Litchman:

An Act relating to municipal courts; and amending section 35.20.200, chapter 7, Laws of 1965 and RCW 35.20.200.

Referred to Committee on Judiciary.

HOUSE BILL NO. 1017, by Representatives Barden, Goldsworthy, Sawyer, Perry, Wolf, Lynch and Litchman (by Executive request):

An Act relating to veterans, including benefits therefor or for certain dependents thereof; creating new sections; creating certain funds; providing penalties; declaring an emergency; and making an effective date.

Referred to Committee on State Government.

HOUSE BILL NO. 1018, by Representative Backstrom:

An Act relating to health care service contracts.

Referred to Committee on Financial Institutions and Insurance.

HOUSE BILL NO. 1019, by Representative Hoggins:

An Act relating to household moving, storage and transfer coverage programs.

Referred to Committee on Business and Professions.

HOUSE BILL NO. 1020, by Representative Backstrom:

An Act relating to medical service corporations.

Referred to Committee on Social and Health Services.

HOUSE BILL NO. 1021, by Representative Bagnariol:

An Act relating to fishing licenses.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 1022, by Representatives Eikenberry and Polk:

An Act relating to state government.

Referred to Committee on State Government.



HOUSE BILL NO. 1023, by Representative Blair:  
An Act relating to Washington state driver's licenses.  
Referred to Committee on Transportation.

HOUSE BILL NO. 1024, by Representative Randall:  
An Act relating to unemployment compensation.  
Referred to Committee on Labor and Employment Security.

HOUSE BILL NO. 1025, by Representative Goldsworthy:  
An Act relating to community colleges.  
Referred to Committee on Higher Education.

HOUSE BILL NO. 1026, by Representative Gallagher:  
An Act relating to statutory notice requirements in claims against governmental units;  
and creating a new section.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 1027, by Representative Ross:  
An Act relating to domestic relations; and providing for dissolution of marriage.  
Referred to Committee on Judiciary.

HOUSE BILL NO. 1028, by Representative Pardini:  
An Act relating to minimum housing standards.  
Referred to Committee on State Government.

HOUSE JOINT MEMORIAL NO. 12, by Representative Grant:  
Requesting a Federal Workmen's Compensation Law.  
Referred to Committee on Labor and Employment Security.

HOUSE JOINT RESOLUTION NO. 46, by Representatives Smythe, Randall, Brown,  
Curtis, North, Shera and Zimmerman:  
Proposing constitutional amendment permitting legislature to abolish office of  
superintendent of public instruction.  
Referred to Committee on State Government.

HOUSE CONCURRENT RESOLUTION NO. 18, by Representative Bledsoe:  
Pertaining to the internal business of the legislature.  
On motion of Mr. Bledsoe, the rules were suspended, and House Concurrent  
Resolution No. 18 was advanced to second reading.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

House Concurrent Resolution No. 18 was read the second time.

#### MOTION

Mr. Sawyer moved that House Concurrent Resolution No. 18 be referred to the  
Committee on Rules and Administration.

Mr. Sawyer spoke in favor of the motion, and Mr. Bledsoe spoke against it.

Mr. King demanded an electric roll call, and the demand was sustained.

Mr. Sawyer spoke again in favor of the motion.

#### POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Bledsoe, you state this resolution shall have the full force and effect

of a joint rule. Can we adopt a resolution or language of this nature and bind the special session of the legislature?"

Mr. Bledsoe: "If you notice, Mr. O'Brien, the wording is very carefully considered, that it shall be the intent, it shall be the wish, it shall be the will, that these guidelines ensue. Now if it were the wish, will, or intent of the special session yet to be convened beyond this one, that this not be our will, this measure would again be before us. But until we accept the rationale, on both sides of the aisle and in both bodies that we will, at the membership level and also the leadership level, dedicate ourselves to a course of action that will lead to a 90-day potential adjournment of this legislature, such cannot ensue. Your question is, of course, well put. This body cannot bind a body yet to convene, so you will notice that the language is deliberately loose to the extent that it is intent, wish, and will. If you will notice also, sir, there is no reference in this document to a mandatory *sine die* adjournment time, simply because that in itself would be unconstitutional and beyond the scope of this session. But we must establish some goals and this is really what is intended here. Wrapped up within the preliminary of this document, Mr. O'Brien, is the methodology whereby this 60-day session may be brought to a close, but also the determination of the goals established whereby the subsequent session may have a life less than the constitutional 60 days."

Mr. O'Brien spoke in favor of the motion to refer House Concurrent Resolution No. 18 to the Committee on Rules and Administration.

#### POINT OF ORDER

Mr. King: "Point of order, Mr. Speaker. It is my belief that this resolution as drafted would be out of order because it does say in a separate section, 'BE IT FURTHER RESOLVED, That unless waived by two-thirds . . . ' goes on that 'no bills may,' goes on 'that commencing,'—a series of specifics. Not desires, not wills, but specifics—spelled out dates and recommendations in a separate section which would have the effect of this session of the legislature binding a special session which we have reason to expect may be called, and there is a necessity that it be called, but it doesn't have to be called."

The Speaker: "Under what House Rule are you citing to have this ruled out of order, Mr. King?"

Mr. King: "I think I would be citing the Constitution of the State of Washington, that one session of the legislature cannot bind another."

#### RULING BY THE SPEAKER

The Speaker: "Your point is not well taken."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Sawyer that House Concurrent Resolution No. 18 be referred to the Committee on Rules and Administration, and the motion was lost by the following vote: Yeas, 46; nays, 51; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—46.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Absent or not voting: Representatives Backstrom, Litchman—2.

Mr. Grant moved adoption of the following amendment by Representatives Grant, Sawyer and Chatalas:

On page 2, line 27, beginning with "AND BE IT FURTHER RESOLVED," strike all of the material down to and including "Legislature" on line 31 of page 3.

Mr. Grant spoke in favor of adoption of the amendment.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. Grant, would you please confine your remarks to the amendment."

Mr. Grant concluded his remarks in favor of the amendment.

Representatives Newhouse and Copeland spoke against adoption of the amendment.

Mr. Sawyer spoke in favor of the amendment.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. Sawyer, the question before the House is the amendment."

Mr. Sawyer: "I am talking directly to the amendment, Mr. Speaker. We are talking about whether we are going to refer to any limitation, whether we are going to refer to anything in the special, so I think my remarks as to whether or not we can get the business done in the regular session are germane."

The Speaker: "Mr. Sawyer may proceed."

Mr. Sawyer concluded his remarks in favor of the amendment.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

Mr. O'Brien spoke in favor of the amendment by Representatives Grant, Sawyer and Chatalas to House Concurrent Resolution No. 18.

## POINT OF ORDER

Mr. Copeland: "Point of order. Mr. O'Brien is impugning my motives. He says we haven't been working very hard. Mr. O'Brien, I have."

The Speaker: "You may continue, Mr. O'Brien."

Mr. O'Brien continued his remarks.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. O'Brien, please confine your remarks to the merits of the amendment."

Mr. O'Brien concluded his remarks in favor of the amendment.

Mr. Moon spoke in favor of adoption of the amendment.

## POINT OF ORDER

Mr. Bledsoe: "I believe the gentleman has wandered far into an Elysian field here."

The Speaker: "Your point is well taken."

Mr. Douthwaite spoke in favor of adoption of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Grant, Sawyer and Chatalas to House Concurrent Resolution No. 18, and the amendment was lost by the following vote: Yeas, 46; nays, 51; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charney, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—46.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison,

Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Absent or not voting: Representatives Backstrom, Litchman—2.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and House Concurrent Resolution No. 18 be placed on final passage.

Mr. Wolf spoke in favor of the motion.

#### POINT OF ORDER

Mr. O'Brien: "He should confine his remarks to why he wants us to suspend the rules and advance this resolution, not go into the merits of the resolution."

The Speaker: "It sounded to me as though his remarks were as well within the scope of his motion as your remarks were within the scope of the amendment. Proceed, Mr. Wolf."

Mr. Wolf concluded his remarks in favor of the motion.

Mr. Sawyer spoke in favor of the motion.

The motion was carried, and House Concurrent Resolution No. 18 was placed on final passage.

Mr. Beck spoke against passage of the resolution.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 18, and the resolution passed the House by the following vote: Yeas, 54; nays, 43; absent or not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wanamaker, Wolf, Zimmerman, Mr. Speaker—54.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Gallagher, Grant, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Van Dyk, Williams, Wojahn—43.

Absent or not voting: Representatives Backstrom, Litchman—2.

House Concurrent Resolution No. 18, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Bledsoe, House Concurrent Resolution No. 18 was ordered transmitted immediately to the Senate.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 19, by Representatives Williams and Lysen:

Authorizing a study relating to community schools.

Referred to Committee on Education and Libraries.

HOUSE CONCURRENT RESOLUTION NO. 20, by Representatives North, Brouillet, Bledsoe, Brown, Charnley and Haussler:

Providing for a study on a state regional library system.

Referred to Committee on Education and Libraries.

## MOTION

Mr. Zimmerman moved that SENATE JOINT MEMORIAL NO. 9 be rereferred from today's third reading calendar to the Committee on Natural Resources and Ecology.

Representatives Zimmerman and Luders spoke in favor of the motion.

The motion was carried.

## RESOLUTION

HOUSE RESOLUTION NO. 71-12, by Representatives Haussler and Schumaker:

WHEREAS, The basic laws relating to the liabilities and duties of owners of domestic animals, particularly those animals raised in herds, were in large part enacted during the late nineteenth and early twentieth centuries, and have been amended frequently in haphazard fashion in subsequent Legislative Sessions; and

WHEREAS, These laws are plainly archaic in many respects and are extremely difficult to comprehend and apply;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council study the need, if any, to revise the law relating to the liabilities and duties of owners of domestic animals and submit its recommendations, derived from such study, to the Forty-third Session of the Legislature.

Mr. Haussler moved adoption of the resolution.

Representatives Haussler and Schumaker spoke in favor of the resolution.

House Resolution No. 71-12 was adopted.

## MOTIONS

On motion of Mr. Morrison, HOUSE BILL NO. 807 and HOUSE BILL NO. 941 were rereferred from the Committee on State Government to the Committee on Business and Professions.

On motion of Mr. Morrison, ENGROSSED SENATE BILL NO. 177 was rereferred from the Committee on Revenue and Taxation to the Committee on Local Government.

On motion of Mr. Morrison, the House advanced to the eleventh order of business.

On motion of Mr. Bledsoe, the House deferred consideration of the second and third reading calendars, and the bills were ordered placed on tomorrow's calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Saturday, February 20, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FORTY-FIRST DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 20, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative King who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles W. Myers of the Emmanuel-Conservative Baptist Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### REPORTS OF STANDING COMMITTEES

February 18, 1971.

HOUSE BILL NO. 435, authorizing program for law school graduates with private institutions of higher education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Bluechel, Bottiger, King, Kiskaddon, Knowles, Maxie, Rabel.

### MOTION

On motion of Mr. Morrison, House Bill No. 435 was rereferred to Committee on Appropriations.

February 18, 1971.

HOUSE BILL NO. 441, enabling council on higher education to create state plan for contracting with certain private institutions of higher education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Bluechel, Bottiger, Douthwaite, Gladder, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Rabel, Shera.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 442, authorizing program for nursing school graduates with private institutions of higher education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Bluechel, Bottiger, King, Kiskaddon, Knowles, Maxie, Rabel.

### MOTION

On motion of Mr. Morrison, House Bill No. 442 was rereferred to Committee on Appropriations.

February 19, 1971.

HOUSE BILL NO. 545, providing for management surveys by legislative budget committee, reported by Committee on State Government.

MAJORITY recommendation: That the substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Knowles, Kraabel, McCormick, Paris, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

February 19, 1971.

Mr. Speaker: The Senate has passed:  
 SENATE BILL NO. 35,  
 SENATE BILL NO. 68,  
 ENGROSSED SENATE BILL NO. 133,  
 ENGROSSED SENATE BILL NO. 241,  
 ENGROSSED SENATE BILL NO. 447,  
 SENATE BILL NO. 449,  
 HOUSE BILL NO. 99,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 19, 1971.

Mr. Speaker: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 16,  
 and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 19, 1971.

Mr. Speaker: The President has signed:  
 HOUSE BILL NO. 92,  
 HOUSE BILL NO. 93,  
 HOUSE BILL NO. 94,  
 HOUSE BILL NO. 95,  
 HOUSE BILL NO. 96,  
 HOUSE BILL NO. 97,  
 HOUSE BILL NO. 98,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 HOUSE BILL NO. 99,  
 HOUSE CONCURRENT RESOLUTION NO. 16.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 21, by Representatives Bauer, Haussler,  
 Marsh and Van Dyk:

Directing a legislative council study of regulation of corporate farming.  
 Referred to Committee on Agriculture.

SENATE BILL NO. 35, by Senator Wilson:

An Act relating to higher education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.40 RCW; and declaring an emergency.  
 Referred to Committee on Higher Education.

SENATE BILL NO. 68, by Senators Ridder, Stender, Bailey and Stortini:

An Act relating to industrial insurance; and amending section 51.32.090, chapter 23, Laws of 1961 as last amended by section 3, chapter 122, Laws of 1965 ex. sess. and RCW 51.32.090.

Referred to Committee on Labor and Employment Security.

ENGROSSED SENATE BILL NO. 133, by Senators Foley, Newschwander, Andersen and Canfield (by Legislative Budget Committee request):

An Act relating to community colleges and the administration thereof; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.090; amending section 17, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.140; and making an effective date.

Referred to Committee on Higher Education.

ENGROSSED SENATE BILL NO. 241, by Senators Holman, Foley, Dore and Clarke (by Judicial Council request):

An Act relating to the judicial council; adding additional members; and amending

section 1, chapter 45, Laws of 1925 ex. sess., as last amended by section 1, chapter 124, Laws of 1967 and RCW 2.52.010.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 447, by Senators Gissberg, Andersen and Greive:

An Act relating to the judiciary; providing for court of appeals reports; amending section 1, chapter 185, Laws of 1943 and RCW 2.32.160; amending section 3, chapter 150, Laws of 1941 and RCW 40.04.030; amending section 6, chapter 150, Laws of 1941 and RCW 40.04.100; and amending section 7, chapter 150, Laws of 1941 and RCW 40.04.110.

Referred to Committee on Judiciary.

SENATE BILL NO. 449, by Senators Gissberg, Andersen, Dore and Greive:

An Act relating to the judiciary; amending section 7, page 36, Laws of 1909 and RCW 2.04.030; amending section 1, part, chapter 151, Laws of 1903 as last amended by section 1, chapter 51, Laws of 1951 and RCW 2.32.070; amending section 29, chapter 61, Laws of 1893 as amended by section 1, chapter 86, Laws of 1941 and RCW 4.88.260; amending section 80.04.190, chapter 14, Laws of 1961 and RCW 80.04.190; amending section 81.04.190, chapter 14, Laws of 1961 and RCW 81.04.190; and adding a new section to chapter 2.06 RCW.

Referred to Committee on Judiciary.

## SECOND READING

HOUSE BILL NO. 78, by Representatives Bledsoe, Bottiger, Goldsworthy and Litchman (by Departmental request):

Providing for a new department of emergency services.

The House resumed consideration of House Bill No. 78 on second reading.

The Speaker stated that the Clerk had read the following amendment by Mr. Moon:

On page 3, section 2, line 30 after "functions," insert "*Except that the emergency functions anticipated by this act are not intended to conflict with or supersede the normal responsibilities carried out by other agencies of government as provided by law.*"

Mr. Moon moved adoption of the amendment and spoke in favor of it.

Representatives Bledsoe and Cunningham spoke against adoption of the amendment, and Representative Moon spoke again in its favor.

The amendment was not adopted.

On motion of Mr. Bluechel, the following amendments by Representatives Moon and Bluechel were adopted:

On page 6, section 4, line 13 after "purposes of" strike "civil defense and" and insert "[civil defense]"

On page 7, section 4, line 33 after "pertaining to" strike "civil defense and" and insert "[civil defense]"

On page 9, section 6, line 33 strike "and the civil defense" and insert "[the civil defense]"

On page 12, section 8, line 14 after "program for" strike "civil defense and" and insert "[civil defense]"

Mr. Moon moved adoption of the following amendment:

On page 33, line 20 add a new section following section 43 as follows:

"NEW SECTION. Sec. 44. There is added to chapter 38.52 RCW a new section to read as follows:

This act is a procedural name change act only. It is not intended to alter or amend any substantive provisions of any existing laws pertaining to what was formerly known as the department of civil defense."

Mr. Moon spoke in favor of adoption of the amendment and Mr. Bluechel spoke against it.

The amendment was lost on a rising vote.

House Bill No. 78 was ordered engrossed and passed to committee on Rules and Administration for third reading.



HOUSE BILL NO. 509, by Representatives Bledsoe, Flanagan, Amen, Benitz, Morrison, Newhouse, Schumaker, Curtis, Hatfield, Lynch, Spanton, Wanamaker, Smith, Hansey, Goldsworthy, Haussler, Bozarth, Bauer and Van Dyk:

Providing for assessments by the Washington state beef commission.

The bill was read the second time.

On motion of Mr. Moon, the following amendment was adopted:

On page 1, section 1, line 7 after "a" and before "packer" insert "meat"

Mr. Bauer moved adoption of the following amendment:

On page 1, section 2, beginning on line 14, strike all the matter down to and including "cattle" in line 19 and insert the following:

"For the purpose of chapter 16.67 RCW all cattle delivered to a commercial feed lot for custom feeding for slaughter shall be deemed to constitute a sale of such cattle and the commercial feed lot owner shall pay the assessment for such sale to the beef commission directly as in the case of the sale of any other cattle: PROVIDED, That the commercial feed lot owner may recover such assessment fees, paid to the beef commission, in billing the owner of said cattle along with feeding costs: PROVIDED, FURTHER, That any producer paying such an assessment on cattle delivered to a commercial feed lot shall not be obligated to pay an assessment when he sells such fat cattle to a slaughterer"

Mr. Bauer spoke in favor of adoption of the amendment.

### POINT OF ORDER

Mr. Moon: "Mr. Speaker, I have an amendment to the amendment on the desk."

The Speaker: "That is correct. The Clerk will read the amendment."

On motion of Mr. Moon, the following amendment to the amendment by Mr. Bauer was adopted:

At the end of section 2 strike "slaughterer" and insert "meat packer"

The Speaker stated the question before the House to be the amendment by Mr. Bauer as amended by Mr. Moon to House Bill No. 509.

The amendment by Mr. Bauer as amended by Mr. Moon was adopted.

House Bill No. 509 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

### MOTION

On motion of Mr. Morrison, the House deferred further consideration of the second reading calendar, and the bills were ordered held until completion of the third reading calendar.

### THIRD READING

ENGROSSED HOUSE BILL NO. 54, by Representatives Beck, Berentson and Wanamaker (by Departmental request):

Providing for reciprocal or proportional registration of vehicles.

Engrossed House Bill No. 54 was read the third time and placed on final passage.

Representative Beck spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 54, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel,

Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives King, Kuehnle, Randall—3.

Engrossed House Bill No. 54, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 56, by Representatives Beck, Wanamaker and Wolf (by Departmental request):

Providing certain changes in the tax on motor vehicle fuel.

Engrossed House Bill No. 56 was read the third time and placed on final passage.

Representative Beck spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 56, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Hurley—1.

Absent or not voting: Representatives King, Kuehnle—2.

Engrossed House Bill No. 56, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 61, by Representatives Brown, Ceccarelli and Goldsworthy:

Exempting from inheritance tax any annuity payments under the federal military retirement act.

House Bill No. 61 was read the third time and placed on final passage.

Representative Brown spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 61, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative King—1.

House Bill No. 61, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 82, by Representatives Moon, Newhouse, Bledsoe and Benitz (by Legislative Council request):

Removing the tax exemption on steam plants owned or operated by joint operating agencies and requiring existing facilities to negotiate amounts due.

Engrossed House Bill No. 82 was read the third time and placed on final passage.

Representatives Moon and Benitz spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 82, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Smith—1.

Absent or not voting: Representative King—1.

Engrossed House Bill No. 82, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 86, by Representatives Zimmerman, Brouillet and Hoggins (by Joint Committee on Education request):

Reorganizing powers, duties and functions within intermediate school districts.

Engrossed House Bill No. 86 was read the third time and placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 86, and the bill passed the House by the following vote: Yeas, 82; nays, 15; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Grant, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Schumaker, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Zimmerman, Mr. Speaker—82.

Voting nay: Representatives Anderson, Bottiger, Bozarth, Charette, Conner, Eikenberry, Goldsworthy, Haussler, Hurley, Polk, Savage, Smith, Spanton, Wojahn, Wolf—15.

Absent or not voting: Representatives King, Sawyer—2.

Engrossed House Bill No. 86, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 188, by Representatives Julin and Wojahn (by Judicial Council Request):

Relating to district courts.

House Bill No. 188 was read the third time and placed on final passage.

Representative Wojahn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 188, and the bill passed the House by the following vote: Yeas, 96; nays, 2; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Cunningham, Pardini—2.

Absent or not voting: Representative King—1.

House Bill No. 188, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 204, by Representatives Martinis, Julin, Adams, Wanamaker, Williams, Hoggins, Luders and Mentor:

Providing for the removal of wood fiber debris from state tidal waters.

Engrossed House Bill No. 204 was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Wolf.

Mr. Wolf: "Mr. Martinis, will Engrossed House Bill No. 204 in any way stop the use of a wood fiber product in the collection and control of pollution spills in salt water?"

Mr. Martinis: "Representative Wolf, I have in my hand a statement from the Department of Ecology that says:

"House Bill No. 204, section 7, would not prohibit the use of wood fiber debris in the control of oil spill activities. The Department of Ecology may authorize the use of any chemical or product in oil spill cleanup activity.' It is signed 'Wes Hunter, Department of Ecology.'

"I also have a memorandum here from the Department of Natural Resources that also assures the same thing, because the language of section 7 says, 'It shall be unlawful to dispose of wood debris . . .'"

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 204, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien,

Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative King—1.

Engrossed House Bill No. 204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 227, by Representatives Bluechel, Spanton and Hoggins (by Secretary of State request):

Revising summons and complaint fees for nonresidents.

House Bill No. 227 was read the third time and placed on final passage.

Representative Spanton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 227, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative King—1.

House Bill No. 227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker excused Representative May from further proceedings of the House today.

HOUSE BILL NO. 233, by Representatives Bottiger, Hubbard and Charette:

Providing that a lawyers' code of ethics shall be adopted by the supreme court.

House Bill No. 233 was read the third time and placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 233, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives King, May—2.

House Bill No. 233, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 298, by Representatives Wanamaker, Douthwaite, Cunningham, Conway and Hoggins (by Departmental request):

Providing for tire standards.

Engrossed House Bill No. 298 was read the third time and placed on final passage.

Representative Wanamaker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 298, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives King, May, Pardini—3.

Engrossed House Bill No. 298, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 300, by Representatives Randall, Gallagher and Litchman (by Joint Committee on Governmental Cooperation request):

Relating to right of entry by department of natural resources employees.

Engrossed House Bill No. 300 was read the third time and placed on final passage.

Representative Randall spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 300, and the bill passed the House by the following vote: Yeas, 91; nays, 5; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Bauer, Charette, Curtis, Haussler, Kuehnle—5.

Absent or not voting: Representatives King, Marzano, May—3.

Engrossed House Bill No. 300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 372, by Representatives Brown, Copeland, Conner, Grant, Blair and Chatalas (by Secretary of State request):

Revising election laws relating to registration records.  
Engrossed House Bill No. 372 was read the third time and placed on final passage.  
Representative Brown spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 372, and the bill passed the House by the following vote: Yeas, 86; nays, 10; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Curtis, Douthwaite, Eikenberry, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Merrill, Morrison, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Barden, Benitz, Cunningham, Farr, Haussler, Hurley, Moon, Newhouse, Perry, Wolf—10.

Absent or not voting: Representatives King, Marzano, May—3.

Engrossed House Bill No. 372, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 558, by Representatives Hubbard, Haussler and Bozarth:

Extending the definition of "public warehouse" to include open air enclosures adjacent to a warehouse building.

House Bill No. 558 was read the third time and placed on final passage.

Representative Hubbard spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 558, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives King, Marzano, May—3.

House Bill No. 558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:15 p.m.

The Clerk called the roll and all members were present except Representatives Conway, King, May and Smith. Representatives King and May were excused.

#### MOTION

On motion of Mr. Morrison, the House reverted to the ninth order of business.

#### SECOND READING

HOUSE BILL NO. 50, by Representative Jastad:  
Renaming the Mayfield Lake State Park as the Mary Kiona State Park.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 5, beginning with " 'Mary'" strike all the matter down to and including "her" on line 16 and insert " 'Ike Kinswa State Park—Recreation Area,' that area comprising approximately four hundred acres of Lewis County which is presently known as the 'Mayfield Lake State Park.' This park shall be designated as the 'Ike Kinswa State Park—Recreation Area' in all literature published by the state wherever it is necessary and proper to refer to that park or area.

The legislature finds it appropriate to honor and preserve the memory of Ike Kinswa, who passed away many years ago, by renaming this park as a memorial to him"

The bill was read the second time.

Mr. Newhouse moved adoption of the committee amendment.

Representatives Newhouse and Jastad spoke in favor of the amendment.

House Bill No. 50 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 50 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 50, and the bill passed the House by the following vote: Yeas, 93; nays, 0; absent or not voting, 6.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Absent or not voting: Representatives Adams, Conway, King, Martinis, May, Smith—6.

Engrossed House Bill No. 50, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 140, by Representatives Shinpoch, Lynch, Grant, Maxie, Charnley, Bauer, Knowles, Litchman and Merrill:

Prohibiting cancellation of insurance because of sex and/or marital status.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, line 6, after "cancel" and before "the" insert "or to refuse to renew"

The bill was read the second time.

On motion of Mr. Shera, the committee amendment was adopted.

House Bill No. 140 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 140 was placed on final passage.

Representative Shinpoch spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 140, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Adams, Conway, King, May, Smith—5.

Engrossed House Bill No. 140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 150 by Representatives Lynch, King, Goldsworthy, Kirk, Hurley, Backstrom, Beck, Bottiger, Bozarth, Ceccarelli, Chatalas, Cunningham, Knowles, North, Smith and Wojahn:

Extending real property tax exemption for retired homeowners to include totally disabled women.

## MOTION

Mr. Wolf moved that House Bill No. 150 be rereferred to the Committee on Rules and Administration.

Mr. Bottiger spoke against the motion, and Mr. Bledsoe spoke in favor of it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

## POINT OF INQUIRY

Mr. Beck: "Mr. Speaker, was the motion to rerefer the bill to Rules and Administration Committee or to Revenue and Taxation Committee?"

The Speaker: "The motion was to rerefer the bill back to the Committee on Rules and Administration."

Mr. Beck spoke against the motion.

## ADMONITION BY THE SPEAKER

The Speaker: "Please confine your remarks to the motion to rerefer the bill to the Committee on Rules and Administration."

Mr. Beck continued his remarks.

The Speaker: "You are out of order, Mr. Beck."

Mrs. Lynch spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Bagnariol: "Mr. Speaker, is there any reason why we couldn't hold this bill on the second reading calendar until the next working day?"

The Speaker: "Do you have a motion to make, Mr. Bagnariol?"

## MOTION

Mr. Bagnariol moved that further consideration of House Bill No. 150 be deferred and the bill be ordered placed on the second reading calendar of the next working day.

## POINT OF ORDER

Mr. O'Brien: "Your first motion would have to be placed first before the House before you could entertain this motion."

## RULING BY THE SPEAKER

The Speaker: "The Speaker will rule that under Reed's Rule No. 163 with regard to two motions of equal rank, the first motion must be disposed of first. The point of order by Mr. O'Brien is well taken. The question before the House is the motion to rerefer House Bill No. 150 to the Committee on Rules and Administration."

Representatives O'Brien and Copeland spoke in favor of the motion to rerefer House Bill No. 150 to the Committee on Rules and Administration, and Representatives Moon and Bagnariol spoke against it.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Wolf to rerefer House Bill No. 150 to the Committee on Rules and Administration, and the motion was carried by the following vote: Yeas, 52; nays, 43; absent or not voting, 4.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Luders, Lynch, Mentor, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—52.

Voting nay: Representatives Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, Knowles, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Merrill, Moon, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—43.

Absent or not voting: Representatives Adams, Conway, King, May—4.

HOUSE BILL NO. 209, by Representatives Kopet, Backstrom, Chatalas and Hoggins (by Legislative Budget Committee request):

Fiscal agencies, technical change.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 209 was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 209, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch,

Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

House Bill No. 209 having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 221, by Representatives Bluechel, Williams and Cunningham (by Secretary of State request):

Creating a secretary of state's revolving fund.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 9 after "matter" strike everything down to and including "revolving fund." on line 15 and insert "authorized by law to be issued by the office of secretary of state."

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 221 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 221 was placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 221, and the bill passed the House by the following vote: Yeas, 90; nays, 5; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jastad, Johnson, Jones, Juelling, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Conner, Eikenberry, Hurley, Julin, Moon—5.

Absent or not voting: Representatives Adams, Conway, King, May—4.

Engrossed House Bill No. 221, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 224, by Representatives Bluechel, Perry and Cunningham (by Secretary of State request):

Amending the copyright act.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 7 beginning with "Section 1," strike all the matter down to and including "such list," on page 3, line 5, and insert "NEW SECTION. Section 1. Section 4, chapter 218, Laws of 1937 and RCW 19.24.040; section 5, chapter 218, Laws of 1937 and RCW 19.24.050; and section 6, chapter 218, Laws of 1937 and RCW 19.24.055 are each repealed."

On page 1, line 1 of the title after "copyrights;" strike all the matter down to and including "RCW 19.24.055," and insert "repealing section 4, chapter 218, Laws of 1937 and RCW 19.24.040; repealing section 5, chapter 218, Laws of 1937 and RCW 19.24.050; and repealing section 6, chapter 218, Laws of 1937 and RCW 19.24.055."

The bill was read the second time.

On motion of Mr. Perry, the committee amendment was adopted.

On motion of Mr. Bluechel, the committee amendment to the title was adopted.

House Bill No. 224 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 224 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 224, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

Engrossed House Bill No. 224, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 226, by Representatives Bluechel, Knowles and Kraabel (by Secretary of State request):

Revising uniform commercial code fees for search and copy requests.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 20 after "shall be" strike "two" and insert "[two] three"

On page 1, section 1, line 20 after "dollars" strike "for reports listing fifteen statements or less and twenty-five cents for each additional statement reported thereon"

On page 1, section 1, line 24 after "fee of" strike "four" and insert "[four] five"

On page 1, section 1, line 24 after "dollars" strike "for the first fifteen statements or less and twenty-five cents for each additional page thereafter."

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendments were adopted.

House Bill No. 226 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 226 was placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 226, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

Engrossed House Bill No. 226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 229, by Representatives Copeland, Bottiger and Hurley (by Departmental request):

Amending various items concerning public service companies.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 2, line 7 after "trains," strike all the material down to and including "trains." on line 14 and insert. *"The commission shall also fix and regulate the speed of railway trains at grade crossings as defined in RCW 81.53.010 where such grade crossings are outside the limits of cities and towns when in the judgment of the commission the public safety so requires; such speed limit to be fixed shall be discretionary with the commission and may be different for different grade crossings and shall be commensurate with the hazard presented and the practical operation of trains."*

The bill was read the second time.

On motion of Mr. Bluechel, the committee amendment was adopted.

House Bill No. 229 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 229 was placed on final passage.

Representative Copeland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 229 and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

Engrossed House Bill No. 229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 250, by Representatives Morrison, Smythe and Spanton (by Superintendent of Public Instruction request):

Permitting school directors to petition for annexation of school property to city or town.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 250 was placed on final passage.

Representative Morrison spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 250 and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick,

McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

House Bill No. 250, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 252, by Representatives Thompson, Smythe and Martinis:

Providing for a filing fee for affidavits claiming exemptions from the real estate excise tax.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 252 was placed on final passage.

Representative Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 252 and the bill passed the House by the following vote: Yeas, 91; nays, 3; absent or not voting, 5.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Conner, Eikenberry, Mentor—3.

Absent or not voting: Representatives Adams, Conway, King, Marzano, May—5.

House Bill No. 252, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 312, by Representatives Zimmerman, Conner, Wolf, Cunningham and King (by Departmental request):

Changing the composition of the youth development and conservation committee and removing reenrollment limitation for youths.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 312 was placed on final passage.

Representative Zimmerman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 312 and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross,

Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Barden, Flanagan, Juelling, Polk—4.

Absent or not voting: Representatives Adams, Conway, King, May—4.

House Bill No. 312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 397, by Representatives Spanton, Beck, Cunningham and Bauer (by Departmental request):

Authorizing highway district engineers to award small construction and maintenance contracts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 397 was placed on final passage.

Representative Spanton spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 397 and the bill passed the House by the following vote: Yeas, 92; nays, 3; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Bradley, Lysen, Van Dyk—3.

Absent or not voting: Representatives Adams, Conway, King, May—4.

House Bill No. 397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 427, by Representatives Brown, Grant, Smythe and Charnley (by Secretary of State request):

Reducing minimum vote needed for write-in nomination as party candidate.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 6, after "No" strike "write in"

On page 1, section 1, line 8, after "percent of the" strike "highest number cast for any candidate of his party in the political subdivision in which he is a candidate" and insert "[highest number cast for any candidate of his party in the political subdivision in which he is a candidate] total number of votes cast for all candidates for that office at that primary"

The bill was read the second time.

On motion of Mr. Brown, the committee amendments were adopted.

House Bill No. 427 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 427 was placed on final passage.

Representative Curtis spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 427 and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham,

Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

Engrossed House Bill No. 427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 621, by Representatives Flanagan, Bledsoe, Haussler, Bozarth and Bauer:

Providing that interest earned from funds of the department of agriculture shall be credited to the department of agriculture.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 621 was placed on final passage.

Representative Amen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 621 and the bill passed the House by the following vote: Yeas, 83; nays, 12; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Kilbury, Kirk, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—83.

Voting nay: Representatives Barden, Bluechel, Brown, Charnley, Eikenberry, Hoggins, Julin, Kiskaddon, Kopet, Polk, Ross, Wolf—12.

Absent or not voting: Representatives Adams, Conway, King, May—4.

House Bill No. 621, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 675, by Representatives Bauer, Costanti and Kilbury:

Providing for producer handlers on commodity boards.

#### MOTION

On motion of Mr. Wolf, House Bill No. 675 was rereferred to the Committee on Rules and Administration.

HOUSE JOINT MEMORIAL NO. 3, by Representatives Hansey, May, Van Dyk, Costanti, Pardini, Berentson, North, Moon, Backstrom, Cunningham, Kilbury and Knowles: Memorializing Congress to have reflectors placed on the sides of rail cars.

The memorial was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Memorial No. 3 was placed on final passage.

Representative Hansey spoke in favor of passage of the memorial.



## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 3 and the memorial passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Adams, Conway, King, May—4.

House Joint Memorial No. 3, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 8, by Senators Huntley, Day, Guess and Talley:

Providing for cemetery districts in all counties.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 8 was placed on final passage.

Representative Kuehnle spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 8 and the bill passed the House by the following vote: Yeas, 79; nays, 16; absent or not voting, 4.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, McCormick, Merrill, Moon, Morrison, Newhouse, O'Brien, Pardini, Paris, Perry, Polk, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—79.

Voting nay: Representatives Barden, Blair, Bluechel, Brown, Charnley, Douthwaite, Eikenberry, Lysen, Marzano, Maxie, McDermott, Mentor, North, Rabel, Ross, Williams—16.

Absent or not voting: Representatives Adams, Conway, King, May—4.

Engrossed Senate Bill No. 8, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the house adjourned until 11:00 a.m., Monday, February 22, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FORTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 22, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ross and Thompson. Representative Ross was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 15, 1971.

HOUSE BILL NO. 142, providing for approval by a county legislative authority of certain action by a sewer or water district, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14 after "approved" and before "by" insert "as provided in section 3 of this act"

On page 1, section 1, line 15 after "proposed" insert ", if no boundary review board exists as provided in RCW 36.93"

On page 2, section 1, line 1 after "documents;" insert "and/or"

On page 2, section 1, line 5 after "and" insert "/or"

On page 2, section 2, line 28 strike "40" and insert "36"

On page 3, section 3, line 33 strike the words: "NEW SECTION. Sec. 3."

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kuehnl, Lysen, Martinis, Maxie, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

HOUSE BILL NO. 247, enacting a "Special Fuel Tax Act", reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Martinis, McCormick, Perry, Rabel, Schumaker.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

HOUSE BILL NO. 273, requiring environmental impact reports on interstate and primary state highways, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after the enacting clause on line 4 strike the remainder of the act and insert the following:

"NEW SECTION. Section 1. It is declared to be the public policy of the state of Washington that in the location, design and construction of state highways, every effort shall be made to minimize and eliminate effects which are adverse to the natural and human environment of the state. Such factors as the dislocation of people, the dislocation of residences, the dislocation of businesses and the creation of air and water pollution situations shall be considered when constructing state highways. Therefore, the purposes of this act are:

(1) To declare a state policy which will encourage productive and enjoyable harmony between man and his environment;

(2) To promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of the citizens of this state; and

(3) To enrich the understanding of ecological systems and natural resources important to the state; and

(4) To provide an efficient highway network serving the commercial, recreational and personal needs of the people of this state.

**NEW SECTION.** Sec. 2. Whenever the department of highways determines that a state highway project will significantly affect the quality of human environment, and in every case when a state highway is to be constructed in a new location or a state highway reconstruction project will require additional right of way, the department of highways, prior to holding the first public hearing relating to the location or design of the highway, shall prepare a report on the environmental impact which may reasonably be expected to occur as a result of such constructions: **PROVIDED**, That if in respect to any project on which one or more hearings have occurred prior to the effective date of this act, the department of highways shall prepare the environmental report prior to conducting the next public hearing.

The environmental report shall consider:

(1) The environmental impact of the highway including its effect on the quality of the air and water and the effect on existing residential and business developments;

(2) Any adverse environmental effects which cannot be avoided as a result of the construction of the highway;

(3) Alternatives to the proposed project;

(4) The relationship between local short term uses of man's environment and the maintenance and enhancement of long term productivity; and

(5) Any irreversible and irretrievable commitments or resources which would be involved in the proposed project.

**NEW SECTION.** Sec. 3. The environmental impact report shall be transmitted to the director of the department of ecology not less than thirty days prior to the public hearing or next public hearing as provided in section 2 of this act. The director of the department of ecology shall prepare a written environmental review statement on the project which shall contain a statement of any environmental problems and adverse environmental impact, natural or human, which he believes may reasonably be expected to occur as a result of the project. The environmental review statement shall also contain a statement of any beneficial environmental impact or any amenities either natural or human which may reasonably be expected to occur as a result of the project: **PROVIDED**, That if the director of the department of ecology determines that the project will have no significant environmental impact, his written statement to that effect shall constitute a review statement.

The director of the department of ecology shall transmit copies of the review statement to the department of highways, to any interested citizens, and to representatives of the news media in the area in which the proposed or existing highway is located not less than five days prior to the public hearing or next public hearing referred to in section 2 of this act."

Signed by Representatives Zimmerman, Chairman, Bradley, Charnley, Conner, Cunningham, Gallagher, Gilleland, Harris, Hurley, Kilbury, Kraabel, Luders, Martinis, McCormick, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

**HOUSE BILL NO. 277**, providing certain changes in the law relating to community health programs, reported by Committee on Social and Health Services.

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, section 1, line 17 beginning with "*Such*" strike all the matter down to and including "*effective.*" on line 19

On page 2, section 2, line 28 after "*within*" strike "*the discretion of*" and insert "*rules and regulations promulgated by*"

On page 1, line 4 of the title strike "RCW 71.14.150" and insert "RCW 71.24.150"

Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Beck, Ceccarelli, Chatalas, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Marsh, McDermott, Paris.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

**HOUSE BILL NO. 322**, authorizing school districts to lease school buses for the use of retarded children, reported by Committee on Education and Libraries.

**MAJORITY recommendation:** Do pass with the following amendment:

On page 1, section 1, line 6 after "to" strike the remainder of the section and insert "and from the site of activities deemed beneficial to such children by such organizations: **PROVIDED**, That such nonprofit organizations are regularly engaged in educational activities related to these children: **PROVIDED FURTHER**, That commercial bus transportation is not reasonably available for such purposes."

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 18, 1971.

HOUSE BILL NO. 343, setting out U. S. history and state history requirement for the common schools, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Brouillet, Costanti, Hatfield, Jones, Lysen, McDermott, Polk, Randall, Savage, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives Mentor, Vice Chairman, Brown, Conway, May.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

HOUSE BILL NO. 353, pertaining to refunds for nonhighway use of fuel, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, beginning on line 1, strike "established by such other methods as may be approved by the director, or that the claim for refund is based on" and insert "[established by such other methods as may be approved by the director] is established by"

On page 2, section 1, line 9 strike "attach" and insert "provide"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Hubbard, Jastad, Jones, Kraabel, Martinis, McCormick, Perry, Rabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

HOUSE BILL NO. 396, providing that state may elect to move buildings from condemned land, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11 after "pay" and before "the reasonable" insert "a sum equal to"

On page 2, section 1, beginning on line 5, add a new subsection as follows:

"(3) With respect to one and two family dwellings, if the state elects to pay the moving costs and related costs as provided in subsection (1) of this section, the state shall also offer to acquire the entire parcel as an alternative available to the owner."

On page 2, beginning on line 20 strike all of section 3 and insert the following:

"Sec. 3. Section 4, chapter 156, Laws of 1955 and RCW 8.04.112 are each amended to read as follows:

If there is a building standing, in whole or in part, upon any land to be taken, and the building is not to be relocated and re-established as provided in section 1 of this 1971 amendatory act, the jury shall add to their finding of the value of the land taken, the damages to the building. [If the entire building is taken, or if the building is damaged, so that it cannot be readjusted to the premises, then the measure of damages shall be the fair market value of the building. If part of the building is taken or damaged and the building can be readjusted or replaced on the part of the land remaining, and the state agrees thereto, then the measure of damages shall be the cost of readjusting or moving the building, or the part thereof left, together with the depreciation in the market value of the building by reason of such readjustment or moving.]"

On page 1, line 4 of the title strike "repealing" and insert "amending"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Bauer, Beck, Blair, Bradley, Charnley, Cunningham, Douthwaite, Gilleland, Hansey, Jones, Kraabel, McCormick, Perry, Rabel, Schumaker, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Conner, Martinis.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

HOUSE BILL NO. 405, regulating practical nurses, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16 beginning with "[five]" strike all matter down to and including "law." on page 2, section 3, line 22, and insert the following "five years' experience in the [practice] field of nursing;

(4) Have not less than two years' experience [instructing in an approved course of practical nursing education;] in nursing education.

(5) Be engaged actively in instructing practical nurses in an approved course at the time of her appointment.]

Sec. 2. Section 6, chapter 79, Laws of 1967 and RCW 18.78.182 are each amended to read as follows:

A licensed practical nurse under his or her license may perform for compensation nursing care (as that term is usually understood) of the ill, injured, or infirm, and in the course thereof is authorized, at or under the direction and supervision of a licensed

physician and surgeon, osteopathic physician and surgeon, dentist, chiropracist (acting within the scope of his license), or at or under the direction and supervision of a licensed registered professional nurse, to administer drugs, medications, treatments, tests, injections, and inoculations, whether or not the piercing of tissues is involved and whether or not a degree of independent judgment and skill is required, when selected to do so by one of the licensed practitioners designated in this section, or by a licensed registered professional nurse who need not be physically present; provided the order given by such [licensed practitioners shall] *physician, dentist, or chiropracist* be reduced to writing within a reasonable time and made a part of the patient's record."

On page 1, line 2 of the title after "RCW 18.78.100;" insert "and" and on line 3, after "RCW 18.78.182" strike the balance of the title and insert a period

Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Beck, Ceccarelli, Chatalas, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Marsh, McDermott, Paris.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

HOUSE BILL NO. 480, providing for the integration of regulatory programs of the department of ecology, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11 strike "4" and insert "5"

On page 1, section 2, line 23 after "RCW." strike the remainder of the section

On page 2, section 3 strike the remainder of the section after "ecology" on line 2 and insert "for a permit to discharge waste into waters of the state shall be approved, regardless of the standards set by the department for such waters, whenever it appears to the department that such approval will result in interference with any water rights, appropriative, riparian or otherwise, established prior to the filing of the application or request."

On page 2, section 6, line 26 after "conflict" insert ": PROVIDED, That no part of this act shall be construed to repeal or be in conflict with RCW 70.94.250"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Berentson, Charnley, Flanagan, Gallagher, Gilleland, Hansey, Harris, Julin, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

MINORITY recommendation: Do not pass. Signed by Representatives Bradley, Smith.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 586, providing for purchases by counties of open space land and development rights termed "conservation futures," reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 2 after "otherwise," and before "the fee" insert "except by eminent domain,"

On page 2, section 3, line 17 after "acquire" and before "rights" insert " , except by eminent domain."

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Bledsoe, Bluechel, Ceccarelli, Eikenberry, Haussler, Hurley, Julin, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

ENGROSSED SUBSTITUTE SENATE BILL NO. 142, authorizing the director of fisheries to permit fish farming, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Bradley, Charnley, Conner, Gallagher, Gilleland, Hurley, Kraabel, Luders, Martinis, McCormick, North, Thompson, Van Dyk, Williams, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 20, 1971.

ENGROSSED SENATE BILL NO. 143, providing for the sale of highway contract plans, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Bauer, Beck, Blair, Bradley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Hubbard, Johnson, Jones, Martinis, McCormick, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

February 20, 1971.

Mr. Speaker: The Senate has passed:  
 ENGROSSED SENATE BILL NO. 151,  
 ENGROSSED SENATE BILL NO. 183,  
 SENATE BILL NO. 196,  
 HOUSE BILL NO. 27,  
 HOUSE BILL NO. 28,  
 HOUSE BILL NO. 29,  
 HOUSE BILL NO. 30,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 27,  
 HOUSE BILL NO. 28,  
 HOUSE BILL NO. 29,  
 HOUSE BILL NO. 30.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1029, by Representatives Thompson, Zimmerman and Pardini:

An Act relating to revenue and taxation; amending section 82.40.010, chapter 15, Laws of 1961 as last amended by section 24, chapter 281, Laws of 1969 ex. sess. and RCW 82.40.010; amending section 82.40.040, chapter 15, Laws of 1961 as amended by section 1, chapter 139, Laws of 1969 and RCW 82.40.040; amending section 82.40.050, chapter 15, Laws of 1961 as last amended by section 3, chapter 139, Laws of 1969 and RCW 82.40.050; amending section 82.40.250, chapter 15, Laws of 1961 as last amended by section 8, chapter 89, Laws of 1967 ex. sess. and RCW 82.40.250; amending section 82.40.270, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1967 and RCW 82.40.270; and amending section 82.40.290, chapter 15, Laws of 1961 as last amended by section 7, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.290.

Referred to Committee on Natural Resources and Ecology.

HOUSE JOINT RESOLUTION NO. 47, by Representatives Bluechel, O'Brien, Hoggins and Kiskaddon:

Amending Article VII, section 2 of the Constitution.

Referred to Committee on Revenue and taxation.

ENGROSSED SENATE BILL NO. 151, by Senators Holman and Foley (by State Finance Committee request):

An Act relating to the common schools and the support thereof; amending section 1, chapter 13, Laws of 1969 and RCW 28A.47.792; amending section 4, chapter 13, Laws of 1969 and RCW 28A.47.795; amending section 5, chapter 13, Laws of 1969 and RCW 28A.47.796; and declaring an emergency.

Referred to Committee on Appropriations.

ENGROSSED SENATE BILL NO. 183, by Senators Holman, Clarke and Elicker:

An Act relating to liens; and amending section 5, chapter 24, Laws of 1893 as last amended by section 5, chapter 279, Laws of 1959, and RCW 60.04.060.

Referred to Committee on Judiciary.

SENATE BILL NO. 196, by Senators Odegaard, Sandison and Metcalf (by Departmental request):

An Act relating to crimes and punishments; creating a program of aid and assistance for paroled, discharged prisoners and persons convicted of a felony and granted probation; amending section 2, chapter 217, Laws of 1961 and RCW 9.95.310; amending section 3, chapter 217, Laws of 1961 and RCW 9.95.320; amending section 4, chapter 217, Laws of

1961 and RCW 9.95.330; amending section 5, chapter 217, Laws of 1961 and RCW 9.95.340; amending section 6, chapter 217, Laws of 1961 and RCW 9.95.350; amending section 7, chapter 217, Laws of 1961 and RCW 9.95.360; amending section 8, chapter 217, Laws of 1961 and RCW 9.95.370; and adding a new section to chapter 217, Laws of 1961 and to chapter 9.95 RCW.

Referred to Committee on Social and Health Services.

#### MOTION

Mr. Grant moved that the Committee on Revenue and Taxation be relieved of Engrossed Senate Joint Resolution No. 1 and the resolution be placed on today's second reading calendar ahead of House Joint Resolution No. 3.

Representatives Grant and Charette spoke in favor of the motion, and Representatives Bledsoe and Copeland spoke against it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Copeland, what is your two percent amendment? Would you change the property tax limit from one to two percent?"

Mr. Copeland: "No, the joint resolution places the limitation on the property tax at one percent. The ability to raise money beyond that point would be referred to the people. All it says is, 'Under no circumstances will the excess levies be more than two percent,' or twice your standard rate. In other words, what I am suggesting, is that you give the property taxpayers some additional assurance that they won't have a runaway in special levies, that in any one year their property tax rate will never exceed more than two percent of true and fair value."

Mr. Moon spoke in favor of the motion by Mr. Grant, and Mr. Newhouse spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Grant to relieve the Committee on Revenue and Taxation of Engrossed Senate Joint Resolution No. 1 and place the resolution on today's second reading calendar ahead of House Joint Resolution No. 3, and the motion was lost by the following vote: Yeas, 47; nays, 50; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Van Dyk, Williams, Wojahn-47.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker-50.

Absent or not voting: Representatives Ross, Thompson-2.

#### MOTION

Mr. Litchman moved that the Committee on Revenue and Taxation be relieved of House Bill No. 3 and the bill be placed on today's second reading calendar.

Mr. Litchman spoke in favor of the motion.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. Litchman, you have made a motion to remove a bill from a committee and place it on the calendar. I would like you to confine your remarks to the merits of that motion."

Mr. Litchman concluded his remarks.

Mr. Flanagan spoke against the motion by Mr. Litchman.

## POINT OF ORDER

Mr. Grant: "Mr. Speaker, I think Mr. Flanagan is talking about tax exemptions, and he is wandering far afield. This has nothing to do with tax exemptions. The motion is to bring the bill out that requires assessments countywide. It has nothing to do with exemptions. I think he should confine his remarks at least to the bill, and particularly to the motion."

The Speaker: "Remarks on the bill would be out of order. The motion is to relieve the committee of a bill. Therefore, the remarks pertaining to his committee are in order, and the point is not well taken."

Mr. Flanagan concluded his remarks against the motion.

Mr. Perry spoke in favor of the motion by Mr. Litchman.

The motion by Mr. Litchman to relieve the Committee on Revenue and Taxation of House Bill No. 3 and place the bill on today's second reading calendar, was lost on a rising vote.

## PERSONAL PRIVILEGE

Mr. Litchman: "Point of personal privilege, Mr. Speaker. A few seconds ago, I rose to my feet, as well as Mr. Rosellini. Mr. Rosellini was going to ask for a roll call vote. The Speaker apparently didn't see him, or didn't recognize him, and I prefer to believe that he didn't see him. I stood up and wanted to ask Mr. Flanagan a question as to when we were going to have a public hearing on House Bill No. 3. I wasn't able to ask the question. My point is now whether I may ask Mr. Flanagan a question as to when we may expect to have a hearing on House Bill No. 3."

The Speaker: "Will Mr. Flanagan yield to question?"

Mr. Flanagan: "Yes."

## POINT OF INQUIRY

Mr. Litchman: "Mr. Flanagan, as Mr. Perry pointed out, this is merely an attempt to stay reappraisal of property due to what we consider illegal reappraisal by out-of-state appraisers. We certainly want to have a public hearing on it. We would like the date now so we can tell the thousands of protestors in our district as to what, if anything, the legislature proposes to do. Could you give us a definite date today or by tomorrow?"

Mr. Flanagan: "No, Representative Litchman, I can't give you a definite date. I think we have the schedule fairly well filled up until about the first of March. I can't give you a date at this time."

## MOTIONS

Mr. Morrison moved that HOUSE BILL NO. 278 be rereferred from the Committee on Local Government to the Committee on Natural Resources and Ecology.

Mr. Smythe spoke in favor of the motion.

The motion was carried.

On motion of Mr. Morrison, HOUSE BILL NO. 929 was rereferred from the Committee on Social and Health Services to the Committee on Labor and Employment Security.

Mr. Bledsoe moved that the House defer consideration of the bills on today's second reading calendar, that the bills be placed at the top of the second reading calendar for tomorrow, and that the House advance to the tenth order of business.



## POINT OF ORDER

Mr. O'Brien: "It seems to me he made two motions in one, Mr. Speaker. First I would like to have him explain his first motion as to why he wants to defer action on the second reading of bills today. He didn't do that. He combined it with another motion. He has two motions in one, and at least he should give the House the courtesy of letting us know why he is deferring action on these bills. There are some important ones that I know I would like to act on immediately."

The Speaker: "Mr. O'Brien, your point of order is well taken. However, the effect of an affirmative vote upon his first motion would be to advance to the next order of business, the third reading of bills. I might point out that your caucus has not had an opportunity to review this second reading calendar. We would like to give them that opportunity."

Mr. Bledsoe explained the reason for his motion.

## RULING BY THE SPEAKER

The Speaker: "The Speaker will rule that the second portion of the motion is out of order, and the motion before the House is to defer further action on today's second reading calendar until tomorrow."

## POINT OF ORDER

Mr. Charette: "Mr. Speaker, my point of order is that under the rules that we have had imposed upon us, Rule 89 provides that any standing rule or order of business may be suspended temporarily by two-thirds of the vote. The order of business is a standing rule, and my point of order is: Is it proper to do this by a majority, or does it take a two-third's vote?"

## RULING BY THE SPEAKER

The Speaker: "Well, I would view the motion simply to postpone to a time certain as an incidental motion. Since the order of business is all contained within one rule of the House, it would not require a suspension of that rule to allow this motion. Your point of order is not well taken."

The Speaker stated the question before the House to be the motion by Mr. Bledsoe that the House defer consideration of the bills on today's second reading calendar and the bills be placed on tomorrow's calendar.

The motion was carried.

## THIRD READING

ENGROSSED HOUSE BILL NO. 78, by Representatives Bledsoe, Bottiger, Goldsworthy and Litchman (by Departmental request):

Providing for a new department of emergency services.

Engrossed House Bill No. 78 was read the third time and placed on final passage.

Mr. Bledsoe spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Backstrom.

Mr. Backstrom: "Representative Bledsoe, my concern in this reference is the very name that is placed upon this committee. I was involved in this in the 1969 session. At that time there was an attempt to expand and extend the duties of civil defense. Is this the final action, and will we then in eventuality be faced with a complete umbrella and extension and expansion of this department?"

Mr. Bledsoe: "Your question is well put, Mr. Backstrom. We posed the exact question to the director of the department of civil defense who appeared before our committee asking (1) his intent and (2) his feeling about expansion of the services of the department. We were assured at that time, sir, that it was his intent to maintain his continued operation within the same sphere of influence and activity that it now encompasses. It is not an attempt to branch out into a super department but rather to function in the area of emergency services, which is now his current roll."

Mr. Moon spoke against passage of the bill, and Mr. Bottiger spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 78, and the bill passed the House by the following vote: Yeas, 82; nays, 16; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, McDermott, Mentor, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Sawyer, Schumaker, SHERA, Shinpoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—82.

Voting nay: Representatives Backstrom, Bagnariol, Bradley, Grant, Haussler, Hurley, King, Kuehnle, Marzano, May, McCormick, Merrill, Moon, Perry, Savage, Van Dyk—16.

Absent or not voting: Representative Ross—1.

Engrossed House Bill No. 78, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 509, by Representatives Bledsoe, Flanagan, Amen, Benitz, Morrison, Newhouse, Schumaker, Curtis, Hatfield, Lynch, Spanton, Wanamaker, Smith, Hansey, Goldsworthy, Haussler, Bozarth, Bauer and Van Dyk:

Providing for assessments by the Washington state beef commission.

Engrossed House Bill No. 509 was read the third time and placed on final passage.

Representative Newhouse spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 509, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, SHERA, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Ross—1.

Engrossed House Bill No. 509, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, February 23, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FORTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 23, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives McCormick and Ross who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 22, 1971.

HOUSE BILL NO. 49, providing for public school day care centers, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

Strike all of the matter after the enacting clause and substitute the following:

*NEW SECTION.* Section 1. The purpose of this act is to permit school districts to provide the use of their facilities, personnel, and related services for child care for children of the age of three through fourteen, inclusive, in order that low-income parents may be employed or be in training for employment. By providing such a service, parents would have more opportunity to accept training and employment and as a result, thus lessening their need for public assistance. Children and families will be provided with the protection, education, health, and social service necessary to their growth and development for responsible adulthood.

*NEW SECTION.* Sec. 2. For the purposes of this act, "child care", "child care services", and "child care program" shall mean care of children identified under sections 3 and 4 of this act for the entire calendar year during the hours necessary to meet the needs of the individual families enrolled.

*NEW SECTION.* Sec. 3. Any school district is authorized to:

(1) Contract and cooperate with the department of social and health services and other public and private agencies in the establishment of or providing child care services to children;

(2) Provide by contract with the department of social and health services and other public and private agencies for the necessary facilities, materials, and personnel and in addition, provide any management, operation, maintenance, and other services which may be required to promote the purposes of this act.

*NEW SECTION.* Sec. 4. The department of social and health services is authorized to:

(1) Cooperate with any school district authorized to establish child care services and to contract for payment for eligible children;

(2) Accept funds from any source including the federal government;

(3) Identify and certify for eligibility within the department's regulations those children who are enrolled in a child care service program which may be established under this act;

(4) Promulgate and adopt rules and regulations in accordance with chapter 34.04 RCW, take such other action, and contract with such other parties as is consistent with the establishment of child care programs to serve the purposes of this act;

(5) Evaluate and, when appropriate, approve the standards of care provided through such child care programs according to the requirements of the state and federal governments, as now or hereafter amended.

*NEW SECTION.* Sec. 5. When a school district and the department of social and health services elect to provide child care services and child care programs, each shall have the responsibility to stimulate the use of volunteer services and low-income personnel to the fullest extent possible. Personnel and materials used by such child care program shall be selected to promote the education, cultural development, emotional growth, and health of the children selected.

*NEW SECTION.* Sec. 6. The funding and initiating of child care services and child care programs provided for in this act shall not be the responsibility of a school district.

**NEW SECTION.** Sec. 7. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In the title after "school" and before "care" strike "day" and insert "child"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Johnson, Jones, McDermott, Randall, Savage, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives Conway, Costanti, Hatfield, May, Polk.

Passed to Committee on Rules and Administration for second reading.

February 9, 1971.

HOUSE BILL NO. 113, prescribing powers of game protectors, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22 after "9.66.060" strike everything through "9.41.270"

On page 2, section 2, line 12 after "9.66.060" strike everything through "9.41.270"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 19, 1971.

HOUSE BILL NO. 251, providing that a mailed tax notice can serve to give information required on tax payment receipt, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 6 after "with" and before "this" insert "the receipt requirement of"

Signed by Representatives Smythe, Chairman, Adams, Bauer, Blair, Bradley, Douthwaite, Gilleland, Jones, Kopet, Kuehne, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 19, 1971.

HOUSE BILL NO. 272, allowing Indian tribes to participate in public cooperative ventures, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Bauer, Blair, Douthwaite, Gilleland, Jones, Kopet, Lysen, Martinis, Maxie, Merrill, North, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 321, providing for suspended sentences for driving while intoxicated, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, lines 22 through 26 after "suspended:" on line 22 strike everything through "program." on line 26 and insert "PROVIDED, That the defendant may be given a suspended sentence on the occasion of one conviction on the condition that he enter into a court prescribed alcohol treatment program."

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shinpoch.

MINORITY recommendation: Do not pass. Signed by Representative Spanton.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 344, implementing law relating to urban, racial and disadvantaged education programs and requiring programmed budget requests, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "urban" insert "rural"

On page 1, section 2, line 18 after "urban" insert "rural"

On page 1, section 3, line 24 after "urban" insert "rural"

On page 2, section 3, line 2 after "urban" insert "rural"

On page 2, section 3, line 11 after "urban" insert "rural"

On page 2, section 4, line 14 after "urban" insert "rural"

On page 2, section 5, line 32 after "urban" insert "rural"

On page 3, section 5, line 2 after "urban" insert "rural"

On page 1, line 1 of the title after "urban" insert "rural"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Jones, Lysen, McDermott, Polk, Randall, Savage.

MINORITY recommendation: Do not pass. Signed by Representative May.  
Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 345, implementing law relating to weighting factors in state aid to school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Costanti, Hatfield, Johnson, Jones, Lysen, McDermott, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 19, 1971.

HOUSE BILL NO. 350, authorizing increase in amount of insurance premiums school directors and higher educational institutions may pay for personnel, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Knowles, Kraabel, Marzano, McCormick, Paris, Perry, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 351, granting immunity to medical professionals bringing charges against fellow professionals, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, lines 8 to 21 strike everything and insert:

"Physicians licensed under chapter 18.71 RCW or chapter 18.57 RCW, and dentists licensed under chapter 18.32 RCW who, in good faith, file charges or present evidence against another member of their profession based on the claimed incompetency or gross misconduct of such person before a regularly constituted review committee or board of a medical or dental society or hospital whose duty it is to evaluate the competency and qualifications of members of the profession, including limiting the extent of practice of such person in a hospital or similar institution, shall be immune from civil action for damages arising out of such activities except where said physician, or dentist acts maliciously in filing the charges or presenting the evidence. The written records of such committees or boards shall not be subject to subpoena or discovery proceedings in any civil action, except actions arising out of the recommendations of such committees."

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Knowles, Marsh, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 408, revising the deed of trust statute, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3, line 25 before "foreclosure" strike "The" and insert "If the notice of sale is registered with the Registrar of Land Titles, the"

On page 3, section 3, line 27 after "RCW" insert "and the trustee's deed may be registered"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 429, providing for the financing of services, facilities, equipment, material, goods, and supplies for government and certain other entities, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, Paris, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 445, providing state-wide system of public and instructional television, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 18 after "network" strike ", and such other distribution systems as are deemed necessary for the public interest"

On page 3, section 5, line 28 after "business" and before "professional" insert "commercial broadcast television management"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Costanti, Hatfield, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 464, implementing law relating to acquisition of state lands by school districts or institutions of higher education, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 24, chapter 255, Laws of 1927 as last amended by section 1, chapter 46, Laws of 1970 ex. sess. and RCW 79.01.096 are each amended to read as follows:

Not more than one hundred and sixty acres of any land granted to the state by the United States shall be offered for sale in one parcel and no university lands shall be offered for sale except by legislative directive or with the consent of the board of regents of the University of Washington.

Any land granted to the state by the United States may be sold or leased for any lawful purpose in such minimum areas as may be fixed by the [commissioner of public lands, except that upon the application of a school district or institutions of higher education for the purchase of a school house site or sites or any school land, not less than three nor more than ten acres may be offered for sale, and in all cases where a schoolhouse is or may be erected upon any school land the school district or institutions of higher education to which the schoolhouse belongs shall have the preference right for six months after the filing of the final appraisal of such school land to purchase the schoolhouse sites, to include the land occupied by the schoolhouse and grounds, at the appraised value thereof] *department of natural resources.*

*Except as otherwise provided in section 2 of this 1971 amendatory act, upon the application of a school district or any institution of higher education for the purchase or lease of lands granted to the state by the United States, the department of natural resources may offer such land for sale or lease in such maximum acreage as it may determine, consideration being given upon application of a school district to school site criteria established by the state board of education: PROVIDED, That in the event the department thereafter offers such land for sale or lease any school district or institution of higher education shall have a preference right for six months from such offer to purchase or lease such land at the appraised value determined by the board of natural resources.*

Land granted to the state shall not be leased for a longer period than ten years: PROVIDED, That such lands may be leased for the purpose of prospecting for, developing and producing oil, gas and other hydrocarbon substances or for the mining of coal subject to the provisions of chapter 79.14 RCW and RCW 79.01.692: PROVIDED FURTHER, That such lands may be leased for public school, college or university purposes for any period not exceeding seventy-five years: PROVIDED FURTHER, That such lands may be leased for commercial, residential, business or recreational purposes for any period not exceeding fifty-five years: AND, PROVIDED FURTHER, That, as to lands under lease of July 30, 1967 for commercial, residential, business or recreational purposes for a period of not to exceed twenty years, the lessee shall have an option for a new lease for such lands for an additional period not exceeding thirty-five years, the terms and conditions of said new lease to be fixed by the department: AND, PROVIDED FURTHER, That if during the term of the lease of any state lands for commercial, residential, business or recreational purposes, in the opinion of the department it is in the best interest of the state so to do, the department may, on the application of the lessee, alter and amend the terms and conditions of such lease as to the types and conditions of commercial, residential, business or recreational enterprises conducted on such leased premises and the rent to be paid.

**NEW SECTION.** Sec. 2. There is added to chapter 79.01 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 79.01.096 or any other provision of law, any school district or institution of higher education, that on the effective date of this 1971 amendatory act is leasing land granted to the state by the United States and on which land by January 1, 1976, such district or institution has placed improvements as defined in RCW 79.01.036 shall be afforded the opportunity by the department of natural resources at any time prior to January 1, 1976, to purchase such land, excepting land over which the department retains management responsibilities, for the purposes of schoolhouse construction and/or necessary supporting facilities or structures at the appraised value thereof less the value that any improvements thereon added to the value of the land itself at the time of the sale thereof.

**NEW SECTION.** Sec. 3. The purchases authorized under section 2 of this 1971 amendatory act shall be classified as for the construction of common school plant facilities under chapter 28A.47 RCW and shall be payable out of the common school construction fund as otherwise provided for in RCW 28A.40.100 if the school district involved was under emergency school construction classification as established by the state board of education at any time during the period of its lease of state lands.

*NEW SECTION.* Sec. 4. In those cases where the purchases, as authorized by sections 2 or 3 of this 1971 amendatory act, have been made on a ten year contract, the board of natural resources, if it deems it in the best interest of the state, may extend the term of any such contract to not to exceed an additional ten years under such terms and conditions as the board may determine.

*NEW SECTION.* Sec. 5. There is added to chapter 79.01 RCW a new section to read as follows:

Notwithstanding any other provisions of law, annually the board of natural resources shall determine if lands purchased or leased by school districts or institutions of higher education under the provisions of sections 1 and 2 of this 1971 amendatory act are being used for school sites. If such land has not been used for school sites for a period of seven years the title to such land shall revert to the original trust for which it was held.

*NEW SECTION.* Sec. 6. If any provision of this 1971 amendatory act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In line 5 of the title after the semicolon and before "and" insert "creating new sections;"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 475, implementing interdistrict cooperation act of 1969, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Brouillet, Charette, Costanti, Johnson, Jones, Lysen, McDermott, Savage, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives Conway, Polk, Randall.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 490, defining certain terms relating to vocational education, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 491, mandating state board of education to implement, by rule or regulation, vocational education programs in school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 10, strike all of the underlined material and insert "in the elementary and secondary schools and the state board shall adopt rules and regulations to implement such programs, including those authorized by RCW 28A.58.245 and RCW 28B.50.770"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 497, providing for rescheduled or extended school years, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Charette, Hatfield, Jones, May, McDermott, Polk, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 499, providing for suspension or deferral of sentence in certain criminal cases, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22 after "sentence" strike "[shall not] may" and insert "shall not"

On page 2, section 1, line 3 after "sentence" strike "[shall not] may" and insert "shall not"

On page 2, section 1, line 17 after "sentence" strike "[shall not] may" and insert "shall not"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Hubbard, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

February 19, 1971.

HOUSE BILL NO. 765, providing for dates for county budget hearings, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Adams, Bauer, Blair, Douthwaite, Gilleland, Jones, Kopet, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 19, 1971.

HOUSE BILL NO. 766, removing a fire protection district commissioner for failure to attend meetings, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 16 after "consecutive" and before "meetings" insert "regularly scheduled"

Signed by Representatives Smythe, Chairman, Adams, Bauer, Blair, Bradley, Douthwaite, Gilleland, Jones, Kopet, Kuehne, Martinis, Maxie, Mentor, Merrill, North, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 17, 1971.

HOUSE JOINT RESOLUTION NO. 21, proposing constitutional amendment authorizing new form of "city-county" government in lieu of present "city and county government," reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning with "The" on line 8 strike everything down to and including "provision" on page 2, line 33 and insert the following:

"The [legislature shall, by general law,] *citizens of any county may frame a charter in the manner provided for counties in section 4 of this article to provide for the formation of combined city and county municipal corporations, [and for the manner of determining the territorial limits thereof,] each of which shall be known as a ["city and county," and, when organized, shall contain a population of at least three hundred thousand (300,000) inhabitants.] "city-county."* No such [city and county] "*city-county*" shall be formed except by a majority vote of the qualified electors [of] *voting thereon in the [area proposed to be included therein and also by a majority vote of the qualified electors of the remainder of that county from which such area is to be taken. Any such city and county shall be permitted to frame a charter for its own government, and amend the same, in the manner provided for cities by section 10 of this article: PROVIDED, HOWEVER, That the first charter of such city and county shall be framed and adopted in a manner to be specified in the general law authorizing the formation of such corporations:] county: PROVIDED [FURTHER], That every such charter shall designate the respective officers of such [city and county] *city-county* who shall perform the duties imposed by law upon county officers. Every such [city and county] *city-county* shall have and enjoy all rights, powers and privileges asserted in its charter, [not inconsistent with general laws,] and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities or cities and counties [possessed and enjoyed by cities and counties of like population separately organized]. In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the general laws applying to cities and those applying to counties, a city-county shall be authorized to exercise any powers that are granted to either the cities or the counties. No charter shall be amended or repealed by an initiative measure.*

*No legislative enactment which is a prohibition or restriction shall apply to the rights, powers and privileges of a city-county unless such prohibition or restriction shall apply equally to every other city, county, and city-county.*

[No county or county government existing outside the territorial limits of such county and city, shall exercise any police, taxation or other powers within the territorial limits of such county and city, but all such powers shall be exercised by the city and county and the officers thereof, subject to such constitutional provisions and general laws as apply to either cities or counties: PROVIDED, That] The provisions of sections 2, 3, [4,] 5, 6, [7,] and 8 and of the first paragraph of section 4 of this article shall not apply to any such [city and county; PROVIDED FURTHER, That the salary of any elective or appointive officer of a city and county shall not be changed after his election or appointment or during his term of office, nor shall the term of any such officer be extended beyond the period for which he is elected or appointed] *city-county*. [In case an existing county is divided in the formation of a city and county, such city and county shall be liable for a just proportion of the existing debts or liabilities of the former county, and shall account for and pay the county remaining



a just proportion of the value of any real estate or other property owned by the former county and taken over by the county and city, the method of determining such just proportion to be prescribed by general law, but such division shall not affect the rights of creditors. The officers of a city and county, their compensation, qualifications, terms of office and manner of election or appointment shall be as provided for in its charter, subject to general laws and applicable constitutional provision.]

On page 3, beginning on line 3 with "or" strike the remainder of the sentence

On page 4, line 3, after the period insert "All taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within that municipal corporation."

Signed by Representatives Smythe, Chairman, Amen, Bauer, Blair, Brown, Gilleland, Haussler, Jones, Kopet, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE JOINT RESOLUTION NO. 27, deleting need of publication by newspaper of laws submitted to people, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 3, line 20 after "created" strike everything down to and including "election]" on line 25 and insert ", and notice that such law will be submitted to the people shall be published at least [four times] one time during the [four weeks next] first week preceding the election in every legal newspaper in the state: PROVIDED, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election."

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Kraabel, Moon, Paris, Spanton, Swayze.

MINORITY recommendation: Do not pass. Signed by Representatives Bledsoe, Hurley, McCormick, Perry, Williams.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE JOINT RESOLUTION NO. 28, deleting necessity to publicize by newspaper notice of constitutional amendments, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 20 after "separately." strike everything down to and including "election]" on line 25 and insert "The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at least [four times] one time during the [four weeks next] first week preceding the election in every legal newspaper in the state: PROVIDED, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election."

Signed by Representatives Bluechel, Chairman, Cunningham, Hoggins, Knowles, Kraabel, Marzano, Moon, Paris, Swayze.

MINORITY recommendation: Do not pass. Signed by Representatives Bledsoe, Hurley, McCormick, Perry, Williams.

Passed to Committee on Rules and Administration for second reading.

February 19, 1971.

HOUSE JOINT RESOLUTION NO. 35, providing a new method for amending the Constitution, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, McCormick, Moon, Perry, Swayze.

MINORITY recommendation: Do not pass. Signed by Representative Hurley.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE CONCURRENT RESOLUTION NO. 20, providing for a study on a state regional library system, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass. Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

MESSAGES FROM THE SENATE

February 22, 1971.

Mr. Speaker: The Senate has passed:  
ENGROSSED SENATE BILL NO. 32,

SENATE BILL NO. 102,  
 ENGROSSED SENATE BILL NO. 135,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 13,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 22, 1971.

Mr. Speaker: The President has signed:  
 SENATE BILL NO. 8,  
 HOUSE BILL NO. 99,  
 HOUSE CONCURRENT RESOLUTION NO. 16,  
 and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SENATE BILL NO. 8.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1030, by Representatives Chatalas, Charette, North, Barden, Thompson, McCormick, Ross, Bagnariol, Conner, Lysen, McDermott, Merrill, Maxie, Grant, King, Farr, Rosellini, Luders, Savage, Randall, Kilbury, Williams, Charnley, Douthwaite, Rabel, Bauer, Ceccarelli, Knowles, Backstrom, Paris, Smith, Van Dyk, Blair, Bradley, Martinis, Beck, Jastad, Gilleland, Jones, Kirk, Bluechel, Kraabel, Mentor, Cunningham, Hoggins and Polk:

An Act relating to the Nisqually River Delta and adjacent areas; amending section 2, chapter 65, Laws of 1955 and RCW 53.08.010; amending section 3, chapter 65, Laws of 1955 as last amended by section 3, chapter 147, Laws of 1963, and RCW 53.08.020; amending section 1, chapter 98, Laws of 1919 and RCW 22.16.010; amending section 36.70.330, chapter 4, Laws of 1963 and RCW 36.70.330; amending section 36.70.790, chapter 4, Laws of 1963 and RCW 36.70.790; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE BILL NO. 1031, by Representatives Morrison, Perry and Bluechel (by Executive request):

An Act relating to public employees; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 46.01 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 32, by Senators Francis and Stender:

An Act relating to actions by parents for death of or injury to their children; and amending section 9, page 4, Laws of 1869 as last amended by section 1, chapter 81, Laws of 1967 ex. sess. and RCW 4.24.010.

Referred to Committee on Judiciary.

SENATE BILL NO. 102, by Senators Stender, Talley, Connor and Whetzel (by Legislative Council request):

An Act relating to fire protection districts; and adding a new section to chapter 52.24 RCW.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 135, by Senators Wilson, Canfield and Donohue:

An Act relating to livestock; establishing an assessment on slaughtered meat food animals to support the livestock diagnostic service program; and adding new sections to chapter 100, Laws of 1969 and to chapter 16.38 RCW.

Referred to Committee on Agriculture.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 13, by Senators Greive, Bailey and Lewis:

Adopting the joint rules of the forty-second session of the legislature.

Referred to Committee on Rules and Administration.

RESOLUTIONS

HOUSE RESOLUTION NO. 71-13, by Representatives Douthwaite, Kiskaddon, Blair, Kraabel and Shinpoch:

WHEREAS, The economy of the State of Washington is in severe recession, in large part due to the decline of the aerospace industry in the State; and

WHEREAS, The aerospace industry must diversify to remain strong economically and to regain full employment; and

WHEREAS, Metropolitan areas in Washington and other states are in great need of low-cost, high-performance, flexible, and nonpolluting mass transit systems; and

WHEREAS, The aerospace industry has the technological capability and engineering brainpower to pursue research and development of improved mass transit systems, such as the Terra-foil system of Dr. Billy Hartz of the University of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives respectfully requests the Secretary of the Department of Transportation to consider granting mass transit research and development contracts to companies in the aerospace industry.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable John A. Volpe, Secretary of the Department of Transportation, and each member of Congress from the State of Washington.

Mr. Douthwaite moved adoption of the resolution.

Representatives Douthwaite, Kiskaddon and Mentor spoke in favor of adoption of the resolution.

The resolution was adopted.

HOUSE RESOLUTION NO. 71-14, by Representatives Sawyer, Wolf, Moon and Bozarth:

WHEREAS, The Washington Association Future Homemakers of America, popularly known as the FHA, which is sponsored by the Washington State Coordinating Council for Occupational Education, celebrated its twenty-fifth anniversary in 1970; and

WHEREAS, the FHA is an organization of thousands of home economics students in junior and senior high schools throughout the State of Washington who are vitally interested in leadership training through home, school and community participation; and

WHEREAS, These young American leaders are devoted to individual, family and civic improvement and strive with energy and enthusiasm to advance the best interests of their fellow citizens across our State and Nation; and

WHEREAS, The Washington Future Homemakers have been in the forefront of so many civic activities in communities throughout our State; and

WHEREAS, The people of the State of Washington recognize the contributions the Washington Association Future Homemakers of America has made to the State and to its youth;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commends the Washington Future Homemakers for twenty-five years of family and community service and expresses its sincere appreciation for the multitude of projects undertaken for the betterment of our communities.

BE IT FURTHER RESOLVED, That the House of Representatives encourages the Washington Future Homemakers to continue its enthusiastic and dedicated leadership which provides so fine an example for others to emulate; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Washington Association Future Homemakers of America and to each active chapter within the State of Washington.

Mr. Sawyer moved adoption of the resolution.

Representatives Sawyer, Wolf, Randall and Zimmerman spoke in favor of adoption of the resolution.

The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Miss Carol Boushey, State President of the Washington Association Future Homemakers of America, and requested that the Sergeant of Arms conduct her to a place on the rostrum.

Miss Boushey: "We, in the Future Homemakers of America in Washington, would like to thank you for this resolution which expresses and explains the purpose of FHA so well. We participate in many projects in our schools and communities. We work on these projects because we care about our families, our communities, better family life and community life, and the future. Our creed states that we are the builders of homes for America's future—homes where living will be the expression of everything that is good and fair. We are the future homemakers of America and we face the future with warm courage and high hope."

The Speaker: "Thank you, Carol, for your very fine remarks."

The Speaker requested that the Sergeant at Arms conduct Miss Boushey to the rear of the House Chamber.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representative Ross who was excused.

#### SECOND READING

HOUSE BILL NO. 150, by Representatives Lynch, King, Goldsworthy, Kirk, Hurley, Backstrom, Beck, Bottiger, Bozarth, Ceccarelli, Chatalas, Cunningham, Knowles, North, Smith and Wojahn:

Extending real property tax exemption for retired homeowners to include totally disabled women.

The bill was read the second time.

Mr. Mentor moved adoption of the following amendment:

On page 1, section 1, line 9 after "first" and before "dollars" strike "fifty" and insert "[fifty] *one hundred fifty*"

Mr. Sawyer moved adoption of the following amendment by Representatives Sawyer and Adams to the amendment by Representative Mentor:

Amend the amendment by Representative Mentor as follows: After "*one hundred*" strike "*fifty*"

Mr. Grant demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Conner and Ross.

On motion of Mr. Bledsoe, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment by Representatives Sawyer and Adams to the amendment by Representative Mentor to House Bill No. 150.

Representative Sawyer spoke in favor of the amendment to the amendment, and Representatives Mentor and Lynch spoke against it.

Mr. Conner appeared at the bar of the House.

Representatives Julin, Bottiger and Anderson spoke in favor of adoption of the amendment to the amendment.

## PARLIAMENTARY INQUIRY

Mr. Sawyer: "Mr. Speaker, would you explain the effect of the amendment to the amendment."

The Speaker: "The amendment by Representative Mentor would strike "fifty" and insert "one hundred and fifty." The effect of the amendment to the amendment would be to reduce that amendment from one hundred fifty to one hundred dollars, and to increase the exemption from fifty to one hundred dollars."

The amendment by Representatives Sawyer and Adams to the amendment by Representative Mentor to House Bill No. 150 was adopted.

The Speaker stated the question before the House to be the amendment by Representative Mentor as amended.

Representative Kiskaddon spoke against adoption of the amendment.

Mr. May demanded an electric roll call, and the demand was sustained.

Mr. King spoke in favor of adoption of the amendment as amended.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment to House Bill No. 150 by Representative Mentor as amended by Representatives Sawyer and Adams, and the amendment was adopted by the following vote: Yeas, 80; nays, 18; excused, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charney, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Grant, Hansey, Harris, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Juelling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, North, O'Brien, Paris, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—80.

Voting nay: Representatives Amen, Benitz, Blair, Copeland, Gladder, Goldsworthy, Hatfield, Hubbard, Julin, Kraabel, Kuehnle, Lynch, Morrison, Newhouse, Pardini, Polk, Rabel, Spanton—18.

Excused: Representative Ross—1.

## EXPLANATION OF VOTE

I voted no on the amendment to House Bill No. 150 which would raise the deduction to \$100 because the action of the body made no provision to pick up the \$7,610,000 that would be lost. A. J. PARDINI, 6th District.

Mr. Mentor moved adoption of the following amendment:

On page 2, section 1, line 21 after "excess of" strike "three" and insert "[three] four"

Representatives Mentor and Bottiger spoke in favor of adoption of the amendment, and Representative Julin spoke against it.

## MOTION

Mr. Kuehnle moved that House Bill No. 150 be rereferred to the Committee on Revenue and Taxation.

Mr. Kuehnle spoke in favor of the motion, and Mr. Bottiger spoke against it.

## POINT OF ORDER

Mr. Kuehnle: "Mr. Speaker, Mr. Bottiger is not speaking to the motion to rerefer."

The Speaker: "You may proceed, Mr. Bottiger."

Mr. Bottiger concluded his remarks against the motion by Mr. Kuehnle. Representatives Hoggins and Ceccarelli spoke against the motion by Mr. Kuehnle to rerefer House Bill No. 150 to the Committee on Revenue and Taxation. Mr. Anderson demanded an electric roll call, and the demand was sustained. Mr. Litchman spoke against the motion by Mr. Kuehnle.

#### POINT OF INQUIRY

Mr. Randall: "Would Representative Flanagan yield to question?"

Representative Flanagan declined to yield to question. Mr. Randall spoke in favor of the motion by Mr. Kuehnle. Mr. Beck demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to rerefer House Bill No. 150 to the Committee on Revenue and Taxation, and the motion was lost by the following vote: Yeas, 12; nays, 86; excused, 1.

Voting yea: Representatives Blair, Bledsoe, Brown, Flanagan, Gladder, Hatfield, Julin, Kopet, Kuehnle, Pardini, Polk, Randall—12.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Rabel, Rosellini, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Excused: Representative Ross—1.

The Speaker stated the question before the House to be the following amendment by Mr. Mentor:

On page 2, section 1, line 21 after "excess of" strike "three" and insert "[three] four"  
The amendment was adopted.

Mr. O'Brien moved adoption of the following amendment by Representatives O'Brien and Litchman:

On page 2, following section 1, line 22, add new sections to read as follows:

**NEW SECTION.** Sec. 2. As used in this chapter the term "regular property taxes" shall mean the total dollar amount of all property taxes levied for a taxing district, excluding amounts resulting from levies for bond debt retirement and excess levies pursuant to Article VII, section 2 of the Constitution of the state of Washington and chapter 84.52 RCW.

**NEW SECTION.** Sec. 3. Except as provided in section 4 or section 5 of this act, the levy for a taxing district in any year shall be set so that the regular property taxes payable in the following year shall not exceed one hundred ten percent of the highest amount of regular property taxes lawfully levied for such district in the three most recent years in which such taxes were levied for such district.

**NEW SECTION.** Sec. 4. Notwithstanding the limitation set forth in section 3 of this act, the first levy for a taxing district created from consolidation of similar taxing districts shall be set so that the regular property taxes payable in the following year shall not exceed one hundred ten percent of the sum of the highest amount of regular property taxes lawfully levied for each component taxing district in the three most recent years in which such taxes were levied for such district.

**NEW SECTION.** Sec. 5. For the first levy for a taxing district following annexation of additional property, the limitation set forth in section 3 of this act shall be increased by an amount equal to (1) the aggregate assessed valuation of the newly annexed property as

shown by the current completed and balanced tax rolls of the county or counties within which such property lies, multiplied by (2) the millage rate that would have been used by the annexing unit in the absence of such annexation.

*NEW SECTION.* Sec. 6. Solely for purposes of calculations pursuant to this chapter, the amount of the 1970 levy for taxes payable in 1971 shall not exceed the maximum levy permissible in 1970 if this chapter had been in effect for such 1970 levy.

*NEW SECTION.* Sec. 7. Sections 2 through 6 of this act are added to Title 84 RCW."

Mr. O'Brien spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Wolf.

Mr. Wolf: "Mr. O'Brien, this is a difficult thing for most of us to understand on the floor of the House. Normally these things are handled in committee where we have some kind of expertise. Would you tell me the effect on a county where most of us have already been reevaluated? We have had our big jump of approximately one thousand percent. With the passage of sections 2, 3, 4 and 5, are you in effect giving a tax exemption to those people who have gotten by with lower assessments over the last ten or fifteen years, at a penalty to those who have already paid their new assessments?"

Mr. O'Brien: "Well, first of all, I don't think this goes back ten or fifteen years. Tax assessment practices, of course, have been extremely conservative in many counties including your own, but it would help you in the future. This would go in effect on the assessments of 1971, collected in 1972. It would have the tendency to give you some relief if your reevaluation program was of recent years, I suppose, within the last two or three years. I don't know when your full assessment evaluation went into effect, but it will give you some relief in 1972 and 1973 and years on, due to this overall limitation on the amount of property taxes that can be collected."

Mr. Wolf spoke against adoption of the amendment by Representatives O'Brien and Litchman, and Mr. Litchman spoke in favor of it.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. O'Brien, my question is sincere. I don't honestly know. By the terminology of your amendment, what is a taxing district? My question would revolve around: Is it a school district, is it a county, is it a city, is it any one that partakes in the millage or special levies? Would that be your interpretation?"

Mr. O'Brien: "Yes, that is absolutely right. This is school districts, port districts, road districts, all taxing districts—county millage, city millage—all that can levy taxes."

Mr. Newhouse: "Would that be a proper definition, according to existing statutes? I have a serious question on this."

Mr. O'Brien: "It affects all taxing districts."

Mr. Newhouse: "I am saying, by definition of our present statutes (existing statutes) is a county or a city a taxing district?"

Mr. O'Brien: "I would say so. The counties and cities can levy taxes. Citing from the State Constitution, Art. 7, section 2 (the forty mill limit): '... any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy or have levied for it ... taxes ...'"

#### POINT OF INFORMATION

Mr. Kraabel: "Mr. Speaker, I offer as a point of information: If we assume that the increase in property evaluation had doubled, for the sake of a figure to talk about, which is often the case in the areas which we address because the reevaluation has not taken place for six, seven, eight years in some instances, if my mathematics are correct this would mean that it would take approximately seven years before the full reassessment could be realized, going at a ten percent increase per year. This means that we could not reevaluate the property in question for another seven years and would in effect put us in the same problem that we are now facing."

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Copeland.

Mr. Copeland: "Representative Brouillet, you probably can help us out on this one. Do we have any school districts in the state that have had an enrollment increase greater than ten percent in any one year, as well as a budget increase?"

Mr. Brouillet: "Well, Coulee Dam has, or some situation like that. But in the last couple of years we haven't."

Mr. Copeland: "If we imposed this particular type of limitation on a school district, would this create some burdens and hardships?"

Mr. Brouillet: "I guess it would in Coulee City."

Mr. Copeland: "No other school district would be affected?"

Mr. Brouillet: "Not if the enrollment keeps dropping. If enrollment rises, I suppose if we had some type of increases in business activity, and we had some increases, it could cause some problems, but under the present economic forecast it wouldn't seem to do that."

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Julin.

Mr. Julin: "Representative O'Brien, so that I may keep my meter running properly, could you give me the fiscal implications of your proposed amendment?"

Mr. O'Brien: "It is pretty hard to give you the exact fiscal implications. We all know through this revaluation program that property taxes would be tremendously increased. I have one figure around sixty million dollars, and a lower figure. I suppose that this would have, in 1972, quite an effect on the total amount of taxes that would be collected under the revaluation program without some limitation. Now the exact dollar amount is pretty hard to tell you. Local units of government—local taxing districts—would not suffer because they still would have a built-in increase because of the revaluation program. All this does is just stop a very serious impact on the individual taxpayer through the revaluation program."

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Bluechel, do you know of any school districts that have had a ten percent increase recently?"

Mr. Bluechel: "Yes, on the east side of Lake Washington, two or three of the school districts have had substantially more than a ten percent increase in one year. The Lake Washington District this year had only a six percent increase, but that was the lowest year in many, many years. With any turn around in the economic situation, we will go back up to our usual sixteen, eighteen and twenty percent increase per year."

Mr. Pardini spoke against the amendment.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Hoggins.

Mr. Hoggins: "Mr. O'Brien, if through reevaluation the total assessed valuation is increased beyond the ten percent, I assume the effect of your amendment would be to cause the county or school district or port district to roll back their millage. Is that correct?"

Mr. O'Brien: "That is true."

Mr. Hoggins: "Now, following that, since this would be below the 40 mill limit law as we understand it, could that millage be reimposed by a 50 percent vote instead of the now 60 percent and 40 percent requirement? I am thinking of a situation where a school district could roll back ten mills (maybe that is an exaggerated figure) but roll back an amount of millage, and then reimpose that millage with no 40 percent requirement and pass it only by a majority?"

Mr. O'Brien: "That isn't the intention of this amendment. The intention is, of course, to maybe roll back the millage on a basis that you couldn't collect any more than 110 percent of what was collected in the highest year. So it would benefit taxpayers who all of a sudden had a skyrocketed tax increase. In subsequent years this would level off some. It would never go down to what they were paying before the reevaluation program, but it would have a tendency to level itself off, because they wouldn't need all of this money."

Mr. Hoggins: "I understand what the intent is, but I think one of the effects of this amendment is to permit the passage of a levy without the 40 percent requirement, and without the 60 percent requirement—a simple majority of anybody showing up at that election, because you are removed now from the provisions of the forty mill limit. I would seriously question whether or not you want to risk the possibility of unfreezing the lid law that we have."

Mr. O'Brien: "Mr. Hoggins, I think you are reading something into this amendment that the sponsors have no intention to enact. I don't think it has anything to do with special levies or special elections whatsoever. It isn't going to affect any school district, either, because the school districts can still have their special levy elections. This is just on regular property taxes, that were involved with the skyrocketing tax increase to individual taxpayers where perhaps the taxing district, if this was carried on, would have excess money. They simply couldn't spend all the money they are going to collect through the property tax. This is to give some relief to people who are burdened with the reevaluation



program. All it does is put some semblance of a reasonable increase on real property tax. That is the only intention of this amendment. I fully believe that the people of our state expect something like this and would commend all of us if we adopted this amendment. I know you people are just as conscious of this as we are. I don't like to see publications like this appear in the press, and I don't think you do either. I know many of you are from affluent districts and you probably don't represent the poor people like we do. Maybe you don't have that great feeling for people that have a little home and are faced with a huge property tax increase. But I think this is a question we all have to resolve and face squarely and honestly. We all believe in property taxes and we all want to pay our just share, but this reevaluation program has stirred up such a storm of protest in some areas that the least we can do is to lend credence to their objections and try to help these people."

Mr. Hoggins spoke against adoption of the amendment by Representatives O'Brien and Litchman to House Bill No. 150.

Mr. King demanded the previous question, and the demand was sustained.

Mr. Litchman demanded an electric roll call, and the demand was not sustained.

The Speaker stated the question before the House to be adoption of the amendment by Representatives O'Brien and Litchman to House Bill No. 150.

The amendment was lost.

Mr. Litchman moved adoption of the following amendment by Representatives Litchman and Perry:

On page 2, add two new sections as follows:

"NEW SECTION. Sec. 2. PROVIDED, That any such qualified exempted person's residence shall also be exempted from all future special levies and bonds, except utilities.

NEW SECTION. Sec. 3. This 1971 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representative Litchman spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. King.

Mr. King: "My question is, this is similar to several other bills that we have in committee. I wondered if we are going to have an opportunity in executive session to consider the question of special levy exemptions."

Mr. Flanagan: "We are not only going to have an opportunity to consider special levy exemptions, we are going to have the opportunity to consider all these bills regarding senior citizen exemptions and also the bills regarding the effect of the reevaluation program. I hope we can put together some legislation that will be constitutional and well thought out."

Mr. King spoke against the amendment by Representatives Litchman and Perry.

#### MOTION

Mr. Kuehnle moved that House Bill No. 150 be rereferred to the Committee on Revenue and Taxation.

Mr. Kuehnle spoke in favor of the motion.

Mr. Chatalas demanded an electric roll call, and the demand was sustained.

Representative Bledsoe spoke in favor of the motion, and Representative Grant spoke against it.

#### PERSONAL PRIVILEGE

Mr. Litchman: "Mr. Speaker, before you have a ruling on this particular attempt to move this bill back into committee, if given the opportunity I would like to withdraw my motion for the adoption of my amendment inasmuch as Mr. Flanagan has stated that he will have a hearing on this particular type of legislation, and that was what we were trying to seek today."

With the consent of the House, Mr. Litchman withdrew the amendment.

Representative Pardini spoke in favor of the motion by Mr. Kuehnle, and Representatives O'Brien and Sawyer spoke against it.

Mr. Kuehnle demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to rerefer House Bill No. 150 to the Committee on Revenue and Taxation, and the motion was carried by the following vote: Yeas, 50; nays, 48; excused, 1.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Randall, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—48.

Excused: Representative Ross—1.

## SECOND READING

HOUSE BILL NO. 675, by Representatives Bauer, Costanti and Kilbury:

Providing for producer handlers on commodity boards.

The bill was read the second time.

On motion of Mr. Bauer, the following amendment was adopted:

On page 1, section 1, line 11, after "board" and before the period insert "": PROVIDED, That this section shall not apply to a commodity board which only affects producers and producer-handlers of essential oils"

House Bill No. 675 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 324, by Representatives Cunningham, Luders, Bluechel and Bauer (by Departmental request):

Providing for the licensing of domestic waste treatment plant operators.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 6, line 15 strike all matter beginning with "One" down to and including "directors" on line 25 and insert "One member shall be named from the department of ecology by its director, to serve at his pleasure and one member from the department of social and health services by its secretary, to serve at his pleasure. The governor shall appoint three members: two members who are operators holding a certificate of at least the second highest operator classification established by regulation of the director and one member who is an employee of a municipality required to employ a certified operator and who holds the position of city manager, city engineer, director of public works or an equivalent position"

On page 6, section 12, line 8 after "attorney" insert "or the attorney general, as appropriate,"

The bill was read the second time.

On motion of Mr. Zimmerman, the committee amendments were adopted.

Mr. Moon moved adoption of the following amendment:

On page 2, section 2, line 5 following "absorption" strike "nor industrial waste water works"

Mr. Moon spoke in favor of adoption of the amendment, and Mr. Cunningham spoke against it.

Mr. Moon spoke again in favor of the amendment.

## MOTIONS

On motion of Mr. Thompson, the House deferred further consideration of House Bill

No. 324 on second reading, and the bill was ordered placed at the top of tomorrow's second reading calendar.

On motion of Mr. Morrison, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's calendar.

On motion of Mr. Bledsoe, the House dispensed with further business under the Call of the House.

#### NOTICE OF RECONSIDERATION

Mr. Randall served notice that, having voted on the prevailing side, he would, on the next working day, move for reconsideration of the vote by which the motion by Mr. Kuehnle to rerefer House Bill No. 150 to the Committee on Revenue and Taxation carried.

#### POINT OF ORDER

Mr. Bledsoe: "Point of order, Mr. Speaker. I believe you ruled that the bill was referred to the Committee on Revenue and Taxation. Because of your ruling, and because of our vote, that bill is not before us and the motion would be out of order. It would be a motion to discharge from committee perhaps."

#### RULING BY THE SPEAKER

The Speaker: "Your point is not well taken. The committee does not yet have custody of the bill. Notice is received."

#### MOTION

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Wednesday, February 24, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FORTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 24, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Luders who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur I. Anderson of Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 24, 1971.

HOUSE BILL NO. 291, relating to gambling, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 24, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 9.47 RCW a new section to read as follows:

It is hereby declared to be the policy of the legislature, recognizing the close relationship between professional gambling and organized crime, to restrain all persons from seeking profit from professional gambling activities in this state; to restrain all persons from patronizing such professional gambling activities; to safeguard the public against the evils induced by common gamblers and common gambling houses engaged in professional gambling; and at the same time, to preserve the freedom of the press and to avoid restricting participation by individuals in sports and social pastimes, which social pastimes are more for amusement rather than for profit, do not maliciously affect the public, and do not breach the peace.

The legislature hereby declares that the raising of funds for the promotion of bona fide charitable, educational, scientific, health, religious, civic and patriotic causes and undertakings is in the public interest and that it must differentiate clearly between gambling for profit and professional fund-raising by bona fide charitable and nonprofit organizations.

The legislature further finds that, as conducted prior to the enactment of this 1971 amendatory act, bingo was the subject of exploitation by professional gamblers, promoters, and commercial interests.

It is hereby declared to be the policy of the legislature that all phases of the supervision and regulation of bingo and of the conduct of bingo games, raffles, pinball machines and other similar mechanical amusement devices, amusement games, social card rooms, punch boards and pull tabs should be closely controlled.

All of the provisions of this 1971 amendatory act shall be liberally construed to achieve these ends, and administered and enforced with a view to carrying out the above declaration of policy.

NEW SECTION. Sec. 2. There is added to chapter 9.47 RCW a new section to read as follows:

As used in this 1971 amendatory act:

(1) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(2) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance.

(3) 'Player', except as otherwise in section 15 of this 1971 amendatory act provided, means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(4) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in section 15 of this 1971 amendatory act, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in section 15 of this 1971 amendatory act, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity; or

(c) He engages in bookmaking.

Conduct under subparagraph (a), except as exempted under section 15 of this 1971 amendatory act, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than social card games or nonprofessional gambling activities as set forth in section 15 of this 1971 amendatory act and only as authorized in this 1971 amendatory act, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling.

(5) 'Gambling device' means: (a) Any device or mechanism used for professional gambling by the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism used for professional gambling which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation used in professional gambling. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof or payment in lieu thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device. In addition, any punch boards or pull tabs as authorized and defined in section 11 subsection (2) of this 1971 amendatory act or any device or mechanism utilized in amusement games as defined in subsection (13) of this section shall not be deemed a gambling device hereunder.

(6) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found shall be presumed to be intended to be used for professional gambling.

(7) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation.

(8) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(9) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(10) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(11) 'Bingo' means a game in which prizes are awarded on the basis of designated

numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(12) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, including the sale of tickets for consideration, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(13) 'Amusement game' means a game played for entertainment in which:

(a) The contestant actively participates;

(b) The outcome is not in the control of the operator;

(c) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(d) Said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, including the furnishing of equipment, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting such game: PROVIDED, HOWEVER, if an amusement game is conducted under the direct management and supervision of an agricultural fair, authorized under chapters 15.76 or 36.37 RCW, such fair may rent on fixed fee basis only space to persons for the conduct of amusement games as defined in this subsection.

(14) 'Charitable or nonprofit organization' means any organization duly existing under the provisions of chapters 24.12, 24.20 or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, which has been organized and is operated primarily for purposes other than the operation of bingo games, raffles, amusement games or social card games, and which receives not more than five thousand dollars or twenty-five percent of its gross receipts, whichever is the greater, in any calendar year from the operation of bingo, raffles, amusement games and social card games, but these limitations on receipts shall not apply to any organization which conducts only one raffle per calendar year, the total gross income from which does not exceed twenty thousand dollars, and which does not conduct bingo games, amusement games or social card games. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization.

(15) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this 1971 amendatory act committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

**NEW SECTION.** Sec. 3. Whoever engages in professional gambling, or knowingly causes, aids, abets, or conspires with another to engage in professional gambling, shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both: PROVIDED, HOWEVER, That this section and the provisions of chapter 9.59 RCW shall not apply to those nonprofessional gambling activities enumerated in section 15(1) of this 1971 amendatory act or to any act or acts in furtherance thereof.

**NEW SECTION.** Sec. 4. (1) All gambling devices as defined in section 2 of this 1971 amendatory act are common nuisances and shall be subject to seizure, immediately upon detection by any peace officer, and to confiscation and destruction by order of a superior or district justice court, except when in the possession of officers enforcing this 1971 amendatory act.

(2) No property right in any gambling device as defined in section 2 of this 1971 amendatory act shall exist or be recognized in any person, except the possessory right of officers enforcing this 1971 amendatory act.

(3) All furnishings, fixtures, equipment and stock, including without limitation furnishings and fixtures adaptable to nongambling uses and equipment and stock for printing, recording, computing, transporting or safekeeping, used in connection with professional gambling or maintaining a gambling premises, and all money or other things of value at stake or displayed in or in connection with professional gambling or any gambling device used therein, shall be subject to seizure, immediately upon detection, by any peace officer, and unless good cause is shown to the contrary by the owner, shall be forfeited to

the state or political subdivision by which seized by order of a court having jurisdiction, for disposition by public auction or as otherwise provided by law. Bona fide liens against property so forfeited, on good cause shown by the lienor, shall be transferred from the property to the proceeds of the sale of the property. Forfeit moneys and other proceeds realized from the enforcement of this subsection shall be paid into the general fund of the state if the property was seized by officers thereof or to the political subdivision or other public agency, if any, whose officers made the seizure, except as otherwise provided by law. This subsection and the provisions of chapter 9.59 RCW shall not apply to such items utilized in nonprofessional gambling activities enumerated in section 15(1) of this 1971 amendatory act or any act or acts in furtherance thereof.

(4) Whoever knowingly owns, manufactures, possesses, buys, sells, rents, leases, finances, holds a security interest in, stores, repairs or transports any gambling device as defined in section 2 of this 1971 amendatory act or offers or solicits any interest therein, whether through an agent or employee or otherwise, shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both: PROVIDED, HOWEVER, That this subsection and the provisions of chapter 9.59 RCW shall not apply to devices used in those nonprofessional gambling activities enumerated in section 15(1) of this 1971 amendatory act, or to any act or acts in furtherance thereof. Subsection (2) of this section shall have no application in the enforcement of this subsection. In the enforcement of this subsection direct possession of any such gambling device shall be presumed to be knowing possession thereof.

(5) Whoever knowingly prints, makes, possesses, stores or transports any gambling record, or buys, sells, offers or solicits any interest therein, whether through an agent or employee or otherwise, shall be guilty of a gross misdemeanor: PROVIDED, HOWEVER, That this subsection and the provisions of chapter 9.59 RCW shall not apply to records relating to nonprofessional gambling activities, enumerated in section 15(1) of this 1971 amendatory act or to any act or acts in furtherance thereof. In the enforcement of this subsection direct possession of any such gambling record shall be presumed to be knowing possession thereof.

**NEW SECTION.** Sec. 5. (1) Whoever knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore or similar means, or knowingly installs or maintains equipment for the transmission or receipt of gambling information, shall be guilty of a gross misdemeanor: PROVIDED, HOWEVER, That this section and the provisions of chapter 9.59 RCW shall not apply to such information transmitted or received or equipment installed or maintained relating to nonprofessional gambling activities as enumerated in section 15(1) of this 1971 amendatory act or any act or acts in furtherance thereof.

**NEW SECTION.** Sec. 6. (1) All professional gambling premises are common nuisances and shall be subject to abatement by injunction or as otherwise provided by law. The plaintiff in any action brought under this subsection against any professional gambling premises, which shall not include premises where the sole gambling activity is those nonprofessional gambling activities set out in section 15(1) of this 1971 amendatory act, need not show special injury and may, in the discretion of the court, be relieved of all requirements as to giving security.

(2) When any property or premises held under a mortgage, contract or leasehold is determined by a court having jurisdiction to be a professional gambling premises, all rights and interests of the holder therein shall terminate and the owner shall be entitled to immediate possession at his election: PROVIDED, HOWEVER, That this subsection and the provisions of chapter 9.59 RCW shall not apply to those premises in which nonprofessional gambling activities set out in section 15(1) of this 1971 amendatory act, or any act or acts in furtherance thereof are carried on.

(3) When any property or premises for which one or more licenses, permits or certificates issued by this state, or any political subdivision or other public agency thereof, are in effect, is determined by a court having jurisdiction to be a professional gambling premises, all such licenses, permits and certificates shall be deemed voided and no longer in effect, and no license, permit or certificate so voided shall be issued or reissued for such property or premises for a period of sixty days thereafter. Enforcement of this subsection shall be the duty of all peace officers and all taxing and licensing officials of this state and its political subdivisions and other public agencies. This subsection shall not apply to property or premises in which nonprofessional gambling activities set out in section 15(1) of this 1971 amendatory act, or any act or acts in furtherance thereof are carried on.

**NEW SECTION.** Sec. 7. Professional gambling activities prohibited in sections 3, 4 and 5 of this 1971 amendatory act may be enjoined in an action commenced by the attorney general or by the prosecuting attorney or legal counsel of any county, city or town in which the prohibited activities may occur.

**NEW SECTION.** Sec. 8. The premises and paraphernalia and all the books and records of any charitable or nonprofit organization conducting nonprofessional gambling activities such as bingo, raffles, pinball machines or similar mechanical amusement devices, amusement games and social card games or of any person conducting social card games as defined and authorized in this 1971 amendatory act or operating pinball machines or similar mechanical devices, punch boards or pull tabs shall be subject to inspection and audit at any reasonable time, with or without notice, upon demand, by the attorney general, the state patrol or the prosecuting attorney, sheriff or chief of police of the county or city in which said organization or person is located for the purpose of determining compliance or

noncompliance with the provisions of this 1971 amendatory act or any local ordinances relating thereto. The department of revenue and the prosecuting attorney of the county in which any person or charitable or nonprofit organization carrying out activities under this 1971 amendatory act is located, may request therefrom at reasonable intervals a report, under oath, detailing all receipts and disbursements in connection with such nonprofessional gambling activities together with such other reasonable information as required in order to determine whether such activities comply with the purposes of this 1971 amendatory act or any local ordinances relating thereto.

**NEW SECTION.** Sec. 9. (1) Proof of possession of any device used for professional gambling or any record relating to professional gambling specified in section 4 of this 1971 amendatory act is prima facie evidence of possession thereof with knowledge of its character or contents.

(2) In any prosecution under the 1971 amendatory act in which it is necessary to prove the occurrence of any event which takes place outside the county where the prosecution is pending, a published report of its occurrence in any daily newspaper, magazine or any other periodically printed publication of general circulation shall constitute prima facie evidence of the occurrence of the event.

**NEW SECTION.** Sec. 10. In any proceeding arising out of a violation of this 1971 amendatory act, if a natural person refuses to answer a question or produce evidence of any other kind on the ground that he may be incriminated under this 1971 amendatory act thereby, the court, when requested in writing by the prosecuting attorney, shall, unless it finds that to do so would be clearly contrary to the public interest, order such person to answer or produce the evidence. After complying with the order, and if, but for this section, he would have been privileged to withhold the answer given or the evidence produced by him, no such answer or evidence shall be received against him in any other investigation or proceeding. But he may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury or contempt committed in answering, or failing to answer or in producing, or failing to produce, evidence in accordance with the order.

**NEW SECTION.** Sec. 11. (1) No county, city or other political subdivision or public agency of this state shall license, tax, permit or authorize any act, transaction or thing in violation of the criminal provisions of this 1971 amendatory act.

(2) Every county or city, by local law and ordinance and in accordance with the provisions of this 1971 amendatory act, may provide for the licensing of punch boards, pull tabs and pinball machines, none of which shall be deemed a gambling device for the purposes of section 2, subsection (5) hereof, and prescribe the fees therefor, which fees shall go to the county or city so licensing the same: PROVIDED, That (a) punch boards, pull tabs and pinball machines may only be licensed in premises for which a permit or license has been granted to serve alcoholic beverages by the individual glass or opened bottle under authority of Title 66 RCW by the Washington state liquor control board; and (b) licenses for pinball machines and fees paid therefor shall only be issued on a basis of individual licenses for each machine located within the premises served and removal of such machine from such premises for use elsewhere shall result in immediate revocation of such license; and (c) punch boards and pull tabs, which shall have a twenty-five cent limit on a single chance thereon, shall be licensed and fees paid therefor on the basis of the gross income of the business for which the licensing thereof has been requested; and (d) all prizes for punch boards and pull tabs, which shall be merchandise items only, must be on display within the immediate area of the premises wherein any such punch board or pull tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud under section 17 of this 1971 amendatory act.

The terms 'punch boards' and 'pull tabs' as used in this section shall be the usual and ordinary meaning of such terms as of the effective date of this 1971 amendatory act. The term 'pinball machines' shall mean those machines as described in section 2, subsection (5).

(3) Every county or city may authorize the playing of bingo, the holding of raffles, the operation of pinball machines or similar amusement devices, amusement games and social card games, all by charitable or nonprofit organizations, by licensing the same, said fees therefor to go to the county or city so licensing: PROVIDED, That no county or city shall prohibit the playing of bingo, the holding of raffles, the operation of pinball machines or similar amusement devices, amusement games and social card games, all by charitable or nonprofit organizations, until such county or city has in effect ordinances which shall have been approved by a majority of the voters voting on such proposition submitted at a general or special election held within such county or city.

The conduct of bingo games shall be subject to the following restrictions irrespective of whether the restrictions are contained in local laws or ordinances, but nothing herein shall be construed to prevent the inclusion within such local law or ordinance of other provisions imposing additional restrictions upon the conduct of such games:

(a) No person, firm, association, corporation or organization other than as authorized under the provisions of this 1971 amendatory act shall conduct such game, or shall obtain a lease for or otherwise make available for conducting bingo therein, a hall or other premises, for any consideration whatsoever, direct or indirect.

(b) No bingo games shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid, wholly or partly, on the basis of a percentage of the receipts or net profits derived from the operation of such game, nor shall the rental under such lease exceed the usual rental for such premises in the same locality.



(c) No bingo game shall be held, operated or conducted if the compensation to any person taking part in the management or operation of such game is based upon a percentage of the receipts or net profits derived from the operation of such game.

(d) The entire net proceeds of any game of bingo and of any rental shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

(e) No person except a bona fide member of such organization shall participate in the management or operation of such game.

(f) The unauthorized conduct of a bingo game and any wilful violation of any provision of any local law or ordinance shall constitute and be punishable as a gross misdemeanor.

**NEW SECTION.** Sec. 12. Except as otherwise provided in section 13 of this 1971 amendatory act, it shall be lawful to own, operate or conduct, or permit to be operated or conducted, or to participate in the operation of any public card room, not to exceed eight tables, wherein persons may engage in card games of skill in which the success depends upon the knowledge, attention, experience and skill of the player whereby the elements of chance in any such card game are overcome, improved or turned to the advantage of said player, if said public card room is located in any incorporated city or town, or all that portion of any county not included within the limits of incorporated cities and towns, where the said card room may be licensed.

**NEW SECTION.** Sec. 13. Before it shall be lawful for any person, firm or corporation to own, operate or conduct, or permit to be operated or conducted, or participate in the operation of any card room as described herein, it shall first be necessary that such card room be licensed by the city, town or county in which it is located: PROVIDED, That no card rooms shall be licensed in any class AA or class A county, or city or town therein, or in any first class county contiguous to a class AA or class A county, or city or town therein, unless or until such county or city shall have in effect ordinances which shall have been approved by a majority of the voters voting on the proposition to allow card rooms, as in this 1971 amendatory act provided, submitted at a general or special election held within said county or city.

Before any such license shall be issued, a verified application shall be filed in duplicate with such city, town or county, with a copy to be filed with the division of professional licensing within the department of motor vehicles, containing the full name and address of each person, firm or corporation having any interest, either directly or indirectly, in said license, and other material facts, including full financial disclosure, which may be deemed appropriate by such local authority, together with a written affidavit by three bona fide residents of the state of Washington who shall recommend such applicant and the officers thereof if a corporation, as being of good moral character: PROVIDED, HOWEVER, That the city, town or county may establish any other requirements it deems necessary or appropriate for the protection of the public welfare in determining whether to issue a license under this 1971 amendatory act: AND PROVIDED FURTHER, That this 1971 amendatory act is not intended to require any city, town or county to issue a license under the provisions thereof.

**NEW SECTION.** Sec. 14. It shall be unlawful for any person under the age of twenty-one years to play cards in any public card room as described herein. Any person or licensee who shall permit any person under the age of twenty-one years to play cards in a card room as described herein shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 15. A person or an organization is not engaged in 'professional gambling' as defined in section 2, subsection (5) of this 1971 amendatory act when (1) such person or organization is engaged in such nonprofessional gambling activities as bingo, raffles, the operation of pinball machines or similar amusement devices, punch boards and pull tabs, amusement games, or social card games, all as defined and only as in this 1971 amendatory act authorized, or (2) the person or organization having substantial proprietary or other authoritative control over residence or premises permits persons to engage in social card games on equal terms with other participants, such social card games being those of skill, in which the success of the player depends substantially upon the knowledge, attention, memory, experience and skill of the player or players and whereby the elements of chance are either overcome, improved or turned to the advantage of the players.

**NEW SECTION.** Sec. 16. Any person, firm or corporation doing any act required to be licensed under sections 12 through 15 of this 1971 amendatory act with reference to public card rooms, without having in force a license issued to said person, firm or corporation, shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 17. Any person, association or corporation, whether charitable or nonprofit or otherwise, operating a bingo game, raffle, pinball machines or similar mechanical amusement devices, punch boards or pull tabs, any amusement game or social card game, all as authorized by the provisions of this 1971 amendatory act, who or which, directly or indirectly, shall in the course of such operation:

(1) Employ any device, scheme or artifice to defraud; and/or

(2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which such statement is made; and/or

(3) Engage in any act, practice, or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 18. In addition to any other penalty provided in this 1971 amendatory act, every person, directly or indirectly controlling the operation of a bingo game, raffle, pinball machines or similar mechanical amusement devices, punch boards or pull tabs, any amusement game, or social card game, all as authorized by the provisions of this 1971 amendatory act, including every director, officer, and/or manager of any association or corporation conducting the same, whether charitable or nonprofit or otherwise, shall be liable, jointly and severally, for money damages suffered by any person because of any violation of this 1971 amendatory act, together with interest on any such amount of money damages at six percent per annum from the date of loss, and reasonable attorney's fees: PROVIDED, That if any such director, officer and/or manager did not know any such violation was taking place and/or had taken all reasonable care to prevent any such violation from taking place, the burden of proof thereof to be upon such director, officer and/or manager, such director, officer and/or manager shall not be liable hereunder. Any civil action under this section may be considered a class action for the purposes of RCW 4.08.070.

**NEW SECTION.** Sec. 19. When there has occurred a violation of any provision of this 1971 amendatory act on any property or premises for which one or more licenses, permits, or certificates issued by this state, or any political subdivision or public agency thereof are in effect, all such licenses, permits and certificates shall be deemed voided and no longer in effect, and no license, permit, or certificate so voided shall be issued or reissued for such property or premises for a period of sixty days thereafter. Enforcement of this provision shall be the duty of all peace officers and all taxing and licensing officials of this state and its political subdivisions and other public agencies.

**NEW SECTION.** Sec. 20. If any provision of this 1971 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected: PROVIDED, That should provisions of this 1971 amendatory act pertaining to the playing of bingo, or holding raffles, or permitting the operation of pinball machines or similar amusement devices or permitting the operating of amusement games or authorizing punch boards or pull tabs be invalid or unconstitutional as being violative of Article II, section 24, of the Constitution of the state of Washington, then the provisions hereof relating to each such item as aforesaid specifically declared invalid or unconstitutional shall remain inoperative unless and until the qualified electors of this state shall approve an amendment to Article II, section 24, of the Constitution which may remove any constitutional restrictions against the legislature enacting such laws.

Sec. 21. Section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010 are each amended to read as follows:

A public nuisance is a crime against the order and economy of the state. Every place

(1) [Wherein any gambling, swindling game or device, bookmaking, pool selling, or bucket shop or any agency therefor shall be conducted, or any article, apparatus or device useful therefor shall be kept; or,

(2)] Wherein any fighting between men or animals or birds shall be conducted; or,

[(3)] (2) Wherein any intoxicating liquors are kept for unlawful use, sale or distribution; or,

[(4)] (3) Where vagrants resort; and

Every act unlawfully done and every omission to perform a duty, which act or omission

(1) Shall annoy, injure or endanger the safety, health, comfort, or repose of any considerable number of persons; or,

(2) Shall offend public decency; or,

(3) Shall unlawfully interfere with, befoul, obstruct, or tend to obstruct, or render dangerous for passage, a lake, navigable river, bay, stream, canal or basin, or public park, square, street, alley or highway; or,

(4) Shall in any way render a considerable number of persons insecure in life or the use of property;

Shall be a public nuisance.

**NEW SECTION.** Sec. 22. The following acts or parts of acts are each repealed:

(1) Section 99, page 93, Laws of 1854, sections 104 and 105, page 222, Laws of 1869, sections 110 and 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010;

(2) Section 218, chapter 249, Laws of 1909 and RCW 9.47.020;

(3) Section 220, chapter 249, Laws of 1909 and RCW 9.47.030;

(4) Section 1, chapter 119, Laws of 1937 and RCW 9.47.040;

(5) Section 2, chapter 119, Laws of 1937 and RCW 9.47.050;

(6) Section 221, chapter 249, Laws of 1909 and RCW 9.47.060;

(7) Section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5 and 6, page 98, Laws of 1879, sections 1257 and 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070;

(8) Section 226, chapter 249, Laws of 1909 and RCW 9.47.110;

(9) Section 228, chapter 249, Laws of 1909 and RCW 9.47.130; and

(10) Section 1, chapter 6, Laws of 1909 and RCW 9.47.140.

**NEW SECTION.** Sec. 23. This 1971 amendatory act shall constitute the exclusive legislative authority for the licensing by any city, town or county of any nonprofessional gambling activity and its application shall be strictly construed to those activities herein permitted and to those persons or associations herein permitted to engage therein."

Strike all the title and substitute the following:

"An Act relating to gambling; adding new sections to chapter 9.47 RCW; creating new sections; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; repealing section 5, page 98, Laws of 1879, section 1257, Code of 1881, section 3, chapter 7, Laws of 1957 and RCW 4.24.080; repealing section 99, page 93, Laws of 1854, sections 104, 105, page 222, Laws of 1869, sections 110, 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5, 6, page 98, Laws of 1879, sections 1257, 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; providing that certain activities authorized herein must be initiated by local legislative authority or affirmative vote of the people; providing for the suspension of certain parts of this act upon judicial declaration of invalidity until the state Constitution be amended; defining crimes; and prescribing penalties."

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 311, modifying the suspended sentence procedure, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11 strike everything through line 8 on page 3 and insert the following:

"Every defendant who has fulfilled the conditions of his probation for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, and every defendant granted probation in which the execution of sentence has been suspended may [at any time prior to the expiration of the maximum period of punishment for the offense for which he has been convicted be permitted in the discretion of the court to withdraw his plea of guilty and enter a plea of not guilty, or if he has been convicted after a plea of not guilty,] apply to the court by which he was convicted and sentenced for restoration of his civil rights. Thereupon the court may in its discretion enter an order directing that such defendant [set aside the verdict of guilty; and in either case, the court may thereupon dismiss the information or indictment against such defendant, who] shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted. The probationer shall be informed of this right in his probation papers: PROVIDED, That in any subsequent prosecution, for any other offense, such prior conviction may be pleaded and proved, and shall have the same effect as if probation had not been granted, or the information or indictment dismissed.

**NEW SECTION.** Sec. 2. In all cases prior to the effective date of this act wherein the execution of sentence has been suspended pursuant to RCW 9.92.060, such person may apply to the court by which he was convicted and sentenced to establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence.

**NEW SECTION.** Sec. 3. In all cases prior to the effective date of this act wherein a person has been granted probation in which the execution of sentence has been suspended pursuant to RCW 9.92.060 or 9.95.210, such person may, upon termination of the suspended sentence, apply to the court by which he was convicted and sentenced for vacation of the judgment of conviction and the suspended sentence. Upon such application, the court may in its discretion vacate the judgment of conviction and the suspended sentence and permit the defendant to withdraw his plea of guilty, and enter a plea of not guilty, or if he has been convicted after a plea of not guilty, the court may in its discretion, set aside the verdict of guilty and the court may thereupon dismiss the information or indictment against such defendant. In all such cases, the defendants shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted.

**NEW SECTION.** Sec. 4. In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, such person may apply to the court by which he was convicted and sentenced to establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may

provide for an earlier termination of the suspended sentence. Upon termination of the suspended sentence such person may apply to the court for restoration of his civil rights. Thereupon the court may in its discretion enter an order directing that such defendant shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted."

On page 1, line 3 of the title after "9.95.240;" insert "and"

On page 1, line 3 of the title after "sections" insert a period and strike the balance of the title

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Hubbard, Knowles, Marsh, Rosellini, Shipoch.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 378, providing for a personal use salmon license, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 10 strike "One dollar One Day" and insert "Three dollars Two Days"

On page 2, section 3, line 13 strike "one hundred eighty" and insert "ninety"

On page 2, section 5, line 30 after "outlay" insert ": PROVIDED, That the first one million five hundred thousand dollars collected pursuant to this act during the 1971-1973 biennium shall be used for the establishment of artificial propagation facilities as determined by the department!"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Berentson, Bradley, Charney, Conner, Cunningham, Gilleland, Julin, Kilbury, Kraabel, Luders, Martinis, North, Schumaker, Wanamaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 384, providing witness fees for state patrol, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 10, strike the balance or the bill and insert:

"NEW SECTION. Section 1. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

In lieu of the witness fees, mileage and traveling expenses provided for in RCW 2.40.010 through 2.40.030, the following provisions shall apply to every officer and employee of the Washington state patrol where his appearance is required as a witness in any civil action to testify or furnish factual evidence or records before any court or in any proceedings regarding an event or transaction about which he is called upon to testify as a result of performance in the course of his duties. A subpoena requiring his attendance may be issued under authority of the court in which the action is pending and may be served by delivering a copy either to such officer personally or to his immediate superior.

NEW SECTION. Sec. 2. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

The party at whose request such subpoena is issued shall reimburse the Washington state patrol fifty dollars for each day or fraction thereof that such officer or employee is required to remain in attendance pursuant to such subpoena.

NEW SECTION. Sec. 3. The Washington state patrol shall certify the total costs, as provided in this act, to the clerk of the court wherein the action is pending. The costs shall be due and payable at the time an order of judgment or dismissal becomes final and shall be entered on the judgment docket of the court as a judgment in favor of the Washington state patrol and against the party at whose request the subpoena was issued.

NEW SECTION. Sec. 4. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

Any officer or employee of the Washington state patrol who is obliged by a subpoena issued pursuant to this 1971 act to attend any civil action as a witness, shall receive the salary or other compensation to which he is entitled from the Washington state patrol during the time that he travels to and from the place to which he is required to appear and while he is required to remain at such place pursuant to such subpoena. The officer or employee shall be credited with a work day and no charge shall be made to his annual leave or sick benefits for the time that he is in court or traveling thereto or therefrom. Officers shall also receive from the Washington state patrol the subsistence allowances provided for in RCW 43.03.050 incurred by them in complying with such subpoena.

NEW SECTION. Sec. 5. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

No officer or employee of the Washington state patrol shall be ordered to return for subsequent proceedings beyond the day stated in the subpoena referred to in this 1971 act or the day upon which such witness appeared pursuant to the provisions of section 6 of this 1971 act, unless the party at whose request such subpoena was issued or the party at whose request the witness is ordered to return, shall first deposit with the Washington state patrol the same sum required to be deposited for the issuance of the subpoena in the first instance.

*NEW SECTION.* Sec. 6. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

Notwithstanding the provisions of section 5 of this 1971 act, the court in which the action is pending, upon good cause shown, may relieve a party of the duty to make any payment, or portion thereof, required by this 1971 act, other than for the first day's attendance, and in any event the provisions of section 4 of this 1971 act shall apply.

*NEW SECTION.* Sec. 7. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

An officer or employee of the Washington state patrol who has been subpoenaed pursuant to the provisions of this 1971 act, may, in lieu of attendance at the time specified in the subpoena, agree with the party at whose request such subpoena was issued to appear at another time or pursuant to such notice as may be agreed upon.

*NEW SECTION.* Sec. 8. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

Whenever an officer or employee of the Washington state patrol appears as a witness pursuant to this 1971 act and reimbursement is not made as provided for herein, then the court in which the action is pending may direct the party at whose request such subpoena was issued to pay the required fee, and on refusal thereof may punish such party as for contempt.

*NEW SECTION.* Sec. 9. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

The provisions of this 1971 act except section 4 shall not apply to subpoenas issued at the request of the state, a city or county, or to subpoenas issued for appearances in federal courts or courts of other states.

*NEW SECTION.* Sec. 10. There is added to chapter 8, Laws of 1965 and to chapter 43.43 RCW a new section to read as follows:

Any person who pays or offers to pay any money or other form of consideration for the services of any officer or employee of the Washington state patrol as a witness in any civil action or proceeding in connection with an event or transaction which was perceived or investigated by a member of the Washington state patrol in the course of his duties in any manner other than as provided for in this 1971 act is guilty of a misdemeanor and any officer or employee of the Washington state patrol who asks for or receives any such payment, except as provided herein; is likewise guilty of a misdemeanor.

*NEW SECTION.* Sec. 11. All fees and charges paid under the provisions of this act shall be taxable as costs to the prevailing party.

*NEW SECTION.* Sec. 12. The provisions of this act shall apply when a subpoena is issued for the taking of a deposition: PROVIDED, That, the party at whose request the subpoena is issued shall reimburse the Washington state patrol twenty-five dollars in the case of a deposition."

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Hubbard, Marsh, Rosellini, Spanton.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 394, providing for a state water resources management plan, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 4, strike all material following the enacting clause and insert the following:

*"NEW SECTION.* Section 1. The legislature finds that proper utilization of the water resources of this state is necessary to the promotion of public health and the economic well-being of the state and the preservation of its natural resources and aesthetic values. The legislature further finds that the availability of waters of the state is being evaluated by interests who desire to remove portions thereof from the state in a manner inconsistent with the public interest of people of the state. It is the purpose of this chapter to set forth fundamentals of water resource policy for the state to insure that waters of the state are protected and fully utilized for the greatest benefit to the people of the state of Washington and, in relation thereto, to provide direction to the department of ecology and other state agencies and officials, in carrying out water and related resources programs.

*NEW SECTION.* Sec. 2. Utilization and management of the waters of the state shall be guided by the following general declaration of fundamentals:

(1) Uses of water for domestic, stock watering, industrial, commercial, agricultural, irrigation, hydroelectric power production, mining, fish and wildlife maintenance and enhancement, recreational, and thermal power production purposes, and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state, are declared to be beneficial.

(2) Allocation of waters among potential uses and users shall be based generally on the securing of the maximum net benefits for the people of the state. Maximum net benefits shall constitute total benefits less costs including opportunities lost.

(3) The quality of the natural environment shall be protected and, where possible, enhanced as follows:

(a) Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic and other environmental values,

and navigational values. Lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

(b) Waters of the state shall be of high quality. Regardless of the quality of the waters of the state, all wastes and other materials and substances proposed for entry into said waters shall be provided with all known, available, and reasonable methods of treatment prior to entry. Notwithstanding that standards of quality established for the waters of the state would not be violated, wastes and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of the public interest will be served.

(4) Adequate and safe supplies of water shall be preserved and protected in potable condition to satisfy human domestic needs.

(5) Multiple-purpose impoundment structures are to be preferred over single-purpose structures. Due regard shall be given to means and methods for protection of fishery resources in the planning for and construction of water impoundment structures and other artificial obstructions.

(6) Federal, state, and local governments, individuals, corporations, groups and other entities shall be encouraged to carry out practices of conservation as they relate to the use of the waters of the state.

(7) Development of water supply systems, whether publicly or privately owned, which provide water to the public generally in regional areas within the state shall be encouraged. Development of water supply systems for multiple domestic use which will not serve the public generally shall be discouraged where water supplies are available from water systems serving the public.

(8) Full recognition shall be given in the administration of water allocation and use programs to the natural interrelationships of surface and ground waters.

(9) Expressions of the public interest will be sought at all stages of water planning and allocation discussions.

(10) Water management programs, including but not limited to, water quality, flood control, drainage, erosion control and storm runoff are deemed to be in the public interest.

*NEW SECTION.* Sec. 3. For the purpose of insuring that the department is fully advised in relation to the performance of the water resources program provided in section 4 of this act, the department is directed to become informed with regard to all phases of water and related resources of the state. To accomplish this objective the department shall:

(1) Collect, organize and catalog existing information and studies available to it from all sources, both public and private, pertaining to water and related resources of the state;

(2) Develop such additional data and studies pertaining to water and related resources as are necessary to accomplish the objectives of this chapter;

(3) Determine existing and foreseeable uses of, and needs for, such waters and related resources;

(4) Develop alternate courses of action to solve existing and foreseeable problems of water and related resources and include therein, to the extent feasible, the economic and social consequences of each such course, and the impact on the natural environment.

All the foregoing shall be included in a 'water resources archive' established and maintained by the department. The department shall develop a system of cataloging, storing and retrieving the information and studies of the archive so that they may be made readily available to and effectively used not only by the department but by the public generally.

*NEW SECTION.* Sec. 4. (1) The department, through the adoption of appropriate rules, is directed, as a matter of high priority to insure that the waters of the state are utilized for the best interests of the people, to develop and implement in accordance with the policies of this chapter a comprehensive state water resources program which will provide a process for making decisions on future water resource allocation and use. The department may develop the program in segments so that immediate attention may be given to waters of a given physioeconomic region of the state or to specific critical problems of water allocation and use.

(2) In relation to the management and regulatory programs relating to water resources vested in it, the department is further directed to modify existing regulations and adopt new regulations, when needed and possible, to insure that existing regulatory programs are in accord with the water resource policy of this act and the program established in (1) of this section.

(3) The department is directed to review all statutes relating to water resources which it is responsible for implementing. When any of the same appear to the department to be ambiguous, unclear, unworkable, unnecessary, or otherwise deficient, it shall make recommendations to the legislature including appropriate proposals for statutory modifications or additions. Whenever it appears that the policies of any such statutes are in conflict with the policies of this act, and the department is unable to fully perform as provided in subsection (2) of this section, the department is directed to submit statutory modifications to the legislature which, if enacted, would allow the department to carry out such statutes in harmony with this act.

*NEW SECTION.* Sec. 5. In conjunction with the programs provided for in section 4(1), whenever it appears necessary to the director in carrying out the policy of this act, the department may by rule adopted pursuant to chapter 34.04 RCW:

- (1) Reserve and set aside waters for beneficial utilization in the future, and
- (2) When sufficient information and data are lacking to allow for the making of sound decisions, withdraw various waters of the state from additional appropriations until such data and information are available.

Prior to the adoption of a rule under this section, the department shall conduct a public hearing in each county in which waters relating to the rule are located. The public hearing shall be preceded by a notice placed in a newspaper of general circulation published within each of said counties. Rules adopted hereunder shall be subject to review in accordance with the provisions of RCW 34.04.070 or RCW 34.04.080.

*NEW SECTION.* Sec. 6. To insure that all of the various persons and entities having an interest in the water resources of the state and the programs of the chapter are provided with a full opportunity for involvement not only with the development of the program but the implementation by the department under this act, the following directions are given:

(1) The department shall make reasonable efforts to inform the people of the state about the state's water and related resources and their management. The department in the performance of the responsibilities provided in this act shall not only invite but actively encourage participation by all persons and private groups and entities showing an interest in water resources programs of this act.

(2) The department shall similarly invite and encourage participation by all agencies of federal, state and local government, including counties, municipal and public corporations, having interests or responsibilities relating to water resources. Said state and local agencies are directed to fully participate to insure that their interests are considered by the department. The department shall, when funds are made available to it for such purposes, provide assistance grants to said state and local agencies for the purposes of financing activities directed to be performed by them under this subsection.

*NEW SECTION.* Sec. 7. The department shall report to each regular session of the legislature:

(1) On the experience of the department, including the progress made and any difficulties encountered, in formulating, adopting, and maintaining a state management program for water resources as provided in section 4(1) of this act, and

(2) Recommendations on legislation necessary to meet these objectives: PROVIDED, That the department shall submit to the next regular or special session, by the first day of said session, a report setting forth, in addition to the information hereinbefore provided, a detailed outline of the basics of the program developed by the department to carry out the direction of section 4(1) of this act.

*NEW SECTION.* Sec. 8. The state shall vigorously represent its interest before water resource regulation, management, development, and use agencies of the United States, including among others the federal power commission, environmental protection agency, army corps of engineers, department of the interior, department of agriculture and the atomic energy commission, and of interstate agencies with regard to planning, licensing, relicensing, permit proposals, and proposed construction, development and utilization plans. Where federal or interstate agency plans, activities, or procedures conflict with state water policies, all reasonable steps available shall be taken by the state to preserve the integrity of this state's policies.

*NEW SECTION.* Sec. 9. Nothing in this act shall affect any existing water rights, riparian, appropriative, or otherwise; nor shall it affect existing rights relating to the operation of any hydroelectric or water storage reservoir or related facility; nor shall it affect any exploratory work, construction or operation of a thermal power plant by an electric utility in accordance with the provisions of chapter 80.50 RCW. Nothing in this act shall enlarge or reduce the department of ecology's authority to regulate the surface use of waters of this state or structures on the underlying beds, tidelands or shorelands.

*NEW SECTION.* Sec. 10. All agencies of state and local government, including counties and municipal and public corporations, shall, whenever possible, carry out powers vested in them in manners which are consistent with the provisions of this act. The director of the department of ecology shall submit a report to the legislature, not later than thirty days prior to each regular session, setting forth any failures by such agencies to comply with the mandate of this section, and the circumstances surrounding such failure.

*NEW SECTION.* Sec. 11. The department of ecology shall as a matter of high priority evaluate the needs for water resource development projects and the alternative methods of financing of the same by public and private agencies, including financing by federal, state and local governments and combinations thereof. Such evaluations shall be broadly based and be included as a part of the comprehensive state water resources program relating to uses and management as defined in section 3 of this act. A report of the department relating to such evaluations, including any recommendations, shall be submitted to the legislature in accordance with section 7 of this act.

*NEW SECTION.* Sec. 12. The department of ecology is authorized to obtain the benefits including acceptance of grants, of any program of the federal government or any other source to carry out the provisions of this act and is empowered to take such actions as are necessary and appropriate to secure such benefits.

*NEW SECTION.* Sec. 13. For the purposes of this act, unless the context is clearly to the contrary, the following definitions shall be used:

- (1) 'Department' means department of ecology.
- (2) 'Utilize' or 'utilization' shall not only mean use of water for such long recognized consumptive or nonconsumptive beneficial purposes as domestic, stock watering, industrial,

commercial, agricultural, irrigation, hydroelectric power production, thermal power production, mining, recreational, maintenance of wildlife and fishlife purposes, but includes the retention of water in lakes and streams for the protection of environmental, scenic, aesthetic and related purposes, upon which economic values have not been placed historically and are difficult to quantify.

*NEW SECTION.* Sec. 14. This chapter shall be known and may be cited as the 'Water Resources Act of 1971'."

Signed by Representatives Zimmerman, Chairman, Beck, Charnley, Cunningham, Flanagan, Gallagher, Gilleland, Julin, Kilbury, Kraabel, Luders, Martinis, North, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 415, providing for the investigation and control of pesticide poisoning, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 5 strike all of sections 3 and 4 and insert the following:

*"NEW SECTION.* Sec. 3. (1) The department of social and health services shall investigate all suspected human cases of pesticide poisoning and such cases of suspected pesticide poisoning of animals that may relate to human illness. In order to adequately investigate such cases, the department of social and health services shall have the power to:

(a) Take all necessary samples and human or animal tissue specimens for diagnostic purposes;

(b) Secure any and all such information as may be necessary to adequately determine the nature and causes of any case of pesticide poisoning.

(2) The state department of social and health services shall, by rule and regulation adopted pursuant to the Administrative Procedure Act, chapter 34.04 RCW, as it now exists or is hereinafter amended, and, in any event, with due notice and a hearing for the adoption of permanent rules, establish procedures for the prevention of any recurrence of poisoning and the department shall immediately notify the department of agriculture and other appropriate agencies of the results of its investigation for such action as the department of agriculture or such other agencies deem appropriate. The notification of such investigations and their results may include recommendations for further action by the appropriate department or agency.

*NEW SECTION.* Sec. 4. (1) In any case where an emergency relating to pesticides occurs that represents a hazard to the public due to toxicity of the material, the quantities involved or the environment in which the incident takes place, such emergencies including but not limited to fires, spillage, and accidental contamination, the person or agent of such person having actual or constructive control of the pesticides involved shall immediately notify the department of social and health services by telephone or the fastest available method.

(2) Upon notification or discovery of any pesticide emergency the department of social and health services shall:

(a) Have authority to assume control of the property involved to minimize the hazards;

(b) Make such orders and take such actions as are appropriate to dispose of hazardous substances, prevent further contamination, and restore any property involved to a nonhazardous condition. In the event of failure of any individual to obey and carry out orders pursuant to this section, such individual shall be guilty of a gross misdemeanor and the department of social and health services shall have all power and authority to accomplish those things necessary to carry out such order. Any expenses incurred by the department of social and health services as a result of failure of any individual to obey its lawful orders shall be charged as a debt against such individual.

(3) In any case where the department of social and health services has assumed control of property pursuant to this act, such property shall not be reoccupied or used until such time as written notification of its release for use is received from the secretary of the department of social and health services or his designee. Such action shall take into consideration the economic hardship, if any, caused by having the department assume control of property, and release shall be accomplished as expeditiously as possible. Nothing in this act shall prevent a farmer from continuing to process his crops and/or animals provided that it does not endanger the public health.

(4) The state of Washington shall not be liable for damages to any property as a result of any action taken pursuant to this act.

(5) The department shall recognize the pesticide industry's responsibility and active role in minimizing the effect of pesticide emergencies and shall provide for maximum utilization of these services.

(6) Nothing in this act shall be construed in any way to infringe upon or negate the authority and responsibility of the department of agriculture in its application and enforcement of the Washington Pesticide Act, chapter 15.57 RCW and the Washington Pesticide Application Act, chapter 17.21 RCW. The department of social and health services shall work closely with the department of agriculture in the enforcement of this act and shall keep it appropriately advised."

Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.



Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 456, extending use tax exemption for certain motor vehicles and trailers, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning with "Section 1." in line 6, strike the remainder of the bill and insert the following:

"Section 1. Section 82.08.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030 are each amended to read as follows:

The tax hereby levied shall not apply to the following sales:

(1) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16 or 82.28: PROVIDED, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12;

(2) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter;

(3) The distribution and newsstand sale of newspapers;

(4) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(5) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of any such fuel upon which a refund of the motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

(6) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) of RCW 82.16.010;

(7) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

(8) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

(9) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(10) Sales of tangible personal property (other than the type referred to in subdivision (11) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: PROVIDED, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;

(11) Sales of airplanes, locomotives, railroad cars, or watercraft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or watercraft, and of motor vehicles or trailers *whether owned by or leased with or without drivers and used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;*

(12) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce *whether such use is by the owner or whether such motor vehicles and trailers are leased to the user with or without drivers:* PROVIDED, That the purchaser or user must be the holder of a carrier permit issued by the Interstate Commerce Commission and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100;

(13) Sales of motor vehicles and trailers to nonresidents of this state for use outside of this state, even though delivery be made within this state, but only when (a) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of motor vehicles pursuant to the provisions of RCW 46.16.100, or (b) said motor vehicles and trailers will be registered and licensed immediately under the laws of the state of the purchaser's

residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state;

(14) Sales to nonresidents of this state for use outside of this state of tangible personal property which becomes a component part of any machinery or other article of personal property belonging to such nonresident, in the course of installing, repairing, cleaning, altering, or improving the same and also sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving, of personal property of or for a nonresident, but this subsection (14) shall apply only when the seller agrees to, and does, deliver the property to the purchaser at a point outside this state, or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state;

(15) Sales to nonresidents of this state for use outside of this state of watercraft requiring coast guard registration or registration by the state of principal use according to the Federal Boating Act of 1958, even though delivery be made within this state, but only when (a) the the watercraft will not be used within this state for more than forty-five days and (b) an appropriate exemption certificate supported by identification ascertaining residence as provided by the department of revenue and signed by the purchaser or his agent establishing the fact that the purchaser is a nonresident and that the watercraft is for use outside of this state, one copy to be filed with the department of revenue with the regular report and a duplicate to be retained by the dealer.

(16) Sales of poultry for use in the production for sale of poultry or poultry products.

(17) Sales to nonresidents of this state for use outside of this state of machinery and implements for use in conducting a farming activity, when such machinery and implements will be transported immediately outside the state. As proof of exemption, an affidavit or certification in such form as the department of revenue shall require shall be made for each such sale, to be retained as a business record of the seller.

(18) Sales for use in states, territories and possessions of the United States which are not contiguous to any other state, but only when, as a necessary incident to the contract of sale, the seller delivers the subject matter of the sale to the purchaser or his designated agent at the usual receiving terminal of the carrier selected to transport the goods, under such circumstances that it is reasonably certain that the goods will be transported directly to a destination in such noncontiguous states, territories and possessions.

(19) Sales to municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services rendered in respect to contracts for watershed protection and/or flood prevention. This exemption shall be limited to that portion of the selling price which is reimbursed by the United States government according to the provisions of the Watershed Protection and Flood Prevention Act, Public Laws 566, as amended;

(20) Sales of semen for use in the artificial insemination of livestock;

(21) Sales to nonresidents of this state of tangible personal property for use outside this state when the purchaser has applied for and received from the department of revenue a permit certifying (1) that he is a bona fide resident of a state or possession or Province of Canada other than the state of Washington, (2) that such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence, and (3) that he does agree, when requested, to grant the department of revenue access to such records and other forms of verification at his place of residence to assure that such purchases are not first used substantially in the state of Washington.

Any person claiming exemption from retail sales tax under the provisions of this subsection must display a nonresident permit as herein provided, and any vendor making a sale to a nonresident without collecting the tax must examine such permit, identify the purchaser as the person to whom the nonresident permit was issued, and maintain records which shall show the permit number attributable to each nontaxable sale.

Permits shall be personal and nontransferable, shall be renewable annually, and shall be issued by the department of revenue upon payment of a fee of one dollar. The department may in its discretion designate independent agents for the issuance of permits, according to such standards and qualifications as the department may prescribe. Such agents shall pay over and account to the department for all permit fees collected, after deducting as a collection fee the sum of fifty cents for each permit issued.

Any person making fraudulent statements in order to secure a permit shall be guilty of perjury. Any person making tax exempt purchases by displaying a permit not his own, or a counterfeit permit, with intent to violate the provisions of this subsection shall be guilty of a misdemeanor and, in addition, may be subject to a penalty not to exceed the amount of the tax due on such purchases. Any vendor who makes sales without collecting the tax to a person who does not hold a valid permit and any vendor who fails to maintain records of permit numbers as provided in this section shall be personally liable for the amount of tax due.

(22) Sales of form lumber to any person engaged in the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof.

(23) Sales of, cost of, or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling of sand, gravel and rock when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to sales of, cost of, or charges made for such labor and services, if the sand, gravel, or rock is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(24) Sales of wearing apparel to persons who themselves use such wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(25) Sales of pollen.

(26) Sales to one political subdivision by another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

Sec. 2. Section 82.12.030, chapter 15, Laws of 1961, as last amended by section 7, chapter 65, Laws of 1970 ex. sess. and RCW 82.12.030 are each amended to read as follows:

The provisions of this chapter shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the state by a nonresident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a nontransitory business activity within the state; or in respect to the use by a nonresident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a bona fide resident of this state, if such articles were acquired and used by such person in another state while a bona fide resident thereof and such acquisition and use occurred more than thirty days prior to the time he entered this state;

(2) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease, gift or bailment if the sale thereof to, or the use thereof by, the present user or his bailor or donor has already been subjected to the tax under chapter 82.08 or 82.12 and such tax has been paid by the present user or by his bailor or donor; or in respect to the use of property acquired by bailment and such tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 or 82.12 as of the time of first use; or in respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and such original bailment was prior to June 9, 1961;

(3) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16;

(4) In respect to the use of any airplane, locomotive, railroad car, or watercraft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or watercraft, and in respect to the use by a nonresident of this state of any motor vehicle or trailer used exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when such motor vehicle or trailer is registered and licensed in a foreign state and in respect to the use by a nonresident of this state of any motor vehicle or trailer so registered and licensed and used within this state for a period not exceeding fifteen consecutive days under such rules as the department of revenue shall adopt, provided that under circumstances determined to be justifiable by the department of revenue a second fifteen day period may be authorized consecutive with the first fifteen day period; and for the purposes of this exemption the term 'nonresident' as used herein, shall apply to a user who has one or more places of business in this state as well as in one or more other states, but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from user's place of business in another state; and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce Commission of any motor vehicle or trailer whether owned by or leased with or without driver to the permit holder and used in substantial part in the normal and ordinary course of the user's business for transporting therein persons or property for hire across the boundaries of this state if the first use which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of motor vehicles pursuant to RCW 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state whether such motor vehicle or trailer is owned by or leased with or without driver to the permit holder;

(5) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

(6) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36: PROVIDED, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of motor vehicles shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the department of revenue;

(7) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of RCW 82.16.010;

(8) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

(9) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, flood, and other national calamities and to devise and carry on measures for preventing the same;

(10) In respect to the use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association; sales of cattle and milk cows used on the farm;

(11) In respect to the use of poultry in the production for sale of poultry or poultry products;

(12) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

(13) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to and used exclusively by a school in connection with its driver training program: PROVIDED, That this exemption and the term 'school' shall apply only to (a) the University of Washington, Washington State University, the state colleges and the state community colleges or (b) any public, private or parochial school accredited by either the state board of education or by the University of Washington (the state accrediting station) or (c) any public vocational school meeting the standards, courses and requirements established and prescribed or approved in accordance with the Community College Act of 1967 (chapter 8, Laws of 1967 first extraordinary session);

(14) In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 or chapter 82.12;

(15) In respect to the use by residents of this state of motor vehicles and trailers acquired and used while such persons are members of the armed services and are stationed outside this state pursuant to military orders, but this exemption shall not apply to members of the armed services called to active duty for training purposes for periods of less than six months and shall not apply to the use of motor vehicles or trailers acquired less than thirty days prior to the discharge or release from active duty of any person from the armed services;

(16) In respect to the use of semen in the artificial insemination of livestock;

(17) In respect to the use of form lumber by any person engaged in the constructing, repairing, decorating or improving of new or existing buildings or other structures under, upon or above real property of or for consumers: PROVIDED, That such lumber is used or to be used first by such person for the molding of concrete in a single such contract, project or job and is thereafter incorporated into the product of that same contract, project or job as an ingredient or component thereof;

(18) In respect to the use of any sand, gravel, or rock to the extent of the cost of or charges made for labor and services performed in respect to the mining, sorting, crushing, screening, washing, hauling, and stockpiling such sand, gravel, or rock, when such sand, gravel, or rock is taken from a pit or quarry which is owned by or leased to a county or a city, and such sand, gravel, or rock is (1) either stockpiled in said pit or quarry for placement or is placed on the street, road, place, or highway of the county or city by the county or city itself, or (2) sold by the county or city to a county, or a city at actual cost for placement on a publicly owned street, road, place, or highway. The exemption provided for in this subsection shall not apply to the use of such material to the extent of the cost of or charge made for such labor and services, if the material is used for other than public road purposes or is sold otherwise than as provided for in this subsection.

(19) In respect to the use of wearing apparel only as a sample for display for the purpose of effecting sales of goods represented by such sample.

(20) In respect to the use of pollen.

(21) In respect to the use of the personal property of one political subdivision by

another political subdivision directly or indirectly arising out of or resulting from the annexation or incorporation of any part of the territory of one political subdivision by another.

*NEW SECTION.* Sec. 3. The effective date of this 1971 amendatory act is July 1, 1971."

In line 1 of the title after "taxation;" and before "amending" insert " amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030;"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Ceccarelli, Eikenberry, Haussler, Hurley, Julin, Kilbury, Kuehnle, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 636, modifying the law on pesticide application, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 1, line 21 after "class" strike "insects" and insert "[insects] insecta"

On page 5, section 3, line 26 after "name" and before "of" insert "*and/or the common name*"

On page 6, section 4, line 28 after "'*on-the-job*'" strike "*supervisor*" and insert "*supervision*"

On page 7, line 13 add a new section following section 4 as follows:

"Sec. 5. Section 20, chapter 249, Laws of 1961 as amended by section 12, chapter 177, Laws of 1967 and RCW 17.21.200 are each amended to read as follows:

The provisions of this chapter relating to licenses and requirements for their issuance shall not apply to any *forest landowner, or his employees, applying pesticides with ground apparatus or manually, on his own lands or any lands or rights of way under his control or to any farmer owner of ground apparatus applying pesticides for himself or other farmers on an occasional basis not amounting to a principal or regular occupation: PROVIDED, That such owner shall not publicly hold himself out as a pesticide applicator.*"

Renumber the remaining sections consecutively

On page 7, section 6, line 33 after "limited" and before "license" insert "*public operator*"

On page 9, section 7, line 6 after "*division of*" strike "*that*" and insert "*the*"

On page 1, line 8 of the title after "17.21.150;" insert "amending section 20, chapter 249, Laws of 1961 as amended by section 12, chapter 177, Laws of 1967 and RCW 17.21.200;"

Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 878, making an appropriation for publication of the session laws, reported by Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Goldsworthy, Chairman, Kopet, Vice Chairman, Charette, Costanti, Curtis, Lynch, Lysen, Marsh, Maxie, McDermott, Merrill, North, Paris, Polk, Savage, Smith, Thompson, Van Dyk, Wojahn, Wolf Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE CONCURRENT RESOLUTION NO. 21, directing a legislative council study of regulation of corporate farming, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

SENATE JOINT RESOLUTION NO. 5, authorizing lotteries, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9 after "divorce." insert "*Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon.*"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom,

Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 23, 1971.

Mr. Speaker: The Senate has passed:  
SENATE BILL NO. 107,  
ENGROSSED SENATE BILL NO. 156,  
SENATE BILL NO. 195,  
ENGROSSED SENATE BILL NO. 363,  
HOUSE BILL NO. 245,

and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

February 23, 1971.

Mr. Speaker: The Senate has adopted ENGROSSED SENATE CONCURRENT RESOLUTION NO. 17, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

February 23, 1971.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 27,  
HOUSE BILL NO. 28,  
HOUSE BILL NO. 29,  
HOUSE BILL NO. 30,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 245.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1032, by Representative Johnson:

An Act relating to public highways; authorizing the completion of improvements; and making an appropriation.

Referred to Committee on Transportation.

HOUSE BILL NO. 1033, by Representatives Conner, Savage, Wanamaker and Mentor:

An Act relating to the Washington state toll bridge authority; authorizing purchase of certain properties of the Port Townsend-Keystone ferry; and making an appropriation.

Referred to Committee on Transportation.

HOUSE BILL NO. 1034, by Representatives Charette, Newhouse, Thompson and Zimmerman:

An Act relating to forest protection; amending section 1, chapter 58, Laws of 1951 and RCW 76.04.010; amending section 16, chapter 125, Laws of 1911 as last amended by section 3, chapter 151, Laws of 1959 and RCW 76.04.310; amending section 4, chapter 105, Laws of 1917 as last amended by section 1, chapter 235, Laws of 1951 and RCW 76.04.370; amending section 3, chapter 105, Laws of 1917 as last amended by section 9, chapter 58, Laws of 1951 and RCW 76.04.380; amending section 11, part, chapter 184, Laws of 1923 and RCW 76.04.390; amending section 1, chapter 332, Laws of 1959 and RCW 76.04.510; amending section 2, chapter 193, Laws of 1945 as last amended by section 1, chapter 79, Laws of 1957 and RCW 76.08.010; amending section 5, chapter 193, Laws of 1945 as last amended by section 3, chapter 79, Laws of 1957 and RCW 76.08.050; amending section 6, chapter 193, Laws of 1945 as last amended by section 2, chapter 44, Laws of 1953 and RCW 76.08.060; amending section 9, chapter 125, Laws of 1911 as last amended by section 3, chapter 207, Laws of 1929 and RCW 76.04.180; adding new sections to chapter 76.04 RCW; repealing section 3, chapter 125, Laws of 1911 and RCW 76.04.040;

repealing section 2, chapter 223, Laws of 1927, section 2, chapter 207, Laws of 1929, section 1, chapter 140, Laws of 1941, section 1, chapter 102, Laws of 1945, section 3, chapter 58, Laws of 1951, section 8, chapter 142, Laws of 1955, section 1, chapter 154, Laws of 1957 and RCW 76.04.230; making appropriations; and declaring an emergency.

Referred to Committee on Natural Resources and Ecology.

HOUSE JOINT MEMORIAL NO. 13, by Representatives Sawyer, Perry, Grant, Luders, Chatalas, Lysen, Johnson, Rosellini, Bagnariol, Van Dyk, Maxie, Wojahn, Marzano, McCormick, Savage, Knowles, Bauer, Kilbury, Douthwaite, Charnley, Williams, McDermott, Shinpoch and Conner:

Requesting Congress to enact legislation designed to assure quality medical and health services for all citizens.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 107, by Senator Wilson:

An Act relating to interlocal cooperation; and amending section 3, chapter 239, Laws of 1967 as last amended by section 1, chapter 88, Laws of 1969 and RCW 39.34.020.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 156, by Senators Guess, Donohue, McDougall and Peterson (Lowell):

An Act relating to self-propelled vehicles; creating new sections; prescribing penalties; and making appropriations.

Referred to Committee on Natural Resources and Ecology.

SENATE BILL NO. 195, by Senators Talley, Bailey and Woodall:

An Act relating to the preservation of historical materials; and amending section 2, chapter 160, Laws of 1949 as amended by section 2, chapter 47, Laws of 1957 and RCW 27.48.020.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 363, by Senators Guess, Henry and Washington:

An Act relating to the acquisition of property by public agencies; amending section 47.52.050, chapter 13, Laws of 1961 and RCW 47.52.050; and amending section 3, chapter 137, Laws of 1967 ex. sess. and RCW 8.25.070; and adding a new section to chapter 8.25 RCW.

Referred to Committee on Transportation.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 17, by Senators Bailey, Greive, Atwood and Andersen:

Establishing rules for consideration of bills.

Referred to Committee on Rules and Administration.

#### MOTION

On motion of Mr. Morrison, HOUSE BILL NO. 753 was rereferred from the Committee on State Government to the Committee on Local Government.

#### MOTION FOR RECONSIDERATION

Mr. Randall, having given notice on the preceding day, moved that the House do now reconsider the vote by which HOUSE BILL NO. 150 was rereferred to the Committee on Revenue and Taxation.

Mr. Grant demanded an electric roll call, and the demand was sustained.

Mr. Marzano demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Luders. On motion of Mr. Bledsoe, the absent member was excused, and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the motion by Mr. Randall that the House reconsider the vote by which House Bill No. 150 was rereferred to the Committee on Revenue and Taxation.

Representatives Randall and Beck spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Randall that the House reconsider the vote by which House Bill No. 150 was rereferred to the Committee on Revenue and Taxation, and the motion was lost by the following vote: Yeas, 48; nays, 50; excused, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Excused: Representative Luders—1.

## EXPLANATION OF VOTE

I voted against the motion to reconsider the vote by which House Bill No. 150 was rereferred to Committee on Revenue and Taxation because I received from Representative Sid Flanagan his assurance that a bill truly providing property tax relief for our senior citizens would be forthcoming. On the basis of this assurance, I so voted. WILLIAM PARIS, 18th District.

## SECOND READING

HOUSE BILL NO. 324, by Representatives Cunningham, Luders, Bluechel and Bauer (by Departmental request):

Providing for the licensing of domestic waste treatment plant operators.

The House resumed consideration of House Bill No. 324 on second reading.

The Speaker stated the question before the House to be the following amendment by Mr. Moon:

On page 2, section 2, line 5 after "absorption" strike "nor industrial waste water works"

Representatives Moon, Zimmerman and Thompson spoke in favor of adoption of the amendment, and Representative Cunningham spoke against it.

The amendment was adopted.

House Bill No. 324 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 166, by Representatives Bottiger, Wolf, Gallagher, Backstrom, Barden, Brouillet, Ceccarelli, Hoggins and Litchman:

Requiring persons assessing real property to meet certain standards of training and experience and pass an examination.



Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 6 after "taxation" strike the comma

On page 1, section 1, line 7 strike "including county assessors"

On page 1, section 1, line 21 strike "motor vehicles" and insert "personnel"

On page 1, section 1, line 25 strike "licensed" and insert "certified"

On page 1, section 1, line 26 strike "motor vehicles" and insert "the department of personnel"

The bill was read the second time.

On motion of Mr. Smythe, the first two committee amendments were adopted.

With consent of the House, the other three committee amendments were considered as one, and Mr. Smythe moved their adoption.

Mr. Smythe spoke in favor of the amendments.

#### POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Smythe, I am going to join with you in the adoption of these amendments, but I think it should be clear to the House and to the public that the bill as originally drafted, in referring to the department of motor vehicles, was actually directing the real estate division, which is in the department of motor vehicles, to assist. However, I understand the committee has considered this and feels that the department of personnel examination section would be more qualified. Is that correct?"

Mr. Smythe: "Yes, Mr. Bottiger. The testimony from the department of revenue was that we really are trying to seek to place this within their jurisdiction. They are the ones who would set up certification. The department of personnel will then act on it, rather than going to the real estate division."

The three committee amendments were adopted.

Mr. Litchman moved adoption of the following amendment by Representatives Litchman and Perry:

On page 1, section 1, line 12 after "(2)" and before "Had at least" insert "Been a resident of the state of Washington for one year and"

Mr. Litchman spoke in favor of the amendment, and Mr. Smythe spoke against it.

#### POINT OF INQUIRY

Mr. Litchman yielded to question by Mr. Smythe.

Mr. Smythe: "I know what you are trying to do here with your two amendments, Mr. Litchman, in trying to solve the problem with the King County reevaluation, and I think we sympathize with you. However, my concern is that I don't know how you can set a one-year residency as a qualification to assess property. In Clark County, we may hire Oregon appraisers to do assessing in Clark County right across the boundary. They are familiar with our property. They work on the commercial evaluations constantly. Now if you do have a valid point here, as far as the one-year residency qualifying you to do this, and you are that concerned about their knowledge of the state, localities and such, would your concern be the same in dealing with attorneys who might want to practice within this state, recognizing that they would need to be here at least one year to have enough knowledge of Washington state law to practice? Are we not drawing the same analogy?"

Mr. Litchman: "I think that you are comparing one group of people with another, and there is no relevancy between an attorney and an assessor. An assessor from out of state has no conception whatsoever of the peculiar local problems. Furthermore, he hasn't had the experience that the local assessor has had in reviewing property taxes and assessments over a period of ten or twenty years. A lawyer who comes from out of state can't conceivably practice here unless he has passed the bar. In order to pass the bar, he has to be familiar, of course, with local problems—community laws, property laws, and other such laws. I don't see how you can compare an out-of-state lawyer with an out-of-state real estate appraiser. Most of the appraisers we've talked to, and I happen to be one of sorts—I've gone out with some of these people, and they don't know what they are doing, frankly. They use the criteria that George Kinnear set at a 1968 maximum figure. In a recession the economy, of course, has dropped, house appraisals have dropped, and you can't compare a 1968 sale home, at the peak of the market, with what is going on in 1970. Of course, this is what hurts.

"The other point I wanted to make along that line is that there is no reason why the local appraisers can't do the job. There are plenty of senior citizens who are well qualified to go out and appraise. Maybe your problem in Vancouver is a little different, but for those of us who have met with the out-of-state appraisers from Chicago, we are completely unhappy with these people. Maybe we could make another amendment that would satisfy you. But in

my opinion, and most of us feel, that it can be solved by making them Washington residents. If you have some other idea to prevent these out-of-town carpetbaggers from coming in, I would like to defer action on the bill and do something about it."

Mr. Smythe: "Thank you, but my point is that I don't think the one-year residency qualifies a person to either assess property or practice law. I don't think it is related to time here. You referred to Mr. Kinnear's criteria. They have the rules and regulations and the criteria that it established. Of course, they do assess and set their prices based on current sales. The same criteria of rules and regulations and statutory laws are followed by the out-of-state appraisers who were brought in to do the job as those that are within the state. We have to assume that their intelligence is at about the same level unless you have been able to give them an I.Q. test to determine otherwise. I can see what your concern is, but I think it is more related to the total problem in King County and not the fact that they brought out-of-state appraisers in to do a job they could not do with the local help because of the magnitude of it."

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

Representatives Brown, Wolf and Curtis spoke against adoption of the amendment, and Representative Litchman spoke again in its favor.

### ROLL CALL

The Clerk called the roll on the amendment by Representatives Litchman and Perry to House Bill No. 166, and the amendment was lost by the following vote: Yeas, 43; nays, 55; excused, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Chatalas, Conner, Douthwaite, Gallagher, Grant, Hoggins, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Spanton, Thompson, Van Dyk, Williams, Wojahn—43.

Voting nay: Representatives Amen, Backstrom, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Charette, Charnley, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, McDermott, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Shinpoch, Smith, Smythe, Wanamaker, Wolf, Zimmerman, Mr. Speaker—55.

Excused: Representative Luders—1.

On motion of Mr. Smythe, the following amendment was adopted:

On page 1, section 1, line 26 after "vehicles" strike the period and insert "":  
**PROVIDED, HOWEVER,** That this section shall not apply to any person who prior to the effective date of this act shall have either:

- (1) Been certified as a real property appraiser by the department of personnel.
- (2) Attended and satisfactorily completed the assessor's school operated jointly by the department of personnel and the Washington state assessors association."

House Bill No. 166 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

**HOUSE BILL NO. 412,** by Representatives Merrill and Smythe:

Requiring metal dealers to keep certain records.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 14 after "address" strike "description,"

On page 1, section 1, line 19 after "officer" insert "with appropriate jurisdiction"

The bill was read the second time.

On motion of Mr. Curtis, the committee amendments were adopted.

Mr. Hoggins moved adoption of the following amendment:

On page 1, section 1, line 19 after "demand" and before the period insert "":  
**PROVIDED,** That when an individual can establish his ownership to any merchandise described in this section, he shall be awarded his property without a payment or charge"

Mr. Hoggins spoke in favor of the amendment, and Mr. Curtis spoke against it.

The amendment was lost on a rising vote.

House Bill No. 412 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 572, by Representatives King, Lynch and Grant:

Providing that no factoring charges are allowed if credit cards are honored for payment of tuition and fees at state colleges and universities.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 13 after "*charge*" insert "*on amounts charged for tuition or fees*"

The bill was read the second time.

On motion of Mr. Shera, the committee amendment was adopted.

House Bill No. 572 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 660, by Representatives Sawyer, Bagnariol and Pardini:

Exempting credit cards from small loan regulations.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, beginning on line 15, strike all of subsection (a) and insert the following:

*"(a) 'Accepted credit card' means any credit card which the card holder has requested or applied for and received, or has signed, or has used, or has authorized another person to use for the purpose of obtaining money, property, labor, or services on credit. Any credit card issued in renewal of, or in substitution for, an accepted credit card becomes an accepted credit card when received by the card holder whether such card is issued by the same or a successor card issuer;"*

On page 1, section 1, line 23 after "(b)" strike "*The*" and insert "*Any*"

The bill was read the second time.

On motion of Mr. Shera, the committee amendments were adopted.

House Bill No. 660 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 523, by Representatives Marsh, Kopet, Haussler and Bauer:

Authorizing safety awards for county employees.

The bill was read the second time.

Mr. Marsh moved adoption of the following amendment:

On page 1, section 1, on line 24 after "...20.00" and before "However" on line 25 insert:

*": PROVIDED, That the board may give such department heads and other officers overseeing and directing county employees discretion to purchase a noncash award of equal value in lieu of the cash award. If a noncash award is given the warrants shall be made payable to the business enterprise from which the noncash award is purchased."*

Representatives Marsh and Haussler spoke in favor of adoption of the amendment, and Representative Kopet spoke against it.

The amendment was adopted on a rising vote.

House Bill No. 523 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 362, by Representatives Hubbard, Charette, Julin and Bottiger:

Providing that the rule against perpetuities applies to all trusts.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

#### MOTIONS

On motion of Mr. Morrison, the House dispensed with further business under the Call of the House.

On motion of Mr. Morrison, the House recessed until 2:00 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representatives Luders and Mentor who were excused.

## SECOND READING

HOUSE BILL NO. 401, by Representatives North, Thompson, Newhouse, Curtis, Gilleland and Smythe:

Requiring charge of fees for use of state parks, and stating legislative intent therefor.

The bill was read the second time.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and Charette:

On page 2, section 1, line 3 after "fund" insert "*PROVIDED, That a majority of the commission so votes*"

Representatives Martinis and Zimmerman spoke in favor of the amendment.

The amendment was adopted.

Mr. Lysen moved adoption of the following amendment:

On page 2, section 1, line 3 following "fund." insert: "*No such fees shall be charged for the use of services, utilities or facilities situated wholly or partially within any Class 'AA' county or Class 'A' county.*"

Representatives Lysen, Hurley, O'Brien, Bagnariol and Beck spoke in favor of the amendment, and Representatives Zimmerman, Thompson, North, Flanagan and Newhouse spoke against it.

## MOTION

Mr. Kilbury moved to amend the amendment by striking everything after the word "facilities."

## POINT OF ORDER

Mr. O'Brien: "Point of order, his amendment should be in writing."

The Speaker: "Your point is well taken."

Representatives Wojahn and Lysen spoke in favor of adoption of the amendment.

Mr. Bledsoe demanded the previous question, and the demand was sustained.

The amendment by Mr. Lysen was lost on a rising vote.

Mr. Copeland moved adoption of the following amendment by Representatives Copeland and Thompson:

On page 5, section 3, line 2 after "facilities" and before the period, insert "*PROVIDED, HOWEVER, That when a park has operating therein a facility which is privately operated, the fees established for such park shall be established so as to make the charges for use of such facilities substantially the same as charges for comparable services and facilities not located on state lands*"

Mr. Copeland spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Lysen.

Mr. Lysen: "Mr. Copeland, could I ask what you mean by 'substantially the same' in regards to your amendment?"

Mr. Copeland: "Let's take Crystal Mountain for instance. The chair lift and all the development there and the condominiums were all built by private capital. It is on federal forest land. What we are saying is that we don't want to have our park system in this particular category of not being competitive with what private capital will do on federal forest land."

Mr. Lysen: "So the effect of your amendment would be that there would be no charge in those areas?"

Mr. Copeland: "In the event that the federal government decides in its wisdom to charge a user fee in the federal forest land, then obviously they could in the state park. Our concern now is, let us assume for the sake of the problem that you have risk capital that you want to invest in the development of a ski area. Where are you going to put your money? Are you going to put it in a state park that may charge a fee just to drive through there, or are you going to put it in a federal park where you know right now they are not charging a fee? This is the point. In other words, I am afraid you are going to dry up the risk capital that is currently developing our ski areas."

The amendment by Representatives Copeland and Thompson was adopted on a rising vote.

Mr. Martinis moved adoption of the following amendment by Representatives Martinis and King:

On page 5, section 3, line 6 after "Washington" insert " , and shall give preference to or wholly exempt from the obligation to pay fees, nonprofit organizations conducting activities for youth"

Mr. Martinis spoke in favor of the amendment.

Mr. Morrison moved adoption of the following amendment by Representatives Bledsoe and Morrison to the amendment by Representatives Martinis and King to House Bill No. 401:

Amend the amendment by Representatives Martinis and King as follows: After "fees" and before "nonprofit" insert "qualified"

Mr. Morrison spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Martinis.

Mr. Martinis: "With regard to your amendment and your word 'qualified,' could you spell out what the word 'qualified' really means in this instance?"

Mr. Morrison: "I am sure there could be confusion with nonprofit organizations—someone driving in with a carload of kids, saying, 'I represent a nonprofit organization conducting activities for youth, and you have to let me in.' I think the only requirement here is that the board should have the authority to, perhaps, prepare lists of organizations which might be qualified in their area (Boy Scouts, Campfire Girls, a number of others) so that they would have some control over this and it could not be used in a harassing manner by general members of the public."

Mr. Martinis spoke in favor of the amendment to the amendment.

#### MOTION

Mr. Lysen moved that House Bill No. 401 be rereferred to the Committee on Natural Resources and Ecology.

Mr. Lysen spoke in favor of the motion, and Mr. Zimmerman spoke against it.

The motion was lost.

The Speaker stated the question before the House to be the amendment by Representatives Bledsoe and Morrison to the amendment by Representatives Martinis and King to House Bill No. 401.

The amendment to the amendment was adopted.

The amendment by Representatives Martinis and King, as amended by Representatives Bledsoe and Morrison, was adopted.

The Clerk read the following amendment by Mr. Thompson:

On page 5, after line 13 insert:

"Sec. 4. Section 1, chapter 64, Laws of 1967 ex. sess. and RCW 43.30.300 are each amended to read as follows:

The department of natural resources is authorized:

(1) To construct, operate, and maintain primitive outdoor recreation facilities on lands under its jurisdiction which are of primitive character when deemed necessary by the department to achieve maximum effective development of such lands and resources consistent with the purposes for which the lands are held. This authority shall be exercised only after review by the interagency committee for outdoor recreation and determination by the committee that the department is the most appropriate agency to undertake such construction, operation and maintenance. Such review is not required for authority exercised under the provisions of RCW 76.04.210.

(2) To acquire right of way and develop public access to lands under the jurisdiction of the department of natural resources and suitable for public outdoor recreation.

(3) To receive and expend funds from federal and state outdoor recreation funding measures for the purposes of RCW 43.30.300 and 79.08.109.

(4) To charge a fee or fees on a daily or annual basis for the use of its facilities and lands. These fees shall be commensurate to any fees charged by the state parks and recreation commission for the use of like or similar facilities. Fees collected by the department pursuant to this subsection shall be deposited with the state treasurer in the state general fund.

*NEW SECTION.* Sec. 5. There is added to chapter 77.12 RCW a new section to read as follows:

The game commission may charge fees on either an annual or daily basis or a combination of both annual and daily fees for the use of picnic, camping, and boat launching facilities, and other such outdoor recreation lands and facilities. Such fees shall be commensurate to the fees charged by the state parks and recreation commission for the use of like or similar facilities. The commission may provide by rule for the waiver of such fees for holders of fishing and hunting licenses issued pursuant to RCW 77.32.100, 77.32.103, and 77.32.105 as now or hereafter amended. The fees and charges collected pursuant to this section shall be deposited with the state treasurer to the credit of the state game fund.

*NEW SECTION.* Sec. 6. The effective date of this 1971 amendatory act is July 1, 1971."

With the consent of the House, Mr. Thompson withdrew the amendment.

House Bill No. 401 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 578, by Representatives Pardini, Curtis and Wojahn:

Providing for the regulation of preneed funeral contracts.

The bill was read the second time.

On motion of Mr. Pardini, the following amendment was adopted:

On page 1, section 1, line 26 insert a new subsection as follows:

"(4) 'Memorial association' means an association of persons joined together to obtain special considerations in funeral arrangements with a specific mortuary."

House Bill No. 578 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 355, by Representatives Kiskaddon, Flanagan, Cunningham, Julin and Curtis (by Departmental request):

Increasing cigarette excise tax.

## MOTION

On motion of Mr. Bledsoe, House Bill No. 355 was rereferred to the Committee on Rules and Administration.

HOUSE JOINT RESOLUTION NO. 34, by Representatives Brown, Ceccarelli, Bluechel, Blair, Kiskaddon, Kopet, Cunningham, Mentor, Smith, Hoggins, Bledsoe, Chatalas and Kilbury (by Executive request):

Providing for annual sessions of the legislature.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 12, line 15 after "sixty days.]" strike all the matter down to and including "legislature" on line 17 and insert "A regular session of the legislature shall be held annually at a time to be determined by the legislature"

On page 1, section 12, line 22 after "year." strike "Extraordinary sessions" and insert "An extraordinary session"

The resolution was read the second time.

On motion of Mr. Bluechel, the committee amendments were adopted.

On motion of Mr. Bluechel, the following amendment by Representatives Bluechel and Moon was adopted:

On page 1, line 19 after "than" strike "thirty" and insert "sixty"

House Joint Resolution No. 34 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 34 was placed on final passage.

Representatives Brown, Bluechel, King and Bledsoe spoke in favor of passage of the resolution.

POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Copeland, you have spent a great amount of time on annual sessions of the legislature, and I would like to hear your comments on this particular constitutional amendment. I know you have felt keenly about the need for annual sessions for many years."

Mr. Copeland: "Mr. O'Brien, I have. It is something I have carried in my heart for some time. As a matter of fact, I was the only Republican eight sessions ago that sat back there and voted for annual sessions. My party just about fell off the tree, and thought I'd flipped. Now I am very happy to say, Mr. O'Brien, that my party has also endorsed annual sessions and they included it in their platform. I think this is something that truly is long overdue. I think we have come a long way. We have certainly matured here in the legislature. I am very happy to join Mr. O'Brien, Mr. Bledsoe and the sponsors of the bill in supporting this measure."

Mr. Zimmerman spoke against passage of the resolution.

Mr. Newhouse demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 34, and the resolution passed the House by the following vote: Yeas, 78; nays, 19; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Cunningham, Curtis, Douthwaite, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Harris, Haussler, Hoggins, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Randall, Rosellini, Ross, Savage, Sawyer, SHERA, Shinoch, Smythe, Spanton, Thompson, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—78.

Voting nay: Representatives Barden, Benitz, Bozarth, Costanti, Eikenberry, Farr, Gladder, Hansey, Hatfield, Hubbard, Hurley, Jueling, Litchman, Polk, Rabel, Schumaker, Smith, Van Dyk, Zimmerman—19.

Absent or not voting: Representatives Luders, Mentor—2.

Engrossed House Joint Resolution No. 34, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 460, by Representatives Flanagan, Beck and Randall (by Department of Revenue request):

Increasing liquor excise tax.

MOTION

On motion of Mr. Bledsoe, House Bill No. 460 was rereferred to the Committee on Rules and Administration.

HOUSE BILL NO. 543, by Representatives Wolf, Smythe, Pardini, Lynch, Mentor, Jueling, Conway and Backstrom:

Changing motor vehicle excise tax collection and distribution provisions.

Committee recommendation: Majority do pass with the following amendments:

On page 2, section 2, line 3 after "fraction" and before "the" insert a comma

On page 2, section 2, line 15 before the period insert "who shall adjust the fraction annually"

The bill was read the second time.

On motion of Mr. Wolf, the first committee amendment was adopted.

On motion of Mr. Smythe, the second committee amendment was adopted.

House Bill No. 543 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 386, by Representatives Merrill, Zimmerman, Wolf, Bledsoe and Charnley:

Designating a state rock and state gem.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, February 25, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.



## FORTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 25, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Luders who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representative and former Mayor of Seattle, Floyd C. Miller, and former State Representative George S. Hurley, also of Seattle, and requested that the Sergeant at Arms conduct them to a place on the rostrum.

## REPORTS OF STANDING COMMITTEES

February 24, 1971.

HOUSE BILL NO. 195, providing for the attachment of fiscal notes to bills and resolutions of the legislature, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 11 strike "the chairman" and insert "a sponsor of such bill or resolution or any member"

On page 1, section 2, line 15 after "legislature." strike all the matter down to and including "resolution." on line 16

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, McCormick, Paris, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 254, raising secretary of state fees for searches and copies of corporate filings, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 4, line 2 after "group" strike all the matter down to and including "(2) For" on line 6 and insert "for"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 259, permitting legal advertising and public notices in minority papers, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10, after "at least" strike "four times during the four weeks" and insert "[four times during the four weeks] one time during the first week"

On page 1, section 1, line 14, after "65.16.150," strike all the matter down to and including "who" on line 17 and insert "and by publication during the same period preceding the election in not more than fifteen (15) language and minority community newspapers, each of which shall be the newspaper with the largest circulation serving a recognizable foreign language group or minority community of voters who,"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Hoggins, Knowles, Kraabel, McCormick, Paris, Swayze.

MINORITY recommendation: Do not pass. Signed by Representative Hurley.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 357, amending certain parts of the White Cane Law, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, Marzano, McDermott, Paris, Zimmerman,

Passed to Committees on Rules and Administration for second reading.

February 19, 1971.

HOUSE BILL NO. 428, providing for the reorganization of the department of general administration, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Knowles, Kraabel, Paris, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 431, establishing fee schedule for search requests, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 19 after "group" strike all the matter down to and including "(2) For" on line 23 and insert "for"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 455, providing for a population study council, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

Beginning on page 5 strike all of section 10 and renumber the remaining sections consecutively

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, McCormick, Paris, Williams.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 462, amending the code of ethics for public officials, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, McCormick, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 492, providing for abolishment of the administrative board, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, McCormick, Paris, Spanton, Williams.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 493, pertaining to assessment of leasehold estates, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 4, line 25 after "council" and before "shall" insert "in conjunction with the department of revenue"

On page 2, section 4, line 28, after "to the" strike the remaining language including "legislature" and insert "legislature, not later than the next regular session"

On page 2, after line 28 insert:

"NEW SECTION. Sec. 5. A state agency, municipal corporation, or political subdivision (hereinafter referred to as "public lessor") which has entered into, prior to the effective date of this act, as lessor, a lease of real or personal property (including any permit, concession agreement or other type of agreement essentially comparable to a lease) may agree to a modification of the provisions of such lease in order to allow, in whole or in part, the absorption by the public lessor of any property tax imposed upon the leasehold interest,

if the lessee agrees to a suitable modification of the provisions of such lease with respect to the duration or other terms of such lease for the benefit of the public lessor; and for the purpose of allowing such modifications with respect to the duration of the lease a public lessor is authorized, if it finds it to be beneficial to itself, to extend the term of such lease for a period not to exceed five years beyond any otherwise applicable statutory limitation.

**NEW SECTION.** Sec. 6. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining section consecutively.

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Julin, King, Kuehnle, Marzano, Pardini.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 562, increasing fees for safe wiring labels, reported by Committee on Labor and Employment Security.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Hubbard, Chairman, Hatfield, Vice Chairman, Charette, Charnley, Curtis, Grant, Johnson, Savage, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 564, relating to materialmen's and mechanics' liens and registered or licensed contractors or subcontractors, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 12 after "RCW" insert "or licensed under chapter 19.28 RCW"

On page 2, section 1, line 16 after "registration" insert "or license issued pursuant to chapter 19.28 RCW"

On page 2, section 2, lines 24-26 after "property," on line 24 strike everything through "registration" on line 26 and insert "or his agent, [contractor or subcontractor]"

On page 2, section 2, lines 29-31, beginning with "his" on line 29 strike everything through "registration" on line 31 and insert "or his agents, [contractor or subcontractor]"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Hubbard, Marsh, Rosellini, Shipoch.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 566, relating to state funds and accounts and motor vehicle fees, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 5, after "[nine]" strike "eleven dollars and forty" and insert "ten dollars and fifty-five [forty]"

On page 4, section 7, line 25, after "account]" strike "for the policing of public highways"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Bozarth, Bradley, Conner, Conway, Copeland, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Martinis, McCormick, Newhouse, Perry.

MINORITY recommendation: Do not pass. Signed by Representatives Blair, Charnley, Douthwaite, Jones, Kraabel, Rabel.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 597, adding an eighth member to the mobile home and recreation vehicle advisory board, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, line 31 beginning with "of twenty-five" strike everything through "Washington" on page 3, line 1 and insert "[of twenty-five dollars for each day or portion thereof that the board is in session and each member shall receive in addition thereto his necessary and reasonable transportation and other expenses recognized by the state of Washington] in accordance with RCW 43.03.050 and mileage in accordance with RCW 43.03.060"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, O'Brien, Pardini, Perry, Polk, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE BILL NO. 604, implementing law relating to the state advisory council on vocational education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Benitz, Vice Chairman, Bottiger, Douthwaite, Gladder, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 707, providing that counties may transfer mental health funds to the state in order to obtain federal matching funds, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, Marzano, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 734, regarding duties of the personal representative and appraiser in probate, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 24 after "thereon" strike the colon and insert "; (5) Any account receivable, contract receivable, or other cash entitlement, where valued at the full remaining balance thereon, including but not limited to entitlements of the estate under retirement or pension plans, and cash surrender and face value of life insurance:"

On page 3, section 3, line 14 after "thereon" strike the period and insert "; (e) Any account receivable, contract receivable, or other cash entitlement, where valued at the full remaining balance thereon, including but not limited to entitlements of the estate under retirement or pension plans, and cash surrender and face value of life insurance."

On page 3, section 3, line 16 after "(1) (c)," strike "and (1) (d)" and insert "(1) (d) and (1) (e)"

On page 3, section 3, line 23 after "(1) (c)," strike "and (1) (d)" and insert "(1) (d) and (1) (e)"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Hubbard, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 875, permitting certain minor employees of class H license holders to serve and sell liquor, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 12 after "public" strike ", including the performance of their work in rooms or areas"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Bagnariol, Ceccarelli, Gallagher, Gladder, Hatfield, Jastad, Juelling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 986, specifying a uniform method of determining fees for physician and dentist services purchased by the department of social and health services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 8 after "health care practitioners" strike "in the state"

On page 1, section 1, line 14 after "all" insert "providers of"

Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conner, Conway, Eikenberry, Jastad, Kirk, Lynch, Marsh, Marzano, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 22, 1971.

HOUSE CONCURRENT RESOLUTION NO. 8, authorizing a study to determine the feasibility of consolidating community college districts, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Bluechel, Douthwaite, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE CONCURRENT RESOLUTION NO. 11, directing a study of public services, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 24 after "that the" strike "Office of Program Planning and Fiscal Management" and insert "Legislative Budget Committee"

On page 1, line 25 after "with the" strike "Legislative Budget Committee" and insert "Office of Program Planning and Fiscal Management"

On page 2, line 8 after "That the" strike "Office of Program Planning and Fiscal Management" and insert "Legislative Budget Committee"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Ceccarelli, Eikenberry, Haussler, Hurley, Julin, King, Kuehnle, Randall.

Passed to Committee on Rules and Administration for second reading.

### MESSAGES FROM THE GOVERNOR

Office of the Governor, February 22, 1971.

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.  
LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bill, entitled:

HOUSE BILL NO. 130: Authorizing the state treasurer to cash certain checks for state officers and employees.

Sincerely,  
CHARLES B. WIGGINS  
Legislative Counsel.

### MESSAGES FROM THE SENATE

February 24, 1971.

Mr. Speaker: The Senate has passed:

SENATE BILL NO. 45,

SENATE BILL NO. 126,

ENGROSSED SENATE BILL NO. 136,

SENATE BILL NO. 260,

SENATE BILL NO. 270,

ENGROSSED SENATE BILL NO. 273,

SENATE BILL NO. 302,

ENGROSSED SENATE BILL NO. 394,

SENATE BILL NO. 496,

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 9, and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

### MOTION

Mr. Litchman moved that the rules be suspended, SENATE BILL NO. 45 be advanced to second reading and read the second time.

### RULING BY THE SPEAKER

The Speaker: "Your motion is out of order, Mr. Litchman. The bill is not before us. The Message from the Senate, stating the Senate has passed the bill, has just been read in."

### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1035, by Representatives Gallagher, O'Brien, Adams and Savage:

An Act relating to property taxes; limiting annual increases in levy to twenty percent of previous year's levy; and adding a new section to chapter 174, Laws of 1965 ex. sess. and to chapter 84.56 RCW.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 1036, by Representatives Kraabel, North, Kopet, Pardini, Blair and Smythe:

An Act relating to revenue and taxation; deferring property taxes for certain persons and creating a lien; adding a new chapter to Title 84 RCW; and prescribing an effective date. Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 48, by Representatives Gallagher and O'Brien: Providing for assessment of certain property at ten percent; of certain other property at twenty percent.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 49, by Representatives Kuehnle, Bagnariol, Gallagher, Curtis, Backstrom, Jueling, Perry, Gladder, Hatfield and Randall:

Proposing constitutional amendment authorizing lotteries.

Referred to Committee on Business and Professions.

SENATE BILL NO. 45, by Senators Durkan, Foley, Guess and Sandison:

An Act relating to revenue and taxation; amending section 1, chapter 132, Laws of 1967 ex. sess. as amended by section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; amending section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; and prescribing an effective date.

#### MOTION

Mr. Litchman moved that the rules be suspended, Senate Bill No. 45 be advanced to second reading and read the second time.

Mr. Anderson demanded an electric roll call, and the demand was sustained.

Mr. Litchman spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Litchman yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Mr. Litchman, do you know when this bill would take effect if passed?"

Mr. Litchman: "This particular bill? This bill could take effect actually right away, with an emergency clause on the bill, Mr. Bledsoe."

Mr. Bledsoe: "Further, do you know when it would have an impact on the taxes?"

Mr. Litchman: "Actually it wouldn't apply to anybody this year. There isn't anything we can do about that in this particular bill. It will help the people, of course, the next term around."

Mr. Bledsoe: "Mr. Speaker, ladies and gentlemen: Speaking against the motion, the gentleman by his own statement has probably established the time table on this. We got your message yesterday, Mr. Litchman, the day before, and the day before, of your concern for these people. Your concern is shared on this side of the aisle, I assure you. You are also on notice from Mr. Flanagan, the chairman of this committee, whose word is good as gold in these halls, that this entire measure of exemption will be discussed and discussed rationally and put into focus. For this reason, with some regret I must oppose your motion to suspend the rules and place this on the calendar before us immediately."

Representative Sawyer spoke in favor of the motion by Mr. Litchman.

#### ADMONITION BY THE SPEAKER

The Speaker: "The House will come to order. The galleries must refrain from any demonstrations, or you will be cleared from the galleries."

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Litchman to suspend the rules and advance Senate Bill No. 45 to second reading, and the motion was lost by the following vote: Yeas, 55; nays, 43; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Douthwaite, Gallagher, Grant, Hansey, Haussler, Hurley, Jastad, Johnson, Kilbury,

King, Knowles, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, North, O'Brien, Paris, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shinpoch, Smith, Thompson, Van Dyk, Williams, Wojahn—55.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, Pardini, Polk, Rabel, Shera, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—43.

Absent or not voting: Representative Luders—1.

Senate Bill No. 45 was referred to Committee on Revenue and Taxation.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 126, by Senator Dore:

An Act relating to nonprofit corporations; amending section 3, chapter 235, Laws of 1967 and RCW 24.03.010; and adding a new section to chapter 235, Laws of 1967 and to chapter 24.03 RCW.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 136, by Senators Henry and Huntley:

An Act relating to emergency vehicle equipment; amending section 46.37.190, chapter 12, Laws of 1961 as last amended by section 5, chapter 100, Laws of 1970 ex. sess. and RCW 46.37.190; amending section 46.37.187, chapter 12, Laws of 1961 and RCW 46.37.187; and amending section 46.37.185, chapter 12, Laws of 1961 and RCW 46.37.185.

Referred to Committee on Transportation.

SENATE BILL NO. 260, by Senators Greive, Stender and Francis:

An Act relating to workman's compensation; extending coverage to additional occupations; amending section 51.12.010, chapter 23, Laws of 1961 and RCW 51.12.010; and amending section 51.12.020, chapter 23, Laws of 1961 and RCW 51.12.020.

Referred to Committee on Labor and Employment Security.

SENATE BILL NO. 270, by Senators Greive, Talley, and Stender:

An Act relating to water districts; providing for the withdrawal of water districts located within a city or town; and adding a new chapter to Title 57 RCW.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 273, by Senators Elicker, Odegaard and Gardner (by Joint Committee on Governmental Cooperation request and by Departmental request):

An Act relating to minors; authorizing consent for drug or alcohol abuse care by minors aged fourteen years and older; and creating a new section.

Referred to Committee on Social and Health Services.

SENATE BILL NO. 302, by Senators Elicker, Clarke and Herr (by Departmental request):

An Act relating to public documents, records, and publications; and amending section 7, chapter 246, Laws of 1957 and RCW 40.14.070.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 394, by Senators Durkan, Peterson (Lowell), Canfield, Woodall and Ridder:

An Act relating to state government; and establishing the Washington commission on Mexican-American affairs.

Referred to Committee on State Government.

SENATE BILL NO. 496, by Senators Gissberg and Woodall:

An Act relating to homesteads, including awards in addition to or awards in lieu thereof; amending section 24, chapter 64, Laws of 1895 as last amended by section 1, chapter 29, Laws of 1955 and RCW 6.12.050; amending section 11.52.010, chapter 145, Laws of 1965 as amended by section 12, chapter 168, Laws of 1967 and RCW 11.52.010; amending section 11.52.020, chapter 145, Laws of 1965 as amended by section 13, chapter 168, Laws of 1967 and RCW 11.52.020; and amending section 11.52.022, chapter 145, Laws of 1965 and RCW 11.52.022.

Referred to Committee on Judiciary.

#### MOTION

On motion of Mr. Bledsoe, the House advanced to the tenth order of business.

#### THIRD READING

ENGROSSED HOUSE BILL NO. 675, by Representatives Bauer, Costanti and Kilbury:

Providing for producer-handlers on commodity boards.

Engrossed House Bill No. 675 was read the third time and placed on final passage.

Representative Bauer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 675, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker--97.

Absent or not voting: Representatives Luders, Ross--2.

Engrossed House Bill No. 675, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 166, by Representatives Bottiger, Wolf, Gallagher, Backstrom, Barden, Brouillet, Ceccarelli, Hoggins and Litchman:

Requiring persons assessing real property to meet certain standards of training and experience and pass an examination.

Engrossed House Bill No. 166 was read the third time and placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 166, and the bill passed the House by the following vote: Yeas, 95; nays, 3; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel,



Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representatives Hubbard, Spanton, Wanamaker—3.

Absent or not voting: Representative Luders—1.

Engrossed House Bill No. 166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 324, by Representatives Cunningham, Luders, Bluechel and Bauer (by Departmental request):

Providing for the licensing of domestic waste treatment plant operators.

Engrossed House Bill No. 324 was read the third time and placed on final passage.

Representative Cunningham spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 324, and the bill passed the House by the following vote: Yeas, 92; nays, 6; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie; May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Gladder, Harris, Hatfield, Kuehnle, Smith, Spanton—6.

Absent or not voting: Representative Luders—1.

Engrossed House Bill No. 324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 362, by Representatives Hubbard, Charette, Julin and Bottiger:

Providing that the rule against perpetuities applies to all trusts.

House Bill No. 362 was read the third time and placed on final passage.

Representative Hubbard spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 362, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Luders—1.

House Bill No. 362, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 386, by Representatives Merrill, Zimmerman, Wolf, Bledsoe and Charnley:

Designating a state rock and state gem.

House Bill No. 386 was read the third time and placed on final passage.

Representative Merrill spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 386, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representatives Gladder, Hatfield—2.

Absent or not voting: Representatives Eikenberry, Luders—2.

House Bill No. 386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 401, by Representatives North, Thompson, Newhouse, Curtis, Gilleland and Smythe:

Requiring charge of fees for use of state parks, and stating legislative intent therefor.

Engrossed House Bill No. 401 was read the third time and placed on final passage.

Representatives North and Martinis spoke in favor of the bill, and Representatives Hoggins and Lysen spoke against it.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Lysen.

Mr. Lysen: "What I intended to ask Representative Martinis was if he could clarify to me that this is the case—that this will return the law under its present circumstances and that the state parks commission will have the authority to set a fee but will not be mandated to set a fee, which is the case now."

Mr. Martinis: "Representative Lysen, I would like to refer you to page 4, old subsection (6), and I would like to read it to you:

"The commission may:

"(6) Charge such fees for services, utilities, and use of facilities . . ."

"Also, I would remind Representative Hoggins that if we do not adopt this bill, then the parks and recreation commission is going to have exactly the same authority that it has now. It does not change it. It puts it back and gives them permissive authority, and this is law today. The only thing we are talking about in this bill today is new section three, pointing out the intent of the legislature. We are not giving the parks and recreation commission any additional authority whatsoever. They do now have the right to build gates and to put guards on our parks. We are just reaffirming our stand and saying that we want them to set the fees. If they feel it is necessary to set day user fees on our parks, then they should do so. This law is law today, whether we pass this bill or not."

Mr. Lysen spoke again in opposition to the bill.

## ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I might point out to the members of the House that my hesitation on asking Mr. Martinis to yield was based on the fact that Mr. Lysen had been recognized for the purpose of making remarks. He did not ask originally to be recognized for the purpose of asking another member to yield he did so in the middle of his remarks. I would ask that the members ask to be recognized for one purpose or the other. If they ask another member to yield to question, then they can be recognized for further remarks thereafter, but please refrain from using both and engaging in debate in the middle of speeches."

Representative King spoke in favor of passage of the bill, and Mr. Mentor spoke against it.

## POINT OF ORDER

Mr. Savage: "Point of order. On the point that we should only have a person submit to a question in the beginning, I want to point out we have been using the wrong term. The person who has the floor is the one who is doing the yielding. If he has ten minutes to speak, he has to yield a minute or whatever time the person takes to answer. So the person answering the question is really submitting to a question. It is the speaker on the floor who is yielding time. I think the speaker should be able to yield that time any time he wishes, and the other person should be able to submit to a question and answer it if he likes. I think the time belongs to the person who has the time to speak and he really is the one who is yielding it. We should be using the term, 'Would the other gentleman submit to a question.' I suggest, Mr. Speaker, that the time is in the hands of the one who has the time on the floor. If he doesn't have some time left in the ten minutes or whatever time he has, then he couldn't ask someone to submit because he wouldn't have time to yield. But if he does have time, he ought to be able to use it any way he wishes."

Mr. Van Dyk spoke against passage of the bill.

Mr. Newhouse demanded the previous question.

## PARLIAMENTARY INQUIRY

Mr. Beck: "Mr. Speaker, I have listened to all this debate on the floor of the House here for the last 15 or 20 minutes and they tell me I am just voting on something to give permission to nonprofit groups to attend parks free. My bill doesn't say this. My book does not have any amendment. What am I voting on?"

The Speaker: "The question before the House is . . ."

Mr. Beck: "Point of information. I don't know what I am voting on, Mr. Speaker."

The Speaker: "Well, the question before the House right now, Mr. Beck, is the motion to close debate. Otherwise the question before the House is Engrossed House Bill No. 401 on final passage."

Mr. Beck: "Well, is my point well taken? I do not have any amendments in my bill book. My book says the parks commission shall charge fees for services. Now what are we voting on? I would like to know before I cast a vote. My book does not have any amendments in it, nor does anybody else's from what I hear. Now what are we voting on?"

## MOTION

Mr. O'Brien moved that further action on Engrossed House Bill No. 401 be deferred until the amendments are placed in the books by the Chief Clerk.

The Speaker: "The demand for the previous question is of higher rank. Once that motion is disposed of, the Chair will rule that a motion to defer further action, that is to defer the final vote on the bill, would then be in order."

The demand for the previous question was not sustained.

## MOTION

Mr. O'Brien moved that further action on Engrossed House Bill No. 401 be deferred until the amendments are placed in the books by the Chief Clerk.

The Speaker: "I am advised by the Clerk that the amendments are at the printer's and they should be placed in the books tonight. With your permission, Mr. O'Brien, I will place the question that further action on Engrossed House Bill No. 401 be deferred and it take its place at the top of tomorrow's third reading calendar."

The motion was carried, and further consideration of Engrossed House Bill No. 401 was deferred and the bill was ordered placed at the top of tomorrow's third reading calendar.

ENGROSSED HOUSE BILL NO. 412, by Representatives Merrill and Smythe:  
 Requiring metal dealers to keep certain records.  
 Engrossed House Bill No. 412 was read the third time and placed on final passage.  
 Representative Merrill spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 412, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Schumaker—1.

Absent or not voting: Representative Luders—1.

Engrossed House Bill No. 412, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 523, by Representatives Marsh, Kopet, Haussler and Bauer:

Authorizing safety awards for county employees.

Engrossed House Bill No. 523 was read the third time and placed on final passage.

Representative Marsh spoke on favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 523, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Luders—1.

Engrossed House Bill No. 523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 543, by Representatives Wolf, Smythe, Pardini, Lynch, Mentor, Jueling, Conway and Backstrom:

Changing motor vehicle excise tax collection and distribution provisions.

Engrossed House Bill No. 543 was read the third time and placed on final passage.

Representative Wolf spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 543, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozárth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-97.

Voting nay: Representative Grant-1.

Absent or not voting: Representative Luders-1.

Engrossed House Bill No. 543, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 572, by Representatives King, Lynch and Grant:

Providing that no factoring charges are allowed if credit cards are honored for payment of tuition and fees at state colleges and universities.

Engrossed House Bill No. 572 was read the third time and placed on final passage.

Representative King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 572, and the bill passed the House by the following vote: Yeas, 95; nays, 3; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-95.

Voting nay: Representatives Gladder, Hatfield, Kuehnle-3.

Absent or not voting: Representative Luders-1.

Engrossed House Bill No. 572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 578, by Representatives Pardini, Curtis and Wojahn:

Providing for the regulation of preneed funeral contracts.

Engrossed House Bill No. 578 was read the third time and placed on final passage.

Representative Pardini spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 578, and the bill passed the House by the following vote: Yeas, 96; nay, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, Luders, Lynch—3.

Engrossed House Bill No. 578, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 660, by Representatives Sawyer, Bagnariol and Pardini:

Exempting credit cards from small loan regulations.

Engrossed House Bill No. 660 was read the third time and placed on final passage.

Mr. Bagnariol spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Moon.

Mr. Moon: "Will this in any way allow an interest or service rate in excess of one percent per month to be charged to any user of a credit card?"

Mr. Bagnariol: "No, this does not change the interest in any way, shape or form. The interest is governed by other statutes as to what can be charged."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 660, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Chamley, Grant—2.

Absent or not voting: Representatives Bledsoe, Luders, Lynch—3.

Engrossed House Bill No. 660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Morrison, the House reverted to the ninth order of business.

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Clerk called the roll and all members were present except Representative Bagnariol.

## SECOND READING

HOUSE JOINT RESOLUTION NO. 3, by Representatives Amen, Benitz, Bledsoe, Bozarth, Curtis, Farr, Gladder, Goldsworthy, Haussler, Lynch, Paris, Shera, Smythe, Spanton, Wanamaker and Wolf:

Limiting property taxes to one percent of true value.

The resolution was read the second time.

The Speaker requested the Clerk to read an amendment by Representative Kiskaddon to page 1, line 13.

## POINT OF INQUIRY

Mr. Kiskaddon: "Mr. Speaker, would it be possible to consider my two amendments as one?"

The Speaker: "I am sorry, Mr. Kiskaddon, we do have an intervening floor amendment beginning on line 14. However, we will permit you some latitude in your remarks in discussing the first amendment and the effect of the second amendment as well."

## POINT OF INFORMATION

Mr. Sawyer: "I think that my amendment is on line 14. I have no objection, if you wish to consider my amendment after Mr. Kiskaddon's amendments, with the consent of the House."

The Speaker stated that with the consent of the House, Mr. Kiskaddon's two amendments would be considered as one.

Mr. Kiskaddon moved adoption of the following amendments:

On page 1, line 13, after "one" and before "per centum" insert "and one-half"

On page 1, line 16, before the period after "public utility district" insert "PROVIDED FURTHER, That not less than five thousand dollars of the true and fair value of the total taxable property of each individual taxpayer shall be deducted from the total value of such property and shall not be subject to ad valorem taxation: AND PROVIDED FURTHER, That 'business inventories' as defined by law shall not be subject to ad valorem taxation"

Representatives Kiskaddon and Brown spoke in favor of the amendments, and Representatives Flanagan, Bottiger, Litchman and Haussler spoke against them.

Mr. Kiskaddon closed debate, speaking in favor of adoption of the amendments.

Mr. Litchman demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments to lines 13 and 16, House Joint Resolution No. 3, by Representative Kiskaddon, and the amendments were not adopted by the following vote: Yeas, 11; nays, 86; absent or not voting, 2.

Voting yea: Representatives Blair, Bluechel, Brown, Conner, Grant, Hubbard, Kiskaddon, North, Ross, Savage, Shipoch—11.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Knowles,

Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Absent or not voting: Representatives Bagnariol, Chatalas—2.

Mr. Sawyer moved adoption of the following amendment by Representatives Sawyer and Adams:

On page 1, section 2, line 14 after "money" and before the colon insert "*as defined by the legislature*"

Representatives Sawyer and Bottiger spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Wolf.

Mr. Wolf: "I think I agree with the amendment, so I can't speak to it until after you answer this question. Would this let the legislature assess the land?"

Mr. Bottiger: "No, Mr. Wolf, it wouldn't. It would allow us to define. Mr. Sawyer's amendment reads, 'as defined by the legislature,' what true and fair market value means. It would allow us to direct the department of revenue and the assessors to discount contract sales by twenty percent if they are using them for comparables. Right now we can't do that."

Mr. Wolf: "But couldn't we also by definition define farmland as that land worth \$50.00? From the legislative end couldn't we do away with elected assessors?"

Mr. Bottiger: "It has been pointed out that they are not a constitutional office and we can do it anyway, but I know that is not what you meant. I would have to answer, conceivably yes. The legislature could set up farmland as being worth \$50.00. I don't think that is ever going to happen."

Mr. Wolf: "I am confused. Next question: Are there any present definitions by the legislature of true and fair value?"

Mr. Bottiger: "None that I have found, and Representative Sawyer who has worked on this problem with me hasn't found any."

Representatives Harris, Pardini, Flanagan and Amen spoke against adoption of the amendment by Representatives Sawyer and Adams, and Representatives Sawyer and Perry spoke in favor of the amendment.

Mr. Anderson demanded an electric roll call, and the demand was sustained.

Mr. Litchman spoke in favor of adoption of the amendment by Representatives Sawyer and Adams to House Joint Resolution No. 3.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Smythe.

Mr. Smythe: "Mr. Bottiger, you made some comment about zoning, etc. At the moment, I am kind of like Representative Wolf—a little confused. I am inclined to think you may have something here though. We have, in many counties, zoning, as well as restrictions set up now by the department of ecology, whereby you can have several pieces of property that you are unable to develop until you have sewers, drainage systems installed and such. Yet at the moment the assessors are assessing them at development price. Now my question is (and I am concerned about this because more and more we have these situations): Without this amendment, we can do nothing statutorily, correct? And yet with it, will it allow us to set up some of these provisions to exclude this kind of thing?"

Mr. Bottiger: "Representative Smythe, in the language of our youth, you are right on. To give you an example, the state health department no longer permits septic tanks in Parkland, where I am from. And yet the assessor is required by Mr. Kinneer's office to assess that community on comparable sales of developed property where they can have septic tanks. Representatives Sawyer, Gallagher, Brouillet and I have had to tell our people there isn't anything we can do about it. This would permit the legislature to direct the assessor to consider zoning, percolation tests, use all of the rest of the criteria that reflects the value of that property and the ability to sell and develop it. This is exactly why we have offered this amendment."

Representative Smythe spoke in favor of the amendment, and Representative Bledsoe spoke against it.



## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Sawyer and Adams to House Joint Resolution No. 3, and the amendment was adopted by the following vote: Yeas, 68; nays, 30; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Blair, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Conner, Conway, Copeland, Cunningham, Douthwaite, Farr, Gallagher, Gladder, Grant, Hansey, Haussler, Hoggins, Hurley, Jastad, Johnson, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, O'Brien, Paris, Perry, Randall, Rosellini, Savage, Sawyer, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—68.

Voting nay: Representatives Amen, Benitz, Berentson, Bledsoe, Bluechel, Brown, Costanti, Curtis, Eikenberry, Flanagan, Gilleland, Goldsworthy, Harris, Hatfield, Hubbard, Jones, Julin, Kopet, Kuehne, Lynch, Morrison, Newhouse, North, Pardini, Polk, Rabel, Ross, Schumaker, Smith, Mr. Speaker—30.

Absent or not voting: Representative Chatalas—1.

## PERSONAL PRIVILEGE

Mr. Newhouse: "I would like to point out that this bill has been on the calendar for almost a week, and this is an important bill. It is a proposed constitutional amendment. This amendment came on the desk rather late. It was not circulated on our desks and should have been. I would ask members of the House, if they make such a substantial amendment, even though short in words, that the amendment be circulated on the floor of the House for each member to see before it comes up for debate."

## PERSONAL PRIVILEGE

Mr. Sawyer: "This amendment went on the desk the same day, and the first day, we were ready to consider the measure. So it has been there two or three days, however long the bill has been before us. So I think it has been available."

Mr. Copeland moved adoption of the following amendment:

On page 2, line 5 after "election" and before the semicolon insert "*PROVIDED, That the aggregate of all such additional tax levies authorized pursuant to this subsection upon real and personal property by all taxing districts now existing or hereafter created shall not in any year exceed one per centum of the true and fair value of such property in money*"

Mr. Sawyer moved adoption of the following amendment to the amendment by Mr. Copeland:

Amend the amendment by Mr. Copeland as follows:

Following "money" and before the semicolon, insert "*PROVIDED, FURTHER, That this limitation shall not apply to levies for emergency capital outlays*"

Mr. Sawyer spoke in favor of the amendment to the amendment. Mr. Copeland stated he had no objection to the amendment to the amendment but suggested a slight clarification.

## POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Litchman.

Mr. Litchman: "Mr. Copeland, I believe this is relevant. What is the extent of the loss of revenue if your amendment, with or without Mr. Sawyer's amendment, is adopted? Do you have any idea as to the fiscal impact of your amendment?"

Mr. Copeland: "I think it would be out of order to discuss that now while the question is Mr. Sawyer's amendment. However, the information we got was that at the time of the effective date, the effect of my amendment would be zero in school districts."

The amendment by Mr. Sawyer to the amendment by Mr. Copeland to House Joint Resolution No. 3 was not adopted.

The Speaker stated the question before the House to be the amendment by Mr. Copeland.

Mr. Copeland spoke in favor of adoption of the amendment, and Mr. Brouillet spoke against it.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

Representatives Brown, Haussler and Charette spoke against adoption of the amendment, and Representatives Bledsoe and Barden spoke in favor of the amendment by Mr. Copeland.

Mr. Newhouse demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Copeland to House Joint Resolution No. 3, and the amendment was lost by the following vote: Yeas, 35; nays, 63; absent or not voting, 1.

Voting yea: Representatives Amen, Barden, Bledsoe, Conner, Conway, Copeland, Costanti, Curtis, Eikenberry, Farr, Flanagan, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Kirk, Kopet, Lynch, Lysen, Marsh, Mentor, Morrison, Newhouse, North, Pardini, Paris, Smith, Smythe, Spanton, Van Dyk, Wanamaker, Wolf, Zimmerman, Mr. Speaker—35.

Voting nay: Representatives Adams, Anderson, Backstrom, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cunningham, Douthwaite, Gallagher, Gilleland, Grant, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kraabel, Kuehne, Litchman, Luders, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Thompson, Williams, Wojahn—63.

Absent or not voting: Representative Bagnariol—1.

Mr. Hoggins moved adoption of the following amendment:

On page 2, after subsection (c) add a new paragraph to read as follows:

*"Any person over the age of sixty-five with an income less than the state average per capita income shall be exempt from all special school levies."*

Mr. King moved adoption of the following amendment to the amendment by Mr. Hoggins:

Amend the amendment by Mr. Hoggins as follows:

In the first line of the amendment, following "with" strike "an" and insert "a taxable"

Mr. King spoke in favor of the amendment to the amendment, and Mr. Litchman spoke against it.

The amendment by Mr. King to the amendment by Mr. Hoggins to House Joint Resolution No. 3 was not adopted.

The Speaker stated the question before the House to be the amendment by Mr. Hoggins.

Mr. Hoggins spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Amen.

Mr. Amen: "What would the fiscal impact of this be?"

Mr. Hoggins: "On the general fund or the school district?"

Mr. Amen: "The total fiscal impact."

Mr. Hoggins: "You are asking for a dollar amount. In this case, I can relate it to my own particular community. Right now the special levy is 38 mills. We are talking over 100 mills so we are talking about a 38 percent reduction in the property tax for these citizens. Applied to the millage, this would probably have the effect of spreading it over those of us who are in the wage-earning part of our careers. So the fiscal impact is not a deduction from any local school account, but it would have the effect of spreading it over. Therefore you cannot say that there is a fiscal impact to this amendment."

Mr. Amen spoke against adoption of the amendment.

## POINT OF INQUIRY

Mr. Litchman yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Litchman, you are a former majority floor leader of the House of Representatives. You studied taxation for a long time in our state. You are recognized not only within your district but statewide. Recently you had an amendment similar to Mr. Hoggins' amendment offered here today. What is your reaction now to Mr. Hoggins' position relative to the relief to the elderly?"

Mr. Litchman: "Thank you, Mr. O'Brien. I would like to respond to that question because it is apropos. I have the voting record here when we attempted to do the same thing Mr. Hoggins is doing to the constitutional amendment. Ours was to House Bill No. 150, and as I recall, the majority of Republicans voted against giving the elderly some relief. However, on the floor of the House I must admit that the Republicans have learned a lot in the past few days. Maybe the press pressured them a little.

"I would like to have you endorse this particular amendment because this is what the people need. As I stated here before, there are some 60,000 people in Lois North's district that have received a negative answer from her and an affirmative one from our side. Today they want to hear about what is going to happen to the future school levies. As many of you know, the elderly have almost been forced out of their homes in our district. Some will be forced out in the future. If this amendment passes these elderly people, of course, won't be affected whatsoever by school levies. Those of us who want to support a school levy, to provide additional curriculum, additional schools, better qualified teachers for those who need it, can.

"I'd like to point out before I close that I have a piece of property in Lake Forest Park, and when you worry about taxes, just remember we pay 136 mills in that particular area. It happens to be a swampland. You can't put anything on it, yet the taxes are fantastically high. I have yet to complain, because I know the people there drastically need schools. I am afraid that if this amendment doesn't pass you people here would, in a way, be hurting the future school systems of the state because the elderly people, who are going to be affected by school taxes, aren't going to go out and vote for more.

"This is the type of amendment on which we need your support. I would like to emphasize in closing that in the past, one hundred percent of all Democrats here supported this amendment to House Bill No. 150, and I am waiting for the Republicans to voice their approval of Mr. Hoggins' amendment."

## POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Smythe.

Mr. Smythe: "Representative Amen has mentioned Article VII, section 10, of the State Constitution, that does allow us to provide for such things as you have offered here within the statute. When I consider what you are doing, in putting this within the Constitution, three or four concerns come to my mind. One, you have set 65 years. Who is to say that a year from now, or two years from now or three years from now, you don't want to deal with 65. You want to deal with 62 or 60 or 58. Or you might want to get down to my age—33. You have another concern, where you have the aged rent payers. More and more I am talking to people who are renting the little duplexes, (not just low cost housing because those rents aren't that high at this point) apartments, and small older houses and such, where the owners of the property are paying the tax levies, and they go up annually in their rent. So you are discriminating here. You are saying that the 65-year-old who is paying his own levy, out of his own pocket directly, is going to be exempt, but the many people who will be paying it through their rent will have no provision made for them. Yet they have the same problem—limited incomes and yet paying out so much a month. You also have not taken care of the problem that the other taxpayers will face, and that is—what are you going to do about the votes that these people can continue to cast on behalf of levies, yet without any consideration of what it will do to the other taxpayers who we are also crying for out here as we discuss legislation. I would just like to see you respond to those please."

Mr. Hoggins: "Yes, Mr. Speaker, Mr. Smythe: If I am correct in my interpretation of the present law and the Constitution, we have no way of exempting property owners from special levies. We are permitted to give them dollar amount exemptions. The most we have seen fit to give retired people is the fifty dollar amount. Now admittedly, the amendment I offer doesn't deal with those people who are presently renting. But let me suggest that one of the reasons these people aren't in their own homes was that they couldn't afford the homes that they bought and paid for. They were forced out of their homes and forced into rented facilities. This is one way that you can meet with the welfare requirements, etc. Now speaking to your last question about whether or not you have to own property in this state to vote, I think we have had this established as the law of the land for a long time, that we don't make owning a special requirement of whether or not to vote. Your vote counts as being a citizen. We don't require you to be in a certain occupation. We don't require you to own property. We say by virtue of your birthright you are a free citizen in this society. I wouldn't want to do anything that would change that. Sure, maybe somebody won't pay the property tax because they are renting, but that also applies to those who do not own property, and I don't think we want to make that kind of an exemption."

## POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Shera.

Mr. Shera: "Mr. Hoggins, the way I read the language of this amendment, it says: 'Any person over the age of sixty-five with an income less than the state average per capita income . . .' has these certain exemptions. What happens in the case of a married couple where their property tax bill is addressed to Mr. and Mrs. Dale Hoggins? Does that mean then that provided they are both over 65, that they could have a total family income under present averages of \$7,800 and also a \$10,000 exemption on their property valuation, which would double the fiscal impact? Could you comment on that?"

Mr. Hoggins: "Yes. First of all, I would think that under our community property laws that the income that comes into a family at any age would be considered equally divided between the two. We are talking about people on limited incomes, and most of those don't reach this \$3,923 figure, so I think your question is very academic. My interpretation would be that because of our community property laws, you file a joint return."

Mr. Shera spoke against adoption of the amendment.

## POINT OF INQUIRY

Mr. Hoggins yielded to question by Mrs. Hurley.

Mrs. Hurley: "Mr. Hoggins, I wonder how your amendment would fit in with the constitutional provision that all property should be taxed in like manner. Would this be taxing in like manner?"

Mr. Hoggins: "Yes, it would be taxing in like manner, except you are providing an exemption for those who are 65 and have an income that matches the per capita income."

Mr. Anderson demanded an electric roll call, and the demand was not sustained.

The Speaker stated the question before the House to be the amendment by Mr. Hoggins to House Joint Resolution No. 3.

The amendment by Mr. Hoggins was lost on a rising vote.

House Joint Resolution No. 3 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 3 was placed on final passage.

Mr. Amen spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 3, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojana, Wolf, Zimmerman, Mr. Speaker—99.

Engrossed House Joint Resolution No. 3, having received the constitutional majority, was declared passed.

## NOTICE OF RECONSIDERATION

Mr. Julin served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Joint Resolution No. 3 passed the House.

MOTION

Mr. Perry moved to amend Mr. Julin's motion and that the House reconsider Engrossed House Joint Resolution No. 3 immediately.

The Speaker: "There is no motion before us, Mr. Perry. Mr. Julin simply served notice that he would make such a motion tomorrow."

MOTION FOR RECONSIDERATION

Mr. Sawyer, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed House Joint Resolution No. 3 passed the House.

MOTION

On motion of Mr. Bledsoe, the House adjourned until 11:00 a.m., Friday, February 26, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

FORTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 26, 1971.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representative Smythe who was excused.

The Speaker assumed the rostrum.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend John G. Chatalas of the Lidgerwood Presbyterian Church of Spokane.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

REPORTS OF STANDING COMMITTEES

February 25, 1971.

HOUSE BILL NO. 32, creating a natural reserve area in the Central San Juan Islands, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1 after the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. In order to meet the needs of the state for a more comprehensive program, for preservation of a truly representative segment of its natural resources, there is hereby established the Cypress Island Preserve, which may include the entirety of Cypress Island in the San Juan Islands together with its related tidelands.

*NEW SECTION.* Sec. 2. The Cypress Island Preserve shall include all lands on Cypress Island owned or hereafter acquired by the state. It shall be managed by the state department of natural resources and maintained in its natural state for the benefit and enjoyment of all the people of the state.

*NEW SECTION.* Sec. 3. The department of natural resources shall proceed to acquire necessary private property through purchase, exchange or gift within the reserve as it becomes available. Purchase may be made by such funds as they are made available by the department: PROVIDED, That no property shall be acquired for the purposes of this act by eminent domain, except to provide reasonable access to state property.

*NEW SECTION.* Sec. 4. The full market value for trust lands used for the Cypress Island Preserve shall be determined by an independent appraisal based on the value of the timber and the value of the land. The department of natural resources shall purchase such land in the name of the department. The department shall dedicate such areas to the purposes of recreation, education, scientific research, and public benefit and enjoyment. The department of natural resources shall make available all pertinent department of natural resources managed tidelands without fee."

On line 1 of the title after "to" strike all the matter in the title and insert "natural resources and outdoor recreation; establishing the Cypress Island Preserve; and creating new sections."

Signed by Representatives Berentson, Charnley, Cunningham, Gilleland, Hansey, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Smith, Spanton, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 121, providing for licensing of airports, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, following section 2, add new sections as follows:

"*NEW SECTION.* Sec. 3. There is added to Title 14 RCW a new section to read as follows:

All airport managers shall maintain a current list of all aircraft based at such airport. The list shall include the name and address of the owner, the state registration number and the Federal Aviation Administration registration number. The list shall be open to inspection by all persons charged with enforcing the laws of this state.

*NEW SECTION.* Sec. 4. There is added to Title 14 RCW a new section to read as follows:

Notwithstanding any other provision of law the Washington aeronautics commission shall, at its discretion, withhold public moneys from any airport which does not comply with the laws of this state."

On page 1, line 2 of the title after "RCW 14.04.260;" and before "amending" strike "and"

On page 1, line 3 of the title after "RCW 14.04.270" and before the period insert "; and adding new sections to Title 14 RCW"

Signed by Representatives Curtis, Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Hatfield, Jastad, Perry, Polk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 301, providing for multiple land use for state-owned lands, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Berentson, Charnley, Conner, Cunningham, Gilleland, Hansey, Kilbury, Kraabel, Luders, Martinis, McCormick, Schumaker, Spanton, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 303, providing for forest fire protection, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 4 add new sections following section 1 as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 76.04 RCW a new section to read as follows:

Any unauthorized entry into a sealed tool box shall constitute a gross misdemeanor.

*NEW SECTION.* Sec. 3. There is added to chapter 76.04 RCW a new section to read as follows:

No person shall dump mill waste, chips, sawdust or forest debris of any kind, on forest or range lands located in this state, without first obtaining a written permit issued by the department of natural resources on such terms and conditions determined by the department pursuant to rules and regulations enacted to protect forest lands from fire. Said permit must be obtained in addition to any and all other permits required by law. Any

person who dumps any mill waste, chips, sawdust, or forest debris without a required permit, or in violation of a permit, shall be guilty of a gross misdemeanor and upon conviction shall be subject to a fine of not less than two hundred fifty dollars and not more than one thousand dollars, and may further be required to remove all materials dumped in violation of this act."

On line 1 of the title after "protection;" strike all the matter in the title and insert "amending section 2, chapter 12, Laws of 1965 ex. sess. and RCW 76.04.251; adding new sections to chapter 76.04 RCW; and prescribing penalties."

Signed by Representatives Berentson, Charnley, Conner, Cunningham, Gilleland, Hansey, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Spanton, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 399, limiting release of information by department of motor vehicles, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, section 7, line 17 after "there is" strike all the matter down to and including "available" on line 21 and insert "reasonable cause and that the use of lists will not be detrimental to the public interest, but if the director in his discretion makes such lists available, he shall keep a public record of application for such lists and an explanation of the reasons why each list was made available or denied"

On page 5, section 8, line 8 after "advertising" and before the comma insert "of commercial products or soliciting of services for a fee"

On page 5, section 8, line 11 after "record of the" strike "recipient of" and insert "applicant for"

On page 5, section 8, line 12 after "available" insert "or denied"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Cunningham, Hoggins, Knowles, Kraabel, Marzano, Paris, Williams.

MOTION

On motion of Mr. Bledsoe, House Bill No. 399 was rereferred to the Committee on Revenue and Taxation.

February 22, 1971.

HOUSE BILL NO. 430, providing for participation under the Economic Opportunity Act of state and local government, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 1 of the title after "ACT" strike "Relating to social and economic development" and insert "Authorizing participation in the programs of the Economic Opportunity Act of 1964 as amended"

Signed by Representatives Smythe, Chairman, Adams, Bauer, Blair, Brown, Gilleland, Haussler, Jones, Maxie, Mentor, Merrill, North, Rabel, Thompson.

MINORITY recommendation: Do not pass. Signed by Representatives Kuehnl, Smith.

Passed to Committee on Rules and Administration for second reading.

February 14, 1971.

HOUSE BILL NO. 440, regulating certain activities of political parties, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, May, North, Smythe.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 477, providing needed capital for investment in natural resource management on granted lands and second class tide and shore lands, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Berentson, Charnley, Conner, Cunningham, Gilleland, Hansey, Kilbury, Luders, Martinis, McCormick, North, Schumaker, Spanton, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 505, repealing the expiration of the local sales tax, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bluechel, Eikenberry, Hatfield, Haussler, Julin, Kilbury, Kuehnle, Marzano, Pardini.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 574, changing the title "precinct committeeman" to "precinct chairman", reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, May, Pardini, Smythe.

MINORITY recommendation: Do not pass. Signed by Representative Grant.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 728, pertaining to taxable status of public property when transferred to private ownerships, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bluechel, Eikenberry, Hatfield, Haussler, Hurley, Julin, Kilbury, Kuehnle, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

SENATE BILL NO. 150, specifying date for deposit of funds in outdoor recreational bond redemption fund, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bluechel, Hatfield, Julin, Kilbury, Kuehnle, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 17, establishing rules for consideration of bills, reported by Committee on Rules and Administration.

MAJORITY recommendation: Do pass as amended. Signed by Representatives Swayze, Chairman, Copeland, Vice Chairman, Bledsoe, Brouillet, Chatalas, Cunningham, Grant, Harris, Jueling, Kirk, Litchman, May, Newhouse, O'Brien, Sawyer, Wolf.

#### MOTION

On motion of Mr. Morrison, the rules were suspended, Engrossed Senate Concurrent Resolution No. 17 was advanced to second reading and read the second time.

Mr. Bledsoe moved adoption of the following committee amendment:

On page 1 strike lines 1 through 20 and insert the following:

"BE IT RESOLVED, By the Senate, the House of Representatives concurring, That commencing at 4:00 p.m. on Friday, the fifth day of March, 1971, the fifty-fourth day of the regular session, except for appropriation and revenue bills, the Senate will only consider House bills and the House will only consider Senate bills; and

BE IT FURTHER RESOLVED, That after 4:00 p.m. on Tuesday, the ninth day of March, the fifty-eighth day of the session, neither the Senate nor the House shall consider any bills except appropriation and revenue bills; and

BE IT FURTHER RESOLVED, That action on the bill under consideration at 4:00 p.m., Friday, March 5th will be completed, and that action on the bill under consideration at 4:00 p.m., Tuesday, March 9th will be completed.

BE IT FURTHER RESOLVED, That commencing at 4:00 p.m., Tuesday, March 9th, the only additional matters which will be considered by either house shall be messages pertaining to amendments, matters of differences between the Senate and House, conference and free conference reports, and matters incident and pertaining to the interim and to the closing of the business of the Forty-second Session of the Legislature.

AND BE IT FURTHER RESOLVED, That in the event the Governor shall call an Extraordinary Session of the Forty-second Legislature to be convened immediately following adjournment of the Regular Session, then immediately prior to adjournment *sine die* of this Forty-second Regular Session of the Legislature:

(1) The Senate shall transmit to the House all House bills, resolutions, and memorials in its possession which have not been passed by the Senate and upon receipt by the House of such measures, they shall be assigned to the Committee on Rules and Administration; and

(2) The House shall transmit to the Senate all Senate bills, resolutions, and memorials in its possession which have not been passed by the House and upon receipt by the Senate of such measures, they shall be assigned to the Committee on Rules and Joint Rules.

AND BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Chief



Clerk of the House of Representatives shall retain in their possession and in the status which exists upon the adjournment *sine die* of the Forty-second Regular Session, all legislative measures including all bills, resolutions, and memorials which may at that time be in their respective Houses and all records, journals, dockets, and other documents pertaining thereto."

Representatives Bledsoe and Grant spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Copeland.

Mr. Copeland: "Mr. Bledsoe, I don't have the original Engrossed Senate Concurrent Resolution No. 17 in front of me. This does not strike the language which provides that whatever subject matter is under discussion at 4:00 p.m. is completed. Is that correct?"

Mr. Bledsoe: "No, it does not, sir."

Mr. Copeland: "This is the intention, I would assume, but the question is, did you strike that language from the original Senate Concurrent Resolution?"

Mr. Bledsoe: "No, the action on the bill will be completed. That language is still there."

Mr. Copeland: "That is the point. In other words, if we are in the middle of a bill at 4:00 p.m., we will finish it."

Mr. Bledsoe: "We will finish it if it takes until four hundred p.m."

The amendment was adopted.

MOTION

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 17 as amended by the House was placed on final passage.

POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Beck.

Mr. Beck: "Mr. Bledsoe, we are working on the 47th day of this legislative session, and we have no rules yet to go by. Would you give me some information when we are going to get some rules other than these temporary rules we have been working on around here?"

Mr. Bledsoe: "Forgive me, sir, for being put in the position of having to correct you, but we do have rules of the House which were adopted early in the session."

Mr. Beck: "Joint rules, I am talking about."

Mr. Bledsoe: "Joint rules emerged from the Senate with some rather strange language in them which we are proceeding at this point to try to adjust with members of the Senate. We will have joint rules in plenty of time for when we function jointly, sir—quite possibly as soon as the day after tomorrow."

Mr. Beck: "Thank you. I'm certainly glad to see we are finally getting around to business here."

Engrossed Senate Concurrent Resolution No. 17 as amended by the House was adopted.

MOTION

On motion of Mr. Bledsoe, Engrossed Senate Concurrent Resolution No. 17 as amended by the House was ordered transmitted immediately to the Senate.

MESSAGES FROM THE SENATE

February 25, 1971.

Mr. Speaker: The Senate has passed:  
 SUBSTITUTE SENATE BILL NO. 90,  
 ENGROSSED SENATE BILL NO. 100,  
 ENGROSSED SENATE BILL NO. 137,  
 SENATE BILL NO. 321,  
 SUBSTITUTE SENATE BILL NO. 390,  
 ENGROSSED SENATE BILL NO. 391,  
 and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

February 25, 1971.

Mr. Speaker: The President has signed HOUSE BILL NO. 245, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1037, by Representatives Hoggins, Brouillet, Marsh and Bauer:

An Act relating to compulsory school attendance; excepting children attending state residential schools therefrom; amending section 28A.27.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 109, Laws of 1969 ex. sess. and RCW 28A.27.010; and making an appropriation.

Referred to Committee on Education and Libraries.

SUBSTITUTE SENATE BILL NO. 90, by Committee on Constitution, Elections, and Legislative Processes:

An Act relating to public records; amending section 1, chapter 246, Laws of 1957 and RCW 40.14.010; and creating new sections.

Referred to Committee on State Government.

ENGROSSED SENATE BILL NO. 100, by Senators Whetzel, Cooney and Peterson (Ted) (by Legislative Council request):

An Act relating to boundary review boards; amending section 9, chapter 189, Laws of 1967 as amended by section 5, chapter 111, Laws of 1969 ex. sess. and RCW 36.93.090; and adding a new section to chapter 36.93 RCW.

Referred to Committee on Local Government.

ENGROSSED SENATE BILL NO. 137, by Senators Fleming, Andersen and Stortini (by Departmental request):

An Act relating to the state treasurer; making a change in the law relating to lost instruments; and amending section 43.08.066, chapter 8, Laws of 1965 as amended by section 2, chapter 61, Laws of 1965 ex. sess. and RCW 43.08.066.

Referred to Committee on Judiciary.

SENATE BILL NO. 321, by Senators Walgren and Twigg (by Municipal Committee request):

An Act relating to state government; increasing the membership of the advisory committee on the drug control unit; and amending section 8, chapter 63, Laws of 1970 ex. sess. and RCW 43.43.660.

Referred to Committee on State Government.

SUBSTITUTE SENATE BILL NO. 390, by Committee on Judiciary:

An Act relating to courts; and amending section 4, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.040.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 391, by Senators Gissberg and Lewis:

An Act relating to boundaries and plats; and creating new sections.

Referred to Committee on Judiciary.

## RESOLUTION

HOUSE RESOLUTION NO. 71-15, by Representatives Curtis, Bozarth, Flanagan, Bledsoe and Haussler:

WHEREAS, The Washington State Apple Blossom Festival is one of the twenty festivals selected by the United States Travel Service in connection with the United States Department of Commerce as a major attraction for foreign visitors; and

WHEREAS, The apple industry has contributed immeasurably to the growth and development of the economy of this State; and

WHEREAS, The apple industry is one of the oldest industries in the State; and

WHEREAS, Twenty-five million boxes of apples are produced each year from sixty-five thousand acres of orchards; and

WHEREAS, Twenty-five percent of all apples produced in the United States are grown in Washington State; and

WHEREAS, The 1971 celebration will commemorate the fifty-second anniversary of the Washington State Apple Blossom Festival; and

WHEREAS, Queen Linda Laney and Princesses Ruth Gilbert and Peggy Shay have extended a gracious invitation to the people of Washington State to attend this year's festival, to be held on April 29, 30, May 1 and 2;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the officials and citizens in the Wenatchee area be complimented for their great contribution to this State, for their generous display of hospitality and civic pride, and for their accomplishment in developing one of the greatest tourist attractions in the United States.

On motion of Mr. Curtis, the resolution was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Queen Linda Laney and Princesses Ruth Gilbert and Peggy Shay (who is Representative Bozarth's niece) and requested that Representatives Curtis, Bozarth, Haussler and Flanagan conduct them to a place on the rostrum.

The Speaker: "It is my privilege and honor to present to you for a few appropriate remarks Queen Linda Laney."

Queen Linda: "It is such a thrilling experience to be here in the capitol. Ruth and I have never been here, but Peggy was a page, so she has been showing us around. She brought us in through the back door. We would like to invite you all to our Washington State Apple Blossom Festival, and I must correct the dates. The dates this year will be April 26 through May 2. There are so many interesting things for everyone. We would love to have each of you come. Thank you."

The Speaker thanked Queen Linda Laney and Princesses Ruth Gilbert and Peggy Shay and requested that Representatives Curtis, Bozarth, Haussler and Flanagan conduct them from the rostrum.

#### RESOLUTION

HOUSE RESOLUTION NO. 71-16, by Representative Anderson:

WHEREAS, The newspaper headline "OLYMPIAN INJURED IN APARTMENT FIRE," though factual, barely encompasses the contents of Fred Olson's fine story of Sunday, February 14, in the local Sunday Olympian; and

WHEREAS, Tom Halpin, hospitalized with second and third degree burns after collapsing at the door of his blazing Villa Capri apartment, might indeed have composed a far different headline, as indeed might Halpin's daughter and friend who fled the burning premises by jumping from a second story window; and

WHEREAS, Awakened in the early hours of a normally sleepy Saturday morning by shouts and noise from the apartment above, Walt Lensegrav, seeing smoke, donned pants and glasses, forgetting shoes, and hurried up the stairs to Halpin's apartment, aware that windows thereto were breaking out while en route, only to find something lodged against the door; Lensegrav, shoving his way into the smoke and flame-filled apartment, came into contact with Halpin, whose weight had forced the door closed behind Lensegrav; "I had a heck of a time trying to find the door knob again," Lensegrav recalls; the newspaper headline could have indeed been different; thankfully, it wasn't. Lensegrav finally was able to get the door open and drag Halpin, a pretty good-sized man according to Lensegrav's later reflection, down the steps and away from the fire;

NOW, THEREFORE, BE IT RESOLVED, By the members of this House of Representatives, That this Chamber recognize the heroic action of Walt Lensegrav on that Saturday morning; "Lensegrav saved Halpin's life, there's no doubt about that," apartment manager Jim Brown remarked according to Olson's account. "I was afraid of hurting him," Lensegrav recalled worryingly. When moving with his wife, Doris, from his water-soaked apartment, still unable to forget the fire-gutted apartment above, Lensegrav added a fitting conclusion to his experience: "Next time I'll put my shoes on." Trusting there will be no next time, every member of this Chamber sincerely hopes for a neighbor, whether in an apartment or otherwise, of the caliber, the courage, the extreme emotional stability and stamina of Walt Lensegrav.

BE IT FURTHER RESOLVED, That this Chamber acknowledge also the fine response of the Olympia Fire Department, whose speedy arrival and efficient action immediately averted what might otherwise have been a real disaster;

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent by the

Chief Clerk of the House of Representatives to Walt Lensegrav and his wife, Doris, and to the Chief of the Olympia Fire Department.

On motion of Mr. Anderson, the resolution was adopted.

#### MOTIONS

On motion of Mr. Anderson, all members of the House of Representatives were listed as sponsors of House Resolution No. 71-16.

On motion of Mr. Morrison, HOUSE BILL NO. 800 was rereferred from the Committee on Business and Professions to the Committee on Judiciary.

On motion of Mr. Morrison, HOUSE BILL NO. 832 was rereferred from the Committee on Natural Resources and Ecology to the Committee on Appropriations.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Bledsoe, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Litchman and Smythe who were excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Bledsoe, the Committee on Revenue and Taxation was relieved of Engrossed Senate Joint Resolution No. 1, and the resolution was placed on second reading.

#### SECOND READING

ENGROSSED SENATE JOINT RESOLUTION NO. 1, by Senators Durkan, Donohue, Day, Henry, Knoblauch, Twigg, Keefe, Canfield, Wilson, Guess, Woodall, Herr, Peterson (Lowell), McCutcheon, Ridder, Talley, Huntley, Metcalf, Odegaard, Jolly, Stortini, Peterson (Ted), Lewis, Dore and Henry:

Proposing a constitutional amendment to establish the assessed valuation of real and personal property at twenty-five percentum of the true and fair value of such property.

The resolution was read the second time.

#### MOTION

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Engrossed Senate Joint Resolution No. 1 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 1, and the resolution passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad,

Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Blair, Litchman, Smythe—3.

Engrossed Senate Joint Resolution No. 1, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Bledsoe, Engrossed Senate Joint Resolution No. 1 was ordered transmitted immediately to the Senate.

MOTION FOR RECONSIDERATION

Mr. Julin, having given notice on the preceding day, moved that the House do now reconsider the vote by which Engrossed House Joint Resolution No. 3 passed the House. The motion was carried.

MOTIONS

On motion of Mr. Bledsoe, Engrossed House Joint Resolution No. 3 was rereferred to Committee on Revenue and Taxation.

On motion of Mr. Morrison, the House deferred consideration of today's calendar, and the bills were ordered placed on tomorrow's calendar.

On motion of Mr. Morrison, the house adjourned until 11:00 a.m., Saturday, February 27, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FORTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 27, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Copeland and Smythe who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 26, 1971.

HOUSE BILL NO. 138, providing period to determine if benefits set-off against highway, street or road condemnation award actually inure to remaining land, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1 strike all of section 1 and insert new sections as follows:

"*NEW SECTION.* Section 1. It is the purpose of this act to provide procedures whereby more just and equitable results are accomplished when real property has been condemned for a highway, road, or street and an award made which is subject to a setoff for benefits inuring to the condemnee's remaining land.

*NEW SECTION.* Sec. 2. Whenever land, real estate, premises or other property is to be taken or damaged for a highway, road, or street and the amount offered as just compensation includes a setoff in recognition of special benefits accruing to a remainder portion of the property the property owner shall have the following options:

(1) Trial on the question of just compensation which shall finally determine the amount of just compensation; or

(2) Acceptance of the offered amount as a final determination of just compensation; or

(3) Demand the full amount of the fair market value of any property taken plus the amount of damages if any caused by such acquisition to a remainder of the property without offsetting the amount of any special benefits accruing to a remainder of the property as those several amounts are agreed to by the parties; or

(4) Demand a trial before a jury unless jury be waived to establish the fair market value of any property taken and the amount of damages if any caused by such acquisition to a remainder of the property.

The selection of the option set forth in subsections (3) or (4) of this section is subject to the consent by the property owner to the creation and recording of a lien against the remainder in the amount of the fair market value of any property taken plus the amount of damages caused by such acquisition to the remainder of the property. If the acquisition of only part of a property would leave its owner with an uneconomic remnant, upon the property owner's demand the acquiring agency shall offer to acquire such remnant.

*NEW SECTION.* Sec. 3. A lien established as provided in section 2 of this 1971 act shall be satisfied or released by:

(1) Agreement between the parties to that effect; or

(2) Payment of the lien amount plus interest at the rate of five percent per annum; or

(3) Payment of the amount of offsetting special benefits as established pursuant to subsection (3) of section 2 of this 1971 act plus interest at the rate of five percent per annum within four years of the date of acquisition; or

(4) Satisfaction of a judgment lien entered as a result of a trial before a jury unless jury be waived to establish the change in value of the remainder of the original parcel because of the construction of the project involved. Trial may be had on the petition of either party to the superior court of the county wherein the subject remainder lies after notice of intent to try the matter of special benefits has been served on all persons having an interest in the subject remainder. Such notice shall be filed with the clerk of the superior

court and personally served upon all persons having an interest in the subject remainder. Filing a notice of intent to try the matter of special benefits shall be accompanied by a fee in the amount paid when filing a petition in condemnation. The notice of intent to try the matter of special benefits shall include notice of the time and place at which the date of such trial shall be set by the court; or

(5) Upon expiration of six years time from the date of acquisition without commencement of proceedings to foreclose the lien or try the matter of special benefits to the remainder of the property, the lien shall become void by operation of law.

*NEW SECTION.* Sec. 4. A judgment entered as a result of a trial on the matter of special benefits shall not exceed the amount of the original take plus damages plus interest at five percent per annum accrued thereon to the date of entry of the judgment.

*NEW SECTION.* Sec. 5. Liens created and recorded as set forth in section 2 of this 1971 act are preferred to any lien, mortgage or other encumbrance which may attach subsequently to the time of creation and recording of the lien and are also preferred to any lien, mortgage or other encumbrance which may have attached previously to that time, and which was not filed or recorded so as to create constructive notice of the same prior to that time.

*NEW SECTION.* Sec. 6. A condemnor may reduce the lien authorized by section 2 of this 1971 act to judgment by summary proceedings and may execute first upon the remainder property but such proceedings shall not be commenced before five years time has passed from the date of acquisition by the condemnor. A property owner may stay proceedings to enforce the lien authorized by section 2 of the 1971 act by commencement of an action to try the matter of special benefits.

*NEW SECTION.* Sec. 7. This 1971 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "domain;" strike "and creating a new section" and insert "creating new sections; and declaring an emergency"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Johnson, Jones, Kraabel, McCormick, Williams.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 242, providing elections officials instruction in use of voting devices and setting minimum pay for election officials, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Barden, Vice Chairman, Adams, Amen, Bauer, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Lysen, Martinis, Maxie, Mentor, Merrill, North, Smith.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 248, permitting county road millage funds to be used for other services in unincorporated area of county, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 strike all of section 2

On page 1, section 3, line 26 after "fund" insert "*except that revenue diverted under section 1 of this 1971 amendatory act shall be placed in a separate and identifiable account within the county current expense fund*"

Remember the remaining sections consecutively

Signed by Representatives Barden, Vice Chairman, Adams, Bauer, Blair, Brown, Douthwaite, Gilleland, Haussler, Jones, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 306, amending the powers of the board of tax appeals, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Benitz, Bledsoe, Eikenberry, Hatfield, Haussler, Hurley, Julin, Kilbury, Kuehne, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 309, establishing the age of majority at eighteen for certain purposes, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the

substitute bill do pass. Signed by Representatives Bluechel, Chairman, Bledsoe, Cunningham, Hoggins, Knowles, Kraabel, Perry, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 338, providing for replacement of park lands taken for highways, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1 strike all of section 1 and insert new sections as follows:

"NEW SECTION. Section 1. There is added to chapter 47.12 RCW a new section to read as follows:

Whenever the state highway commission acquires by any means authorized in this chapter any land, the title to which is held by this state, or by any county or other political or municipal subdivision of this state, which land is, at the time of such acquisition, used for park or recreation purposes, or is intended for future development for such uses, the commission shall replace the land acquired with equivalent suitable land in the same vicinity and shall pay any costs for developing the equivalent land to a degree equal to the development of the acquired land, if the state agency controlling or the political or municipal subdivision owning the acquired land should demand it.

NEW SECTION. Sec. 2. There is added to chapter 47.12 RCW a new section to read as follows:

For the purposes of this act:

(1) 'Equivalent suitable land' shall mean any land of approximately the same area and terrain as that which is acquired, which is or may be adapted to the same types of public park and recreation use as the acquired land, including, but not limited to, such uses as picnicking, swimming, fishing, hunting, boating, hiking, camping, and observing of plants and animals: PROVIDED, That no land shall be considered to be equivalent suitable land within the meaning of this section unless it is capable of supporting plants and animals similar to those maintained on acquired land which is preserved in a natural or unimproved state, or unless it is capable of development in a manner similar to acquired land which is maintained in a developed state.

(2) 'Same vicinity' shall mean that area which is approximately as accessible to the majority of the users or expected users as the land which is acquired."

On page 1, line 1 of the title after "adding" strike "a new section" and insert "new sections"

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Johnson, Jones, Kraabel, Martinis, McCormick, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 340, increasing the membership on boards of fire commissioners to five, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On pages 1 and 2 strike sections 1 and 2 and renumber the remaining section.

On page 1, line 1 of the title strike everything after "commissioners;" down to and including "RCW 52.12.060;" on line 4

Signed by Representatives Barden, Vice Chairman, Adams, Amen, Bauer, Bradley, Douthwaite, Gilleland, Haussler, Kopet, Lysen, Martinis, Maxie, Merrill, Smith, Thompson.

MINORITY recommendation: Do not pass. Signed by Representative Brown.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 356, making an appropriation for the Puget Island-Westport ferry, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 4 strike all of section 1 and insert a new section as follows:

"NEW SECTION. Section 1. The Washington state highway commission is hereby authorized to enter into a continuing agreement with Wahkiakum county pursuant to which the state highway commission shall pay to Wahkiakum county from moneys appropriated for such purpose the sum of one thousand dollars per month to be used in the operation and maintenance of the Puget Island ferry or a sum equal to sixty percent of the monthly deficit incurred in the operation and maintenance of the ferry, whichever sum is the greater, commencing July 1, 1971. The agreement shall provide for proper audits and operating procedures which will insure the efficient operation and maintenance of the ferry by Wahkiakum county.

There is appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1973 the sum of forty thousand dollars or so much thereof as may be necessary to carry out the provisions of this section."



Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Hansey, Johnson, Jones, Kraabel, Martinis, McCormick, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 367, prohibiting payment of organizers of petition drives, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Knowles, Kraabel, Paris, Williams. MINORITY recommendation: Do not pass. Signed by Representative Hurley.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 398, providing for a study of scenic recreational state highways, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 11 beginning with "highway commission" strike everything down to and including "The highway commission" on line 14 and insert "joint committee on highways is authorized and directed to employ an independent consultant to study the concept of a scenic recreational highway system with the cooperation and advice of the highway commission, parks and recreation commission, department of natural resources and the game commission. The committee"

On page 2, beginning on line 14 strike all of section 3 and insert a new section as follows:

"NEW SECTION. Sec. 3. The joint committee on highways shall report any results of said study to the 1973 regular legislative session."

Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Conway, Douthwaite, Gilleland, Hansey, Johnson, Jones, Kraabel, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 756, providing veterans preference in the retention or reemployment of certain public employees, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 29 after "28B.15.380," strike "28B.15.390, 28B.16.100,"

On page 3, section 2, line 33 after "28B.15.380," strike "28B.15.390, 28B.16.100,"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Moon, Paris, Perry, Spanton, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 903, requiring local governmental sewerage systems to have waste disposal permits from the department of ecology, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, line 7 after "The" strike "commission" and insert "department"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Bradley, Charnley, Flanagan, Gilleland, Hansey, Julin, Luders, Martinis, McCormick, North, Thompson, Van Dyk, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 979, providing that attorney general be notified of any civil action concerning water, shorelands or tidelands, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Bradley, Charnley, Flanagan, Gilleland, Hansey, Julin, Luders, Martinis, McCormick, North, Smith, Thompson, Van Dyk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 1031, providing for retirement of certain public employees prior to

age seventy under certain conditions and on certain dates, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Knowles, Kraabel, Marzano, McCormick, Moon, Paris, Perry, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

ENGROSSED SENATE BILL NO. 177, providing for city indebtedness for open space, park, recreation and community facilities, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Barden, Vice Chairman, Adams, Bauer, Blair, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Lysen, Martinis, Maxie, Mentor, Merrill, North, Rabel, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

ENGROSSED SENATE BILL NO. 363, providing for acquisition of property by public agencies, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Amen, Anderson, Bauer, Blair, Bozarth, Charnley, Conway, Douthwaite, Gallagher, Gilleland, Hansey, Johnson, Jones, McCormick, Schumaker.

#### MOTION

Mr. Julin moved that Engrossed Senate Bill No. 363 be referred to Committee on Judiciary.

Representative Julin spoke in favor of the motion, and Representative Newhouse spoke against it.

The motion was lost.

Engrossed Senate Bill No. 363 was passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

February 26, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 1,

SENATE BILL NO. 237,

ENGROSSED SENATE BILL NO. 424,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1038, by Representatives Hoggins, Polk and Moon:

An Act relating to the common schools and the support thereof; authorizing the sale of limited obligation bonds and the use of such proceeds for needed common school plant facilities and modernization of existing common school facilities; providing ways and means to pay said bonds; making appropriations; creating new sections; providing for the submission of this act to a vote of the people; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 1, by Senators Durkan and Odegaard:

An Act relating to revenue and taxation; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 1, chapter 113, Laws of 1965 ex. sess. and RCW 84.52.052; and adding new sections to Title 84 RCW.

Referred to Committee on Revenue and Taxation.

SENATE BILL NO. 237, by Senators Holman and Francis (by Judicial Council request):

An Act relating to attorneys' fees in divorce cases; and amending section 9, chapter 215, Laws of 1949 and RCW 26.08.090.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 424, by Senators Dore, Donohue, Durkan, Knoblauch, Day, Odegaard, Huntley and Peterson (Ted):

An Act relating to revaluation of property; creating new sections; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 9, by Senators Durkan and Lewis:

Continuing the temporary forest tax committee.

On motion of Mr. Bledsoe, the rules were suspended, Engrossed Senate Concurrent Resolution No. 9 was advanced to second reading and read the second time.

Mr. Bledsoe moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 9 be placed on final passage.

Mr. Benitz spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 9, and the resolution passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Schumaker, Shera, Shipoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Copeland, Johnson, Sawyer, Smythe—4.

Engrossed Senate Concurrent Resolution No. 9, having received the constitutional majority, was declared passed.

#### SECOND READING

HOUSE BILL NO. 501, by Representatives Kuehnle, Chatalas, Merrill, Jueling, Jones, Ceccarelli and Litchman:

Amending regulation of real estate brokers and salesmen.

The bill was read the second time.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle, Ceccarelli and Chatalas:

On page 2, section 1, line 25 after "is" strike "conducted by a securities broker-dealer licensed by" and insert "registered with the securities division of"

Mr. Kuehnle spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Kuehnle responded to Mr. Charette's remarks, and Mr. Charette spoke again in opposition to the amendment.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Bottiger.

Mr. Bottiger: "Most of us have a great deal of respect for Bernie Lonctot. Was he part of the negotiations, and did he agree to the amendment?"

Mr. Kuehnle: "Yes, Bernie Lonctot agreed to the amendment this morning. If I may address myself to Mr. Charette's remarks, I think he is absolutely right. There is a problem

in this area. However, we are not creating a new problem, because under the existing statutes these operators who incorporate and attempt to sell these interests as securities—the officers of those corporations—presently have the right to do this selling job. And the language that we are removing here is simply contradictory language, requiring that they be broker-dealers. They are already authorized by statute to do the selling job as corporate officers. It is a problem area, and it does need to be further studied, but we are trying to eliminate a very, very minor problem in an otherwise very, very good bill. We are not opening the door to any new salesmen of these campgrounds. The ones who are already there can still be there, and it would take changing the security sales statute to affect what Mr. Charette has reference to.”

The amendment by Representatives Kuehnle, Ceccarelli and Chatalas to page 2, House Bill No. 501, was adopted.

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle, Ceccarelli and Chatalas, was adopted:

On page 4, section 3, line 28 strike “institute” and insert “institute”

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle, Ceccarelli and Chatalas:

On page 6, section 8, line 29 after “Nothing in” and before “this” insert “this section of”

#### MOTION

Mr. Charette moved that further action on House Bill No. 501 be deferred, and that the bill be ordered placed on the second reading calendar of the next working day.

The motion was carried on a rising vote.

HOUSE BILL NO. 405, by Representatives Conner, Jastad and Farr:

Regulating practical nurses.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 16, beginning with “[five]” strike all matter down to and including “law,” on page 2, section 3, line 22, and insert the following: “five years’ experience in the [practice] *field* of nursing;

(4) Have not less than two years’ experience [instructing in an approved course of practical nursing education;] *in nursing education*.

[(5) Be engaged actively in instructing practical nurses in an approved course at the time of her appointment.]

Sec. 2, Section 6, chapter 79, Laws of 1967 and RCW 18.78.182 are each amended to read as follows:

A licensed practical nurse under his or her license may perform for compensation nursing care (as that term is usually understood) of the ill, injured, or infirm, and in the course thereof is authorized, at or under the direction and supervision of a licensed physician and surgeon, osteopathic physician and surgeon, dentist, chiroprapist (acting within the scope of his license), or at or under the direction and supervision of a licensed registered professional nurse, to administer drugs, medications, treatments, tests, injections, and inoculations, whether or not the piercing of tissues is involved and whether or not a degree of independent judgment and skill is required, when selected to do so by one of the licensed practitioners designated in this section, or by a licensed registered professional nurse who need not be physically present; provided the order given by such [licensed practitioners shall] *physician, dentist, or chiroprapist* be reduced to writing within a reasonable time and made a part of the patient’s record.”

On page 1, line 2 of the title after “RCW 18.78.100;” insert “and” and on line 3 after “RCW 18.78.182” strike the balance of the title and insert a period

The bill was read the second time.

Mr. Farr moved adoption of the committee amendment and spoke in favor of its adoption.

#### POINT OF INQUIRY

Mr. Farr yielded to question by Mr. Hoggins.

Mr. Hoggins: “Under this amendment, would a dentist now be able to turn his patient over to his nurse for injections of Novocain, and so forth?”

Mr. Farr: “No, this doesn’t speak to that particular area at all. This is mainly concerned

with the question of whether an LPN is able to give the medication ordered by a physician or dentist, and down through the line. The main problem that had come up before was the interpretation of the law by attorneys, including the attorney general's office, which was that an LPN, to give medication, had to have entered in the record not only the physician's directions and orders but she also had to write it in herself, and the supervising RN (the registered nurse) had to also enter in the record that she was designating the LPN (the licensed practical nurse) to give the medication, whatever it was. This speaks only to taking out the requirement that the RN make a note in the book that she is designating the LPN to do it. This was required by the interpretation by the attorneys."

#### POINT OF INQUIRY

Mr. Farr yielded to question by Mr. Lysen.

Mr. Lysen: "I would like to know the difference in training between an RN and an LPN with regards to giving medication, and what the differences are in terms of their legal authority."

Mr. Farr: "Mr. Lysen, I think this doesn't speak to the amendment. I would try to go into that area if the chair wished me to do it. There is a considerable difference in education, of course. The law was changed either in 1967 or 1969 to permit, for the first time, the LPN to give medication under the direct supervision of an RN, and at the order of one of the professions such as the doctor or physician. The different kinds of training for registered nurses vary. The LPN very commonly comes from a two-year course in a community college. The question of whether or not they are qualified has been answered in another law. We are not speaking to that at the present time. All we are speaking to is the administrative problem of what the supervising RN has to do to qualify with the law. In 1969 when we passed the law, we evidently made it too loose, and the legal interpretation was that each time the LPN gave medication, the RN had to enter another notation in the book saying she was designating the LPN to give the medicine. She might as well have just given the medicine as wading around through all of this."

Mr. Lysen: "Thank you, Dr. Farr. It is my concern that health care in the hospitals is deteriorating. I think as much power and control as possible should remain in the hands of the registered nurse as opposed to the LPN based on the significantly greater degree of training and education."

The committee amendment was adopted.

On motion of Mr. Farr, the committee amendment to the title was adopted.

House Bill No. 405 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 405 was placed on final passage.

Representative Conner spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 405, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueing, Julin, Kibury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Bottiger, Grant, Lysen—3.

Absent or not voting: Representatives Conway, Copeland, Smythe—3.

Engrossed House Bill No. 405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 52, by Representatives Van Dyk, Berentson, Haussler, Bauer and Hansey (by Legislative Council request):

Regulating the production and marketing of milk.

Committee recommendation: Majority, do pass as amended. (For amendments see Journal for fortieth day, February 19, 1971.)

The bill was read the second time.

Mr. Amen moved adoption of the committee amendment to the body of the bill.

#### PERSONAL PRIVILEGE

Mr. Brown: "Mr. Speaker, ladies and gentlemen of the House: Understandably, on the first day of any session there is a good deal of confusion in some parts of this organization. In the course of that in this session, an error was made in recording the sponsors of House Bill No. 52. My name was inadvertently included in the first printing of this bill as a sponsor, and the copy in your bill books still has my name listed. I would like the record to show that I am not, and never have been, a sponsor of House Bill No. 52."

Mr. Amen spoke in favor of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Amen, the committee amendments to the title were adopted.

House Bill No. 52 was ordered engrossed.

The Speaker excused Representative Anderson from further proceedings of the House today.

#### MOTION

Mr. Eikenberry moved that Engrossed House Bill No. 52 be rereferred to the Committee on State Government.

Mr. Eikenberry spoke in favor of the motion, and Mr. Haussler spoke against it.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Barden.

Mr. Barden: "Representative Bluechel, the remarks of Representative Eikenberry have alarmed me that perhaps we might have a situation leading to price fixing. I wonder if you might comment as to the likelihood of this and whether your committee could deal with it."

Mr. Bluechel: "Thank you, Mr. Barden, I am glad you asked that question. Yes, the State Government Committee would like to take a look at this. I have received personally a large number of calls from people in the production of milk—the independent producers in the areas of North King County and Snohomish County. Their particular problem is that this bill sets up a quota. The level of the quota is set by the producers themselves. It sets a price for the quota, and anybody producing milk beyond this particular quota, as I understand it, gets a reduction in price or takes a lesser price. We have here the makings of a milk monopoly. It is a very complicated bill, and it ties in with . . ."

#### POINT OF ORDER

Mr. Charette: "Mr. Speaker, I respectfully submit that the question was out of order and the answer is out of order. It is using the yield to question as a guise for making a speech."

The Speaker: "Your point is well taken. Please confine your remarks to the answer to the question and to the merits of the motion to refer the bill to your committee."

Mr. Bluechel: "Mr. Speaker, ladies and gentlemen: I would be most happy to have the bill in State Government Committee."

Representatives Moon and Van Dyk spoke against the motion by Mr. Eikenberry to rerefer Engrossed House Bill No. 52 to the Committee on State Government.

Mr. Polk demanded an electric roll call, and the demand was sustained.

Mr. Brown spoke in favor of the motion by Mr. Eikenberry, and Mr. Savage spoke against it.

POINT OF ORDER

Mr. Pardini: "I think Representative Savage should address himself to the question before the House—that of rereferring the bill to the Committee on State Government."

Mr. Speaker: "I believe he is, Mr. Pardini."

Mr. Savage concluded his remarks in opposition to the motion by Mr. Eikenberry.

Mr. Amen spoke against the motion.

Mr. Bledsoe demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion by Representative Eikenberry to rerefer Engrossed House Bill No. 52 to the Committee on State Government, and the motion was lost by the following vote: Yeas, 24; nays, 71; absent or not voting, 4.

Voting yea: Representatives Barden, Blair, Bluechel, Brown, Cunningham, Eikenberry, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Litchman, North, Perry, Polk, Rabel, Ross, Shera, Mr. Speaker—24.

Voting nay: Representatives Adams, Amen, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Costanti, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, O'Brien, Pardini, Paris, Randall, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—71.

Absent or not voting: Representatives Anderson, Conway, Copeland, Smythe—4.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 52 be placed on final passage.

Mr. Morrison demanded an electric roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 52 to third reading and final passage, and the motion was carried by the following vote: Yeas, 74; nays, 20; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Costanti, Curtis, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Knowles, Kraabel, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Mentor, Merrill, Morrison, Newhouse, O'Brien, Pardini, Paris, Randall, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—74.

Voting nay: Representatives Barden, Bluechel, Brown, Cunningham, Douthwaite, Eikenberry, Hoggins, Juelling, Kiskaddon, Kopet, Kuehnle, McDermott, Moon, North, Perry, Polk, Rabel, Ross, Shera, Mr. Speaker—20.

Absent or not voting: Representatives Anderson, Conway, Copeland, Litchman, Smythe—5.

Representatives Smith, Van Dyk, Hansey and Bottiger spoke in favor of passage of the bill, and Representatives Benitz and Brown spoke against it.

Mr. Morrison demanded the previous question, and the demand was not sustained.

Mr. Costanti spoke in favor of passage of the bill, and Mr. Ross spoke against it.

Mr. Moon made clarifying remarks concerning the bill.

Mr. Charette demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 52, and the bill passed the House by the following vote: Yeas, 71; nays, 25; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Bauer, Beck, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Kilbury, King, Kirk, Knowles, Kraabel, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, O'Brien, Pardini, Paris, Randall, Rosellini, Savage, Schumaker, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—71.

Voting nay: Representatives Barden, Benitz, Blair, Bluechel, Brouillet, Brown, Eikenberry, Grant, Hansey, Hoggins, Jones, Jueling, Julin, Kiskaddon, Kopet, Kuehnle, Litchman, Moon, North, Perry, Polk, Rabel, Ross, Sawyer, Shera—25.

Absent or not voting: Representatives Anderson, Copeland, Smythe—3.

Engrossed House Bill No. 52, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

Due to a mechanical problem, my vote was recorded "no" on the final passage of Engrossed House Bill No. 52. I am in favor of the bill, and spoke in favor of its passage, and intended my vote to be recorded "yea." DON HANSEY, 42nd District.

HOUSE BILL NO. 123, by Representatives Zimmerman, Schumaker, Costanti, Thompson, Hurley, North, Kraabel and Ceccarelli:

Managing the taking of certain mammals.

The bill was read the second time.

On motion of Mr. Zimmerman, the following amendment was adopted:

On page 2, section 3, line 1 before "capture" insert "to"

House Bill No. 123 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 123 was placed on final passage.

## POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Cunningham.

Mr. Cunningham: "Mr. Zimmerman, I note on page one, line 23 of House Bill No. 123 that it makes reference to private property, and some of the mammals being protected in this act are accused of damaging the fish catches. My question would be, when is the fish private property?"

Mr. Zimmerman: "Representative Cunningham, a fish is private property when it does not have a reasonable chance to escape from a fisherman. A salmon in a gill net, for instance, is private property."

Mr. Cunningham: "That answers one of my questions, but I have another. I notice also in this bill it indicates that the game department will protect these mammals, and I would assume if they have the right to protect them, it comes under the other jurisdiction; they would also have the right to have a hunting season for them. Is that correct?"

Mr. Zimmerman: "This is correct. If the commission determines that there is a surplus of some of the particular animals that are being protected, they could have a season that would help to control the animal. They could have a season on them, in other words, to help manage them."

## POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Shera.

Mr. Shera: "Mr. Zimmerman, I attended the committee hearing on House Bill No. 123, and some of those testifying seemed to indicate that they wanted to have the capture of killer whales in the Puget Sound area shut down completely. Can you tell me whether or not a moratorium is contemplated by the department of game regarding killer whales? Secondly,



under what conditions would the department of game call a halt to the capture of killer whales?"

Mr. Zimmerman: "Yes, Representative Shera, because of this concern and because of the question, we did ask the department directly what the situation would be, and if you permit, I will read what they said: 'The department of game has not ever and does not consider a moratorium as part of the management of killer whales should the bill be enacted. We have publicly stated and have been documented several times to the concept that we would not propose a moratorium.' Therefore the answer to that first question is 'no'. We do not contemplate a moratorium on the taking of killer whales in the Puget Sound waters under House Bill No. 123.

"In regard to the second question, we could call a halt to the capture of killer whales in Puget Sound waters when it was obviously apparent from the wildlife management records that the species needed additional protection. Only under those circumstances would they halt the possibility of taking them."

Representatives Hurley and Kraabel spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Litchman.

Mr. Litchman: "I have a psychiatrist who is a very interesting person. My psychiatrist asked me this question the other day. He happens to have three or four of these little things in his front yard at Ray's Boathouse in Ballard—I don't know if they are referred to as whales, but they certainly are there swimming every day. He feeds them, and I think he talks to them. He would like to know whether, if this bill passes, he will have to pay one thousand dollars apiece so that the people eating at Ray's Boathouse can see these whales swim, go through their antics and be fed. It is a very entertaining situation out there in Ballard and it would seem a crime if Dr. Klein couldn't speak to his patients at a little less cost. Will he have to pay one thousand dollars per mammal out there in Shilshole Bay?"

Mr. Zimmerman: "The answer is no."

Mr. Ceccarelli spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 123, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Juelling, Shera—2.

Absent or not voting: Representatives Anderson, Copeland, Smythe—3.

Engrossed House Bill No. 123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House adjourned until 1:45 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m.

The clerk called the roll and all members were present except Representatives Adams, Anderson, Copeland and Smythe who were excused.

## SECOND READING

HOUSE BILL NO. 441, by Representatives Lynch, Perry, O'Brien, Ross, Hurley, Marsh, King, Jueling, Litchman, Bledsoe, Bottiger, Wojahn, Brouillet, Chatalas and Maxie (by Council on Higher Education request):

Enabling council on higher education to create state plan for contracting with certain private institutions of higher education.

The bill was read the second time.

Mr. Farr moved adoption of the following amendment:

On page 1, section 2, line 22 after "education" strike the period and insert "if these programs cannot be offered in existing state institutions of higher education."

Representative Farr spoke in favor of the amendment, and Representatives Lynch, Kiskaddon and Perry spoke against it.

Mr. King demanded an electric roll call, and the demand was sustained.

Mr. Farr spoke again in favor of the amendment.

Mr. Hoggins spoke in favor of adoption of the amendment, and Mr. King spoke against it.

## POINT OF ORDER

Mr. Charnley: "Mr. Speaker, I have heard a lot of talk about an amendment but I don't have a copy, and neither does anyone around me. Are there copies of this amendment available? Were they distributed?"

The Speaker: "They were distributed at one time, Mr. Charnley."

Representatives Bottiger and Gladder spoke against adoption of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Farr to House Bill No. 441, and the amendment was lost by the following vote: Yeas, 18; nays, 75; absent or not voting, 6.

Voting yea: Representatives Amen, Barden, Conner, Conway, Costanti, Farr, Goldsworthy, Hansey, Hatfield, Hoggins, Hubbard, Jastad, Johnson, Kirk, Mentor, Morrison, Van Dyk, Wolf—18.

Voting nay: Representatives Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Flanagan, Gallagher, Gilleland, Gladder, Grant, Harris, Haussler, Hurley, Jones, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Spanton, Thompson, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—75.

Absent or not voting: Representatives Adams, Anderson, Copeland, Eikenberry, Newhouse, Smythe—6.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 441 was placed on final passage.

Mrs. Lynch spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mrs. Lynch yielded to question by Mr. Moon.

Mr. Moon: "Does this measure authorize the Council on Higher Education to negotiate terms of the contract for the legislature, or does it actually authorize the Council on Higher Education to negotiate the contract itself?"

Mrs. Lynch: "It says it is 'directed to develop and administer a state plan for contracting *with* independent and private institutions of higher education . . .'"

Mr. Moon: "In other words, the Council on Higher Education can actually enter into the contract?"

Mrs. Lynch: "They will enter into the contract, but before they can do so, we will have to authorize the money. They can enter into the contract, but they can't do anything about it if we have not authorized the money for it."

Mr. Moon: "Would it be possible under this bill for the legislature to authorize money to be spent prior to the authorization, or prior to entering into, the contract?"

Mrs. Lynch: "Yes, I suppose it would. If we pass these two bills, I would assume that we would have to take at face value what the council would report to us, in the Appropriations Committee, of the contract they would be giving us."

Mr. Moon: "Then the legislature in effect would be giving their authority to the Council on Higher Education to approve the spending of money?"

Mrs. Lynch: "I can't believe, Mr. Moon, that the Appropriations Committee would put anything in the budget without being pretty sure of what the Council on Higher Education is putting into the contract."

Representatives Perry and O'Brien spoke in favor of passage of the bill, and Representatives Farr and Moon spoke against it.

#### POINT OF INQUIRY

Mr. Farr yielded to question by Mr. Gladder.

Mr. Gladder: "First question: How do you explain away, in light of your attitude, Representative Farr, the fact that no contract can be executed without prior program authorization by the legislature?"

Mr. Farr: "I don't see any difficulty with that, Representative Gladder. It is a protective device, that apparently the council or whoever drafted the bill felt necessary to put in the bill in order for it to succeed here on the House floor."

Mr. Gladder: "Well I think it does just that, but we keep hearing these remarks about the fact that we are delegating our authority, which point I don't think is well taken. The second point is: You referred to our present state financial dilemma, with which I certainly agree. Would you in any way dispute the figures given by our committee chairman, Representative Lynch, regarding the eighteen million dollars possible cost to our state government in the event these private institutions of higher learning go down the drain?"

Mr. Farr: "Mr. Gladder, I don't have any data with which to refute Representative Lynch's comments in that area. The comment I have made is that our responsibility and charge is to the people after they come into the system for which we are responsible. We are particularly prohibited from being responsible for private education."

Mr. Newhouse demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 441, and the bill passed the House by the following vote: Yeas, 76; nays, 19; absent or not voting, 4.

Voting yea: Representatives Backstrom, Bagnariol, Bauer, Beck, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Costanti, Curtis, Douthwaite, Eikenberry, Flanagan, Gallagher, Gilleland, Gladder, Grant, Hansey, Harris, Hoggins, Hubbard, Hurley, Jones, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Sawyer, Shera, Shipoch, Smith, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—76.

Voting nay: Representatives Amen, Barden, Benitz, Cunningham, Farr, Goldsworthy, Hatfield, Haussler, Jastad, Johnson, Kirk, Kuehne, Martinis, Moon, Morrison, Savage, Schumaker, Spanton, Wanamaker—19.

Absent or not voting: Representatives Adams, Anderson, Copeland, Smythe—4.

House Bill No. 441, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 207, by Representatives Merrill, North and Kopet (by Municipal Committee request):

Establishing regulations for publishing municipal ordinances.

The bill was read the second time.

Mr. Wolf moved adoption of the following amendment:

On page 5, section 7, line 5 strike section 7.

Representatives Wolf, Barden and Charette spoke in favor of adoption of the amendment, and Representatives Kopet and Merrill spoke against it.

The amendment was adopted.

On motion of Mr. Wolf, the following amendment to the title was adopted:

On line 7 of the title after "RCW 35.27.300;" insert "and" and on line 8 after "RCW 35.27.330" insert a period and strike the balance of the title

House Bill No. 207 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 207 was placed on final passage.

Representatives Merrill, North, Blair and Haussler spoke in favor of passage of the bill, and Representatives Cunningham, Barden and Wolf spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 207, and the bill passed the House by the following vote: Yeas, 73; nays, 22; absent or not voting, 4.

Voting yea: Representatives Backstrom, Bagnariol, Bauer, Beck, Benitz, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shipoch, Thompson, Van Dyk, Wanamaker, Wojahn, Mr. Speaker—73.

Voting nay: Representatives Amen, Barden, Berentson, Conner, Costanti, Cunningham, Eikenberry, Gladder, Goldsworthy, Hubbard, Juelling, Julin, Kuehne, Mentor, Polk, Rabel, Shera, Smith, Spanton, Williams, Wolf, Zimmerman—22.

Absent or not voting: Representatives Adams, Anderson, Copeland, Smythe—4.

Engrossed House Bill No. 207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

My negative vote on House Bill No. 207 is because of my firm conviction that the public has a right to know and that they must be given maximum opportunity to read and study, at their leisure, in their home, some of the actions of their public officials. I believe that public notice has a tradition and that it should not be lightly given up. Public notice also is a record that must be pointed to and should be available through the convenient medium. Therefore, I have, as a long standing principle, been opposed to any actions which would tend to close the door or make it more difficult for the individual citizen to know what is happening or what has happened regarding local government, state government or national government. HAROLD S. (HAL) ZIMMERMAN (17th District)

HOUSE BILL NO. 35, by Representatives Gallagher, Berentson, Backstrom and Martinis:

Prohibiting the off-reservation taking of steelhead trout with nets.

The bill was read the second time.

Mr. Blair moved adoption of the following amendment:

On page 1, section 1, lines 7 and 8 strike "off-reservation Indian"

Representative Blair spoke in favor of the amendment, and Representatives Luders and Zimmerman spoke against it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Curtis.

Mr. Curtis: "First, does the state have the power to prohibit net fishing within the boundaries of an Indian reservation?"

Mr. Zimmerman: "No, we do not at the present time. As far as I know, on reservations they have complete liberty to do as they want."

Mr. Curtis: "Technically, if this amendment is adopted, would we then be doing this, or trying?"

Mr. Zimmerman: "No, we are not dealing with anything on the reservation. We are talking strictly of off-reservation."

Mr. Curtis: "If this amendment is adopted, which strikes the words 'off-reservation Indian' then are we in effect prohibiting anyone from netting within the confines of an Indian reservation, be he Indian, white man, purple or what have you?"

Mr. Zimmerman: "I think you open that possibility, yes."

Mr. Gallagher spoke against the adoption of the amendment, and Mr. Ross spoke in favor of it.

Mr. Blair moved adoption of the following amendment to the amendment:

Amend the amendment as follows: After "off-reservation" strike "Indian"

Representative Blair spoke in favor of adoption of the amendment to the amendment, and Representatives Berentson and Julin spoke against it.

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be the amendment by Mr. Blair.

Mr. Blair spoke in favor of the amendment, and Mr. Schumaker spoke against it.

The amendment by Mr. Blair was not adopted.

House Bill No. 207 was passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 620, Representatives Flanagan, Bledsoe and Julin:

Reducing the number of justices of the peace in Grant county to one.

The bill was read the second time.

On motion of Mr. Curtis, the following amendment by Representatives Curtis and Bozarth was adopted:

On page 1, section 1, line 11 after "Douglas," strike "two" and insert "[two] one"

On motion of Mr. Charette, the following amendment was adopted:

On page 1, section 1, line 12 after "Harbor," strike "four" and insert "[four] two"

House Bill No. 620 was ordered engrossed.

On motion by Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 620 was placed on final passage.

Representative Flanagan spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 620, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Adams, Anderson, Copeland, Rabel, Smythe—5.

Engrossed House Bill No. 620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Bledsoe, SENATE JOINT RESOLUTION NO. 5 was made a special order of business for 3:20 p.m. today, to be followed by HOUSE BILL NO. 291.

HOUSE BILL NO. 657, by Representatives Amen, Julin and Pardini:

Providing a presumption that enactment of a statute was not intended to affect any litigation pending on or before the effective date of such statute.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 8 after "litigation" strike "pending" and insert "commenced"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 657 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 657 was placed on final passage.

Representative Julin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 657, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent or not voting, 4.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representative Bradley—1.

Absent or not voting: Representatives Adams, Anderson, Copeland, Smythe—4.

Engrossed House Bill No. 657, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 433, by Representatives Brown, Grant, King, Charnley, Copeland, Litchman and Maxie (by Secretary of State request):

Providing for the eighteen-year-old vote.

## MOTION

On motion of Mr. Brown, Substitute House Bill No. 433 was substituted for House Bill No. 433, and the substitute bill was placed on the calendar for second reading.

On motion of Mr. Brown, the following amendments were adopted:

On page 1, section 1, line 24 strike "civil or military service of the state or" and insert "civil or military service of the state or"

On page 10, section 13, line 10 strike section 13 in its entirety and renumber the remaining section consecutively

On motion of Mr. Brown, the following amendment to the title was adopted:

On page 1, line 13 of the title beginning with "adding" strike everything through "29.07 RCW;" on line 14

Substitute House Bill No. 433 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 433 was placed on final passage.

Representative Brown spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 433, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent or not voting, 4.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wajahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representative Hurley—1.

Absent or not voting: Representatives Adams, Anderson, Copeland, Smythe—4.

Engrossed Substitute House Bill No. 433, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPECIAL ORDER OF BUSINESS

The hour of 3:20 p.m. having arrived, the Speaker declared the question before the House to be the special order of business, Senate Joint Resolution No. 5.

SENATE JOINT RESOLUTION NO. 5, by Senators Walgren, Twigg, Keefe, Bailey and Atwood (by Municipal Committee request):

Authorizing lotteries.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, line 9 after "divorce." insert "*Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon.*"

The resolution was read the second time.

The Clerk read the committee amendment.

POINT OF ORDER

Mr. Kuehnle: "I fear very much that the amendment as printed and as produced in our books is not proper. I would like assurance that it would be produced properly. I want to be certain that the language contained in the committee amendment is the only language contained, and that all of the other language is struck."

RULING BY THE SPEAKER

The Speaker: "The Speaker's interpretation of this matter is that the large committee amendment, which is in the books, is not before us. It was at one time reported to this body with the committee report that the amendment be adopted. Following that, Senate Joint Resolution No. 5 was rereferred to the Committee on Business and Professions, and that committee has not reported out the lengthy amendment. The short committee amendment on your desks is properly before us as the only committee amendment to Senate Joint Resolution No. 5."

Mr. Kuehnle: "Thank you for the clarification. We had a problem because the resolution had one amendment on it. It went back to committee and the amendment was changed. I wanted to be sure we were addressing ourselves to the right amendment."

Mr. Kuehnle moved adoption of the committee amendment.

Mr. Wolf moved adoption of the following amendment to the amendment:

Amend the committee amendment as follows: On line 2 after "affirmative vote of" and before "of the members of each house" strike "sixty percent" and insert "two-thirds"

#### POINT OF ORDER

Mrs. North: "There is another amendment on the desk prior to Mr. Wolf's amendment, dealing with page 1, line 9."

#### RULING BY THE SPEAKER

The Speaker: "Your amendment, Mrs. North, strikes the entire committee amendment and inserts new language for that committee amendment. The body has the right to perfect the committee amendment before it deals with any amendment to strike and replace."

Mr. Wolf spoke in favor of the amendment to the committee amendment, and Mr. Bagnariol spoke against it.

Mr. Bledsoe demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Wolf to the committee amendment to Senate Joint Resolution No. 5, and the amendment was lost by the following vote: Yeas, 41; nays, 54; absent or not voting, 4.

Voting yea: Representatives Amen, Backstrom, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Brouillet, Brown, Charnley, Conway, Costanti, Cunningham, Curtis, Eikenberry, Farr, Hansey, Harris, Hoggins, Johnson, Julin, Kiskaddon, Kopet, Kraabel, Marsh, McDermott, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Wolf, Zimmerman—41.

Voting nay: Representatives Bagnariol, Barden, Bauer, Beck, Bottiger, Bradley, Ceccarelli, Charette, Chatalas, Conner, Douthwaite, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hubbard, Hurley, Jastad, Jones, Jueling, Kilbury, King, Kirk, Knowles, Kuehnle, Litchman, Luders, Lynch, Lysen, Martinis, Marzano, Maxie, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Mr. Speaker—54.

Absent or not voting: Representatives Adams, Anderson, Copeland, Smythe—4.

Mrs. North moved adoption of the following amendment by Representatives North and Paris to the committee amendment to Senate Joint Resolution No. 5:

Strike all the committee amendment to page 1, line 9 and on page 1 of the bill, line 8 after "section 24." strike everything down to and including the word "state." on line 13 and insert the following "[The legislature shall never authorize any lottery or grant any divorce.] *The legislature shall never authorize or permit professional gambling, which is defined as staking or risking something of value upon the outcome of a contest of chance, including any contest, game, gaming scheme, or gaming device in which the outcome depends to a material degree upon an element of chance, notwithstanding that the skill of the contestants may be a factor therein; or as staking or risking something of value upon a future contingent event not under the control or influence of the player, upon an agreement or understanding that the player or someone else will receive something of value in the event of a certain outcome, in which all participants are not natural persons competing on equal terms with other participants solely as contestants or bettors and in which any person receives profit therefrom other than personal gambling winnings, or in which any person renders material assistance to the establishment, conduct or operation of the particular gambling activity by receiving a fee or profit for his participation in the game or for arranging or facilitating the game in any way, or as professional bookmaking. The legislature shall provide penalties for professional gambling: PROVIDED, HOWEVER, That nothing contained herein shall prevent the legislature from authorizing and regulating bingo and raffles conducted by any nonprofit corporation or association organized and operated primarily for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, religious, social, fraternal, athletic or agricultural purposes and which receives less than half of its gross receipts, exclusive of the first one thousand dollars in any calendar year, from the operation of bingo and raffles only; wagering on horses by the parimutuel method, and all other forms of gambling not specifically mentioned herein.*"



Mrs. North spoke in favor of adoption of the amendment and Mr. Curtis spoke against it.

#### POINT OF INQUIRY

Mrs. North yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "This may be just a typographical error, but I notice that you have not only struck in your amendment 'The legislature shall never authorize any lottery,' but you also struck 'or grant any divorce' and you didn't pick it up down in your amendment. Is that just a typographical error?"

Mrs. North: "No, it is just stricken out completely. No particular reason, we were just striking out the original sentence, and then going on to deal with the subject of gambling."

#### POINT OF ORDER

Mr. Pardini: "I believe there is an amendment on the desk which is an amendment to the amendment to the amendment, which would put back in the words 'or grant any divorce.'"

#### RULING BY THE SPEAKER

The Speaker: "Unfortunately, an amendment to the amendment to the amendment is not permitted under our rules, Mr. Pardini, and it is out of order."

Representatives Ceccarelli, Bagnariol and Van Dyk spoke against adoption of the amendment by Representatives North and Paris to the committee amendment, and Representatives Blair and Brown spoke in favor of it.

Mr. King demanded the previous question.

The demand was not sustained on a rising vote.

Mr. Beck spoke against adoption of the amendment to the amendment.

Mr. Bledsoe demanded an electric roll call, and the demand was sustained.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Barden.

Mr. Barden: "Representative O'Brien, the main thrust of this whole issue before us today is to try to find some way out of a dilemma for charitable organizations and of course the private schools, the Catholic schools, the church schools, that are supported by these bingo and raffle efforts. I wonder if you might tell me, Representative O'Brien, what effect this amendment might have at the ballot box next general election if the church people were expected to vote for bingo and for divorce on the same measure."

Mr. O'Brien: "Mr. Barden, you put your question rather well, but it is somewhat confusing. I don't know how my Masonic friends would feel about this issue. They get interested in the same kind of things that we do—maybe a different way, but they get interested in it. I don't know whether or not your question is well taken as far as my faith is concerned. I am sure that our people are interested in bingo like every other religious denomination. Other people are interested in playing bingo. But as far as other matters pertaining to this proposed amendment to the amendment, I am not ready to pass judgment on these factors that have been raised here, particularly your question on divorce."

Mr. Paris spoke in favor of adoption of the amendment, and Mr. Kuehnle spoke against it.

Mr. Litchman demanded the previous question, and the demand was sustained.

#### PARLIAMENTARY INQUIRY

Mr. Bluechel: "Would it be permissible for Mrs. North to withdraw her amendment and resubmit another amendment simply taking out the words 'or grant any divorce'?"

The Speaker: "Not at this time."

## PARLIAMENTARY INQUIRY

Mr. Kiskaddon: "Mr. Speaker, would it be proper to solve the problem with the divorce, assuming that we adopt this amendment, to then put in a second amendment that would add a new section 'That the legislature shall never grant any divorce,' so that we could solve the problem in that way?"

The Speaker: "If this amendment to the amendment is defeated, further amendments to the amendment could be placed on the desk."

Mr. Kiskaddon: "I am thinking, assuming this amendment passes, could we add a second amendment?"

The Speaker: "In response to your point of parliamentary inquiry, Mr. Kiskaddon, the Speaker would rule that if this amendment is adopted, which in effect is substituting language for the original amendment, that then further amendments to the amendment would at that time be in order."

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives North and Paris to the committee amendment to Senate Joint Resolution No. 5, and the amendment to the amendment was lost by the following vote: Yeas, 28; nays, 65; absent or not voting, 6.

Voting yea: Representatives Bauer, Blair, Bluechel, Brouillet, Brown, Charnley, Conway, Cunningham, Eikenberry, Farr, Gilleland, Hoggins, Jones, Kirk, Kiskaddon, Kopet, Kraabel, Marsh, McDermott, Mentor, North, Pardini, Paris, Rabel, Ross, Shipoch, Smith, Zimmerman—28.

Voting nay: Representatives Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Ceccarelli, Charette, Chatalas, Conner, Costanti, Curtis, Douthwaite, Flanagan, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Juelling, Julin, Kilbury, King, Knowles, Kuehnle, Litchman, Luders, Lynch, Lysen, Martinis, Marzano, Maxie, May, McCormick, Merrill, Moon, Morrison, O'Brien, Perry, Polk, Randall, Rosellini, Savage, Schumaker, Shera, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—65.

Absent or not voting: Representatives Adams, Anderson, Copeland, Newhouse, Sawyer, Smythe—6.

The Speaker stated the question before the House to be the committee amendment to Senate Joint Resolution No. 5.

Mr. Kuehnle spoke in favor of the committee amendment.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I am very interested to know what a lottery is, and whether or not a lottery includes playing cards."

Mr. Kuehnle: "Probably not, although there are some games of cards that could be interpreted, I think, as being a lottery, where there is clearly no skill involved. Most card games involve some degree of skill and as such would not be classified as lotteries."

Mr. Douthwaite: "I am not satisfied with Mr. Kuehnle's 'probably not.' I would like a clarification. I would like to yield some of my time to Representative Bottiger to answer my question, what is a lottery?"

## POINT OF INFORMATION

Mr. Bottiger: "A lottery is defined as prize, consideration, and chance. If there is any skill involved at all, it is not a lottery. The Supreme Court has ruled that stud poker is a game of skill and not of chance. You may argue with them, but they have ruled that pinball machines are a game of chance and not of skill. I personally believe there is more skill involved in the pinball machine than there is in stud poker, but I am not on the Supreme Court."

Mr. King demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Senate Joint Resolution No. 5, and the amendment was adopted by the following vote: Yeas, 91; nays, 3; absent or not voting, 5.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Bluechel, Conway, Paris—3.

Absent or not voting: Representatives Adams, Anderson, Copeland, Newhouse, Smythe—5.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 5 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 5 as amended by the House and the resolution passed the House by the following vote: Yeas, 80; nays, 15; absent or not voting, 4.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conner, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Spanton, Thompson, Van-Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—80.

Voting nay: Representatives Blair, Bluechel, Charnley, Conway, Eikenberry, Haussler, Jones, Kirk, Litchman, McDermott, Moon, Paris, Perry, Rabel, Zimmerman—15.

Absent or not voting: Representatives Adams, Anderson, Copeland, Smythe—4.

Senate Joint Resolution No. 5 as amended by the House, having received the constitutional majority, was declared passed.

## EXPLANATION OF VOTE

I voted "no" on Senate Joint Resolution No. 5 as amended by the House only in order to be on the conference committee. I favor the legislation. MARK LITCHMAN, 45th District.

HOUSE BILL NO. 291, by Representatives Kuehnle, Litchman, Curtis, Hatfield, Bottiger, Gladder, Eikenberry, Pardini, Smith, Conway, Kopet, Morrison, Wolf, Shera, Gallagher, Bagnariol, Jastad, Adams, Rosellini, Ceccarelli, Randall, Anderson, Backstrom, Bauer, Hoggins, Knowles, Marzano and McCormick:

Relating to gambling.

Committee recommendation: Majority, do pass as amended. (For Committee Amendments, see Journal of February 24, 1971, Forty-Fifth Day.)

On motion of Mr. Curtis, the committee amendment was withdrawn, and the following amendment by Representatives Kuehnle, Curtis, Wojahn, Bagnariol, Backstrom, Wolf,

Gallagher, Hatfield, Polk, Ceccarelli and Jastad was substituted for the committee amendments:

On page 1, line 1 after "gambling;" strike the entire balance of the bill and insert: "adding new sections to chapter 9.47 RCW; creating new sections; amending section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010; repealing section 5, page 98, Laws of 1879, section 1257, Code of 1881, section 3, chapter 7, Laws of 1957 and RCW 4.24.080; repealing section 99, page 93, Laws of 1854, sections 104, 105, page 222, Laws of 1869, sections 110, 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010; repealing section 218, chapter 249, Laws of 1909 and RCW 9.47.020; repealing section 220, chapter 249, Laws of 1909 and RCW 9.47.030; repealing section 1, chapter 119, Laws of 1937 and RCW 9.47.040; repealing section 2, chapter 119, Laws of 1937 and RCW 9.47.050; repealing section 221, chapter 249, Laws of 1909 and RCW 9.47.060; repealing section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5, 6, page 98, Laws of 1879, sections 1257, 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070; repealing section 226, chapter 249, Laws of 1909 and RCW 9.47.110; repealing section 228, chapter 249, Laws of 1909 and RCW 9.47.130; repealing section 1, chapter 6, Laws of 1909 and RCW 9.47.140; providing that certain activities authorized herein must be initiated by local legislative authority or affirmative vote of the people; providing for the suspension of certain parts of this act upon judicial declaration of invalidity until the state Constitution be amended; defining crimes; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**NEW SECTION.** Section 1. There is added to chapter 9.47 RCW a new section to read as follows:

It is hereby declared to be the policy of the legislature, recognizing the close relationship between professional gambling and organized crime, to restrain all persons from seeking profit from professional gambling activities in this state; to restrain all persons from patronizing such professional gambling activities; to safeguard the public against the evils induced by common gamblers and common gambling houses engaged in professional gambling; and at the same time, to preserve the freedom of the press and to avoid restricting participation by individuals in sports and social pastimes, which social pastimes are more for amusement rather than for profit, do not maliciously affect the public, and do not breach the peace.

The legislature hereby declares that the raising of funds for the promotion of bona fide charitable, educational, scientific, health, religious, civic and patriotic causes and undertakings is in the public interest and that it must differentiate clearly between gambling for profit and professional fund-raising by bona fide charitable and nonprofit organizations.

The legislature further finds that, as conducted prior to the enactment of this 1971 amendatory act, bingo was the subject of exploitation by professional gamblers, promoters, and commercial interests.

It is hereby declared to be the policy of the legislature that all phases of the supervision and regulation of bingo and of the conduct of bingo games, raffles, pinball machines and other similar mechanical amusement devices, amusement games, social card rooms, punch boards and pull tabs should be closely controlled.

All of the provisions of this 1971 amendatory act shall be liberally construed to achieve these ends, and administered and enforced with a view to carrying out the above declaration of policy.

**NEW SECTION.** Sec. 2. There is added to chapter 9.47 RCW a new section to read as follows:

As used in this 1971 amendatory act:

(1) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(2) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance.

(3) 'Player', except as otherwise in section 15 of this 1971 amendatory act provided, means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and

supplying cards or other equipment used therein. A person who engages in "bookmaking" as defined in this section is not a 'player'.

(4) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in section 15 of this 1971 amendatory act, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in section 15 of this 1971 amendatory act, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity; or

(c) He engages in bookmaking.

Conduct under subparagraph (a), except as exempted under section 15 of this 1971 amendatory act, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than social card games or nonprofessional gambling activities as set forth in section 15 of this 1971 amendatory act and only as authorized in this 1971 amendatory act, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling.

(5) 'Gambling device' means: (a) Any device or mechanism used for professional gambling by the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism used for professional gambling which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation used in professional gambling. But in the application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof or payment in lieu thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won, or have a mechanism or a chute for dispensing coins or a facsimile thereof, which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device. In addition, any punch boards or pull tabs as authorized and defined in section 11 subsection (2) of this 1971 amendatory act or any device or mechanism utilized in amusement games as defined in subsection (13) of this section shall not be deemed a gambling device hereunder.

(6) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found shall be presumed to be intended to be used for professional gambling.

(7) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation.

(8) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(9) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(10) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(11) 'Bingo' means a game in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no person who takes any part in

the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or any other branch of the same organization and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(12) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(13) 'Amusement game' means a game played for entertainment in which:

- (a) The contestant actively participates;
- (b) The outcome depends in a material degree upon the skill of the contestant;
- (c) Only merchandise prizes are awarded;
- (d) The outcome is not in the control of the operator;
- (e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, including the furnishing of equipment, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting such game: PROVIDED, HOWEVER, If an amusement game is conducted under the direct management and supervision of an agricultural fair, authorized under chapters 15.76 or 36.37 RCW, such fair may rent on a fixed fee basis only space to persons for the conduct of amusement games as defined in this subsection.

(14) 'Bona fide charitable or nonprofit organization' means any organization duly existing under the provisions of chapters 24.12, 24.20 or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, which has been organized and is operated primarily for purposes other than the operation of bingo games, raffles, amusement games or social card games, and which receives not more than five thousand dollars or twenty-five percent of its gross receipts, whichever is the greater, in any calendar year from the operation of bingo, raffles, amusement games and social card games, but these limitations on receipts shall not apply to any organization which conducts only one raffle per calendar year, the total gross income from which does not exceed twenty thousand dollars, and which does not conduct bingo games, amusement games or social card games. The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, except for any such organization incorporated under the laws of this state for at least twenty-five years, shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section.

(15) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this 1971 amendatory act committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

**NEW SECTION.** Sec. 3. Whoever engages in professional gambling, or knowingly causes, aids, abets, or conspires with another to engage in professional gambling, shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both: PROVIDED, HOWEVER, That this section and the provisions of chapter 9.59 RCW shall not apply to those nonprofessional gambling activities enumerated in section 15 of this 1971 amendatory act or to any act or acts in furtherance thereof.

**NEW SECTION.** Sec. 4. (1) All gambling devices as defined in section 2 of this 1971 amendatory act are common nuisances and shall be subject to seizure, immediately upon detection by any peace officer, and to confiscation and destruction by order of a superior or district justice court, except when in the possession of officers enforcing this 1971 amendatory act.

(2) No property right in any gambling device as defined in section 2 of this 1971 amendatory act shall exist or be recognized in any person, except the possessory right of officers enforcing this 1971 amendatory act.

(3) All furnishings, fixtures, equipment and stock, including without limitation furnishings and fixtures adaptable to nongambling uses and equipment and stock for printing, recording, computing, transporting or safekeeping, used in connection with professional gambling or maintaining a gambling premises, and all money or other things of value at stake or displayed in or in connection with professional gambling or any gambling device used therein, shall be subject to seizure, immediately upon detection, by any peace officer, and unless good cause is shown to the contrary by the owner, shall be forfeited to the state or political subdivision by which seized by order of a court having jurisdiction, for disposition by public auction or as otherwise provided by law. Bona fide liens against

property so forfeited, on good cause shown by the lienor, shall be transferred from the property to the proceeds of the sale of the property. Forfeit moneys and other proceeds realized from the enforcement of this subsection shall be paid into the general fund of the state if the property was seized by officers thereof or to the political subdivision or other public agency, if any, whose officers made the seizure, except as otherwise provided by law. This subsection and the provisions of chapter 9.59 RCW shall not apply to such items utilized in nonprofessional gambling activities enumerated in section 15 of this 1971 amendatory act or any act or acts in furtherance thereof.

(4) Whoever knowingly owns, manufactures, possesses, buys, sells, rents, leases, finances, holds a security interest in, stores, repairs or transports any gambling device as defined in section 2 of this 1971 amendatory act or offers or solicits any interest therein, whether through an agent or employee or otherwise, shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both: PROVIDED, HOWEVER, That this subsection and the provisions of chapter 9.59 RCW shall not apply to devices used in those nonprofessional gambling activities enumerated in section 15 of this 1971 amendatory act, or to any act or acts in furtherance thereof. Subsection (2) of this section shall have no application in the enforcement of this subsection. In the enforcement of this subsection direct possession of any such gambling device shall be presumed to be knowing possession thereof.

(5) Whoever knowingly prints, makes, possesses, stores or transports any gambling record, or buys, sells, offers or solicits any interest therein, whether through an agent or employee or otherwise, shall be guilty of a gross misdemeanor: PROVIDED, HOWEVER, That this subsection and the provisions of chapter 9.59 RCW shall not apply to records relating to nonprofessional gambling activities, enumerated in section 15 of this 1971 amendatory act or to any act or acts in furtherance thereof. In the enforcement of this subsection direct possession of any such gambling record shall be presumed to be knowing possession thereof.

**NEW SECTION.** Sec. 5. (1) Whoever knowingly transmits or receives gambling information by telephone, telegraph, radio, semaphore or similar means, or knowingly installs or maintains equipment for the transmission or receipt of gambling information, shall be guilty of a gross misdemeanor: PROVIDED, HOWEVER, That this section and the provisions of chapter 9.59 RCW shall not apply to such information transmitted or received or equipment installed or maintained relating to nonprofessional gambling activities as enumerated in section 15 of this 1971 amendatory act or to any act or acts in furtherance thereof.

**NEW SECTION.** Sec. 6. (1) All professional gambling premises are common nuisances and shall be subject to abatement by injunction or as otherwise provided by law. The plaintiff in any action brought under this subsection against any professional gambling premises, which shall not include premises where the sole gambling activity is those nonprofessional gambling activities set out in section 15 of this 1971 amendatory act, need not show special injury and may, in the discretion of the court, be relieved of all requirements as to giving security.

(2) When any property or premises held under a mortgage, contract or leasehold is determined by a court having jurisdiction to be a professional gambling premises, all rights and interests of the holder therein shall terminate and the owner shall be entitled to immediate possession, at his election: PROVIDED, HOWEVER, That this subsection and the provisions of chapter 9.59 RCW shall not apply to those premises in which nonprofessional gambling activities set out in section 15 of this 1971 amendatory act, or any act or acts in furtherance thereof are carried on.

(3) When any property or premises for which one or more licenses, permits or certificates issued by this state, or any political subdivision or other public agency thereof, are in effect, is determined by a court having jurisdiction to be a professional gambling premises, all such licenses, permits and certificates shall be deemed voided and no longer in effect, and no license, permit or certificate so voided shall be issued or reissued for such property or premises for a period of sixty days thereafter. Enforcement of this subsection shall be the duty of all peace officers and all taxing and licensing officials of this state and its political subdivisions and other public agencies. This subsection shall not apply to property or premises in which nonprofessional gambling activities set out in section 15 of this 1971 amendatory act, or any act or acts in furtherance thereof are carried on.

**NEW SECTION.** Sec. 7. Professional gambling activities prohibited in sections 3, 4 and 5 of this 1971 amendatory act may be enjoined in an action commenced by the attorney general or by the prosecuting attorney or legal counsel of any city or town in which the prohibited activities may occur.

**NEW SECTION.** Sec. 8. The premises and paraphernalia and all the books and records of any bona fide charitable or nonprofit organization conducting nonprofessional gambling activities such as bingo, raffles, pinball machines or similar mechanical amusement devices, amusement games and social card games or of any person conducting social card games as defined and authorized in this 1971 amendatory act or operating pinball machines or similar mechanical devices, punch boards or pull tabs shall be subject to inspection and audit at any reasonable time, with or without notice, upon demand, by the attorney general, the state patrol or the prosecuting attorney, sheriff or chief of police of the county or city in which said organization or person is located for the purpose of determining compliance or noncompliance with the provisions of this 1971 amendatory act or any local ordinances

relating thereto. The department of revenue shall be provided at such reasonable intervals as the department shall determine with a report, under oath, detailing all receipts and disbursements in connection with such nonprofessional gambling activities together with such other reasonable information as required in order to determine whether such activities comply with the purposes of this 1971 amendatory act or any local ordinances relating thereto. Upon request, copies of such reports shall be provided by the department of revenue to any law enforcement agency.

**NEW SECTION.** Sec. 9. (1) Proof of possession of any device used for professional gambling or any record relating to professional gambling specified in section 4 of this 1971 amendatory act is prima facie evidence of possession thereof with knowledge of its character or contents.

(2) In any prosecution under the 1971 amendatory act in which it is necessary to prove the occurrence of any event which takes place outside the county where the prosecution is pending, a published report of its occurrence in any daily newspaper, magazine or any other periodically printed publication of general circulation shall constitute prima facie evidence of the occurrence of the event.

**NEW SECTION.** Sec. 10. In any proceeding arising out of a violation of this 1971 amendatory act, if a natural person refuses to answer a question or produce evidence of any other kind on the ground that he may be incriminated under this 1971 amendatory act thereby, the court, when requested in writing by the prosecuting attorney, shall, unless it finds that to do so would be clearly contrary to the public interest, order such person to answer or produce the evidence. After complying with the order, and if, but for this section, he would have been privileged to withhold the answer given or the evidence produced by him, no such answer or evidence shall be received against him in any other investigation or proceeding. But he may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury or contempt committed in answering, or failing to answer or in producing, or failing to produce, evidence in accordance with the order.

**NEW SECTION.** Sec. 11. (1) No county, city or other political subdivision or public agency of this state shall license, tax, permit or authorize any act, transaction or thing in violation of the criminal provisions of this 1971 amendatory act.

(2) Every county or city, by local law and ordinance and in accordance with the provisions of this 1971 amendatory act, may provide for the taxing of punch boards, pull tabs and pinball machines, none of which shall be deemed a gambling device for the purposes of section 2, subsection (5) hereof, and prescribe the tax therefor, the tax receipts to go to the county or city so taxing the same: PROVIDED, That (a) punch boards, pull tabs and pinball machines may be placed only in premises for which a permit or license has been granted to serve alcoholic beverages by the individual glass or opened bottle under authority of Title 66 RCW by the Washington state liquor control board; and (b) tax registration for pinball machines shall only be issued on the basis of individual tax registration for each machine located within the premises served and removal of such machine from such premises for use elsewhere shall result in immediate revocation of such tax registration; and (c) punch boards and pull tabs, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect the gross income of the business in which the punch boards and pull tabs are displayed; and (d) all prizes for punch boards and pull tabs, which shall be merchandise items only, must be on display within the immediate area of the premises wherein any such punch board or pull tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud under section 17 of this 1971 amendatory act.

The term 'punch boards' and 'pull tabs' as used in this section shall be the usual and ordinary meaning of such terms as of the effective date of this 1971 amendatory act. The term 'pinball machines' shall mean those machines as described in section 2, subsection (5).

(3) Every county or city may authorize the playing of bingo, the holding of raffles, the operation of pinball machines or similar amusement devices, amusement games and social card games, all by bona fide charitable or nonprofit organizations, by taxing the same, except social card games shall be licensed hereunder, the receipts therefor to go to the county or city so taxing or licensing: PROVIDED, That no county or city shall prohibit the playing of bingo, the holding of raffles, the operation of pinball machines or similar amusement devices, amusement games and social card games, all by bona fide charitable or nonprofit organizations, until such county or city has in effect ordinances which shall have been approved by a majority of the voters voting on such proposition submitted at a general or special election held within such county or city. Social card games as described in section 15(2) of this 1971 amendatory act shall only be allowed in card rooms of a bona fide charitable or nonprofit organization when no fee of any kind is charged for participation therein, no employee of the organization participates in any said game, and no benefits inure to the organization therefrom.

The conduct of bingo games shall be subject to the following restrictions irrespective of whether the restrictions are contained in local laws or ordinances, but nothing herein shall be construed to prevent the inclusion within such local law or ordinance of other provisions imposing additional restrictions upon the conduct of such games:

(a) No person, firm, association, corporation or organization other than as authorized under the provisions of this 1971 amendatory act shall conduct such game, or shall obtain a lease for or otherwise make available for conducting bingo therein, a hall or other premises, for any consideration whatsoever, direct or indirect.



(b) No bingo games shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid, wholly or partly, on the basis of a percentage of the receipts or net profits derived from the operation of such game, nor shall the rental under such lease exceed the usual rental for such premises in the same locality.

(c) No bingo game shall be held, operated or conducted if the compensation to any person taking part in the management or operation of such game is based upon a percentage of the receipts or net profits derived from the operation of such game.

(d) The entire net proceeds of any game of bingo and of any rental therefor shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same. Net proceeds for the purposes of this subsection shall mean that amount remaining after expenses for supplies, rental, and prizes awarded to participants are deducted from the gross proceeds of such game.

The willful violation of subsections (a), (b), (c) or (d) above shall be a felony and punishable by a fine of not more than one hundred thousand dollars or imprisonment for five years, or both, and any willful violation of any provision of any local law or ordinance shall constitute and be punishable as a gross misdemeanor.

**NEW SECTION.** Sec. 12. Except as otherwise provided in sections 13 or 15 of this 1971 amendatory act, it shall be lawful to own, operate or conduct, or permit to be operated or conducted, or to participate in the operation of any public card room, not to exceed eight tables, wherein persons may engage in card games of skill in which the success depends upon the knowledge, attention, experience and skill of the player whereby the elements of chance in any such card game are overcome, improved or turned to the advantage of said player, if said public card room is located in any incorporated city or town, or all that portion of any county not included within the limits of incorporated cities and towns, where the said card room may be licensed.

**NEW SECTION.** Sec. 13. Before it shall be lawful for any person, firm or corporation to own, operate or conduct, or permit to be operated or conducted, or participate in the operation of any card room as described herein, it shall first be necessary that such card room be licensed by the city, town or county in which it is located: PROVIDED, That no card rooms shall be licensed in any class AA or class A county, or city or town therein, unless or until such county or city shall have in effect ordinances which shall have been approved by a majority of the voters voting on the proposition to allow card rooms, as in this 1971 amendatory act provided, submitted at a general or special election held within said county or city.

Before any such license shall be issued, a verified application shall be filed in duplicate with such city, town or county, with a copy to be filed with the division of professional licensing within the department of motor vehicles, containing the full name and address of each person, firm or corporation having any interest, either directly or indirectly, in said license, and other material facts, including full financial disclosure, which may be deemed appropriate by such local authority, together with a written affidavit by three bona fide residents of the state of Washington who shall recommend such applicant and the officers thereof if a corporation, as being of good moral character: PROVIDED, HOWEVER, That the city, town or county may establish any other requirements it deems necessary or appropriate for the protection of the public welfare in determining whether to issue a license under this 1971 amendatory act: AND PROVIDED FURTHER, That this 1971 amendatory act is not intended to require any city, town or county to issue a license under the provisions thereof.

**NEW SECTION.** Sec. 14. It shall be unlawful for any person under the age of twenty-one years to play cards in any public card room as described herein. Any person or licensee who shall permit any person under the age of twenty-one years to play cards in a card room as described herein shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 15. A person or an organization is not engaged in 'professional gambling' as defined in section 2, subsection (5) of this 1971 amendatory act when (1) such person or organization is engaged in such nonprofessional gambling activities as bingo, raffles, the operation of pinball machines or similar amusement devices, punch boards and pull tabs, amusement games, or social card games, all as defined and only as in this 1971 amendatory act authorized, or (2) the person or organization having substantial proprietary or other authoritative control over a residence or premises permits persons to engage in social card games on equal terms with other participants, such social card games being those of skill, in which the success of the player depends substantially upon the knowledge, attention, memory, experience and skill of the player or players and whereby the elements of chance are either overcome, improved or turned to the advantage of the players when said games are played on tables licensed as provided in this 1971 amendatory act and when only an hourly table fee is charged, no other direct benefit shall inure to the person or organization permitting said games, nor shall any representative or agent of said person or organization be a player in said game.

**NEW SECTION.** Sec. 16. Any person, firm or corporation doing any act required to be licensed under sections 12 through 15 of this 1971 amendatory act with reference to public card rooms, without having in force a license issued to said person, firm or corporation, shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 17. Any person, association or corporation, whether charitable or nonprofit or otherwise, operating a bingo game, raffle, pinball machines or similar mechanical amusement devices, punch boards or pull tabs, any amusement game or social card game, or permitting a social card game, all as authorized by the provisions of this 1971

amendatory act, who or which, directly or indirectly, shall in the course of such operation or permission:

(1) Employ any device, scheme or artifice to defraud; and/or  
 (2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which such statement is made; and/or

(3) Engage in any act, practice, or course of operation as would operate as a fraud or deceit upon any person; and/or

(4) Fail to make any report as required in section 8 of this 1971 amendatory act;

Shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years, or both.

**NEW SECTION.** Sec. 18. In addition to any other penalty provided in this 1971 amendatory act, every person, directly or indirectly controlling the operation of a bingo game, raffle, pinball machines or similar mechanical amusement devices, punch boards or pull tabs, any amusement game, or social card game, all as authorized by the provisions of this 1971 amendatory act, including every director, officer, and/or manager of any association or corporation conducting the same, whether charitable or nonprofit or otherwise, shall be liable, jointly and severally, for money damages suffered by any person because of any violation of this 1971 amendatory act, together with interest on any such amount of money damages at six percent per annum from the date of loss, and reasonable attorney's fees: PROVIDED, That if any such director, officer and/or manager did not know any such violation was taking place and/or had taken all reasonable care to prevent any such violation from taking place, the burden of proof thereof to be upon such director, officer and/or manager, such director, officer and/or manager shall not be liable hereunder. Any civil action under this section may be considered a class action for the purposes of RCW 4.08.070.

**NEW SECTION.** Sec. 19. When there has occurred a violation of any provision of this 1971 amendatory act on any property or premises for which one or more licenses, permits, or certificates issued by this state, or any political subdivision or public agency thereof are in effect, all such licenses, permits and certificates shall be deemed voided and no longer in effect, and no license, permit, or certificate so voided shall be issued or reissued for such property or premises for a period of sixty days thereafter. Enforcement of this provision shall be the duty of all peace officers and all taxing and licensing officials of this state and its political subdivisions and other public agencies.

**NEW SECTION.** Sec. 20. If any provision of this 1971 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected: PROVIDED, That should provisions of this 1971 amendatory act pertaining to the playing of bingo, or holding raffles, or permitting the operation of pinball machines or similar amusement devices or permitting the operation of amusement games or authorizing punch boards or pull tabs be held invalid or unconstitutional by the supreme court of the state of Washington as being violative of Article II, section 24, of the Constitution of the state of Washington, then the provisions hereof relating to each such item as aforesaid specifically declared invalid or unconstitutional by such court shall remain inoperative unless and until the qualified electors of this state shall approve an amendment to Article II, section 24, of the Constitution which may remove any constitutional restrictions against the legislature enacting such laws.

Sec. 21. Section 1246, Code of 1881 as last amended by section 248, chapter 249, Laws of 1909 and RCW 9.66.010 are each amended to read as follows:

A public nuisance is a crime against the order and economy of the state. Every place

(1) [Wherein any gambling, swindling game or device, bookmaking, pool selling, or bucket shop or any agency therefor shall be conducted, or any article, apparatus or device useful therefor shall be kept; or,

(2)] Wherein any fighting between men or animals or birds shall be conducted; or,

[(3)] (2) Wherein any intoxicating liquors are kept for unlawful use, sale or distribution; or,

[(4)] (3) Where vagrants resort; and

Every act unlawfully done and every omission to perform a duty, which act or omission

(1) Shall annoy, injure or endanger the safety, health, comfort, or repose of any considerable number of persons; or,

(2) Shall offend public decency; or,

(3) Shall unlawfully interfere with, befoul, obstruct, or tend to obstruct, or render dangerous for passage, a lake, navigable river, bay, stream, canal or basin, or a public park, square, street, alley or highway; or,

(4) Shall in any way render a considerable number of persons insecure in life or the use of property;

Shall be a public nuisance.

**NEW SECTION.** Sec. 22. The following acts or parts of acts are each repealed:

(1) Section 99, page 93, Laws of 1854, sections 104 and 105, page 222, Laws of 1869, sections 110 and 111, page 206, Laws of 1873, section 1253, Code of 1881, section 217, chapter 249, Laws of 1909 and RCW 9.47.010;

(2) Section 218, chapter 249, Laws of 1909 and RCW 9.47.020;

(3) Section 220, chapter 249, Laws of 1909 and RCW 9.47.030;

- (4) Section 1, chapter 119, Laws of 1937 and RCW 9.47.040;
- (5) Section 2, chapter 119, Laws of 1937 and RCW 9.47.050;
- (6) Section 221, chapter 249, Laws of 1909 and RCW 9.47.060;
- (7) Section 100, page 93, Laws of 1854, section 105, page 222, Laws of 1869, section 111, page 206, Laws of 1873, sections 5 and 6, page 98, Laws of 1879, sections 1257 and 1258, Code of 1881, section 222, chapter 249, Laws of 1909 and RCW 9.47.070;
- (8) Section 226, chapter 249, Laws of 1909 and RCW 9.47.110;
- (9) Section 228, chapter 249, Laws of 1909 and RCW 9.47.130; and
- (10) Section 1, chapter 6, Laws of 1909 and RCW 9.47.140.

NEW SECTION. Sec. 23. This 1971 amendatory act shall constitute the exclusive legislative authority for the licensing by any city, town or county of any nonprofessional gambling activity and its application shall be strictly construed to those activities herein permitted and to those persons or associations herein permitted to engage therein."

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Mr. Kuehnle, this is an exceedingly complicated measure placed before us. Could you comment briefly for our consideration in the hours to come as to what is included here."

Mr. Kuehnle: "I want to be sure I understand the request. Was it to comment briefly in the hours to come?"

Mr. Bledsoe: "If you are going to comment in the hours to come, you will do it as a solo flight, because we will all be gone. Will you yield to the question that I asked?"

Mr. Kuehnle: "I will be delighted to yield, Mr. Bledsoe. The amendment which you have before you is the result of a substantial amount of work on the part of the subcommittee. As has been pointed out earlier in discussions relating to Senate Joint Resolution No. 5, we are trying desperately to provide a way and a means of offering to all the members of this state an opportunity to participate in a little bit of social gambling. We all seem to have the inborn trait of wanting to do that, and we would like to do it legally. We would not like to have to belong to a fancy club to do it. We would not like to have to be a resident of a given area in which to do it. We think that social gambling is something that should be permitted to all residents of the state under reasonable conditions. What we have attempted to do in this bill is to allow that opportunity to residents of this state and at the same time to slam the door shut on the professional gamblers, on the Mafia, on any other undesirable elements that might be inclined to come along to take advantage of this situation. Now I would point out that the subcommittee spent a lot of hours putting a bill together. We found there were some flaws in it, called to our attention by the prosecuting attorneys. We then consulted for more hours with the prosecuting attorneys, Mr. Boerner of King County, Mr. Hendry of Pierce County, Mr. Schillberg of Snohomish County and Mr. Brockett of Spokane County, and adopted virtually every one of their recommendations to be sure we had a tight, tight bill. That is the bill you have before you. If you would like me to recite, in brief, what is in the bill, I would be happy to do so, but it is in printed form, and in summary on your desks."

#### MOTIONS

On motion of Mr. Bledsoe, further consideration of House Bill No. 291 was deferred, and the bill was ordered placed on Monday's second reading calendar following House Bill No. 501.

On motion of Mr. Morrison, the House deferred further consideration of today's calendar, and the bills were ordered placed on Monday's calendar.

On motion of Mr. Bledsoe, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Monday, March 1, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 1, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Copeland who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles H. Perry of the St. John's Episcopal Church of Olympia.

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House distinguished foreign visitors who are here in the United State studying our legislative processes with their guide, Mr. John Sinclair, Field Project Manager of the State Department. The Speaker requested that the Sergeant at Arms conduct Mr. Tou Hu, from the Republic of China, Mr. Nguyen Thanh Que, from Vietnam, and Miss Nguyen Thi Kim-Chi, their interpreter, to a place on the rostrum.

The Speaker: "I would like to introduce first, for a few remarks, from the Republic of China, Mr. Hu."

Mr. Tou Hu: "Mr. Speaker, ladies and gentlemen, I am from the Republic of China. I am very, very happy to be here, to observe your legislative work and operation and the process. I am learning from your work, so thank you very much, and welcome to visit my country, the Republic of China. Thank you."

The Speaker: "And from the Republic of Vietnam, Mr. Que, whose remarks will be interpreted by Miss Kim-Chi."

Mr. Nguyen Thanh Que: "I would first like to thank Mr. Speaker and all of the Representatives here for the State of Washington. We have the honor to be here, with this House of Representatives, and we have staff members of the Vietnamese Congress. We are eager to learn the process of your state. We have the honor to learn explanation from Mr. McBeath, the Chief Clerk, this morning and have learned many things that will be very useful to our country. We are looking forward to visiting many other states and also the national Congress, and we hope to bring back many useful things from your country that we urgently need. Once again, we would like to thank all of you for this visit."

The Speaker: "The other gentlemen with this group are at the rear of the House Chamber, and I would like them to stand and be recognized: Mr. Nguyen Duy Du, Mr. Le Ngoe Tu, and Mr. To Xuan Dau from the Republic of Vietnam. We of the House of Representatives want to welcome you here and we hope your visit is a happy one."

The Speaker requested that the Sergeant at Arms conduct the visitors from the rostrum.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

February 26, 1971.

HOUSE BILL NO. 414, placing children in agencies according to interstate compact, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 14 after "boarding home" insert "or"

Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conner, Kirk, Kiskaddon, Kopet, Marsh, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 23, 1971.

HOUSE BILL NO. 540, regulating pesticides and establishing a control board, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 23, after the enacting clause strike the remainder of the bill and insert the following:

**"NEW SECTION.** Section 1. This act may be known and cited as the Washington Pesticide Control Act.

**NEW SECTION.** Sec. 2. The formulation, distribution, storage, transportation, and disposal of any pesticide and the dissemination of accurate scientific information as to the proper use, or nonuse, of any pesticide, is important and vital to the maintenance of a high level of public health and welfare both immediate and future, and is hereby declared to be a business affected with the public interest. The provisions of this act are enacted in the exercise of the police powers of the state for the purpose of protecting the immediate and future health and welfare of the people of the state.

**NEW SECTION.** Sec. 3. As used in this act the following words and phrases shall have the following meaning unless the context clearly requires otherwise:

(1) 'Pesticide' means, but is not limited to: (a) any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, mollusk, fungus, weed and any other form of plant or animal life or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the director may declare to be a pest; (b) any substance or mixture of substances intended to be used as a plant regulator, defoliant or desiccant; (c) any substance or mixture of substances intended to be used as a spray adjuvant; and (d) any other substances intended for such use as may be named by the director by regulation.

(2) 'Device' means any instrument or contrivance intended to trap, destroy, control, repel, or mitigate pests including devices used in conjunction with pesticides such as lindane vaporizers.

(3) 'Insecticide' means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any insect, other arthropod, or mollusk pest.

(4) 'Fungicide' means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any fungi.

(5) 'Rodenticide' means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate rodents or any other vertebrate animal which the director may declare by regulation to be a pest.

(6) 'Herbicide' means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate any weed, including algae and other aquatic weeds.

(7) 'Nematocide' means any substance or mixture of substances intended to prevent, destroy, repel, or mitigate nematodes.

(8) 'Plant regulator' means any substance or mixture of substances intended through physiological action, to accelerate or retard the rate of growth or maturation, or to otherwise alter the behavior of ornamental or crop plants but shall not include substances insofar as they are intended to be used as plant nutrients, trace elements, nutritional chemicals, plant inoculants, or soil amendments.

(9) 'Defoliant' means any substance or mixture of substances intended to cause the leaves or foliage to drop from a plant with or without causing abscission.

(10) 'Desiccant' means any substance or mixture of substances intended to artificially accelerate the drying of plant tissues.

(11) 'Spray adjuvant' means any wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own intended to be used with any other pesticide as an aid to the application or to the effect thereof, and which is in a package or container separate from that of the pesticide with which it is to be used.

(12) 'Pest' means, but is not limited to, any insect, other arthropod, fungus, rodent, nematode, mollusk, weed and any form of plant or animal life or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the director may declare by regulation to be a pest.

(13) 'Nematode' means any invertebrate animal of the phylum nemathelminthes and class nematoda, that is, unsegmented round worms with elongated, fusiform or saclike bodies covered with cuticle, and inhabiting soil, water, plants or plant parts; may also be called nemas or eelworms.

(14) 'Arthropod' means any invertebrate animal that belongs to the phylum arthropoda, which in addition to insects, includes allied classes whose members are wingless and usually have more than six legs; for example, spiders, mites, ticks, centipedes, and isopod crustaceans.

(15) 'Insects' means any of the numerous small invertebrate animals whose bodies, in the adult stage, are more or less obviously segmented with six legs and usually with two pairs of wings, belonging to the class insecta; for example, aphids, beetles, bugs, bees, and flies.

(16) 'Fungi' means all non-chlorophyll-bearing plants of a lower order than mosses and liverworts; for example, rusts, smuts, mildews, molds, yeasts, and bacteria, except those on or in living man or other animals.

(17) 'Weed' means any plant which grows where not wanted.

(18) 'Mollusk' means any invertebrate animal characterized by a soft unsegmented body usually partially or wholly enclosed in a calcareous shell, having a foot and mantle; for example, slugs and snails.

(19) 'Restricted use pesticide' means any pesticide or device which the director has found and determined subsequent to hearing under the provisions of chapter 17.21 RCW Washington pesticide application act or this act as enacted or hereafter amended, to be so injurious to persons, pollinating insects, bees, animals, crops, wildlife, or lands other than the pests it is intended to prevent, destroy, control, or mitigate that additional restrictions are required.

(20) 'Distribute' means to offer for sale, hold for sale, sell, barter, or supply pesticides in this state.

(21) 'Pesticide dealer' means any person who distributes any of the following pesticides:

(a) 'Highly toxic' pesticides and/or

(b) 'Restricted use pesticides' which by regulation are restricted to distribution by licensed pesticide dealers only and/or

(c) Any other pesticide except those pesticides in consumer-sized packages no larger than one gallon liquid measure or five pounds dry weight and which are labeled and intended for home and garden use only; and except fertilizer-pesticide mixes when distributed in packages of fifty pounds or less for home and garden use only.

(22) 'Pesticide dealer manager' means the owner or other individual supervising pesticide distribution at one outlet holding a pesticide dealer license.

(23) 'Pest control consultant' means any individual who offers or supplies technical advice, supervision or aid or makes recommendations to the user of:

(a) 'Highly toxic pesticides' and/or

(b) 'Restricted use pesticides' which are restricted by regulation to distribution by licensed pesticide dealers only and/or

(c) Any other pesticides except those pesticides in consumer-sized packages no larger than one gallon liquid measure or five pounds dry weight and which are labeled and intended for home and garden use only and except fertilizer-pesticide mixes when distributed in packages of fifty pounds or less for home and garden use only.

(24) 'Ingredient statement' means a statement of the name and percentage of each active ingredient together with the total percentage of the inert ingredients in the pesticide, and when the pesticide contains arsenic in any form, the ingredient statement shall also include percentages of total and water soluble arsenic, each calculated as elemental arsenic: PROVIDED, That in the case of a spray adjuvant the ingredient statement need contain only the names of the principal functioning agents and the total percentage of the constituents ineffective as spray adjuvants. If more than three functioning agents are present, only the three principal ones need be named.

(25) 'Active ingredient' means any ingredient which will prevent, destroy, repel, control, or mitigate pests, or which will act as a plant regulator, defoliant, desiccant, or spray adjuvant.

(26) 'Inert ingredient' means an ingredient which is not an active ingredient.

(27) 'Antidote' means the most practical immediate treatment in case of poisoning and includes first aid treatment.

(28) 'Person' means any individual, partnership, association, corporation, or organized group of persons whether or not incorporated.

(29) 'Department' means the department of agriculture of the state of Washington.

(30) 'Director' means the director of the department or his duly authorized representative.

(31) 'Registrant' means the person registering any pesticide pursuant to the provisions of this act.

(32) 'Label' means the written, printed, or graphic matter on, or attached to, the pesticide or device or the immediate container thereof, and the outside container or wrapper of the retail package.

(33) 'Labeling' means all labels and other written, printed or graphic matter:

(a) Upon the pesticide or device or any of its containers or wrappers;

(b) Accompanying the pesticide, or referring to it in any other media used to disseminate information to the public; and

(c) To which reference is made on the label or in literature accompanying or referring to the pesticide or device except when accurate nonmisleading reference is made to current official publications of the department, United States department of agriculture; interior; health, education and welfare; state agricultural colleges; and other similar federal or state institutions or agencies authorized by law to conduct research in the field of pesticides.

(34) 'Highly toxic' means any highly toxic pesticide as determined by the director under new section 4 of this act.

(35) 'Pesticide advisory board' means the pesticide advisory board as provided for in the Washington pesticide application act as enacted or hereafter amended.

(36) 'Land' means all land and water areas, including airspace and all plants, animals, structures, buildings, devices and contrivances, appurtenant thereto or situated thereon, fixed or mobile, including any used for transportation.

(37) 'Regulation' means rule or regulation.

NEW SECTION. Sec. 4. (1) The director shall administer and enforce the provisions of this act and regulations adopted hereunder. All the authority and requirements provided for

in chapter 34.04 RCW (Administrative Procedure Act) and chapter 42.32 RCW shall apply to this act in the adoption of regulations including those requiring due notice and a hearing for the adoption of permanent regulations.

(2) The director is authorized to adopt appropriate regulations for carrying out the purpose and provisions of this act, including but not limited to regulations providing for:

(a) Declaring as a pest any form of plant or animal life or virus which is injurious to plants, men, animals (domestic or otherwise), land, articles, or substances;

(b) Determining that certain pesticides are highly toxic to man. The director shall, in making this determination, be guided by the federal definition of highly toxic, as defined in Title 7, code of federal regulations 362.8 as issued or hereafter amended. The director shall publish a list of all pesticides, determined to be highly toxic, by their common or generic name and their trade or brand name if practical. Such list shall be kept current and shall, upon request, be made available to any interested party;

(c) Determining standards for denaturing pesticides by color, taste, odor, or form;

(d) The collection and examination of samples of pesticides or devices;

(e) The safe handling, transportation, storage, display, distribution, and disposal of pesticides and their containers;

(f) Restricting or prohibiting the use of certain types of containers or packages for specific pesticides. These restrictions may apply to type of construction, strength, and/or size to alleviate danger of spillage, breakage, misuse, or any other hazard to the public. The director shall be guided by federal regulations concerning pesticide containers;

(g) Procedures in making of pesticide recommendations;

(h) Adopting a list of restricted use pesticides for the state or for designated areas within the state if the director determines that such pesticides may require regulations restricting or prohibiting their distribution or use. The director may include in the regulation the time and conditions of distribution or use of such restricted use pesticides and may, if he deems it necessary to carry out the purpose and provisions of this act, require that any or all restricted use pesticides shall be purchased, possessed, or used only under permit of the director and under his direct supervision in certain areas and/or under certain conditions or in certain quantities or concentrations: PROVIDED, That the director may require all persons issued such permits to maintain records as to the use of all the restricted use pesticides.

(i) Label requirements of all pesticides required to be registered under provisions of this act; and

(j) Regulating the labeling of devices.

(3) For the purpose of uniformity and to avoid confusion endangering the public health and welfare the director may adopt regulations in conformity with the primary pesticide standards, particularly as to labeling, established by the United States department of agriculture or any other federal agency.

*NEW SECTION.* Sec. 5. Every pesticide which is distributed within this state or delivered for transportation or transported in intrastate commerce or between points within this state through any point outside this state shall be registered with the director subject to the provisions of this act. Such registration shall be renewed annually prior to January 1: PROVIDED, That registration is not required if a pesticide is shipped from one plant or warehouse to another plant or warehouse operated by the same person and used solely at such plant or warehouse as a constituent part to make a pesticide which is registered under the provisions of this act; if the pesticide is not sold and if the container thereof is plainly and conspicuously marked 'For Experimental Use Only - Not To Be Sold', together with the manufacturer's name and address; or if a written permit has been obtained from the director to sell the specific pesticide for experimental purposes subject to restrictions and conditions set forth in the permit.

*NEW SECTION.* Sec. 6. (1) The applicant for registration shall file a statement with the department which shall include:

(a) The name and address of the applicant and the name and address of the person whose name will appear on the label, if other than the applicant's;

(b) The name of the pesticide;

(c) Other necessary information required for completion of the department's application for registration form;

(d) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it, including the directions and precautions for use.

(2) The director, when he deems it necessary in the administration of this act, may require the submission of the complete formula of any pesticide including the active and inert ingredients.

(3) The director may require a full description of the tests made and the results thereof upon which the claims are based.

(4) The director may prescribe other necessary information by regulation.

*NEW SECTION.* Sec. 7. (1) Any person desiring to register a pesticide with the department shall pay to the director an annual registration fee of ten dollars for each pesticide registered by the department for such person. All such registrations shall expire on December 31 of any one year.

(2) Any registration approved by the director and in effect on the 31st day of December for which a renewal application has been made and the proper fee paid, shall continue in full force and effect until such time as the director notifies the applicant that

the registration has been renewed, or otherwise denied in accord with the provision of section 11 of this act.

**NEW SECTION.** Sec. 8. If the renewal of a pesticide registration is not filed prior to January 1 of any one year an additional fee of five dollars shall be assessed and added to the original fee and shall be paid by the applicant before the registration renewal for that pesticide shall be issued: PROVIDED, That such additional fee shall not apply if the applicant furnishes an affidavit certifying that he did not distribute such unregistered pesticide during the period of nonregistration. The payment of such additional fee is not a bar to any prosecution for doing business without proper registry.

**NEW SECTION.** Sec. 9. All federal, state, and county agencies shall register without fee all pesticides sold by them and they shall not be subject to the license provisions of new section 18 of this act.

**NEW SECTION.** Sec. 10. If it appears to the director that the composition of the pesticide is such as to warrant the proposed claims for it and if the pesticide and its labeling and other material required to be submitted comply with the requirements of this act he shall register the pesticide.

**NEW SECTION.** Sec. 11. (1) If it does not appear to the director that the pesticide is such as to warrant the proposed claims for it or if the pesticide and its labeling and other material required to be submitted do not comply with the provisions of this act or regulations adopted thereunder he shall notify the registrant of the manner in which the pesticide, labeling, or other material required to be submitted fails to comply with the provisions of this act so as to afford the applicant an opportunity to make the necessary corrections. If, upon receipt of such notice, the applicant does not make the corrections the director shall refuse to register the pesticide. The applicant may request a hearing as provided for in chapter 34.04 RCW.

(2) The director may, when he determines that a pesticide or its labeling does not comply with the provisions of the act or the regulations adopted thereunder, cancel the registration of a pesticide after a hearing in accordance with the provisions of chapter 34.04 RCW.

**NEW SECTION.** Sec. 12. The director may, when he determines that there is or may be an imminent hazard to the public health and welfare, suspend on his own motion, the registration of a pesticide in conformance with the provisions of chapter 34.04 RCW.

**NEW SECTION.** Sec. 13. The term 'misbranded' shall apply:

(1) To any pesticide or device if its labeling bears any statement, design, or graphic representation relative thereto or to its ingredients which is false or misleading in any particular;

(2) To any pesticide:

(a) If it is an imitation of or is offered for sale under the name of another pesticide;

(b) If its labeling bears any reference to registration under the provisions of this act unless such reference be required by regulations under the act;

(c) If any word, statement, or other information, required by this act or regulations adopted thereunder to appear on the label or labeling, is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or graphic matter in the labeling), and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

(d) If the label does not bear:

(i) The name and address of the manufacturer, registrant or person for whom manufactured;

(ii) Name, brand or trademark under which the pesticide is sold;

(iii) An ingredient statement on that part of the immediate container and on the outside container or wrapper, if there be one, through which the ingredient statement on the immediate container cannot be clearly read, of the retail package which is presented or displayed under customary conditions of purchase: PROVIDED, That the director may permit the ingredient statement to appear prominently on some other part of the container, if the size or form of the container makes it impracticable to place it on the part of the retail package which is presented or displayed under customary conditions of purchase;

(iv) Directions for use and a warning or caution statement which are necessary and which if complied with would be adequate to protect the public and to prevent injury to the public, including living man, useful vertebrate animals, useful vegetation, useful invertebrate animals, wildlife, and land; and

(v) The weight or measure of the content, subject to the provisions of chapter 19.94 RCW (state weights and measures act) as enacted or hereafter amended.

(e) If that pesticide contains any substance or substances in quantities highly toxic to man, determined as provided by new section 4 of this act, unless the label bears, in addition to any other matter required by this act:

(i) The skull and crossbones;

(ii) The word 'POISON' in red prominently displayed on a background of distinctly contrasting color; and

(iii) A statement of an antidote for the pesticide.

(f) If the pesticide container does not bear a label or if the label does not contain all the information required by this act or the regulations adopted under this act.

(3) To a spray adjuvant when the label fails to state the type or function of the principal functioning agents.

**NEW SECTION.** Sec. 14. The term 'adulterated' shall apply to any pesticide if its



strength or purity deviates from the professed standard or quality as expressed on its labeling or under which it is sold, or if any substance has been substituted wholly or in part for the pesticide, or if any valuable constituent of the pesticide has been wholly or in part abstracted, or if any contaminant is present in an amount which is determined by the director to be a hazard.

**NEW SECTION. Sec. 15. (1)** It is unlawful for any person to distribute within the state or deliver for transportation or transport in intrastate commerce or between points within this state through any point outside this state any of the following:

- (a) Any pesticide which has not been registered pursuant to the provisions of this act;
- (b) Any pesticide if any of the claims made for it or any of the directions for its use or other labeling differs from the representations made in connection with its registration, or if the composition of a pesticide differs from its composition as represented in connection with its registration: **PROVIDED**, That at the discretion of the director, a change in the labeling or formula of a pesticide may be made within a registration period without requiring reregistration of the product;
- (c) Any pesticide unless it is in the registrant's or the manufacturer's unbroken immediate container and there is affixed to such container, and to the outside container or wrapper of the retail package, if there is one through which the required information on the immediate container cannot be clearly read, a label bearing the information required in this act and the regulations adopted under this act;
- (d) Any pesticide including arsenicals, fluorides, fluosilicates, and/or any other white powdered pesticides unless they have been distinctly denatured as to color, taste, odor, or form if so required by regulation;
- (e) Any pesticide which is adulterated or misbranded, or any device which is misbranded;
- (f) Any pesticide in containers, violating regulations adopted pursuant to section 4 (2) of this act or pesticides found in containers which are unsafe due to damage.

(2) It shall be unlawful:

- (a) To sell or deliver any restricted use pesticide to any person who is required by law or regulations promulgated under such law to have a permit to use or purchase such restricted use pesticides unless such person or his agent, to whom sale or delivery is made, has a valid permit to use or purchase the kind and quantity of such restricted use pesticide sold or delivered: **PROVIDED**, That, subject to conditions established by the director, such permit may be obtained immediately prior to sale or delivery from any person designated by the director;
- (b) For any person to detach, alter, deface or destroy, wholly or in part, any label or labeling provided for in this act or regulations adopted under this act, or to add any substance to, or take any substance from, a pesticide in a manner that may defeat the purpose of this act or the regulations adopted thereunder;
- (c) For any person to use or cause to be used any restricted use pesticide contrary to label directions or to regulations of the director if those regulations differ from or further restrict the label directions;
- (d) For any person to use for his own advantage or to reveal, other than to the director or proper officials or employees of the state, or to the courts of the state in response to a subpoena, or to physicians, or in emergencies to pharmacists and other qualified persons for use in the preparation of antidotes, any information relative to formulas of products acquired by authority of new section 6 of this act.

**NEW SECTION. Sec. 16.** When the director has reasonable cause to believe a pesticide or device is being distributed, stored, or transported in violation of any of the provisions of this act, or of any of the prescribed regulations under this act, he may issue and serve a written 'stop sale, use or removal' order upon the owner or custodian of any such pesticide or device. If the owner or custodian is not available for service of the order upon him, the director may attach the order to the pesticide or device. The pesticide or device shall not be sold, used or removed until the provisions of this act have been complied with and the pesticide or device has been released in writing under conditions specified by the director, or the violation has been otherwise disposed of as provided in this act by a court of competent jurisdiction.

**NEW SECTION. Sec. 17. (1)** After service of a 'stop sale, use or removal' order is made upon any person, either that person or the director may file an action in a court of competent jurisdiction in the county in which a violation of this act or regulations adopted thereunder is alleged to have occurred for an adjudication of the alleged violation. The court in such action may issue temporary or permanent injunctions mandatory or restraining, and such intermediate orders as it deems necessary or advisable. The court may order condemnation of any pesticide or device which does not meet the requirements of this act or regulations adopted thereunder.

(2) If the pesticide or device is condemned, it shall, after entry of decree, be disposed of by destruction or sale as the court directs, and the proceeds, if such pesticide or device is sold, less cost including legal costs, shall be paid to the state treasury as provided in new section 40 of this act: **PROVIDED**, That the pesticide or device shall not be sold contrary to the provisions of this act or regulations adopted thereunder. Upon payment of costs and execution and delivery of a good and sufficient bond conditioned that the pesticide or device shall not be disposed of unlawfully, the court may direct that the pesticide or device be delivered to the owner thereof for relabeling or reprocessing as the case may be.

(3) When a decree of condemnation is entered against the pesticide, court costs, fees,

and storage and other proper expenses shall be awarded against the person, if any, appearing as claimant of the pesticide.

**NEW SECTION. Sec. 18.** (1) It shall be unlawful for any person to act in the capacity of a pesticide dealer, or advertise as, or assume to act as a pesticide dealer at any time without first having obtained an annual license from the director which shall expire on the final day of February. A license shall be required for each location or outlet located within this state from which such pesticides are distributed: PROVIDED, That any manufacturer, registrant, or distributor who has no pesticide dealer outlet licensed within this state and who distributes such pesticides directly into this state shall obtain a pesticide dealer license for his principal out-of-state location or outlet: PROVIDED FURTHER, That such licensed out-of-state pesticide dealer shall be exempt from the pesticide dealer manager requirements.

(2) Application for a license shall be accompanied by a ten dollar annual license fee and shall be on a form prescribed by the director and shall include the full name of the person applying for such license and the name of the individual within the state designated as the pesticide dealer manager. If such applicant is a partnership, association, corporation, or organized group of persons, the full name of each member of the firm or partnership or the names of the officers of the association or corporation shall be given on the application. Such application shall further state the principal business address of the applicant in the state and elsewhere, the name of a person domiciled in this state authorized to receive and accept service of summons of legal notices of all kinds for the applicant, and any other necessary information prescribed by the director.

(3) It shall be unlawful for any licensed dealer outlet to operate without a pesticide dealer manager who has a license of qualification. The department shall be notified forthwith of any change in the pesticide dealer manager designee during the licensing period.

(4) Provisions of this section shall not apply to a licensed pesticide applicator who sells pesticides only as an integral part of his pesticide application service when such pesticides are dispensed only through apparatuses used for such pesticide application; or any federal, state, county, or municipal agency which provides pesticides only for its own programs.

**NEW SECTION. Sec. 19.** If an application for renewal of a pesticide dealer license is not filed on or prior to March 1 of any one year an additional fee of ten dollars shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license shall be issued: PROVIDED, That such additional fee shall not apply if the applicant furnishes an affidavit that he has not operated as a pesticide dealer subsequent to the expiration of his prior license.

**NEW SECTION. Sec. 20.** The director shall require each pesticide dealer manager to demonstrate to the director his knowledge of pesticide laws and regulations; pesticide hazards; and the safe distribution, use and application, and disposal of pesticides by satisfactorily passing a written examination after which the director shall issue a license of qualification. The director shall charge a five dollar examination fee for each examination administered on a regularly scheduled examination date. An additional fee of five dollars shall be charged when an examination is requested at other than a regularly scheduled examination date.

**NEW SECTION. Sec. 21.** No individual shall perform services as a pest control consultant after February 28, 1973, without first obtaining from the director an annual license which shall expire on the final day of February of each year. Application for a license shall be on a form prescribed by the director and shall be accompanied by a fee of ten dollars: PROVIDED, That licensed pesticide applicators and operators; employees of federal, state, county, or municipal agencies when acting in their official capacities; and pesticide dealer managers and employees working under the direct supervision of the pesticide dealer manager and only at a licensed pesticide dealer's outlet, shall be exempt from this licensing provision.

**NEW SECTION. Sec. 22.** For the purpose of this section public pest control consultant means any individual who is employed by a governmental agency or unit to act as a pest control consultant as defined in section 2, (23) of this act. No person shall act as a public pest control consultant on or after February 28, 1973 without first obtaining an annual nonfee license from the director which shall expire on the final day of February of each year. Application for a license shall be on a form prescribed by the director: PROVIDED, That federal and state employees whose principal responsibilities are in pesticide research, the jurisdictional health officer or his duly authorized representative, and public operators licensed under RCW 17.21.220 shall be exempt from this licensing provision.

**NEW SECTION. Sec. 23.** The director shall require each applicant for a pest control consultant's license or a public pest control consultant's license to demonstrate to the director the applicant's knowledge of pesticide laws and regulations; pesticide hazards; and the safe distribution, use and application, and disposal of pesticides by satisfactorily passing a written examination for the classifications for which he has applied prior to issuing his license. An examination fee of five dollars shall be charged when an examination is requested at other than a regularly scheduled examination date.

**NEW SECTION. Sec. 24.** The director may classify licenses to be issued under the provisions of this act. Such classifications may include but not be limited to agricultural crops, ornamentals, or noncrop land herbicides. If the licensee has a classified license he shall be limited to practicing within these classifications. Each such classification shall be subject to separate testing procedures and requirements: PROVIDED, That no person shall

be required to pay an additional license fee if such person desires to be licensed in one or all of the license classifications provided for by the director under the authority of this section. The director may renew any applicant's license under the classification for which the applicant is licensed, subject to reexamination when deemed necessary because new knowledge or new classifications are required to carry out the responsibilities of the licensee.

*NEW SECTION.* Sec. 25. Any person issued a license or permit under the provisions of this act may be required by the director to keep accurate records on a form prescribed by him which may contain the following information:

(1) The delivery, movement or holding of any pesticide or device, including the quantity;

(2) The date of shipment and receipt;

(3) The name of consignor and consignee; and

(4) Any other information, necessary for the enforcement of this act, as prescribed by the director.

The director shall have access to such records at any reasonable time to copy or make copies of such records for the purpose of carrying out the provisions of this act.

*NEW SECTION.* Sec. 26. The director is authorized to deny, suspend, or revoke any license, registration or permit provided for in this act subject to a hearing and in conformance with the provisions of chapter 34.04 RCW (Administrative Procedure Act) in any case in which he finds there has been a failure or refusal to comply with the provisions of this act or regulations adopted hereunder.

*NEW SECTION.* Sec. 27. The director may issue subpoenas to compel the attendance of witnesses and/or production of books, documents and records in the county in which the person licensed under this act resides in any hearing affecting the authority or privilege granted by a license, registration or permit issued under the provisions of this act. Witnesses shall be entitled to fees for attendance and travel, as provided for in chapter 2.40 RCW as enacted or hereafter amended.

*NEW SECTION.* Sec. 28. The sampling and examination of pesticides or devices shall be made under the direction of the director for the purpose of determining whether or not they comply with the requirements of this act. The director is authorized, upon presentation of proper identification, to enter any distributor's premises, including any vehicle of transport, at all reasonable times in order to have access to pesticides or devices. If it appears from such examination that a pesticide or device fails to comply with the provisions of this act or regulations adopted thereunder, and the director contemplates instituting criminal proceedings against any person, the director shall cause notice to be given to such person. Any person so notified shall be given an opportunity to present his views, either orally or in writing, with regard to the contemplated proceedings. If thereafter in the opinion of the director it appears that the provisions of the act or regulations adopted thereunder have been violated by such person, the director shall refer a copy of the results of the analysis or the examination of such pesticide or device to the prosecuting attorney for the county in which the violation occurred.

*NEW SECTION.* Sec. 29. Nothing in this act shall be construed as requiring the director to report for prosecution or for the institution of condemnation proceedings minor violations of this act when he believes that the public interest will be best served by a suitable notice of warning in writing.

*NEW SECTION.* Sec. 30. The penalties provided for violations of section 15 (1) (a), (b), (c), (d), and (e) of this act shall not apply to:

(1) Any carrier while lawfully engaged in transporting a pesticide within the state, if such carrier, upon request, permits the director to copy all records showing the transaction in and movement of the articles.

(2) Public officials of the state and the federal government engaged in the performance of their official duties.

(3) The manufacturer or shipper of a pesticide for experimental use only by or under the supervision of an agency of this state or of the federal government authorized by law to conduct research in the field of pesticides.

*NEW SECTION.* Sec. 31. No pesticides shall be deemed in violation of this act when intended solely for export to a foreign country, and when prepared or packed according to the specifications or directions of the purchaser. If not so exported, all the provisions of this act shall apply.

*NEW SECTION.* Sec. 32. The license provisions of this act shall not apply to any pharmacist who is licensed pursuant to chapter 18.64 RCW and does not distribute any pesticide required to be registered under the provisions of this act.

*NEW SECTION.* Sec. 33. Any person violating any provisions of this act or regulations adopted thereunder is guilty of a misdemeanor for the first violation and a gross misdemeanor for a subsequent violation. In any instance where a person was issued a warning in writing by the director pursuant to the provisions of this act, such person shall upon conviction of such provision of this act be guilty of a gross misdemeanor.

*NEW SECTION.* Sec. 34. The director may bring an action to enjoin the violation or threatened violation of any provision of this act or any regulation made pursuant to this act in a court of competent jurisdiction of the county in which such violation occurs or is about to occur.

*NEW SECTION.* Sec. 35. No person charged with the enforcement of any provision of this act shall be directly or indirectly interested in the sale, manufacture or distribution of any pesticide or device.

*NEW SECTION.* Sec. 36. No state court shall allow the recovery of damages from administrative action taken or for 'stop sale, use or removal' if the court finds that there was probable cause for such action.

*NEW SECTION.* Sec. 37. The department shall publish at least annually and in such form as it may deem proper, results of analyses based on official samples as compared with the analyses guaranteed and information concerning the distribution of pesticides: PROVIDED, That individual distribution information shall not be a public record.

*NEW SECTION.* Sec. 38. The pesticide advisory board shall advise the director on any or all problems relating to the formulation, distribution, storage, transportation, disposal, and use of pesticides in the state.

*NEW SECTION.* Sec. 39. (1) There is hereby created a pesticide control board consisting of the dean of the college of agriculture at Washington State University; the secretary of the department of social and health services or his designee; the director of the department of ecology; and the director of the department of agriculture. This board is created to assure the continuation of this state's basic policy of protecting and improving its environmental quality which is a matter of the utmost public concern.

(2) The pesticide control board shall, at least once each year prior to November 1, make a determination of what persistent pesticides shall be limited to essential uses, list what the essential uses shall be for pesticides so classified, and establish a time schedule for compliance. This annual determination shall include a review of existing essential uses for such pesticides. In determining what pesticides are classified as persistent (pesticides which, following application, degrade or dissipate slowly in the environment), the board shall take into consideration but shall not be limited by determinations made by federal agencies, including the federal environment protection agency. The classification of persistent pesticides shall include but not necessarily be limited to DDT, aldrin, dieldrin, endrin, heptachlor, chlordane, benzene hexachloride, lindane, toxaphene and compounds containing arsenic, lead, or mercury. The findings of the board in regard to persistent pesticides and essential uses shall be implemented by department regulations.

(3) In making its determination of essential uses of any pesticide, the pesticide control board shall consider the need for control of the target pest, whether effective alternate materials are available, whether the use of such alternate materials is practical, and whether the use of such alternate materials is less hazardous to the environment and/or public health and welfare.

(4) The determinations made by the pesticide control board under the provisions of this act shall be applicable and controlling to the administration and enforcement of chapter 17.21 RCW.

*NEW SECTION.* Sec. 40. The director is authorized to cooperate with and enter into agreements with any other agency of the state, the United States, and any other state or agency thereof for the purpose of carrying out the provisions of this act and securing uniformity of regulation.

*NEW SECTION.* Sec. 41. All moneys received by the director under the provisions of this act shall be paid into the state treasury.

*NEW SECTION.* Sec. 42. The effective date of this act is July 1, 1971: PROVIDED, That the effective date of sections 21, 22 and 23 is March 1, 1973.

*NEW SECTION.* Sec. 43. The repeal of RCW 15.57.010 through 15.57.930 and the enactment of this act shall not be deemed to have repealed any regulations adopted under the provisions of RCW 15.57.010 through 15.57.930 in effect immediately prior to such repeal and not inconsistent with the provisions of this act. All such regulations shall be considered to have been adopted under the provisions of this act.

*NEW SECTION.* Sec. 44. The enactment of this act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence on the date this act becomes effective.

*NEW SECTION.* Sec. 45. Any registration, license, or permit issued under the provisions of chapter 15.57 RCW and in effect on the effective date of this act shall continue in full force and effect until its expiration date, as if it has been issued under the provisions of this act, unless revoked prior thereto for cause by the director.

*NEW SECTION.* Sec. 46. If any provisions of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

*NEW SECTION.* Sec. 47. The following acts or parts of acts are each repealed:

- ( 1 ) Section 1, chapter 244, Laws of 1961 and RCW 15.57.010;
- ( 2 ) Section 2, chapter 244, Laws of 1961 and RCW 15.57.020;
- ( 3 ) Section 3, chapter 244, Laws of 1961 and RCW 15.57.030;
- ( 4 ) Section 4, chapter 244, Laws of 1961 and RCW 15.57.040;
- ( 5 ) Section 5, chapter 244, Laws of 1961 and RCW 15.57.050;
- ( 6 ) Section 6, chapter 244, Laws of 1961 and RCW 15.57.060;
- ( 7 ) Section 7, chapter 244, Laws of 1961 and RCW 15.57.070;
- ( 8 ) Section 8, chapter 244, Laws of 1961 and RCW 15.57.080;
- ( 9 ) Section 9, chapter 244, Laws of 1961 and RCW 15.57.090;
- (10) Section 10, chapter 244, Laws of 1961 and RCW 15.57.100;
- (11) Section 11, chapter 244, Laws of 1961 and RCW 15.57.110;

- (12) Section 12, chapter 244, Laws of 1961 and RCW 15.57.120;
- (13) Section 13, chapter 244, Laws of 1961 and RCW 15.57.130;
- (14) Section 14, chapter 244, Laws of 1961 and RCW 15.57.140;
- (15) Section 15, chapter 244, Laws of 1961 and RCW 15.57.150;
- (16) Section 16, chapter 244, Laws of 1961 and RCW 15.57.160;
- (17) Section 17, chapter 244, Laws of 1961 and RCW 15.57.170;
- (18) Section 18, chapter 244, Laws of 1961 and RCW 15.57.180;
- (19) Section 19, chapter 244, Laws of 1961 and RCW 15.57.190;
- (20) Section 20, chapter 244, Laws of 1961 and RCW 15.57.200;
- (21) Section 21, chapter 244, Laws of 1961 and RCW 15.57.210;
- (22) Section 22, chapter 244, Laws of 1961 and RCW 15.57.220;
- (23) Section 23, chapter 244, Laws of 1961 and RCW 15.57.230;
- (24) Section 24, chapter 244, Laws of 1961 and RCW 15.57.240;
- (25) Section 25, chapter 244, Laws of 1961 and RCW 15.57.250;
- (26) Section 26, chapter 244, Laws of 1961 and RCW 15.57.260;
- (27) Section 27, chapter 244, Laws of 1961 and RCW 15.57.270;
- (28) Section 28, chapter 244, Laws of 1961 and RCW 15.57.280;
- (29) Section 29, chapter 244, Laws of 1961 and RCW 15.57.290;
- (30) Section 30, chapter 244, Laws of 1961 and RCW 15.57.300;
- (31) Section 31, chapter 244, Laws of 1961 and RCW 15.57.310;
- (32) Section 32, chapter 244, Laws of 1961 and RCW 15.57.320;
- (33) Section 33, chapter 244, Laws of 1961 and RCW 15.57.330;
- (34) Section 34, chapter 244, Laws of 1961 and RCW 15.57.340;
- (35) Section 35, chapter 244, Laws of 1961 and RCW 15.57.350;
- (36) Section 36, chapter 244, Laws of 1961 and RCW 15.57.360;
- (37) Section 37, chapter 244, Laws of 1961 and RCW 15.57.370;
- (38) Section 38, chapter 244, Laws of 1961 and RCW 15.57.900;
- (39) Section 39, chapter 244, Laws of 1961 and RCW 15.57.910;
- (40) Section 40, chapter 244, Laws of 1961 and RCW 15.57.920 and
- (41) Section 41, chapter 244, Laws of 1961 and RCW 15.57.930.

**NEW SECTION.** Sec. 48. New sections 1 through 47 of this act are added to Title 15 RCW."

In line 1 of the title after "pesticides;" and before "establishing" insert "authorizing the control and regulation thereof by the department of agriculture; providing for the registration of pesticides; providing for the licensing of pest control consultants and pesticide dealers;"

Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Kilbury, Morrison, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

**HOUSE BILL NO. 676,** licensing of commercial feed lots and identification of cattle therein, reported by Committee on Agriculture.

**MAJORITY recommendation:** Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

**HOUSE BILL NO. 705,** amending certain regulations of public livestock markets and powers of director of agriculture, reported by Committee on Agriculture.

**MAJORITY recommendation:** Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

**HOUSE BILL NO. 706,** amending certain regulations of commission merchants, reported by Committee on Agriculture.

**MAJORITY recommendation:** Do pass. Signed by Representatives Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

**HOUSE BILL NO. 774,** relating to the operation and administration of state government, reported by Committee on State Government.

**MAJORITY recommendation:** Do pass with the following amendments:

Strike all material after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. The office of lieutenant governor is abolished as a constitutional office and reconstituted as an office created by statute.

NEW SECTION. Sec. 2. Any candidate filing for the office of governor shall file and run jointly with a candidate for the statutory office of lieutenant governor, who shall be a member of the same political party. Their names shall be grouped together on the ballot, and a vote for one shall constitute a vote for both.

Sec. 3. Section 29.30.080, chapter 9, Laws of 1965 as amended by section 2, chapter 52, Laws of 1965 and RCW 29.30.080 are each amended to read as follows:

All general election ballots prepared under the provisions of this title shall conform to the following requirements:

(1) Shall be of white and a good quality of paper, and the names shall be printed thereon in black ink.

(2) Every ballot shall contain the name of every candidate whose nomination for any office specified in the ballot has been filed according to the provisions of this title and no other names.

(3) All nominations of any party or group of petitioners shall be placed under the title of such party of petitioners as designated by them in their certificate of nomination or petition, and the name of each nominee shall be placed under the designation of the office for which he has been nominated.

(4) There shall be a  at the right of the name of each of its nominees so that a voter may clearly indicate the candidate or the candidates for whom he wishes to cast his ballot. The square shall be one-fourth of an inch. The size of type for the designation of the office shall be nonpareil caps; that of the candidates not smaller than brevier or larger than small pica caps and shall be connected with squares by leaders.

(5) The list of candidates of the party whose candidate for president of the United States received the highest number of votes from the electors of this state in the preceding presidential election shall be placed in the first column of the left hand side of the ballot, the party whose candidates for presidential electors or candidates received the next highest number of votes from the electors of this state in the preceding presidential election the second column and of other parties in the order in which certificates of nomination have been filed.

(6) No candidate's name shall appear more than once upon the ballot: PROVIDED, That any candidate who has been nominated by two or more political parties may, upon a written notice filed with the county auditor at least twenty days before the election is to be held, designate the political party under whose title he desires to have his name placed.

(7) Under the designation of the office if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

(8) Upon each official ballot a perforated line one-half inch from the left hand edge of said ballot shall extend from the top of said ballot towards the bottom of the same two inches thence to the left hand edge of the ballot and upon the space thus formed there shall be no printing except the number of such ballot which shall be upon the back of such space in such position that it shall appear on the outside when the ballot is folded. The county auditor shall cause official ballots to be numbered consecutively beginning with number one, for each separate voting precinct.

(9) Official ballots for a given precinct shall not contain the names of nominees for justices of the peace and constables of any other precinct except in cases of municipalities where a number of precincts vote for the same nominee for justices of the peace and constables and in the latter case the ballots shall contain only the names to be voted for by the electors of such precinct. Each party column shall be two and five-eighths inches wide.

(10) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with one three-eighths inch square to the right in which the voter indicates his choice.

(11) On the top of each of said ballots and extending across the party groups, there shall be printed instructions directing the voters how to mark the ballot before the same shall be deposited with the judges of election. Next after the instructions and before the party group shall be placed the questions of adopting constitutional amendments or any other question authorized by law to be submitted to the voters of such election. The arrangement of the ballot shall in general conform as nearly as possible to the form hereinafter given.

Instructions: If you desire to vote for any candidate, place X in  at the right of the name of such candidate.

(Here place any state or local questions to be voted on.)

REPUBLICAN PARTY

DEMOCRATIC PARTY

OTHER PARTY

PRESIDENT AND VICE PRESIDENT

PRESIDENT AND VICE PRESIDENT

(Name of candidate) . . .

(Name of candidate) . . .

(Name of candidate) . . .

(Name of candidate) . . .

UNITED STATES SENATOR  
(Name of candidate) . . .

UNITED STATES SENATOR  
(Name of candidate) . . .

REPRESENTATIVE IN  
CONGRESS  
3rd Congressional  
District  
(Name of candidate) . . .

REPRESENTATIVE IN  
CONGRESS  
3rd Congressional  
District  
(Name of candidate) . . .

[GOVERNOR  
(Name of candidate) . . .

GOVERNOR  
(Name of candidate) . . .

LIEUTENANT GOVERNOR  
(Name of candidate) . . .

LIEUTENANT GOVERNOR  
(Name of candidate) . . .

GOVERNOR AND  
LIEUTENANT GOVERNOR  
(Name of candidate)  
(Name of candidate) . . .

GOVERNOR AND  
LIEUTENANT GOVERNOR  
(Name of candidate)  
(Name of candidate) . . .

SECRETARY OF STATE  
(Name of candidate) . . .

SECRETARY OF STATE  
(Name of candidate) . . .

STATE TREASURER  
(Name of candidate) . . .

STATE TREASURER  
(Name of candidate) . . .

STATE AUDITOR  
(Name of candidate) . . .

STATE AUDITOR  
(Name of candidate) . . .

ATTORNEY GENERAL  
(Name of candidate) . . .

ATTORNEY GENERAL  
(Name of candidate) . . .

COMMISSIONER OF PUBLIC  
LANDS  
(Name of candidate) . . .

COMMISSIONER OF PUBLIC  
LANDS  
(Name of candidate) . . .

INSURANCE COMMISSIONER  
(Name of candidate) . . .

INSURANCE COMMISSIONER  
(Name of candidate) . . .

STATE SENATOR  
(1st District)  
(Name of candidate) . . .

STATE SENATOR  
(1st District)  
(Name of candidate) . . .

STATE REPRESENTATIVE  
(31st District)  
Position No. 1  
(Name of candidate) . . .

STATE REPRESENTATIVE  
(31st District)  
Position No. 1  
(Name of candidate) . . .

STATE REPRESENTATIVE  
(31st District)  
Position No. 2  
(Name of candidate) . . .

STATE REPRESENTATIVE  
(31st District)  
Position No. 2  
(Name of candidate) . . .

STATE REPRESENTATIVE  
(31st District)  
Position No. 3  
(Name of candidate) . . .

STATE REPRESENTATIVE  
(31st District)  
Position No. 3  
(Name of candidate) . . .

*NEW SECTION.* Sec. 4. This act shall take effect at the expiration of the first filing period for the present office of lieutenant governor at which the present incumbent of the office has not filed to succeed himself."

In line 1 of the title, after "government" and before the period insert "; providing for the abolition of the office of lieutenant governor as a constitutional office, and its reconstitution as a statutory office; providing that each candidate for governor must file and run together with a candidate for lieutenant governor; amending section 29.30.080, chapter 9, Laws of 1965 as amended by section 2, chapter 52, Laws of 1965 and RCW 29.30.080; and providing an effective date"

Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, Paris, Spanton, Swayze.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 13, adopting the joint rules of the forty-second session of the legislature, reported by Committee on Rules and Administration.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5 beginning with the word "Add" strike everything through and including "ADDRESS" on line 17

On page 1, line 27 beginning with the word "within" strike everything through "with" on page 2, line 2 and insert "without"

Signed by Representatives Swayze, Chairman, Bledsoe, Brouillet, Chatalas, Grant, Harris, Jueling, Kirk, Litchman, May, Newhouse, O'Brien, Sawyer, Wolf.

#### MOTIONS

On motion of Mr. Bledsoe, the rules were suspended, Engrossed Senate Concurrent Resolution No. 13 was advanced to second reading and read the second time.

On motion of Mr. Bledsoe, the committee amendment to page 1, line 5, was adopted.

Mr. Bledsoe moved adoption of the committee amendment to page 1, line 27.

Representatives Bledsoe and Chatalas spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 13 as amended by the House was placed on final passage and adopted.

#### MOTION

On motion of Mr. Bledsoe, Engrossed Senate Concurrent Resolution No. 13 as amended by the House was ordered transmitted immediately to the Senate.

#### MESSAGES FROM THE GOVERNOR

Office of the Governor, February 26, 1971.

TO THE HONORABLE, THE HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON.

LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bills, entitled:

HOUSE BILL NO. 27: Increasing the state treasurer's faithful performance bond.

HOUSE BILL NO. 28: Placing assistant and deputy state treasurers under state's blanket performance bond.

HOUSE BILL NO. 92: Correcting apparent clerical error in RCW 7.33.280.

HOUSE BILL NO. 93: Correcting clerical error in RCW 11.24.010 (Probate Code).

HOUSE BILL NO. 94: Correcting education code sections.

HOUSE BILL NO. 95: Correcting double amendment to RCW 36.76.010.

HOUSE BILL NO. 96: Correcting double amendment to RCW 37.16.020.

HOUSE BILL NO. 97: Correcting double amendments to RCW 43.17.010 and 43.17.020.

HOUSE BILL NO. 98: Correcting double amendment to RCW 54.24.018.

HOUSE BILL NO. 99: Correcting double amendment to RCW 82.04.430.

Sincerely,  
RICHARD W. HEMSTAD  
Legal Assistant.



## MESSAGES FROM THE SENATE

February 27, 1971.

Mr. Speaker: The Senate has passed:  
 ENGROSSED SENATE BILL NO. 227,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 446,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 2,  
 SENATE CONCURRENT RESOLUTION NO. 3,  
 SENATE CONCURRENT RESOLUTION NO. 5,  
 SENATE CONCURRENT RESOLUTION NO. 10,  
 and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

February 27, 1971.

Mr. Speaker: The Senate concurred in the House amendments to ENGROSSED SENATE CONCURRENT RESOLUTION NO. 17, and adopted the resolution as amended by the House. BILL GLEASON, Assistant Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SENATE JOINT RESOLUTION NO. 1.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1039, by Representative Moon:

An Act relating to revenue and taxation; providing a state income tax; and creating new sections.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 1040, by Representatives Moon, Sawyer, Bradley and Van Dyk:

An Act relating to taxation; and creating new sections.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 1041, by Representatives Haussler, Curtis and Bozarth:

An Act relating to the creation and operation of television reception improvement districts; providing for a tax; creating new sections; and prescribing penalties.

Referred to Committee on Local Government.

HOUSE BILL NO. 1042, by Representatives Wolf, Sawyer, Bottiger, Luders, Mentor; Marzano, Shera, Smith, Wojahn, Paris, Hansey, Gladder, Conway, Lysen, Curtis, Spanton, Hoggins, Cunningham, Hatfield, Farr, Benitz, Amen, Jastad, Smythe, Jueling, Bagnariol, Gallagher, Kilbury, Hubbard, Zimmerman, Gilleland, Kopet, Schumaker, Polk, Bauer, Bledsoe, Newhouse, Costanti, Haussler, Randall and Van Dyk:

An Act relating to revenue and taxation; extending the sales tax to outdoor music festivals; and amending section 1, chapter 8, Laws of 1970 ex. sess. and RCW 82.04.050.

Referred to Committee on Revenue and Taxation.

HOUSE BILL NO. 1043, by Representatives Benitz, Bledsoe and Bauer:

An Act relating to motor vehicle fuel tax refunds; and amending section 82.36.280, chapter 15, Laws of 1961 as amended by section 23, chapter 281, Laws of 1969 ex. sess. and RCW 82.36.280.

Referred to Committee on Transportation.

HOUSE CONCURRENT RESOLUTION NO. 22, by Representative Bledsoe:

Calling for a joint session to receive the message of the vice president.

## MOTIONS

On motion of Mr. Morrison, the rules were suspended, House Concurrent Resolution No. 22 was advanced to second reading and read the second time.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 22 was placed on final passage.

#### POINT OF INQUIRY

Mr. Bledsoe: "Would the Speaker care to comment for the benefit of the membership about some of the arrangements being made and about what happens when the Vice President comes to address this body as far as attendance and this type of thing? Are you at that point, sir?"

The Speaker: "I think we can comment on some of the preliminary arrangements for the Vice President's visit here on Thursday. This concurrent resolution will call for the Joint Session to commence at 3:45 p.m. The Vice President is scheduled to begin his portion of the program at 4:30, at which time live television coverage will also commence. In addition to each member, of course, being present, we will have space here for one additional person, your wife or someone else, and special tickets will be given to each member for the one additional person. Special seating arrangements are being made. Further details are awaiting the arrival of the advance party and security men from Washington, D.C., who are expected sometime today."

#### POINTS OF INQUIRY

Mr. Chatalas: "I would like to know if they intend to play the Greek Anthem as well as the United States Anthem because I want to get my voice in tune."

The Speaker: "Those details haven't been worked out yet."

Mr. Gallagher: "Is Vice President Agnew going to leave his golf clubs in Washington, D.C.?"

The Speaker: "We hope so, Mr. Gallagher."

House Concurrent Resolution No. 22 was adopted.

#### MOTION

On motion of Mr. Bledsoe, House Concurrent Resolution No. 22 was ordered transmitted immediately to the Senate.

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 227, by Senators Holman and Washington (by Departmental request):

An Act relating to the provision of emergency medical care and limiting the liability of licensed physicians or hospitals.

Referred to Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 446, by Committee on Agriculture and Horticulture:

An Act relating to custom meat facilities handling meat for household consumers; amending section 37, chapter 145, Laws of 1969 ex. sess. and RCW 16.49A.370; and creating new sections.

Referred to Committee on Agriculture.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 2, by Senators Atwood, Foley and Canfield (by Legislative Budget Committee request):

Providing for a study of a single distribution method for funds for the common schools.

Referred to Committee on Appropriations.

SENATE CONCURRENT RESOLUTION NO. 3, by Senators Mardesich, Atwood and Foley (by Legislative Budget Committee request):

Authorizing a study of community college funds.

Referred to Committee on Appropriations.

SENATE CONCURRENT RESOLUTION NO. 5, by Senators Atwood, Dore and Canfield:

Providing for review of community college program costs.  
Referred to Committee on Appropriations.

SENATE CONCURRENT RESOLUTION NO. 10, by Senators Ridder, Peterson (Ted), Francis, Scott, Whetzel, Matson, Washington, Murray, Metcalf, Walgren, Fleming, Odegaard, Huntley, Holman and Stortini:

Authorizing a study of day care services.  
Referred to Committee on Higher Education.

## SECOND READING

HOUSE BILL NO. 501, by Representatives Kuehnle, Chatalas, Merrill, Jueling, Jones, Ceccarelli and Litchman:

Amending regulation of real estate brokers and salesmen.

The House resumed consideration of House Bill No. 501 on second reading.

The Speaker stated the question before the House to be the following amendment by Representatives Kuehnle, Ceccarelli and Chatalas: (For amendments previously adopted, see Journal for forty-eighth day, February 27, 1971)

On page 6, section 8, line 29 after "Nothing in" and before "this" insert "this section of"

Representatives Kuehnle and Charette spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Kuehnle, the following amendments by Representatives Kuehnle, Ceccarelli and Chatalas were adopted:

On page 7, section 9, line 23 after "completed" and before "ninety" insert "successfully"

On page 7, section 9, line 25 strike "Nothing in" and insert "The requirements (1) through (4) of this section of"

On page 7, section 9, line 25 after "shall" and before "apply" insert "not"

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle and Litchman was adopted.

On page 7, section 9, line 7 following "passed the examination" and before "together" strike "and of those who failed," and insert "[and of those who failed,]"

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle, Ceccarelli and Chatalas was adopted:

On page 14, line 26 strike all of section 19 and renumber the remaining sections consecutively

House Bill No. 501 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 501 was placed on final passage.

Representative Kuehnle spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 501, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Paris, Polk,

Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representatives Moon, Perry—2.

Absent or not voting: Representatives Copeland, Pardini—2.

Engrossed House Bill No. 501, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 291, by Representatives Kuehnle, Litchman, Curtis, Hatfield, Bottiger, Gladder, Eikenberry, Pardini, Smith, Conway, Kopet, Morrison, Wolf, Shera, Gallagher, Bagnariol, Jastad, Adams, Rosellini, Ceccarelli, Randall, Anderson, Backstrom, Bauer, Hoggins, Knowles, Marzano and McCormick:

Relating to gambling.

The House resumed consideration of House Bill No. 291 on second reading. The Speaker stated the question before the House to be the amendment by Representatives Kuehnle and others which had been substituted for the committee amendment to House Bill No. 291.

#### POINT OF INQUIRY

Mr. Rabel yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Mr. Rabel, as a spokesman for a position with some differentiation from the amendment before us, you have some amendments to propose. How many in number would they be?"

Mr. Rabel: "Sixteen at the current time."

Mr. Bledsoe: "Would there be a possibility, given twenty-four hours, of being able to consolidate those sixteen amendments into something lesser in number?"

Mr. Rabel: "Yes, we think if we had overnight to work, we could get this down to three or perhaps four amendments."

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Bledsoe.

Mr. Bledsoe: "Mr. Kuehnle, as the proposer of the amendment currently before us, do you have any objection to a twenty-four hour setover on this?"

Mr. Kuehnle: "No, Mr. Bledsoe, as a matter of fact I would recommend that procedure. There are a lot of other amendments floating around here, and I think our subcommittee would like a chance to look at them. We certainly want all the input we can get."

#### MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of House Bill No. 291 on second reading, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 353, by Representatives Gilleland, Perry and Berentson:

Pertaining to refunds for nonhighway use of fuel.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, beginning on line 1 strike "established by such other methods as may be approved by the director, or that the claim for refund is based on" and insert "[established by such other methods as may be approved by the director] is established by"

On page 2, section 1, line 9, strike "attach" and insert "provide"

The bill was read the second time.

On motion of Mr. Amen, the committee amendments were adopted.

The Clerk read the following amendment by Mr. McDermott:

On page 2, after line 15, insert a new paragraph as follows:

"The department of motor vehicles shall establish, by rule and regulation, procedures whereby all persons engaged in the business of selling motor vehicle fuels would be required to identify those motor vehicle fuels being purchased for nonhighway uses. The department of motor vehicles shall then establish a reserve fund into which all motor vehicle fuel taxes

collected on fuels so identified shall be placed. Refunds made pursuant to this section shall be made from this reserve account in accordance with procedures established by the department. Upon the expiration of the time limitation established by RCW 82.36.330 for claiming refunds, the state of Washington shall succeed to the right to such refunds. At least once each biennium the director of the department of motor vehicles shall request the state treasurer to transfer the aforementioned funds into a nonhighway use tax account. Such account shall be used for mass transit systems as defined in RCW 35.58.272: PROVIDED, That nothing contained in this section shall be construed to affect the distribution of moneys pursuant to RCW 43.99.070."

With the consent of the House, Mr. McDermott withdrew the amendment.

House Bill No. 353 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 353 was placed on final passage.

Representative Gilleland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 353, and the bill passed the House by the following vote: Yeas, 89; nays, 9; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Maxie, May, McCormick, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Chatalas, Grant, Kilbury, Lysen, Marzano, McDermott, Moon, Shipoch, Williams—9.

Absent or not voting: Representative Copeland—1.

Engrossed House Bill No. 353, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 686, by Representatives Eikenberry, Knowles and Hubbard:

Changing the judgment creditors remedies in seeking to enforce a judgment on the judgment debtor.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 686 was placed on final passage.

Representative Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 686, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Copeland—1.

House Bill No. 686, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 538, by Representatives Charette and Hubbard:

Providing for a change in the right of action against a contractor for injury or death.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, line 19, after "payments" insert "*with respect to the plaintiff,*"

On page 2, line 20, after ".070" and before the period insert "*; nor shall any such action be maintained by any person for injuries to an employee of such contractor against any subcontractor for injuries incurred in the performance of a subcontract!*"

The bill was read the second time.

On motion of Mr. Hubbard, the committee amendments were adopted.

House Bill No. 538 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 538 was placed on final passage.

Representative Charette spoke in favor of passage of the bill, and Representative Grant spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 538, and the bill passed the House by the following vote: Yeas, 55; nays, 42; absent or not voting, 2.

Voting yea: Representatives Amen, Bagnariol, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Charette, Conway, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Lynch, McDermitt, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wanamaker, Wolf, Zimmerman, Mr. Speaker—55.

Voting nay: Representatives Anderson, Backstrom, Bauer, Beck, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Van Dyk, Williams, Wojahn—42.

Absent or not voting: Representatives Adams, Copeland—2.

Engrossed House Bill No. 538, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 311, by Senator Foley:

Adding to the definition of "housing project."

Committee recommendation: Majority, do pass with the following amendment:

On page 3, section 1, line 1, after "authority" and before "are" insert "*and with concurrence of the governing body*"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 311 as amended by the House was placed on final passage.

Representative Smythe spoke in favor of passage of the bill.

### POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Spanton.

Mr. Spanton: "Representative Smythe, would this bill permit a housing authority in any other county to build a domed stadium?"

Mr. Smythe: "I would say that Seattle would have a tough time."

Mr. Spanton: "Would the bill allow it?"

Mr. Smythe: "I can't answer that, Mr. Spanton. The information I have received so far

says they could not. That is the only answer I can give you. I know that those who are concerned about it have had adequate time to look it over. That was not the intent of the bill. At first blush, I don't know where the Housing Authority in Seattle would get the money, anyway. We are talking about a housing authority that has moneys available beyond the provisions of low cost housing. My answer would be 'no.' I haven't heard a 'yes' from anyone else I have discussed it with."

Representative Spanton spoke against passage of the bill, and Representative Marsh spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 311 as amended by the House, and the bill passed the House by the following vote: Yeas, 64; nays, 34; absent or not voting, 1.

Voting yea: Representatives Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Costanti, Cunningham, Curtis, Farr, Gallagher, Gilleland, Grant, Hansey, Haussler, Hoggins, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Litchman, Luders, Lysen, Marsh, Maxie, May, McCormick, Mentor, Merrill, Moon, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shipoch, Smythe, Thompson, Van Dyk, Wojahn, Zimmerman, Mr. Speaker—64.

Voting nay: Representatives Adams, Amen, Barden, Bledsoe, Bradley, Conway, Douthwaite, Eikenberry, Flanagan, Gladder, Goldsworthy, Harris, Hatfield, Hubbard, Hurley, Jastad, Juelling, Kraabel, Kuehnle, Lynch, Martinis, Marzano, McDermott, Morrison, Newhouse, North, Polk, Schumaker, Shera, Smith, Spanton, Wanamaker, Williams, Wolf—34.

Absent or not voting: Representative Copeland—1.

Senate Bill No. 311 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:15 p.m.

The Clerk called the roll and all members were present except Representative Copeland who was excused.

HOUSE BILL NO. 175, by Representatives Julin, Wojahn and Cunningham (by Judicial Council request):

Providing for grand juries and criminal investigations.

Committee recommendation: Majority, do pass as amended. (For amendments see Journal for thirty-ninth day, February 18, 1971.)

The bill was read the second time.

Mr. Julin moved adoption of the committee amendment.

On motion of Mr. Julin, the following amendment to the committee amendment was adopted:

On page 7, section 13, lines 26-31 strike everything after "self-incrimination;" and insert "but he shall not be prosecuted or subjected to criminal penalty or forfeiture for or on account of any transaction, matter, or fact concerning which he has been ordered to testify pursuant to this section. He may nevertheless be prosecuted for failing to comply with the order to answer, or for perjury or for offering false evidence to the grand jury."

On motion of Mr. Julin, the following amendments to the committee amendment were adopted:

On page 11, after line 31 insert a new section to read as follows:

"NEW SECTION. Sec. 21. This 1971 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect immediately."

On page 3, line 4 of the title after "RCW 10.28.220;" insert "declaring an emergency;" The committee amendment as amended was adopted.

House Bill No. 175 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 175 was placed on final passage.

Representatives Julin, Wojahn, Bledsoe and Kuehnle spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 175, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Copeland, Sawyer—2.

Engrossed House Bill No. 175, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Bledsoe, Engrossed House Bill No. 175 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 720, by Representatives Charette, Harris, Rosellini, Hubbard and Curtis:

Establishing a statute of limitations for medical malpractice.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, lines 9 and 10, after "RCW" on line 9 strike everything through "under" on line 10 and insert "or"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

Mr. Bottiger moved adoption of the following amendment:

On page 1, section 1, line 12, after "18.78 RCW," and before "based upon" insert "or attorneys licensed under chapter 18.09 RCW,"

Mr. Bottiger stated he offered the amendment simply to illustrate a point and requested the House to vote against the amendment.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. O'Brien.

Mr. O'Brien: "Doesn't the statute of limitations apply to attorneys, architects and others, if the action isn't brought within three years?"

Mr. Bottiger: "No, Mr. O'Brien, it is three years or (due to some Supreme Court cases) three years from the time you discover the error. If you filled out my income tax now, and



six years from now Internal Revenue audits me and discovers a mistake, I would be too late if you had a straight three-year statute of limitations. However it is three years from the time I discover your error."

#### POINT OF ORDER

Mr. Farr: "Mr. Speaker, point of order, I was wondering if on line 8, the inclusion of the words 'of the healing arts' wouldn't make Mr. Bottiger's amendment out of order."

The Speaker: "It may not make sense after it is put in there, but it doesn't make it out of order, Dr. Farr."

Mr. Julin spoke against adoption of the amendment.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Litchman.

Mr. Litchman: "Maybe I misunderstood, Mr. Bottiger, but why don't you withdraw your amendment if you don't want to vote for it?"

Mr. Bottiger: "Mr. Litchman, I think that is a good idea."

With the consent of the House, Mr. Bottiger withdrew his amendment.

The Clerk read the following amendment by Mr. Grant:

On page 1, section 1, line 15, after "negligence" insert a period and strike the remainder of the sentence

#### POINT OF ORDER

Mr. Newhouse: "Point of order. My amendment would come first."

The Speaker: "Your amendment does start on line 12, Mr. Newhouse, but the body has the right to perfect the material which you are striking, before your amendment is taken, if it so desires."

Mr. Grant stated that with the consent of the House he would withdraw his amendment and that he would support the Newhouse amendment.

With the consent of the House, Mr. Grant withdrew his amendment.

Mr. Newhouse moved adoption of the following amendment:

On page 1, section 1, line 12 after "negligence" strike everything including the period in line 16 and insert the following: "shall be commenced within (1) three years from the date of the alleged wrongful act, or (2) one year from the time that plaintiff discovers the injury or condition caused by the wrongful act, whichever period of time expires last."

Representative Newhouse spoke in favor of the amendment, and Representative Bottiger spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Julin.

Mr. Julin: "Representative Charette, dealing with the language of Representative Newhouse's amendment, would this mean if we adopt this amendment, that if I had, for example, gone to a doctor and had surgery on my knee, and his misconduct in treating that surgery was later discovered, but it was as the result of a pain that I might have had in my shoulder attributable to that surgery, would this language then prevent me from having an action against the doctor because I discovered that I had the pain in my shoulder, but it was not yet related to the injury in the knee?"

The Speaker: "Mr. Charette?"

Mr. Charette: "I don't mean this facetiously, but would you repeat the question? Mr. Speaker, ladies and gentlemen of the House: I didn't mean to be facetious, but one of the reasons for yielding to a question is to make a record that might later be used in a court case, and I didn't quite understand the example."

Mr. Charette spoke in favor of the amendment, and Mr. Julin spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Charette: "Having checked with Representative Newhouse, with the consent of the

House I would ask that the Clerk be allowed to put the word 'was' between 'condition' and 'caused' in the amendment presented by Representative Newhouse."

The Speaker: "With the consent of the House, the word 'was' will be inserted between 'condition' and 'caused' on the next to last line of the amendment."

Mr. Bottiger spoke in favor of the amendment as changed by the insertion of the amendment as changed by the insertion of the word "was"

The amendment by Mr. Newhouse was adopted.

House Bill No. 720 was ordered engrossed.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 720 be placed on final passage.

Mr. May demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 720 to third reading and final passage, and the motion was carried by the following vote: Yeas, 86; nays, 12; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jastad, Jones, Jueling, Julin, King, Kirk, Kiskaddon, Knowles, Kopet, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Barden, Bradley, Grant, Hurley, Johnson, Kilbury, Kraabel, Luders, Marzano, May, Van Dyk, Wojahn—12.

Absent or not voting: Representative Copeland—1.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 720, and the bill passed the House by the following vote: Yeas, 91; nays, 7; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wolf, Zimmerman, Mr. Speaker—91.

Voting nay: Representatives Bradley, Grant, Luders, Marzano, May, Williams, Wojahn—7.

Absent or not voting: Representative Copeland—1.

Engrossed House Bill No. 720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Morrison, the House advanced to the tenth order of business.

## THIRD READING

ENGROSSED HOUSE BILL NO. 401, by Representatives North, Thompson, Newhouse, Curtis, Gilleland and Smythe:

Requiring charge of fees for use of state parks, and stating legislative intent therefor.

The House resumed consideration of Engrossed House Bill No. 401 on third reading.

Representatives North, Brown, Bradley and Thompson spoke in favor of the bill, and Representatives Hurley, Litchman, Lysen, Mentor and Randall spoke against it.

Mr. Morrison demanded the previous question and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 401, and the bill passed the House by the following vote: Yeas, 51; nays, 46; absent or not voting, 2.

Voting yea: Representatives Amen, Benitz, Blair, Bledsoe, Bluechel, Brown, Charette, Charnley, Conway, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Jones, Juelling, Julin, King, Kirk, Kiskaddon, Kopet, Kraabel, Luders, Lynch, Martinis, Mentor, Moon, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Smith, Smythe, Spanton, Thompson, Wolf, Zimmerman, Mr. Speaker—51.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Berentson, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Chatalas, Conner, Costanti, Gallagher, Grant, Hoggins, Hurley, Jastad, Johnson, Kilbury, Knowles, Kuehnle, Litchman, Lysen, Marsh, Marzano, Maxie, May, McCormick, McDermott, Merrill, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Van Dyk, Wanamaker, Williams, Wojahn—46.

Absent or not voting: Representatives Copeland, Shera—2.

Engrossed House Bill No. 401, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## NOTICE OF RECONSIDERATION

Mr. Mentor served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 401 passed the House.

## MOTION

On motion of Mr. Morrison, the House reverted to the ninth order of business.

## SECOND READING

HOUSE BILL NO. 113, by Representatives Thompson, Zimmerman and Spanton (by Departmental request):

Prescribing powers of game protectors.

Majority, do pass with the following amendments:

On page 1, section 1, line 22 after "9.66.060" strike everything through "9.41.270"

On page 2, section 2, line 12 after "9.66.060" strike everything through "9.41.270"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 113 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 113 was placed on final passage.

Representative Thompson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 113 and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, McCormick, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives May, McDermott—2.

Absent or not voting: Representatives Bradley, Copeland, Lysen, Shera—4.

Engrossed House Bill No. 113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 211, by Representatives Kopet, Backstrom and Marsh (by Legislative Budget Committee request):

Providing for the amendment and repeal of certain obsolete or inactive material relating to various local government units and agencies.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 211 was placed on final passage.

Representative Kopet spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 211, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Bottiger—1.

Absent or not voting: Representative Copeland—1.

House Bill No. 211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 251, by Representatives Bottiger, Kiskaddon and Kirk:

Providing that a mailed tax notice can serve to give information required on tax payment receipt.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 1, line 6, after "with" and before "this" insert "the receipt requirement of"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendment was adopted.

House Bill No. 251 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 251 was placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 251, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Amen—1.

Absent or not voting: Representative Copeland—1.

Engrossed House Bill No. 251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 270, by Representatives Barden, Spanton, Litchman and Kilbury (by Joint Committee on Governmental Cooperation request):

Exempting agency vendors of liquor from civil service.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 270 was placed on final passage.

Representative Barden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 270, and the bill passed the House by the following vote: Yeas, 92; nays, 5; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Ross, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Bottiger, Conner, Grant, Mentor, Rosellini—5.

Absent or not voting: Representatives Copeland, Sawyer—2.

House Bill No. 270, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 272, by Representatives Schumaker, Hubbard, Benitz, Backstrom, Charnley, Costanti, Haussler and Kilbury:

Allowing Indian tribes to participate in public cooperative ventures.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 272 was placed on final passage.

Representative Schumaker spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 272, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Costanti, Cunningham, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Copeland, Curtis—2.

House Bill No. 272, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I intended to vote "yes" on House Bill No. 272 but was in the wings discussing budget matters with Dick Sheridan of L.B.C. and did not reach my desk in time to cast a vote. Robert "Bob" Curtis, 12th District.

HOUSE BILL NO. 277, by Representatives McDermott, Smythe, Zimmerman, Chatalas, Shera, Backstrom and Paris (by Departmental request):

Providing certain changes in the law relating to community health programs.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 17, beginning with "*Such*" strike all the matter down to and including "*effective.*" on line 19

On page 2, section 2, line 28, after "*within*" strike "*the discretion of*" and insert "*rules and regulations promulgated by*"

On page 1, line 4 of the title strike "RCW 71.14.150" and insert "RCW 71.24.150"

The bill was read the second time.

On motion of Mr. Farr, the committee amendments were adopted.

House Bill No. 277 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 277 was placed on final passage.

Representative McDermott spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 277, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera,

Shinpoeh, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Copeland, Pardini, Spanton—3.

Engrossed House Bill No. 277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 311, by Representatives Gallagher, Kiskaddon, Brouillet, Haussler and Ross (by Departmental request):

Modifying the suspended sentence procedure.

Majority, do pass with the following amendments:

On page 1, section 1, line 11 strike everything through line 8 on page 3 and insert the following:

"Every defendant who has fulfilled the conditions of his probation for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, and every defendant granted probation in which the execution of sentence has been suspended may [at any time prior to the expiration of the maximum period of punishment for the offense for which he has been convicted be permitted in the discretion of the court to withdraw his plea of guilty and enter a plea of not guilty, or if he has been convicted after a plea of not guilty,] apply to the court by which he was convicted and sentenced for restoration of his civil rights. Thereupon the court may in its discretion enter an order directing that such defendant [set aside the verdict of guilty; and in either case, the court may thereupon dismiss the information or indictment against such defendant, who] shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted. The probationer shall be informed of this right in his probation papers: PROVIDED, That in any subsequent prosecution, for any other offense, such prior conviction may be pleaded and proved, and shall have the same effect as if probation had not been granted, or the information or indictment dismissed.

*NEW SECTION.* Sec. 2. In all cases prior to the effective date of this act wherein the execution of sentence has been suspended pursuant to RCW 9.92.060, such person may apply to the court by which he was convicted and sentenced to establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence.

*NEW SECTION.* Sec. 3. In all cases prior to the effective date of this act wherein a person has been granted probation in which the execution of sentence has been suspended pursuant to RCW 9.92.060 or 9.95.210, such person may, upon termination of the suspended sentence, apply to the court by which he was convicted and sentenced for vacation of the judgment of conviction and the suspended sentence. Upon such application, the court may in its discretion vacate the judgment of conviction and the suspended sentence and permit the defendant to withdraw his plea of guilty, and enter a plea of not guilty, or if he has been convicted after a plea of not guilty, the court may in its discretion, set aside the verdict of guilty and the court may thereupon dismiss the information or indictment against such defendant. In all such cases, the defendants shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted.

*NEW SECTION.* Sec. 4. In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, such person may apply to the court by which he was convicted and sentenced to establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence. Upon termination of the suspended sentence such person may apply to the court for restoration of his civil rights. Thereupon the court may in its discretion enter an order directing that such defendant shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted."

On page 1, line 3 of the title after "9.95.240;" insert "and"

On page 1, line 3 of the title after "sections" insert a period and strike the balance of the title

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 311 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 311 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 311, and the bill passed the House by the following vote: Yeas, 97; nays, 1; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Voting nay: Representative Kuehnle—1.

Absent or not voting: Representative Copeland—1.

Engrossed House Bill No. 311, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar preceding House Bill No. 291.

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Tuesday, March 2, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.



## FIFTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 2, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles H. Perry of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

March 1, 1971.

HOUSE BILL NO. 278, directing a study of local governmental units, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 12 after "government," insert "public corporations including irrigation districts,"

Signed by Representatives Zimmerman, Chairman, Beck, Berentson, Bradley, Charnley, Conner, Flanagan, Gallagher, Gilleland, Hansey, Hurlley, Kilbury, Kraabel, Luders, Martinis, Schumaker, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 24, 1971.

HOUSE BILL NO. 314, creating lien against time loss compensation to recipient of public assistance, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conner, Jastad, Kirk, Kiskaddon, Kopet, Marsh, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 379, waiving examinations required of applicants to practice certain healing arts, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Adams, Beck, Ceccarelli, Conner, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

HOUSE BILL NO. 391, authorizing the sale, lease, or exchange of certain properties by Washington State University, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Benitz, Vice Chairman, Anderson, Douthwaite, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

HOUSE BILL NO. 466, permitting school districts to engage agents or licensed real estate brokers to negotiate sale of district real property, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 21 after "services" insert: " PROVIDED FURTHER, That the provisions of this act shall expire on December 31, 1971 and be of no force or effect after that date"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Charette, Conway, Costanti, Hatfield, Jones, May, McDermott, Polk, Randall.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

HOUSE BILL NO. 479, changing law relating to nonhigh school district aid to high school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 25 after "preceding year" and before the period insert " , less any funds received by the high school district pursuant to Title 20, sections 236 through 244, United States Code, for any nonresident high school pupils educated in the high school district, for such preceding year"

On page 8, add a new section following section 9 as follows:

"NEW SECTION. Sec. 10. The board of directors of any nonhigh school district at any time may pay from operational and maintenance funds any balance of a high school district claim under this chapter for the 1970-71 and 1971-72 school years which may have resulted from a lack of sufficient allocations pursuant to RCW 28A.44.100 to cover the claim established pursuant to RCW 28A.44.050."

Renumber the remaining section consecutively

On page 8 strike all of section 10 and insert:

"NEW SECTION. Sec. 11. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and section 10 hereof shall take effect immediately; sections 1, 2, 3, 6, 8 and 9 hereof shall take effect July 1, 1972; and sections 4 and 5 hereof shall take effect July 1, 1973."

On page 1, line 14 of the title after "and making" strike "an effective date" and insert "effective dates"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Randall, Smythe.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

HOUSE BILL NO. 495, providing for the regulation of water well construction, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 4, line 2 after "may" insert "in cooperation with the department of social and health services"

On page 5, section 8, line 2 after "department" insert "and the department of social and health services"

On page 5, section 9, line 15 strike all matter after "department" down to and including "thereof" on line 16 and insert "by the director, one member from the department of social and health services by the secretary"

On page 6, section 11, line 18 after "department" insert "or the department of social and health services"

Signed by Representatives Zimmerman, Chairman, Beck, Bradley, Charnley, Conner, Flanagan, Gallagher, Gilleland, Hansey, Hurley, Kraabel, Luders, Schumaker, Smith, Van Dyk, Wanamaker, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

HOUSE BILL NO. 559, putting all state institutions of higher education on quarter basis, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 9 after "1," strike "1973" and insert "1972"

Signed by Representatives Benitz, Vice Chairman, Anderson, Douthwaite, Gladder, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

HOUSE BILL NO. 634, relating to the coordinating council for occupational education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Lynch, Chairman, Benitz, Vice Chairman, Anderson, Douthwaite, Goldsworthy, King, Kiskaddon, Knowles, Maxie, Shera, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

HOUSE BILL NO. 726, enacting congressional redistricting and reapportionment, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on line 4 strike the remainder of the bill and insert the following:

*NEW SECTION.* Section 1. There is added to chapter 29.68 RCW a new section to read as follows:

The purpose of this 1971 amendatory act is to redistrict the congressional districts of the state of Washington in accordance with the requirements of the United States Constitution as these requirements have been enunciated by the United States supreme court, so as to encompass within each district, as nearly as practicable, an equal number of state residents, exclusive of transient persons. As a matter of state policy, the legislature hereby declares that state residential population is regarded as the proper apportionment base for the alignment of congressional district boundaries to the extent that it is practically possible to determine such population base. In accordance with this policy, the populations of the seven congressional districts established by and described in this 1971 amendatory act have been determined by the legislature on the following basis:

(1) For those geographic areas encompassing federal military establishments, and also constituting separate special enumeration census districts within the purview of the 1970 decennial federal census, population has been established by ascertaining the total number of the registered voters residing therein and then multiplying these totals by a multiple (2.2) reflecting the relationship between registered voters and the total number of state residents throughout the state;

(2) In the case of all other geographic areas, population has been ascertained on the basis of the total number of persons having been found to be residing within such areas as of April 1, 1970 in accordance with the aforesaid 1970 federal decennial census, for the specific reason that no practical means have been found to be available, in the absence of more inclusive federal census data, to establish the residential population of these areas in any other manner. No special census enumeration districts exist for such other areas of the state as may be occupied by significant numbers of transients.

*NEW SECTION.* Sec. 2. There is added to chapter 29.68 RCW a new section to read as follows:

On the basis of the criteria set forth in section 1 of this 1971 amendatory act, the population of each of the congressional districts established by this 1971 amendatory act is as follows:

First . . . . .	479,277
Second . . . . .	479,317
Third . . . . .	479,436
Fourth . . . . .	479,230
Fifth . . . . .	479,251
Sixth . . . . .	479,244
Seventh . . . . .	478,921

Sec. 3. Section 8, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.008 are each amended to read as follows:

(1) Any area not specifically included within the boundaries of any of the districts as described in [RCW 29.68.004, 29.68.008, 29.68.012, 29.68.022, 29.68.031, 29.68.041, 29.68.063 and 29.68.067,] *this 1971 amendatory act* and which is completely surrounded by a particular district, shall be a part of that district. Any such area not completely surrounded by a particular district shall be a part of the district having the smallest number of inhabitants and having territory contiguous to such area [in the same county in which the area is located].

(2) Any area described in [RCW 29.68.004, 29.68.008, 29.68.012, 29.68.022, 29.68.031, 29.68.041, 29.68.063 and 29.68.067] *this 1971 amendatory act* as specifically embraced in two or more noninclusive districts shall be a part of the adjoining district having the smallest number of inhabitants and shall not be a part of the other district or districts.

(3) Any area specifically mentioned as embraced within a district but separated from such district by one or more other districts, shall be assigned as though it had not been included in any district specifically described.

(4) The [1960] 1970 United States census shall be used for determining the number of inhabitants under the provisions of [RCW 29.68.004, 29.68.008, 29.68.012, 29.68.022, 29.68.031, 29.68.041, 29.68.063 and 29.68.067] *this 1971 amendatory act*.

*NEW SECTION.* Sec. 4. There is added to chapter 29.68 RCW a new section to read as follows:

The boundaries of census areas mentioned in this chapter shall be those established by the United States bureau of the census in the 1970 decennial census. The boundaries of counties, municipalities, and other political subdivisions of the state, mentioned in this chapter shall be those boundaries as used in the 1970 decennial census or, if not used in the census, as they existed on April 1, 1970.

*NEW SECTION.* Sec. 5. There is added to chapter 29.68 RCW a new section to read as follows:

That portion of Kitsap county included in the following census areas: County census divisions 9, 10, and 11; and that portion of King county included in the following census areas: Mercer Island county census division, Shoreline county census division, census tracts 23, 3299, 4799, 5299, 5399, 5499, 55, 57, 5799, 58, 5899, 5999, 6099, 6199, 6299, 6699, 6799, 7199, 8099, 8199, 9299, 9399, 9699, 9999, 10899, 10999, 11299, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, and 79, block group 1 of census tract 80, block group 1 of census tract 83, block groups 1, 2, 3, 4, and 6 of census tract 84, census tracts 86, 87, 88, 89, 90, 94, 95, 101, 102, and 103 of Seattle county census division, shall constitute the first congressional district and shall be entitled to one representative in the congress of the United States.

*NEW SECTION.* Sec. 6. There is added to chapter 29.68 RCW a new section to read as follows:

Whatcom county; Skagit county; San Juan county; Island county; Snohomish county; and that portion of King county included in the following census areas: All census tracts in Bothell, census tracts 220, 221, 222, 223, and 224, block groups 1, 2, 5, 7, and 9 of census tract 225, census tract 226, block group 6 of census tract 227, census tracts 216, 217, 218, and 219 of the Lake Washington county census division, enumeration districts 201 and 202 of Snoqualmie National Forest county census division, shall constitute the second congressional district and shall be entitled to one representative in the congress of the United States.

*NEW SECTION.* Sec. 7. There is added to chapter 29.68 RCW a new section to read as follows:

Clallam county; Jefferson county; Grays Harbor county; Mason county; Thurston county; Pacific county; Lewis county; Cowlitz county; Wahkiakum county; that portion of Clark county included in the following census areas: Enumeration districts 601, 602, and 603 of county census division 1, enumeration districts 604, 606, and 607 of county census division 2, enumeration district 622 of county census division 5; that portion of Pierce county included in the following census areas: Eatonville county census division, Buckley county census division, Graham county census division, Mount Rainier county census division, Sumner-Orting county census division, enumeration district 73 of Roy county census division; and that portion of Kitsap county included in the following census areas: County census divisions 1 and 2, enumeration districts 9, 10, and 11, special enumeration district 12, enumeration districts 13, 14, 15, 16, 17, and 18 of county census division 3, special enumeration district 19, enumeration districts 20, 21, 22, and 23 of county census division 4, county census divisions 5, 6, 7, 8, 12, 14, 15, and 16, enumeration districts 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 66, 67, 68, 69, 70, 71, 72, and 73, special enumeration district 74, enumeration districts 9900, 9901, 63, 63B, 64, and 65 of Bremerton county census division, and Port Orchard county census division, shall constitute the third congressional district and shall be entitled to one representative in the congress of the United States.

*NEW SECTION.* Sec. 8. There is added to chapter 29.68 RCW a new section to read as follows:

Skamania county; Klickitat county; Yakima county; Grant county; Kittitas county; Chelan county; Douglas county; Okanogan county; that portion of Benton county included in the following census areas: Enumeration districts 48 and 49 of Kennewick South county census division, Northwest Benton county census division, Prosser county census division, Richland county census division, South Benton county census division, West Richland county census division, enumeration districts 72, 74, and 75 of Kennewick county census division, Federal Reservation county census division; and that portion of Clark county included in the following census areas: Enumeration district 605 of county census division 2, county census divisions 3 and 4, enumeration districts 618, 618B, 615, 616, 617, 619, 620, 621, 621B, 623, 624, 624B, 625, and 626 of county census division 5, county census divisions 6, 7, 8, 9, 10, 11, 12, and 13, Camas county census division, and Vancouver county census division, shall constitute the fourth congressional district and shall be entitled to one representative in the congress of the United States.

*NEW SECTION.* Sec. 9. There is added to chapter 29.68 RCW a new section to read as follows:

Pend Oreille county; Stevens county; Ferry county; Spokane county; Lincoln county; Adams county; Franklin county; Columbia county; Asotin county; Garfield county; Walla Walla county; Whitman county; and that portion of Benton county included in the following census areas: Enumeration districts 50, 50B, 51, 52, 52B, 53, 53B, 53C, 54, 55, 56, 57, 57B, 58, 58B, 59, 59B, 60, 60B, 61, 62, 63, 63B, 64, 65, 66, 67, 68, 69, 70, 70B, 71, and 73 of the Kennewick county census division, and enumeration district 47 of the Kennewick South county census division, shall constitute the fifth congressional district and shall be entitled to one representative in the congress of the United States.

*NEW SECTION.* Sec. 10. There is added to chapter 29.68 RCW a new section to read as follows:

That portion of Pierce county included in the following census areas: Edgemont county census division, Fife county census division, Gig Harbor county census division, Lakewood county census division, Midland-Summit county census division, Parkland county census division, Puyallup county census division, enumeration districts 71, 71B, and 72 of census tract 730 of Roy county census division, Spanaway county census division, Tacoma

county census division, University Place county census division, enumeration district 63, special enumeration districts 65, 64, 66, 69, 68, and 67 of Dupont-Fort Lewis county census division, Lower Peninsula county census division; and that portion of King county included in the following census areas: Federal Way county census division, Auburn county census division, Plateau-Enumclaw county census division, census tracts 317 and 318, enumeration districts 308, 309, 310, 310B, 310C, 310D, and 311 of census tract 319, and census tract 320 of Tahoma-Maple Valley county census division, enumeration districts 301 and 302 of Snoqualmie National Forest county census division, census tracts 283, 292, and 291, block groups 1, 3, 4, and 9 of census tract 290, census tracts 293, 294, 295, 297, and 298 of Kent county census division, shall constitute the sixth congressional district and shall be entitled to one representative in the congress of the United States.

**NEW SECTION.** Sec. 11. There is added to chapter 29.68 RCW a new section to read as follows:

That portion of King county included in the following census areas: Census tracts 119, 118, 117, 111, 110, 109, 112, 113, 114, 115, 116, 120, 121, 108, 107, 106, 105, 99, 98, 97, 104, 100, 93, 96, 91, 92, 81, and 82, block groups 2, 3, 4, and 9 of census tract 83, census tract 85, block groups 2, 3, and 4 of census tract 80, of Seattle county census division, block groups 1, 2, 3, 4, 5, 7, and 9 of census tract 227, block groups 3 and 4 of census tract 225, of Lake Washington county census division, Lower Snoqualmie Valley county census division, Upper Snoqualmie Valley county census division, Issaquah county census division, Vashon Island county census division, Renton county census division, South Highline county census division, North Highline county census division, block groups 2 and 6 of census tract 290 of Kent county census division, census tract 307 of Tahoma-Maple Valley county census division, all census tracts and subunits in Beau Arts, in Bellevue, in Clyde Hill, in Hunts Point, in Medina, and in Yarrow Point, and census tracts 227, 234, 249, 231, 237, 238, 240, 248, and 250 of Overlake county census division, shall constitute the seventh congressional district and shall be entitled to one representative in the congress of the United States.

**NEW SECTION.** Sec. 12. The following acts or parts of acts are each repealed:

- (1) Section 7, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.004;
- (2) Section 1, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.012;
- (3) Section 2, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.022;
- (4) Section 3, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.031;
- (5) Section 4, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.041;
- (6) Section 29.68.050, chapter 9, Laws of 1965 and RCW 29.68.050;
- (7) Section 5, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.063; and
- (8) Section 6, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.067."

Strike all of the title and insert the following:

"An Act relating to the redistricting and reapportionment of the state into seven congressional districts; amending section 8, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.008; adding new sections to chapter 29.68 RCW; repealing section 7, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.004; repealing section 1, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.012; repealing section 2, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.022; repealing section 3, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.031; repealing section 4, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.041; repealing section 29.68.050, chapter 9, Laws of 1965 and RCW 29.68.050; repealing section 5, chapter 152, laws of 1965 ex. sess. and RCW 29.68.063; and repealing section 6, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.067."

Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, North, Pardini, Smythe.

MINORITY recommendation: Do not pass. Signed by Representatives Bottiger, Grant, May, Moon.

Passed to Committee on Rules and Administration for second reading.

February 27, 1971.

HOUSE BILL NO. 727, providing for livestock identification, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 22 after "[an eight] a" strike "ten" and insert "twenty-five"

On page 3, section 4, beginning on line 19 insert two new subsections as follows:

"(4) Prior to the branding of any cattle except as otherwise provided by law or regulation,

(5) Prior to the sale of any cattle except as otherwise provided by law or regulation."

On page 4, section 6, beginning on line 29 strike all of the matter down to and including "available" in line 33 and insert:

"The director may, in order to reduce the cost of brand inspection to livestock owners, enter into agreements with any qualified county, municipal, or other local law enforcement agency, or qualified individuals for the purpose of performing brand inspection in areas where department brand inspection may not readily be available"

Signed by Representatives Amen, Chairman, Bauer, Bozarth, Costanti, Hansey, Haussler, Van Dyk.

MINORITY recommendation: Do not pass. Signed by Representative Benitz.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

HOUSE BILL NO. 992, implementing law relating to the prevention of air pollution, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Beck, Berentson, Bradley, Charnley, Cunningham, Gallagher, Hansey, Hurley, Kilbury, Kraabel, Luders, Martinis, Thompson, Van Dyk, Williams, Wojahn.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

SENATE BILL NO. 266, allowing school district joint purchases in cooperation with private schools, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 1, add a new section reading:

"NEW SECTION. Sec. 2. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and shall take effect immediately."

On page 1, line 1 of the title after "education;" strike "and"

On page 1, line 3 of the title after "28A.58.107" insert "; and declaring an emergency"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Brown, Conway, Johnson, Jones, May, McDermott, Polk, Randall.

Passed to Committee on Rules and Administration for second reading.

### MESSAGES FROM THE GOVERNOR

Office of the Governor, March 1, 1971.

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bills, entitled:

HOUSE BILL NO. 29: Allowing investment of state treasury surplus moneys in certain government sponsored corporations;

HOUSE BILL NO. 30: Changing from monthly to annually the frequency for distribution of overload fines to counties, cities and towns.

Sincerely,  
CHARLES B. WIGGINS  
Legislative Counsel.

Office of the Governor, March 2, 1971.

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that Governor Evans has approved the following House Bill, entitled:

HOUSE BILL NO. 245: Permitting election candidate's name twice on ballots if one position be that for precinct committeeman.

Sincerely,  
RICHARD W. HEMSTAD  
Legal Assistant.

### MESSAGES FROM THE SECRETARY OF STATE

March 1, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE LEGISLATURE OF THE STATE OF WASHINGTON, OLYMPIA, WASHINGTON.

SIR:

On July 31, 1970, Herbert B. Shannon, a registered voter and resident of the State of Washington, and a director of Conifer Enterprises, Inc., for and on behalf of said organization tendered five copies of a proposed measure to be an Initiative to the Legislature of the State of Washington, accompanied by his affidavit. The copies of the proposed measure were filed, and the measure was identified as Initiative Measure No. 38 to the Legislature. On August 7, 1970, a ballot title was prepared by the Attorney General.

I further certify that on December 31, 1970, persons representing Conifer Enterprises, Inc., submitted signature petition sheets, which were determined to contain 121,007 signatures for filing and canvass, and requested that a report of the final canvass and count

be certified to the 1971 Legislature. Accompanying the petitions was a certified financial statement, reporting in detail the contributions received and expenditures made by Conifer Enterprises, Inc., relative to its signature campaign.

Since the Constitution of the State of Washington requires that an Initiative to the Legislature be signed by at least 101,229 registered voters, the initiative had to be shown to have no fewer than 19,848 invalid signatures. Since random sampling was not feasible for this initiative, signatures were canvassed individually.

The canvassing of a conclusive portion of said signatures was completed on February 26, 1971. At that point we had examined 70,996 of the signatures on the initiative, of which 38,896 were valid signatures of registered voters, and 32,100 were invalid signatures. The invalid signatures included:

Not registered	28,821
Improper signature	1,265
Multiple signature	<u>2,014</u>

32,100

Portions of the invalid signatures were double checked to assure the accuracy of the canvass.

Since the number of invalid signatures (32,100) clearly exceeds the difference between the number of signatures submitted and the number required by the Constitution of the State of Washington (19,848), I have, today, notified the sponsors that I have rejected Initiative No. 38 to the Legislature as insufficient, and that it will not be transmitted to the Legislature for its consideration.

Respectfully submitted,  
A. LUDLOW KRAMER  
Secretary of State.

March 1, 1971.

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE LEGISLATURE OF THE STATE OF WASHINGTON, OLYMPIA, WASHINGTON.

SIR:

On August 18, 1970, Donald Nicholson and Lawrence W. Pirkle, registered voters and residents of the State of Washington tendered five copies of a proposed measure to be an Initiative to the Legislature of the State of Washington, accompanied by their affidavits. The copies of the proposed measure were filed, and the measure was identified as Initiative Measure No. 39 to the Legislature. On August 25, 1970, a ballot title was prepared by the Attorney General.

I further certify that on December 31, 1970, the sponsors submitted signature petition sheets, which were determined to contain 124,501 signatures for filing and canvass, and requested that a report of the final canvass and count be certified to the 1971 Legislature. Accompanying the petitions was a certified financial statement, reporting in detail the contributions received and expenditures made relative to the signature campaign.

Since the Constitution of the State of Washington requires that an Initiative to the Legislature be signed by at least 101,229 registered voters, the initiative had to be shown to have no fewer than 23,272 invalid signatures. Since random sampling was not feasible for this initiative, signatures were canvassed individually.

The canvassing of a conclusive portion of said signatures was completed on February 26, 1971. At that point we had examined 93,786 of the signatures on the initiative, of which 65,621 were valid signatures of registered voters, and 28,165 were invalid signatures. The invalid signatures included:

Not registered	24,303
Improper signature	1,480
Multiple signature	<u>2,382</u>
	28,165

Portions of the invalid signatures were double checked to assure the accuracy of the canvass.

Since the number of invalid signatures (28,165) clearly exceeds the difference between the number of signatures submitted and the number required by the Constitution of the State of Washington (23,272), I have, today, notified the sponsors that I have rejected Initiative No. 39 to the Legislature as insufficient, and that it will not be transmitted to the legislature for its consideration.

Respectfully submitted,  
A. LUDLOW KRAMER  
Secretary of State

MESSAGES FROM THE SENATE

March 1, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 37,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 157,  
 ENGROSSED SENATE BILL NO. 163,  
 SENATE BILL NO. 172,  
 ENGROSSED SENATE BILL NO. 261,  
 ENGROSSED SENATE BILL NO. 410,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 13,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 1, 1971.

Mr. Speaker: The President has signed:  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 9,  
 SENATE CONCURRENT RESOLUTION NO. 17,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SENATE CONCURRENT RESOLUTION NO. 9,  
 SENATE CONCURRENT RESOLUTION NO. 17.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1044, by Representative Goldsworthy:  
 An Act relating to revenue and taxation; imposing a state income tax; decreasing sales and use taxes; eliminating the business and occupation tax; creating new sections; and prescribing effective dates.

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION NO. 50, by Representative Goldsworthy:  
 Authorizing flat rate income tax with limitation upon regular property tax levies.  
 Referred to Committee on Revenue and Taxation.

ENGROSSED SENATE BILL NO. 37, by Senator Wilson:  
 An Act relating to tax collection; and amending section 84.56.340, chapter 15, Laws of 1961 and RCW 84.56.340.

Referred to Committee on Revenue and Taxation.

ENGROSSED SUBSTITUTE SENATE BILL NO. 157, by Committee on Public Institutions:

An Act relating to the mentally ill; amending section 72.23.230, chapter 28, Laws of 1959 as amended by section 1, chapter 60, Laws of 1959 and RCW 72.23.230; and declaring an emergency.

Referred to Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 163, by Senators Day, Woodall and Greive (by Joint Committee on Governmental Cooperation request):

An Act relating to intoxicating liquor; amending section 7, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 111, Laws of 1959 and RCW 66.16.040; amending section 1, chapter 67, Laws of 1949 as amended by section 4, chapter 111, Laws of 1959 and RCW 66.20.160; amending section 2, chapter 67, Laws of 1949 as amended by section 5, chapter 111, Laws of 1959 and RCW 66.20.170; amending section 3, chapter 67, Laws of 1949 as amended by section 6, chapter 111, Laws of 1959 and RCW 66.20.180; amending section 4, chapter 67, Laws of 1949 as amended by section 7, chapter 111, Laws of 1959 and RCW 66.20.190; amending section 5, chapter 67, Laws of 1949 as last amended by section 2, chapter 178, Laws of 1969 ex. sess. and RCW 66.20.200; amending section 6, chapter 67, Laws of 1949 as amended by section 9, chapter 111, Laws of 1959 and RCW 66.20.210; prescribing penalties; and providing an effective date.

Referred to Committee on Business and Professions.



SENATE BILL NO. 172, by Senators Huntley and Washington (by Departmental request):

An Act relating to eminent domain; and amending section 13, chapter 236, Laws of 1969 ex. sess. and RCW 8.25.170.

Referred to Committee on Transportation.

ENGROSSED SENATE BILL NO. 261, by Senators Stender, Stortini, Ridder and Peterson (Ted) (by Departmental request):

An Act relating to wages; amending section 1, chapter 128, Laws of 1888, as last amended by section 1, chapter 181, Laws of 1947 and RCW 49.48.010; amending section 2, chapter 128, Laws of 1888 as amended by section 1, chapter 20, Laws of 1933 ex. sess. and RCW 49.48.020; amending section 3, chapter 128, Laws of 1888 and RCW 49.48.030; amending section 3, chapter 96, Laws of 1935, and RCW 49.48.060; repealing section 2, chapter 181, Laws of 1947 and RCW 49.48.110; and prescribing penalties.

Referred to Committee on Labor and Employment Security.

ENGROSSED SENATE BILL NO. 410, by Senators Matson, McDougall and Wilson:

An Act relating to agriculture; providing for the regulation of horticultural plants; creating new sections; repealing section 1, chapter 221, Laws of 1961, section 16, chapter 240, Laws of 1967 and RCW 15.13.010; repealing section 2, chapter 221, Laws of 1961, section 17, chapter 240, Laws of 1967 and RCW 15.13.020; repealing section 3, chapter 221, Laws of 1961, section 18, chapter 240, Laws of 1967 and RCW 15.13.030; repealing section 4, chapter 221, Laws of 1961 and RCW 15.13.040; repealing section 20, chapter 240, Laws of 1967 and RCW 15.13.045; repealing section 5, chapter 221, Laws of 1961 and RCW 15.13.050; repealing section 6, chapter 221, Laws of 1961 and RCW 15.13.060; repealing section 7, chapter 221, Laws of 1961 and RCW 15.13.070; repealing section 8, chapter 221, Laws of 1961 and RCW 15.13.080; repealing section 9, chapter 221, Laws of 1961 and RCW 15.13.090; repealing section 21, chapter 240, Laws of 1967 and RCW 15.13.095; repealing section 10, chapter 221, Laws of 1961 and RCW 15.13.100; repealing section 11, chapter 221, Laws of 1961 and RCW 15.13.110; repealing section 12, chapter 221, Laws of 1961 and RCW 15.13.120; repealing section 13, chapter 221, Laws of 1961 and RCW 15.13.130; repealing section 14, chapter 221, Laws of 1961 and RCW 15.13.140; repealing section 15, chapter 221, Laws of 1961 and RCW 15.13.150; repealing section 16, chapter 221, Laws of 1961 and RCW 15.13.160; repealing section 17, chapter 221, Laws of 1961 and RCW 15.13.170; repealing section 18, chapter 221, Laws of 1961 and RCW 15.13.180; repealing section 19, chapter 221, Laws of 1961 and RCW 15.13.190; repealing section 20, chapter 221, Laws of 1961, section 19, chapter 240, Laws of 1967 and RCW 15.13.200; repealing section 21, chapter 221, Laws of 1961 and RCW 15.13.210; repealing section 22, chapter 221, Laws of 1961 and RCW 15.13.900; repealing section 23, chapter 221, Laws of 1961 and RCW 15.13.910; prescribing penalties; and declaring an effective date.

Referred to Committee on Agriculture.

SUBSTITUTE SENATE JOINT RESOLUTION NO. 13, by Committee on Constitution, Elections and Legislative Processes:

Providing for extraordinary sessions of the legislature.

Referred to Committee on State Government.

#### MOTION FOR RECONSIDERATION

Mr. Mentor, having given notice on the preceding day, moved that the House do now reconsider the vote by which ENGROSSED HOUSE BILL NO. 401 passed the House.

Representatives Mentor and King spoke in favor of the motion and Representatives Zimmerman and Bledsoe spoke against it.

Mr. May demanded an electric roll call, and the demand was sustained.

Representatives Hurley and Van Dyk spoke in favor of the motion to reconsider, and Representatives Flanagan and Charette spoke against it.

Mr. Morrison demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Mentor that the House reconsider the vote by which Engrossed House Bill No. 401 passed the House, and the motion was lost by the following vote: Yeas, 48; nays, 49; absent or not voting, 2.

Voting yea: Representatives Adams, Backstrom, Bagnariol, Barden, Bauer, Beck, Berentson, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Chatalas, Conner, Costanti, Gallagher, Grant, Hoggins, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kuehnle, Litchman, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Van Dyk, Wanamaker, Williams, Wojahn—48.

Voting nay: Representatives Amen, Anderson, Benitz, Blair, Bledsoe, Bluechel, Brown, Charette, Charnley, Conway, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Luders, Lynch, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Wolf, Zimmerman, Mr. Speaker—49.

Absent or not voting: Representatives Copeland, Ross—2.

## SECOND READING

HOUSE BILL NO. 322, by Representatives Marsh, Kirk, Chatalas, Backstrom, Ceccarelli, Conner, Litchman, McCormick and Merrill:

Authorizing school districts to lease school buses for the use of retarded children.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 6 after "to" strike the remainder of the section and insert "and from the site of activities deemed beneficial to such children by such organizations: PROVIDED, That such nonprofit organizations are regularly engaged in educational activities related to these children: PROVIDED FURTHER, That commercial bus transportation is not reasonably available for such purposes."

The bill was read the second time.

Mr. Hoggins moved adoption of the committee amendment and spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Marsh.

Mr. Marsh: "Representative Hoggins, referring to the first proviso contained in the committee amendment by the Committee on Education and Libraries, was it the intent of your committee that organizations such as the Washington Association for Retarded Children still be allowed to use school buses for transporting handicapped children to such activities as the Special Olympics or bowling tournaments?"

Mr. Hoggins: "Mr. Marsh, it would be my understanding of this amendment that it would. Activities such as the Special Olympics are not much different than intramural games that schools would have also. It would also coincide with field trips that school districts take with buses."

Mr. Marsh: "Secondly, Representative Hoggins, was it the intent of the committee that the words 'educational activities' be broadly interpreted?"

Mr. Hoggins: "Yes."

The committee amendment was adopted.

On motion of Mr. Brouillet, the following amendment to the title was adopted:

On page 1, line 2 of the title after "transportation" insert "for handicapped children" House Bill No. 322 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 322 was placed on final passage.

Representative Marsh spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 322, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

Engrossed House Bill No. 322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 337, by Representatives Kuehnle, Haussler, Pardini and Hatfield: Requiring notice to owners of adjoining land when real property of an irrigation district is sold.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 7 after "Whenever" and before "real" insert "as the result of abandonment of an irrigation district right of way"

On page 1, section 1, line 10 strike "preference right to the purchase of" and insert "right of first refusal to purchase at the appraised price"

On page 1, section 1, line 12 after the period insert a new paragraph as follows:

"Real property to be sold or otherwise disposed of under this section shall have been first appraised by the county assessor or by a person designated by him."

On page 1, section 1, line 20 strike "preference"

On page 1, section 1, line 21 after "rights" and before "of owners" insert "of first refusal"

On page 2, section 2, line 5 after "Whenever" and before "real" insert "as the result of abandonment of an irrigation district right of way"

On page 2, section 2, line 8 strike "preference right to the purchase of" and insert "right of first refusal to purchase at the appraised price"

On page 2, section 2, line 10 after the period insert a new paragraph as follows:

"Real property to be sold or otherwise disposed of under this section shall have been first appraised by the county assessor or by a person designated by him."

On page 2, section 2, line 18 strike "preference"

On page 2, section 2, line 19 after "rights" and before "of owners" insert "of first refusal"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendments were adopted.

House Bill No. 337 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 337 was placed on final passage.

Representative Kuehnle spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 337, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Benitz, Berentson—2.

Engrossed House Bill No. 337, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker: "The Speaker would like to remind the members that it is now after the fiftieth day. There are a number of rule changes which take effect automatically. Number one: Members may speak only once on any issue. Secondly, all remarks are limited to three minutes. Finally, any reconsideration of votes on final passage must be considered immediately."

HOUSE BILL NO. 408, by Representatives Eikenberry, Bottiger, Julin, Barden, Pardini, Chatalas, Ross, Backstrom, Polk, Gilleland and Jones:

Revising the deed of trust statute.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 3, line 25 before "foreclosure" strike "The" and insert "If the notice of sale is registered with the Registrar of Land Titles, the"

On page 3, section 3, line 27 after "RCW" insert "and the trustee's deed may be registered"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 408 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 408 was placed on final passage.

Representative Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 408, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Lysen—1.

Engrossed House Bill No. 408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 415, by Representatives Amen, Haussler and Bledsoe (by Joint Committee on Governmental Cooperation and by Departmental request):

Providing for the investigation and control of pesticide poisoning.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal of February 24, 1971, Forty-fifth Day.)

The bill was read the second time.

On motion of Mr. Amen, the committee amendment was adopted.

House Bill No. 415 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 415 was placed on final passage.

Representative Amen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 415, and the bill passed the House by the following vote: Yeas, 98; nays, 1; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-98.

Voting nay: Representative Kuehnle-1.

Engrossed House Bill No. 415, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 490, by Representatives Hoggins, Cunningham, Shera and Brouillet (by Superintendent of Public Instruction request):

Defining certain terms relating to vocational education.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of House Bill No. 490 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 545, by Representatives Backstrom, Marsh, Kopet, Curtis and Pardini:

Providing for management surveys by legislative budget committee.

## MOTIONS

Mr. Bluechel moved that Substitute House Bill No. 545 be substituted for House Bill No. 545, and the substitute bill be placed on the calendar for second reading.

On motion of Mr. Bledsoe, the House deferred further consideration of House Bill No. 545, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 562, by Representatives Perry, Barden and Sawyer:  
Increasing fees for safe wiring labels.

## MOTION

On motion of Mr. Hubbard, Substitute House Bill No. 562 was substituted for House Bill No. 562, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 562 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 562 was placed on final passage.

Representatives Perry spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 562, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,

Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charmley, Chatalas, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-95.

Voting nay: Representatives Conner, Mentor-2.

Absent or not voting: Representatives Copeland, Goldsworthy-2.

Substitute House Bill No. 562, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 606, by Representatives Goldsworthy and Bottiger:

Defining lawful entrance on private property for the purposes of chapter 16.08 RCW. The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 606 was placed on final passage.

Representative Bottiger spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 606, and the bill passed the House by the following vote: Yeas, 96; nays, 2; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charmley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-96.

Voting nay: Representatives Conway, Schumaker-2.

Absent or not voting: Representative May-1.

House Bill No. 606, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 636, by Representatives Haussler, Kilbury and Amen:

Modifying the law on pesticide application.

Committee recommendation: Majority, do pass with the following amendments:

On page 3, section 1, line 21 after "class" strike "insects" and "[insects] insecta"

On page 5, section 3, line 26 after "name" and before "of" insert "and/or the common name"

On page 6, section 4, line 28 after "'on-the-job'" strike "supervisor" and insert "supervision"

On page 7, line 13 add a new section following section 4 as follows:

"Sec. 5. Section 20, chapter 249, Laws of 1961 as amended by section 12, chapter 177, Laws of 1967 and RCW 17.21.200 are each amended to read as follows:

The provisions of this chapter relating to licenses and requirements for their issuance shall not apply to any forest landowner, or his employees, applying pesticides with ground apparatus or manually, on his own lands or any lands or rights of way under his control or to any farmer owner of ground apparatus applying pesticides for himself or other farmers on an occasional basis not amounting to a principal or regular occupation: PROVIDED, That such owner shall not publicly hold himself out as a pesticide applicator."

Renumber the remaining sections consecutively.

On page 7, section 6, line 33 after "limited" and before "license" insert "public operator"

On page 9, section 7, line 6 after "division of" strike "that" and insert "the"

On page 1, line 8 of the title after "17.21.150;" insert "amending section 20, chapter 249, Laws of 1961 as amended by section 12, chapter 177, Laws of 1967 and RCW 17.21.200;"

The bill was read the second time.

On motion of Mr. Amen, the committee amendments were adopted.

House Bill No. 636 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 636 was placed on final passage.

Mr. Haussler spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 636, and the bill passed the House by the following vote: Yeas, 96; nays, 3; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-96.

Voting nay: Representatives Grant, Hubbard, Marzano-3.

Engrossed House Bill No. 636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 728, by Representatives Thompson, Benitz and Haussler:

Pertaining to taxable status of public property when transferred to private ownerships.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 728 was placed on final passage.

Representative Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 728, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-98.

Absent or not voting: Representative Anderson-1.

House Bill No. 728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 878, by Representatives Charette, Goldsworthy and Knowles:

Making an appropriation for publication of the session laws.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 878 was placed on final passage.

Representative Charette spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 878, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

House Bill No. 878, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 8, by Representatives Lynch, King and Kiskaddon:

Authorizing a study to determine the feasibility of consolidating community college districts.

The resolution was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 8 was placed on final passage.

Mrs. Lynch spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 8, and the resolution passed the House by the following vote: Yeas, 92; nays, 6; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Bradley, Gallagher, Hoggins, Hubbard, Smith, Wojahn—6. Absent or not voting: Representative Marzano—1.

House Concurrent Resolution No. 8, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 11, by Representatives Flanagan, North, Backstrom and Moon:

Directing a study of public services.

Committee recommendation: Majority, do pass with the following amendments:



On page 1, line 24 after "that the" strike "Office of Program Planning and Fiscal Management" and insert "Legislative Budget Committee"

On page 1, line 25 after "with the " strike "Legislative Budget Committee" and insert "Office of Program Planning and Fiscal Management"

On page 2, line 8 after "That the" strike "Office of Program Planning and Fiscal Management" and insert "Legislative Budget Committee"

The resolution was read the second time.

On motion of Mr. Flanagan, the committee amendments were adopted.

House Concurrent Resolution No. 11 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 11 was placed on final passage.

Representative Flanagan spoke in favor of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 11, and the resolution passed the House by the following vote: Yeas, 93; nays, 4; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Maxie, Pardini, Ross, Smith—4.

Absent or not voting: Representatives Julin, Marzano—2.

Engrossed House Concurrent Resolution No. 11, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 20, by Representatives North, Brouillet, Bledsoe, Brown, Charnley and Haussler:

Providing for a study on a state regional library system.

#### MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Concurrent Resolution No. 20, and the resolution was ordered placed at the bottom of today's second reading calendar.

SENATE BILL NO. 131, by Senators Day, Keefe and Peterson (Ted) (by Legislative Council request):

Requiring the use of enriched flour in all specialty breads and rolls.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 14 after "flour," strike "but excludes" and insert "[but excludes] including"

On page 2, section 2, line 18 after "enriched" strike "white"

On page 2, section 2, beginning on line 19 after "thereof" strike all the matter down to and including "section" on line 21

The bill was read the second time.

On motion of Mr. Amen, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 131 as amended by the House was placed on final passage.

Mr. Amen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 131 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 18; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Chamley, Chatalas, Conner, Conway, Copeland, Costanti, Curtis, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, Kirk, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Maxie, May, McCormick, Mentor, Merrill, Moon, Morrison, Newhouse, O'Brien, Pardini, Paris, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smythe, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—81.

Voting nay: Representatives Barden, Blair, Cunningham, Douthwaite, Eikenberry, Grant, Hubbard, King, Kiskaddon, Martinis, Marzano, McDermott, North, Polk, Rabel, Smith, Spanton, Williams—18.

Senate Bill No. 131 as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Morrison, the House recessed until 1:00 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present.

## MOTION FOR RECONSIDERATION

Mr. Hatfield, having voted on the prevailing side, moved that the House do now reconsider the vote by which Senate Bill No. 131, as amended by the House, was passed by the House.

Mr. Eikenberry spoke in favor of the motion, and Mrs. Wojahn spoke against it.

## POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Hatfield.

Mr. Hatfield: "Might you explain to this House what the difference is between enriched and nonenriched, or what enriching does?"

Mrs. Wojahn: "Enriched flour—as I understand it . . . when flour is milled, many of the nutrients are removed at the time of the milling process. It is impossible for them to be kept in. Consequently they have to be replaced, and that is what is being asked for in this bill. I am not a technician in the field of wheat grains and bakery items, Mr. Hatfield, but this was the understanding I had during the one hearing I attended."

Mr. Hatfield: "Is the previous statement true, that it is not a difference in flour, but that it is a pill or capsule simply dropped into the mix?"

Mrs. Wojahn: "No, to the best of my knowledge, that is not true."

Mr. Ceccarelli spoke against the motion to reconsider.

Mr. Bledsoe demanded the previous question, and the demand was sustained.

The motion by Mr. Hatfield to reconsider the vote by which the House passed Senate Bill No. 131, as amended by the House, was lost on a rising vote.

## SECOND READING

HOUSE BILL NO. 291, by Representatives Kuehne, Litchman, Curtis, Hatfield, Bottiger, Gladder, Eikenberry, Pardini, Smith, Conway, Kopet, Morrison, Wolf, Shera,

Gallagher, Bagnariol, Jastad, Adams, Rosellini, Ceccarelli, Randall, Anderson, Backstrom, Bauer, Hoggins, Knowles, Marzano and McCormick:

Relating to gambling.

The House resumed consideration of House Bill No. 291 on second reading.

The Speaker stated the question before the House to be the amendment by Representatives Kuehnlé, Curtis, Wojahn, Bagnariol, Backstrom, Wolf, Gallagher, Hatfield, Polk, Ceccarelli and Jastad which had been substituted for the committee amendment. (See Journal for Forty-eighth Day, February 27, 1971.)

Mr. Douthwaite moved adoption of the following amendment to the amendment:

On page 2, section 1, line 17 after "funds" insert "by organizations which do not unreasonably discriminate in their membership on the basis of race, color, creed, national origin or sex"

Mr. Douthwaite spoke in favor of the amendment to the amendment.

#### PERSONAL PRIVILEGE

Mr. Kuehnlé: "Mr. Speaker, there may be some confusion as to which amendment we are referring to. I see some of the members are referring to the amendment printed on yellow paper in their books. We should be looking at the one on white paper that was distributed two or three days ago."

The Speaker: "That would be the white xerox copy on your desk. Since it is a floor amendment and has not been adopted, and also not being a committee amendment, it has not been printed and is not in your books. It is the white xerox copy of the floor amendment on your desks."

At the request of Mr. Hoggins, the Speaker instructed the Clerk to reread the amendment by Mr. Douthwaite.

#### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Morrison.

Mr. Morrison: "Mr. Douthwaite, in reading your proposed amendment I am wondering if you are not unintentionally excluding groups like the Swedish Club, for instance, from having a raffle or charity fund raiser. Or in your discrimination restricting sex you are eliminating the Boy Scouts, the Girl Scouts, Little League and other organizations. Was this your intention?"

Mr. Douthwaite: "I am glad you asked. It is certainly not my intention. That is why I inserted the word 'unreasonably.' I think this needs to be interpreted in a reasonable sense. Obviously the Swedish Club is not open to myself, and I am not going to protest that because I am not a Swede. Neither is the Y.W.C.A. That, I submit to you, constitutes reasonable discrimination. There are other clubs, I think we all know about, where the rights of free association are in question at least and in courts, in fact, where there appears to be no reasonable grounds for such discrimination as they exercise. That is why I inserted the word 'unreasonable.'"

Representatives Gallagher and Hatfield spoke against the amendment.

The amendment by Mr. Douthwaite to the amendment was not adopted.

#### ANNOUNCEMENT BY THE SPEAKER

"The next floor amendment, by Representative Rabel, commences on page 2, section 1, line 30. It is the first of a long series of amendments which have been printed and are on your desks dealing with the subject category in this bill of social cardrooms. If there be no objection, and with the consent of the House, we will consider all these amendments dealing with social cardrooms, as submitted by Representative Rabel, at one time in the interest of saving time.

"So ordered.

"The Speaker will further explain that before we get to any amendments which delete entire sections or categories, we will take up first any additional floor amendment which would tend to perfect or to change those particular sections."

Mr. Rabel moved adoption of the following amendments to the amendment by Mr. Kuehnlé and others:

On page 2, section 1, line 30 strike "social cardrooms"

On page 4, section 2, line 25 strike "social card games or"

On page 8, section 2, line 7 strike "or social card games"  
 On page 8, section 2, line 10 after "raffles" strike the comma and insert "and"  
 On page 8, section 2, line 10 strike "and social card games"  
 On page 8, section 2, line 14 strike the comma after "games" and insert "or"  
 On page 8, section 2, line 14 strike "or social card games"  
 On page 12, section 8, lines 15-17 strike "and social card games or any person conducting social card games as defined and authorized in this 1971 amendatory act"  
 On page 14, section 11, line 30 strike the comma after "devices" and insert "and"  
 On page 14, section 11, line 30 strike "and social card games"  
 On page 14, section 11, line 32 strike "except social card games shall be licensed hereunder,"  
 On page 15, section 11, line 3 after "devices" insert "and"  
 On page 15, section 11, line 3 strike "and social card games"  
 On page 15, section 11, line 7 beginning with "Social" strike everything down to and including "therefrom" on line 12  
 On page 17, section 15, lines 29-30 strike "or social card games."  
 On page 17, section 15, line 31 insert a period after "authorized" and strike everything beginning with ", or" down to and including "game" on page 18, line 10  
 On page 18, section 17, lines 19-20, strike "or social card game, or permitting a social card game"  
 On page 18, section 18, line 6 strike "or social card game,"  
 Mr. Rabel spoke in favor of the amendments to the amendment.

#### ADMONITION BY THE SPEAKER

The Speaker: "Mr. Rabel, I must remind you of our three-minute limit on debate. Please conclude your remarks."

Mr. Rabel continued speaking in favor of the amendments.

The Speaker advised Mr. Rabel that his time had expired.

Representatives Ross and Kraebel spoke in favor of adoption of the amendments to the amendment, and Representatives Bagnariol and Hatfield spoke against the amendments.

#### POINT OF INQUIRY

Mr. Rabel yielded to question by Mr. Smythe.

Mr. Smythe: "Would your first amendment keep these out of taverns and like places?"

Mr. Rabel: "Yes, it would. The current provisions which deal with social cardrooms would allow social card playing to take place in public premises, including taverns. This would lead to the high-stakes, no-control type of gambling which I think would be dangerous and outside the intent of the preamble of this bill."

Representatives Julin, Pardini, Paris and Charnley spoke in favor of adoption of the amendments.

The amendments dealing with social cardrooms by Mr. Rabel, to the amendment by Mr. Kuehnle and others, were lost on a rising vote.

The Speaker stated the next group of amendments by Representative Rabel, commencing on page 2, section 1, line 31, deal with the subject matter of punch boards and pull tabs.

Mr. Rabel moved adoption of the following amendments to the amendment by Mr. Kuehnle and others:

On page 2, section 1, line 31 strike "Punch boards and pull tabs"  
 On page 5, section 2, lines 21-23 strike "any punch boards or pull tabs as authorized and defined in section 11 subsection (2) of this 1971 amendatory act or"  
 On page 12, section 8, line 18 strike "punch boards or pull tabs"  
 On page 13, section 11, line 33 strike "punch boards, pull tabs and"  
 On page 14, section 11, line 4 strike "punch boards, pull tabs and"  
 On page 14, section 11, line 12 insert a period after "registration" and beginning with "; and" strike everything down to and including "subsection (5)." on line 27  
 On page 17, section 15, line 29 strike "punch boards and pull tabs,"  
 On page 18, section 17, line 19 strike "punch boards or pull tabs,"  
 On page 19, section 18, line 5 strike "punch boards"  
 On page 19, section 18, line 6 strike "pull tabs"  
 On page 20, section 20, lines 6-7 strike "or authorizing punch boards or pull tabs"

Representatives Rabel and North spoke in favor of the amendments to the amendment, and Representatives Conner, Costanti and Bradley spoke against them.

Mr. Kiskaddon demanded an electric roll call, and the demand was sustained.

Mr. Kuehnle spoke against adoption of the amendments to the amendment, and Mr. Blair spoke in favor of the amendments.

Mr. Bledsoe demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendments dealing with punch boards and pull tabs to the amendment by Mr. Kuehnle and others to House Bill No. 291, and the amendments were lost by the following vote: Yeas, 31; nays, 66; absent or not voting, 2.

Voting yea: Representatives Barden, Bauer, Blair, Bluechel, Brown, Charnley, Conway, Cunningham, Douthwaite, Eikenberry, Gilleland, Harris, Hoggins, Jones, Julin, Kirk, Kiskaddon, Kopet, Marsh, Maxie, McDermott, Mentor, North, Pardini, Paris, Rabel, Ross, Shinpoch, Smythe, Zimmerman, Mr. Speaker—31.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Beck, Benitz, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Copeland, Costanti, Curtis, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jueling, Kilbury, King, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Martinis, Marzano, May, McCormick, Merrill, Moon, Morrison, O'Brien, Perry, Polk, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf—66.

Absent or not voting: Representatives Berentson, Newhouse—2.

#### EXPLANATION OF VOTE

I voted contrary to what I intended on the amendments relating to punch boards and pull tabs, House Bill No. 291. It was my wish to vote in favor of the amendments proposed by Representative Rabel regarding pull tabs. PAUL B. KRAABEL, 46th District.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of House Bill No. 291 on second reading and the balance of today's calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Wednesday, March 3, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTY-SECOND DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 3, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles H. Perry of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

March 2, 1971.

HOUSE BILL NO. 38, extending and expanding real property tax exemption to sectarian organizations, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "by" and before "organizations" strike "[nonsectarian]" and insert "nonsectarian"

On page 1, section 1, after line 16 insert a new paragraph to read as follows:

*"Property owned by any church which is utilized as a camp facility if solely used for organized and supervised educational and recreational activities. The rental of property otherwise exempt under this paragraph to another church or to an organization described in RCW 84.36.050 or to a public school or to a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age for the use by the lessee for the purposes set forth in this paragraph shall not nullify the exemption provided for in this paragraph if the rental income is devoted solely to the operation and maintenance of the property. The exemption provided by this paragraph shall apply to a maximum of two hundred acres of any such camp as selected by the church, including buildings and other improvements thereon and shall expire July 1, 1973."*

On page 1, section 1, line 18 after "building" and before "boys" strike "in" and insert "[in] of"

On page 1, section 1, line 22 after "benefit" and before the semicolon insert the following:

*"The rental of property otherwise exempt under this paragraph to another nonprofit organization or association engaged in character building of boys and girls under eighteen years of age or to a church or to an organization described in RCW 84.36.050 or to a public school for the use by the lessee for the purposes set forth in this paragraph shall not nullify the exemption provided for in this paragraph if the rental income is devoted solely to the operation and maintenance of the property"*

On page 2, section 2, after line 12 strike all of section 2 and insert:

*"NEW SECTION. Sec. 2. The legislative council shall review the exemptions provided pursuant to RCW 84.36.030 and shall present recommendations to the next regular session of the legislature."*

In line 3 of the title after "RCW 84.36.030;" and before the period on line 4 strike "and amending section 2, chapter 137, Laws of 1969 and RCW 84.36.031" and insert "and creating a new section"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Hatfield, Haussler, Hurley, Kilbury, King, Kuehnle, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

March 2, 1971.

HOUSE BILL NO. 69, providing for the taxation of mobile homes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice

Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Hatfield, Haussler, Hurley, Kilbury, King, Kuehnle, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

February 26, 1971.

HOUSE BILL NO. 155, extending open space taxation advantages to airport lands, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 7 strike everything after "(4)" down to and including "compensation" in line 13 and insert "'Airport land' means property as designated by the Washington State Aeronautics Commission for use exclusively for airport facilities including landing areas, clear zones, taxi space, tie-down areas, and warm-up and holding areas which are fully open to the use of the general public for aviation and related purposes and for the use of which said described nonrevenue producing airport property, the owner or operator receives no compensation"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Hatfield, Hurley, Kilbury, Kuehnle, Randall.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 643, altering certain judicial districts of the superior courts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 1 add 3 new sections as follows:

"Sec. 3. Section 6, chapter 125, Laws of 1951 as last amended by section 2, chapter 213, Laws of 1969 ex. sess. and RCW 2.08.064 are each amended to read as follows:

There shall be in the counties of Benton and Franklin jointly, three judges of the superior court; in the counties of Clallam and Jefferson jointly, one judge of the superior court; in the county of Snohomish [six] seven judges of the superior court; in the counties of Asotin, Columbia and Garfield jointly, one judge of the superior court; in the county of Cowlitz, two judges of the superior court; in the counties of Klickitat and Skamania jointly, one judge of the superior court.

Sec. 4. Section 4, chapter 125, Laws of 1951 as last amended by section 2, chapter 84, Laws of 1967 first ex sess. and RCW 2.08.062 are each amended to read as follows:

There shall be in the county of Chelan one judge of the superior court; in the county of Clark [three] four judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap three judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis one judge of the superior court.

Sec. 5. Section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 213, Laws of 1969 ex. sess. and RCW 2.08.061 are each amended to read as follows:

There shall be in the county of King twenty-six judges of the superior court; in the county of Spokane seven judges of the superior court; in the county of Pierce [nine] ten judges of the superior court."

On page 1, line 5 of the title after "2.08.065" insert "; amending section 6, chapter 125, Laws of 1951 as last amended by section 2, chapter 213, Laws of 1969 ex. sess. and RCW 2.08.064; amending section 4, chapter 125, Laws of 1951 as last amended by section 2, chapter 84, Laws of 1967 first ex. sess. and RCW 2.08.062; and amending section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 213, Laws of 1969 ex. sess. and RCW 2.08.061"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

March 2, 1971.

HOUSE BILL NO. 654, providing additional powers, duties and functions to the department of revenue, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Bluechel, Ceccarelli, Eikenberry, Hatfield, Hurley, Kilbury, King, Kuehnle, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

March 2, 1971.

HOUSE BILL NO. 687, increasing commercial salmon fishing license fees, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 27 after "of" strike "chinook or silver" and insert "[chinook or silver]"

On page 2, section 1, line 11 after "*hereinabove*" insert "*except those holding a valid troll license are exempt from said fees*"

On page 3, section 3, line 27 strike "[three] two times" and insert "[three times]"

On page 6, section 9, line 13 strike "one" and insert "[one] two"

Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Beck, Berentson, Bradley, Charnley, Flanagan, Gallagher, Gilleland, Hansey, Harris, Julin, Kilbury, Kraabel, Martinis, Schumaker, Spanton, Thompson, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

March 2, 1971.

HOUSE BILL NO. 773, protecting deer and elk during certain periods of the year, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Beck, Berentson, Bradley, Charnley, Flanagan, Gallagher, Gilleland, Hansey, Harris, Kilbury, Kraabel, McCormick, Schumaker, Thompson.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 876, pertaining to the licensing of intoxicating liquor for consumption at certain places, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 15, beginning with "*and cooking*" strike everything down to and including "*place*" on line 18 and insert "*, cooking and serving of complete meals, and food service shall be available on request in other licensed places on the premises: PROVIDED FURTHER, That an additional license fee of ten dollars shall be required for such duplicate licenses*".

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Juelling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

March 2, 1971.

HOUSE BILL NO. 1034, providing for forest protection, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Newhouse, Vice Chairman, Anderson, Beck, Berentson, Bradley, Charnley, Flanagan, Gallagher, Gilleland, Hansey, Harris, Kilbury, Kraabel, Martinis, McCormick, Schumaker, Thompson.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

March 2, 1971.

Mr. Speaker: The Senate has passed:

REENGROSSED SENATE BILL NO. 130,

SENATE JOINT MEMORIAL NO. 5,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 3, 1971.

Mr. Speaker: The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 18, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 2, 1971.

Mr. Speaker: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 22, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 2, 1971.

Mr. Speaker: The Senate refuses to concur in the House amendment to SENATE BILL NO. 311 and asks the House to recede therefrom. SIDNEY R. SNYDER, Secretary.

## MOTION

Mr. Smythe moved that the House recede from its amendment to Senate Bill No. 311.



## PARLIAMENTARY INQUIRY

Mr. Spanton: "Mr. Speaker, would a motion be in order at this point that we do not recede from this amendment?"

The Speaker: "The motion which is before us, that we do recede, Mr. Spanton, is the most affirmative motion in dealing with a message from the Senate. The motion that we do not recede would be in the negative. The affirmative motion takes precedence, and the same effect of passage of your motion would be argued to defeat the motion that we do recede, so the same result would be accomplished. Do you wish to speak against the motion to recede?"

Representative Spanton spoke against the motion, and Representatives Marsh and Smythe spoke in favor of it.

The motion was carried on a rising vote.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker stated the question before the House to be the final passage of Senate Bill No. 311 without the House amendment.

Mr. Spanton spoke against passage of the bill, and Mr. Smythe spoke in favor of its passage.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 311 without the House amendment, and the bill passed the House by the following vote: Yeas, 63; nays, 31; absent or not voting, 5.

Voting yea: Representatives Adams, Anderson, Backstrom, Bauer, Beck, Berentson, Blair, Bluechel, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Grant, Hansey, Haussler, Hoggins, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Litchman, Luders, Lysen, Marsh, Maxie, McCormick, McDermott, Moon, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shipoch, Smythe, Thompson, Van Dyk, Williams, Wojahn, Zimmerman, Mr. Speaker—63.

Voting nay: Representatives Amen, Bagnariol, Barden, Benitz, Bradley, Brown, Conway, Cunningham, Flanagan, Gladder, Harris, Hatfield, Hubbard, Hurley, Jastad, Jueling, Kraabel, Kuehnle, Martinis, Marzano, Mentor, Merrill, Morrison, Newhouse, North, Polk, Schumaker, Smith, Spanton, Wanamaker, Wolf—31.

Absent or not voting: Representatives Bledsoe, Goldsworthy, Kopet, Lynch, May—5.

Senate Bill No. 311, without the House amendment, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE CONCURRENT RESOLUTION NO. 22.

## INTRODUCTION AND FIRST READING

REENGROSSED SENATE BILL NO. 130, by Senators McDougall, Matson and Talley: An Act relating to cities and towns; authorizing parking and business improvement areas; authorizing special assessments therefor; and adding new sections to Title 35 RCW.

Referred to Committee on Local Government.

SENATE JOINT MEMORIAL NO. 5, by Senators Woodall, Bailey, Matson, McDougall and Canfield:

Requesting the federal government to assume greater obligation for certain welfare programs.

Referred to Committee on Social and Health Services.

SENATE CONCURRENT RESOLUTION NO. 18, by Senators Washington, Jolly, Huntley, Foley, Greive, Bailey, Atwood, Andersen, Knoblauch, McDougall, Elicker and Wilson:

Designating Miss Nancy Kay Peterson, Miss Washington, as this state's honorary hostess.

On motion of Mr. Morrison, the rules were suspended, Senate Concurrent Resolution No. 18 was advanced to second reading and read the second time.

On motion of Mr. Morrison, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 18 was placed on final passage.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Flanagan, we understand that Miss Washington is from your area. Do you know this young lady?"

Mr. Flanagan: "Yes, I have had the good fortune of meeting her several times in the last year, at the fair and some of the other events over there. I certainly think she is an outstanding representative of our area. Also, I believe this is the second year in a row that Miss Washington has been from Moses Lake."

Mr. Morrison: "A second question, Mr. Flanagan: Do you suggest that everyone vote for this resolution since Miss Washington is in the back of the House Chamber?"

Mr. Flanagan: "Yes, I urge a unanimous vote for this resolution."

Senate Concurrent Resolution No. 18 was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Miss Nancy Kay Peterson, Miss Washington, and requested that Representatives Flanagan and Chatalas along with the Sergeant at Arms conduct her to a place on the rostrum.

The Speaker: "In line with our policy of bringing you the best in viewing and listening entertainment, I would like to present to you lovely Miss Washington, Nancy Kay Peterson."

Miss Peterson: "Thank you. It is indeed an honor to address such a distinguished audience. This reminds me of my Girls' State days, but at least you won your elections.

"I won the title of Miss Washington last June. Since then my year has been spent with travels and appearances around the state. I have done everything from advertising tires, corn and Girl Scouts, to cutting ribbons, birthday cakes, and even watching Roy Rogers shoot some of our Moses Lake pheasant for a hunting movie. My most exciting adventure as Miss Washington was to represent the State of Washington in the Miss America Pageant at Atlantic City, New Jersey. I placed 13th out of the 50 contestants. I think part of this was due to Eastern Washington's fresh air and sunshine.

"Thank you very much for recognizing the worth of the pageant by naming me, as Miss Washington, the honorary hostess of the State. Remember, if you ever need anything, you are now my constituents. Thank you."

The Speaker: "Thank you, Miss Nancy. You are a most worthy representative for our State of Washington."

#### PERSONAL PRIVILEGE

Mr. Bledsoe: "I would like to point out to the membership here what you can do if you eat enough Columbia Basin potatoes and enough Central Washington beef. Look what can happen. In answer to the other question: Are there any more at home like her?—you bet there are."

The Speaker requested that the Sergeant at Arms and Representatives Flanagan and Chatalas escort Miss Nancy Kay Peterson to the rear of the House Chamber.

#### SECOND READING

HOUSE BILL NO. 291, by Representatives Kuehnle, Litchman, Curtis, Hatfield, Bottiger, Gladder, Eikenberry, Pardini, Smith, Conway, Kopet, Morrison, Wolf, Shera,

Gallagher, Bagnariol, Jastad, Adams, Rosellini, Ceccarelli, Randall, Anderson, Backstrom, Bauer, Hoggins, Knowles, Marzano and McCormick:

Relating to gambling.

The House resumed consideration of House Bill No. 291 on second reading.

The Speaker stated the question before the House to be the amendment by Representatives Kuehnle, Curtis, Wojahn, Bagnariol, Backstrom, Wolf, Gallagher, Hatfield, Polk, Ceccarelli and Jastad.

(For amendment see Journal for Forty-eighth day, February 27, 1971. For amendments by Representatives Douthwaite and Rabel to the amendment, see Journal for Fifty-first day, March 2, 1971.)

Mr. Bledsoe moved adoption of the following amendment to the amendment by Mr. Kuehnle and others:

On page 3, section 2, line 20 after "insurance" insert: "and drawings, where no tickets or ducats are offered for sale, where the purpose of the drawing is the promoting of initial or grand openings of main and/or branch offices of business enterprises"

Mr. Bledsoe spoke in favor of adoption of the amendment, and Mr. Bottiger spoke against it.

The amendment by Mr. Bledsoe to the amendment by Mr. Kuehnle and others was lost on a rising vote.

The Speaker stated that with the consent of the House, the group of amendments by Representative Rabel dealing with bingo would be considered at one time.

Mr. Rabel moved adoption of the following amendments to the amendment by Mr. Kuehnle and others:

On page 4, section 2, line 27 strike "authorized" and insert "defined"

Beginning on page 14 strike all of subsection (3)

On page 17, section 15, line 31 strike "authorized" and insert "defined"

On page 18, section 17, line 20 strike "authorized" and insert "defined"

On page 19, section 18, line 6 strike "authorized" and insert "defined"

With the consent of the House, and at the request of Mr. Julin, Mr. Rabel withdrew the amendment beginning on page 14, striking subsection (3).

#### MOTION FOR RECONSIDERATION

Mr. Bottiger, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment by Mr. Bledsoe to page 3, section 2, line 20, to the amendment by Mr. Kuehnle and others, House Bill No. 291, was not adopted.

Representatives Bottiger and Bledsoe spoke in favor of the motion to reconsider, and Representative Curtis spoke against it.

The motion to reconsider was lost on a rising vote.

The Speaker stated the question before the House to be the amendments by Mr. Rabel, dealing with bingo, to the amendment by Mr. Kuehnle and others.

Mr. Julin spoke in favor of the amendments, and Mr. Kuehnle spoke against them.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Curtis.

Mr. Curtis: "Representative Kuehnle, have you had any communication with the four prosecuting attorneys who helped to draft this floor amendment by Mr. Rabel to which Mr. Julin spoke?"

Mr. Kuehnle: "I have not talked with all four of them. I did a few minutes ago talk with a couple of them who Representative Julin had consulted. The approach, as I understand it, was that he asked them if they could live with the amendment as he proposed it, and the answer to the question was 'yes.' It is my understanding that the amendment was instigated by Representative Julin and not by the prosecutors."

Mr. Curtis spoke in favor of the amendments to the amendment.

## POINT OF ORDER

Mr. Litchman: "Mr. Speaker, I am looking at the series of amendments marked 'C', and somehow they don't gibe with the amendments in the book or any other amendments."

The Speaker: "They are amendments to the floor amendment, Mr. Litchman. The floor amendment is the xerox copy on your desk, and they do conform to that."

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Julin, I understand from what you say that the Constitution prohibits the authorization of state gambling. If we then pass this bill as defined, without accepting your amendment, we will be, as you say, directly in opposition to the Constitution. Therefore, it would seem to me that we are wasting our time here, and the rather clear issue to be decided in court would be that the bill as we are writing it then is unconstitutional. Am I correct in this assumption?"

Mr. Julin: "Representative Douthwaite, I would not purport to anticipate the ultimate decision of our Supreme Court which must deal with this. I am simply proposing this amendment on the premise that the people of the state of Washington would like to have social bingo, and that was the purpose and thrust and intent of the bill in the first instance. If that is, in fact, the will of the body and of the people, then even under the present Constitution without the constitutional amendment to be voted on, you may, by adopting my amendment, have a chance of the people being able to have bingo even though that amendment fails."

Mr. Douthwaite spoke in favor of the amendments to the amendment.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Randall.

Mr. Randall: "Page 20 of our bill, lines 4 through 11 and 12, appear to answer the question that has been raised. Would you comment on this, and clear my mind as to what this is referring to?"

Mr. Kuehnle: "Thank you, Representative Randall. I think it is important that we refer to the language on page 20, starting on line 4 which says:

"... PROVIDED, That should provisions of this 1971 amendatory act pertaining to the playing of bingo, or holding raffles, or permitting the operation of pinball machines or similar amusement devices or permitting the operation of amusement games or authorizing punch boards or pull tabs be held invalid or unconstitutional by the supreme court of the state of Washington as being violative of Article II, section 24, of the Constitution of the state of Washington, then the provisions hereof relating to each such item as aforesaid specifically declared invalid or unconstitutional by such court shall remain inoperative unless and until the qualified electors of this state shall approve an amendment to Article II, section 24, of the Constitution . . ."

"I think this clarifies what we are talking about. If it is declared unconstitutional by the Supreme Court of the state of Washington, then it shall be held invalid until such time as we vote on the constitutional referendum."

Mr. Rabel spoke in favor of adoption of the amendments to the amendment, and Mr. Perry spoke against the amendments.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the amendments by Mr. Rabel dealing with bingo, to the amendment by Mr. Kuehnle and others, House Bill No. 291, and the amendments were not adopted by the following vote: Yeas, 38; nays, 56; absent or not voting, 5.

Voting yea: Representatives Amen, Barden, Bauer, Blair, Bledsoe, Bluechel, Brown, Charnley, Conway, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gilleland, Hansey, Harris, Hoggins, Johnson, Jones, Julin, Kilbury, Kiskaddon, Kopet, Kraabel, Luders, Marsh, Maxie, McDermott, Mentor, North, Pardini, Paris, Polk, Rabel, Shinpoch, Wolf, Zimmerman—38.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Beck, Benitz, Berentson, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner,

Costanti, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hatfield, Haussler, Hubbard, Hurley, Jastad, Juelling, King, Knowles, Kuehnle, Litchman, Lynch, Lysen, Martinis, Marzano, May, McCormick, Merrill, Moon, Morrison, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Mr. Speaker—56.

Absent or not voting: Representatives Copeland, Kirk, Newhouse, Ross, Smythe—5.

Mr. Rabel moved adoption of the following amendment to the amendment by Mr. Kuehnle and others:

On page 5, section 2, line 14 strike "or payment in lieu thereof"

Mr. Rabel spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Rabel.

Mr. Rabel: "What would the maximum payoff be on these pinball machines under the current provisions of the bill?"

Mr. Kuehnle: "Representative Rabel, I really don't consider myself an expert on pinball machines. All I can relate to you is that information which I have gotten from the best sources available and from some whom I do consider to be experts on pinball machines. Under the provisions of this bill, the type of pinball machine that is authorized (incidentally there is no constitutionality problem here) is the type where you put in one nickel or one dime, and it is restricted to one nickel or one dime. You may not pump other coins in. You may only put in one at a time. You then get five balls in position and you shoot each one of those balls separately. You can't shoot them all at once, and you have to shoot the five balls, use the flippers, etc., before you can put in another nickel. Restricting it to this kind of arrangement, therefore, makes it strictly an amusement machine.

"This was very carefully drafted to preclude the possibility of somebody coming along with a slot machine or some other kind of a device under the disguise of a pinball machine. It is my opinion that it is most unlikely that you could run up over ten or fifteen free games on this machine, even if you were very talented and were an expert at playing the pinball machine. Then the reason for payment in lieu of games was with the concurrence of the prosecutors who say that the thing is completely unenforceable anyway. They have absolutely no way of keeping somebody from paying off these five, ten or fifteen games that the fellow may have accumulated when it is time for him to go home. This type of machine in no way attracts a gambler. I don't think he could make a dollar on the machine if he played it all day long. It is just an amusement type of machine, and the business of paying off the 20 cents, 30 cents or 75 cents he might have accumulated in free games was just to make it realistic and practical."

Representatives Rabel and Kraabel spoke in favor of adoption of the amendment to the amendment, and Representative May spoke against it.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Rabel to page 5 of the amendment by Mr. Kuehnle and others, House Bill No. 291, and the amendment was lost by the following vote: Yeas, 36; nays, 60; absent or not voting, 3.

Voting yea: Representatives Barden, Bauer, Blair, Bluechel, Brown, Charnley, Conway, Cunningham, Douthwaite, Eikenberry, Gilleland, Hansey, Hoggins, Hurley, Jones, Julin, Kilbury, Kirk, Kiskaddon, Kopet, Kraabel, Luders, Lysen, Marsh, Maxie, McDermott, Mentor, North, Paris, Polk, Rabel, Shera, Smith, Smythe, Zimmerman, Mr. Speaker—36.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Costanti, Curtis, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hubbard, Jastad, Johnson, Juelling, King, Knowles, Kuehnle, Litchman, Lynch, Martinis, Marzano, May, McCormick, Merrill, Moon, Morrison, O'Brien, Pardini, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf—60.

Absent or not voting: Representatives Copeland, Newhouse, Ross—3.

Mr. Curtis moved adoption of the following amendment to the amendment by Representatives Kuehnle and others:

On page 6, section 2, line 3 after "circulation" insert "or commercial radio and television stations licensed by the Federal Communications Commission"

Representatives Curtis and Kuehnle spoke in favor of the amendment.

The amendment by Mr. Curtis to the amendment by Mr. Kuehnle and others to House Bill No. 291 was adopted.

Mr. Douthwaite moved adoption of the following amendment to the amendment by Mr. Kuehnle and others:

On page 8, section 2, lines 18-20, strike "except for any such organization incorporated under the laws of this state for at least twenty-five years,"

Mr. Douthwaite spoke in favor of adoption of the amendment, and Mr. Kuehnle spoke against it.

The amendment by Mr. Douthwaite to the amendment by Mr. Kuehnle and others, House Bill No. 291, was not adopted.

The Clerk read the following amendment by Mr. Rabel to the amendment by Mr. Kuehnle and others:

On page 14, section 11, line 5 after "boards" strike the comma and insert "and" and after "tabs" strike "and pinball machines"

With the consent of the House, Mr. Rabel withdrew the amendment.

Mr. Julin moved adoption of the following companion amendments to the amendment by Mr. Kuehnle and others:

On page 14, section 11, line 28 after "may" strike "authorize" and insert "tax"

On page 14, section 11, line 31 after "organization" strike " , by taxing the same"

Mr. Julin spoke in favor of the amendments, and Mr. Kuehnle spoke against them.

The amendments by Mr. Julin to the amendment by Mr. Kuehnle and others were not adopted.

Mr. Marzano moved adoption of the following amendment by Representatives Marzano, Rosellini and Litchman to the amendment by Mr. Kuehnle and others:

On page 16, section 13, line 28 after "located" strike everything through "city" on page 17, line 1

Representatives Marzano and Litchman spoke in favor of the amendment.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

Representatives Wojahn and Rabel spoke against adoption of the amendment.

#### POINT OF INQUIRY

Mr. Litchman yielded to question by Mrs. Kirk.

Mrs. Kirk: "Mr. Litchman, if Mr. Marzano's amendment prevails, could you tell me if this would bring about a greater financial problem to King County to police all of these card rooms that are for the poor little old people?"

Mr. Litchman: "On the contrary, Mrs. Kirk, I think it would add revenue to the City of Seattle. Under the bill, whether we strike this or not, the City of Seattle and the other cities would license these card rooms. In licensing, they could put in any restrictions they wanted, so I don't see any problem."

Representatives Kirk, Gladder and Conway spoke against adoption of the amendment to the amendment, and Representative Rosellini spoke in favor of it.

#### POINT OF INQUIRY

Mr. Rabel yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Rabel, this bill primarily, and most of the discussion we have had, deals with King County and their police problems and their tolerance policies. You have been quite expert on this bill. Have you had an opportunity to talk with the Sheriff of King County on this provision?"

Mr. Rabel: "Yes, Mr. Pardini. I would like to relate a letter that Sheriff Lawrence G.

Waldt of the Department of Public Safety of King County wrote to the Attorney General of the State of Washington. In part:

"... There is a hazard that cannot be ignored and that is the ever present opportunity for corrupting public officials and law enforcement officers who would be responsible for the licensing, supervision and enforcement of so-called legalized gambling. Regardless of how carefully the statutes are structured, the enforcement of such laws are difficult and usually leave areas open for interpretation by public officials at the various levels of government, which can lead to difficulties in enforcing the statutes and tend to encourage various forms of tolerance policies. These are the tolerance policies that were the fuel for payoffs over the last few years in the City of Seattle."

Representatives Smythe and Kuehnle spoke against adoption of the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Marzano, Rosellini and Litchman to the amendment by Mr. Kuehnle and others, House Bill No. 291, and the amendment was lost by the following vote: Yeas, 13; nays, 83; absent or not voting, 3.

Voting yea: Representatives Bradley, Gilleland, Grant, Kilbury, King, Litchman, Lysen, Martinis, Marzano, Moon, Rosellini, Savage, Shinpoch—13.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Hansey, Hatfield, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Luders, Lynch, Marsh, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Ross, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—83.

Absent or not voting: Representatives Harris, Haussler, Newhouse—3.

#### STATEMENT FOR THE JOURNAL

In the confusion of the many amendments on House Bill No. 291, I was recorded as voting "yes" on the amendment by Representatives Marzano, Rosellini and Litchman to the amendment by Mr. Kuehnle and others. It was my intent to vote "no." I was discussing another amendment at the time, and pushed my voting button the wrong direction. I want to be recorded as a "no" vote. JAMES E. GILLELAND, 48th District.

Mr. Rabel moved adoption of the following amendments to the amendment by Mr. Kuehnle and others:

- On page 16, strike all of section 12.
- Beginning on page 16, strike all of section 13.
- On page 17, strike all of section 14.
- On page 18, strike all of section 16.

Representatives Rabel, Ross and Brown spoke in favor of adoption of the amendments to the amendment, and Representatives Kuehnle and Bagnariol spoke against the amendments.

#### POINT OF INQUIRY

Mr. Farr: "Mr. Speaker, could you or someone interpret for me what a 'yes' vote would be on this amendment? Would it in effect be a vote against all card rooms?"

The Speaker: "As far as the Speaker is concerned, a 'yes' vote is a vote to adopt the amendments by Representative Rabel. If someone else would like to further explain what happens, they may do so."

Mr. Morrison demanded an electric roll call, and the demand was sustained.

Mr. Bledsoe demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendments by Mr. Rabel to the amendment by Mr. Kuehnle and others, House Bill No. 291, and the amendments were not adopted by the following vote: Yeas, 34; nays, 63; absent or not voting, 2.

Voting yea: Representatives Barden, Blair, Bluechel, Brown, Charnley, Conway, Cunningham, Douthwaite, Eikenberry, Gilleland, Grant, Hoggins, Jones, Julin, King, Kirk, Kiskaddon, Kopet, Kraabel, Luders, Lysen, Marsh, Maxie, McDermott, Mentor, North, Pardini, Paris, Polk, Rabel, Ross, Sawyer, Smythe, Zimmerman—34.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Copeland, Costanti, Curtis, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jueling, Kilbury, Knowles, Kuehnle, Litchman, Lynch, Martinis, Marzano, May, McCormick, Merrill, Moon, Morrison, O'Brien, Perry, Randall, Rosellini, Savage, Schumaker, Shera, Shipoch, Smith, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—63.

Absent or not voting: Representatives Harris, Newhouse—2.

On motion of Mr. Kuehnle, the following amendment to the amendment by Mr. Kuehnle and others was adopted:

On page 21, section 23, line 29 after "licensing" and before "by" insert "or taxing"

The Speaker stated the question before the House to be the amendment by Mr. Kuehnle and others to House Bill No. 291 as amended.

## MOTION

Mr. Hoggins moved that the amended amendment by Mr. Kuehnle and others be laid on the table.

Mr. Chatalas demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Hoggins to table the amended amendment by Mr. Kuehnle and others, House Bill No. 291, and the motion was lost by the following vote: Yeas, 22; nays, 75; absent or not voting, 2.

Voting yea: Representatives Blair, Bluechel, Brown, Charnley, Conway, Cunningham, Douthwaite, Eikenberry, Gilleland, Hoggins, Jones, Julin, Kraabel, Maxie, Mentor, North, Pardini, Paris, Polk, Rabel, Ross, Zimmerman—22.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Copeland, Costanti, Curtis, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, May, McCormick, McDermott, Merrill, Morrison, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—75.

Absent or not voting: Representatives Moon, Newhouse—2.

The Speaker stated the question before the House to be the amended amendment by Mr. Kuehnle and others, House Bill No. 291.

The amended amendment was adopted.

House Bill No. 291 was ordered engrossed.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 291 be placed on final passage.

Mr. Morrison demanded an electric roll call and the demand was sustained.



## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 291 to third reading and final passage, and the motion was carried by the following vote: Yeas, 71; nays, 28; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Copeland, Costanti, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jueling, Kilbury, King, Kiskaddon, Knowles, Kopet, Kuehnle, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, May, McCormick, Merrill, Morrison, Newhouse, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—71.

Voting nay: Representatives Barden, Blair, Bluechel, Brown, Charnley, Conner, Conway, Cunningham, Eikenberry, Gilleland, Grant, Hoggins, Jones, Julin, Kirk, Kraabel, Luders, Maxie, McDermott, Mentor, Moon, North, Pardini, Paris, Polk, Rabel, Ross, Zimmerman—28.

Representatives Kuehnle, Conner and Savage spoke in favor of passage of the bill, and Representatives Eikenberry, Kraabel, Cunningham and North spoke against the bill.

Mr. Marzano demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 291, and the bill passed the House by the following vote: Yeas, 70; nays, 28; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Ceccarelli, Charette, Chatalas, Conner, Copeland, Costanti, Curtis, Farr, Flanagan, Gallagher, Gladder, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jueling, Kilbury, King, Kiskaddon, Knowles, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, May, McCormick, Mentor, Merrill, Morrison, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—70.

Voting nay: Representatives Barden, Blair, Bluechel, Brouillet, Brown, Charnley, Conway, Cunningham, Douthwaite, Eikenberry, Gilleland, Harris, Hoggins, Jones, Julin, Kirk, Kopet, Kraabel, Maxie, McDermott, Moon, North, Pardini, Paris, Polk, Rabel, Ross, Zimmerman—28.

Absent or not voting: Representative Newhouse—1.

Engrossed House Bill No. 291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Bledsoe, Engrossed House Bill No. 291 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 491, by Representatives Hoggins, Cunningham, Shera, Brouillet, Marsh, Mentor, Sawyer, Backstrom and Bauer (by Superintendent of Public Instruction request):

Mandating state board of education to implement, by rule or regulation, vocational education programs in school districts.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, line 10, strike all of the underlined material and insert "in the elementary and secondary schools and the state board shall adopt rules and regulations to implement such programs, including those authorized by RCW 28A.58.245 and RCW 28B.50.770"

The bill was read the second time.

On motion of Mr. Hoggins, the committee amendment was adopted.  
House Bill No. 491 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 491 was placed on final passage.

#### POINTS OF INQUIRY

Mr. Hoggins yielded to question by Mr. Moon.

Mr. Moon: "Would this allow or give the secondary schools an opportunity to offer any vocational training programs outside their regular curriculum?"

Mr. Hoggins: "No."

Mr. Benitz yielded to question by Mr. Bluechel.

Mr. Bluechel: "Representative Benitz, as a member of the coordinating council for vocational education, could you tell me, does this bill in any way affect the authority of the state board for community colleges to administer the current vocational-technical education in community colleges?"

Mr. Benitz: "It is my opinion that it very definitely clouds the authority of the state board for community colleges as well as the coordinating council."

Mrs. Lynch yielded to question by Mr. Bluechel.

Mr. Bluechel: "Could you give me some details as to the effect of this cloudiness on the current section of the Revised Code of Washington pertaining to community colleges and vocational education?"

Mrs. Lynch: "I wish I could, Mr. Bluechel. I have some concerns about this bill, and I was about to rise and ask Mr. Brouillet a question. Maybe Mr. Brouillet could answer a question for both of us."

Mr. Brouillet yielded to question by Mrs. Lynch.

Mrs. Lynch: "Representative Brouillet, you know that I have been very concerned about this bill as to whether or not it really does get into the area of community colleges. Can you assure me that in no way will this bill affect vocational education at the community college level, or will it allow the superintendent of public instruction to get into adult education as far as vocational education is concerned?"

Mr. Brouillet: "Yes, Mrs. Lynch. Let me just say this, that this was a concern of many people as you have expressed here. We went to the Assistant Attorney General, Mr. Montecucco, who drafted this amendment which was adopted by the committee. He assured us it would correct the problem you have raised—that school districts would not be allowed to offer programs in adult education in competition with community colleges, nor would this allow them to offer vocational-technical programs in the evening—in other words expand into a whole series of vocational-technical institutes. This is why we had the amendment drafted. In fact it came up again yesterday and I called him again, and the state board for community colleges called him, because they are all concerned because people have raised this question. He assured us that this did just what Mr. Hoggins said—it restricted the K-12 operation to their present status and did not open up the situation where they could offer vocational-technical programs in the evening, etc."

Mr. Benitz spoke against passage of the bill, and Mr. Hoggins spoke in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 491, and the bill passed the House by the following vote: Yeas, 67; nays, 31; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Blair, Bottiger, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Douthwaite, Farr, Flanagan, Grant, Hansey, Harris, Hatfield, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, North, O'Brien, Perry, Rabel, Randall, Rosellini, Savage, Sawyer, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman—67.

Voting nay: Representatives Amen, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Copeland, Curtis, Eikenberry, Gilleland, Gladder, Goldsworthy, Haussler, Hubbard,

Jones, Kirk, Kopet, Lynch, Moon, Morrison, Newhouse, Pardini, Paris, Polk, Ross, Schumaker, Smith, Spanton, Wolf, Mr. Speaker--31.

Absent or not voting: Representative Gallagher--1.

Engrossed House Bill No. 491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 440, by Representatives Brown, Randall, Bledsoe, Kraabel and Rabel (by Secretary of State request):

Regulating certain activities of political parties.

#### MOTIONS

On motion of Mr. Morrison, the House deferred consideration of House Bill No. 440, and the bill was ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Morrison, the House recessed until 8:00 p.m.

#### EVENING SESSION

The Speaker called the House to order at 8:00 p.m.

The Clerk called the roll and all members were present.

#### MOTION

On motion of Mr. Bledsoe, the House reverted to the third order of business.

#### REPORTS OF STANDING COMMITTEES

March 3, 1971.

HOUSE BILL NO. 77, providing certain changes in the regulation of motor vehicle dealers, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3, line 27 after "set" insert ": PROVIDED, HOWEVER, That the maximum number of sets of dealer plates the department may issue to a dealer shall not exceed the greater of ten sets or a figure which represents four percent of the dealer's total vehicle sales for the previous year, except that the department may issue what it determines to be a reasonable number of sets in those cases where the dealer has not been previously licensed or where he can satisfy the department that the previous year's sales were unnaturally low for reasons beyond his control: AND PROVIDED FURTHER, That no dealer who sold less than twenty passenger cars and/or pickup trucks during the previous year shall be entitled to receive any additional sets, unless he can satisfy the department that additional sets are necessary for the purposes indicated by sections 46.70.090 (1), (3) or (4) of this chapter"

On page 4, section 4, line 8 after "(1)" strike "Twenty" and insert "Ten"

On page 4, section 4, line 10 after "(3)" strike "Twenty" and insert "Ten"

On page 5, section 7, line 32 after "assigned" strike "[permanently]" and insert "permanently"

On page 6, section 7, line 1 after "That" strike "such vehicles are used solely for the purpose of demonstration and sale: PROVIDED FURTHER, That"

Signed by Representatives Curtis, Chairman, Kuehne, Vice Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, O'Brien, Pardini, Polk.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 283, providing an act relating to revenue and taxation, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 1 of the title after "taxation" strike the balance of the bill and insert "": adding new sections to chapter 15, Laws of 1961 and 84.36 RCW; amending section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020; amending section 84.41.030, chapter 15, Laws of 1961 and RCW 84.41.030; amending section 84.41.040, chapter 15, Laws of 1961 and RCW 84.41.040; adding a new section to chapter 84.48 RCW; amending section 84.48.080,

chapter 15, Laws of 1961 and RCW 84.48.080; repealing section 1, chapter 132, Laws of 1967 ex. sess., section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; repealing section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**NEW SECTION.** Section 1. For purposes of section 2 of this act:

(1) 'Deferrable taxes' shall mean that portion of real property taxes due and payable in 1971 representing any increase in such taxes over those due and payable in 1970 attributable to an increase in assessed valuation over that of the prior year: PROVIDED, HOWEVER, That in the event that an increase in assessed valuation, or any part thereof, is attributable to the construction or alteration of any building for which the value of the material exceeds five hundred dollars, such increase or part thereof shall be added to the prior year's assessed valuation in determining the amount of deferrable taxes.

(2) 'Qualified residence' shall mean a single family dwelling, owned on January 1, 1971 and regularly occupied during 1970 by a qualified taxpayer, said dwelling to include the land on which the dwelling stands not to exceed one acre: PROVIDED, HOWEVER, That for purposes of this subsection a residence owned by a marital community shall be deemed to be owned by each spouse.

(3) 'Qualified taxpayer' shall mean a person whose adjusted gross income for purposes of computing 1970 federal income tax liability, if any, together with the adjusted gross income of his or her spouse for the same year, if any, did not exceed thirty-six hundred dollars: PROVIDED, HOWEVER, That the actual filing of a federal tax return for 1970 shall not be a condition for qualification under this subsection.

**NEW SECTION.** Sec. 2. Solely for purposes of computing interest on delinquent taxes, and notwithstanding the provisions of RCW 84.56.020, one-third of the deferrable taxes imposed upon a qualified residence shall be considered to be due and payable in 1972, one-third of such taxes shall be considered to be due and payable in 1973, and the remaining one-third shall be considered to be due and payable in 1974.

**NEW SECTION.** Sec. 3. Claims for qualification under section 2 of this act shall be made on or before April 30, 1971, and in the manner and upon forms prescribed by the department of revenue. The department is hereby directed to publicize through newspapers, radio or television advertisements the rights conferred under this act, the qualifications therefor, and the manner of making claims therefor.

**NEW SECTION.** Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

A person shall be exempt from any legal obligation to pay a percentage of the amount of real property taxes due and payable in any one year as the result of the levy of additional taxes in excess of the limitation upon levies provided for in RCW 84.52.050 through 84.52.056 and Article VII, section 2 of the state Constitution, as amended, in accordance with the following conditions:

(1) The property taxes must have been imposed upon a residence which has been regularly occupied by the person claiming the exemption during the two calendar years preceding the year in which the exemption claim is filed; or the property taxes must have been imposed upon a residence which has been regularly occupied by the person claiming the exemption during the preceding calendar year and the person claiming the exemption must also have been a resident of the state of Washington for the last three calendar years preceding the year in which the claim is filed.

(2) The person claiming the exemption must have owned, at the time of filing, in fee, by contract purchase, or by deed of trust, the residence on which the property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community shall be deemed to be owned by each spouse.

(3) The person claiming the exemption must have been sixty-two years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability.

(4) No person who, during the preceding calendar year, has regularly occupied the residence on which the taxes have been imposed shall have received during the preceding calendar year any earnings of the type and amount which would cause any deduction from social security benefits for a recipient of such benefits pursuant to 42 U.S.C. 403 as in effect on the effective date of this act.

(5) The amount that the person shall be exempt from an obligation to pay shall be calculated, on the basis of the combined income, from all sources whatsoever, of the person claiming the exemption and his or her spouse for the preceding calendar year, in accordance with the following schedule:

<i>Income Range</i>	<i>Exemption Percentage</i>
\$3,000 or less	One hundred percent
\$3,001-\$4,000	Seventy-five percent
\$4,001-\$5,000	Fifty percent
\$5,001-\$6,000	Twenty-five percent

PROVIDED, HOWEVER, That a person within the income range of \$3,000 or less shall receive an exemption of no less than the first \$100.00 of taxes due and payable.

**NEW SECTION.** Sec. 5. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

For the purposes of section 4 of this act:

(1) The term 'residence' shall mean a single family dwelling, including the land on which the dwelling stands not to exceed one acre. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090 or RCW 84.40.250, such a residence shall be deemed real property.

(2) The term 'preceding calendar year' shall mean the calendar year preceding the year in which the claim for exemption is to be made;

All claims for exemption shall be made and signed by the person entitled to the exemption, by his or her attorney in fact or in the event the residence of such person is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, by such holder, either before a notary public or the county treasurer or his deputy in the county where the real property is located. Any person signing a false claim shall be subject to perjury.

Claims for exemption under section 4 of this act shall be made annually and filed between January 2 and July 1 of the year in which the property tax levies are imposed and solely upon forms as prescribed and furnished by the department of revenue.

Sec. 6. Section 84.69.020, chapter 15, Laws of 1961 as amended by section 1, chapter 224, Laws of 1969 ex. sess. and RCW 84.69.020 are each amended to read as follows:

On order of the board of county commissioners or other county governing authority designated by charter, ad valorem taxes paid before or after delinquency shall be refunded if they were:

- (1) Paid more than once; or
- (2) Paid as a result of manifest error in description; or
- (3) Paid as a result of a clerical error in extending the tax rolls; or
- (4) Paid as a result of other clerical errors in listing property; or
- (5) Paid with respect to improvements which did not exist on assessment date; or
- (6) Paid under levies or statutes adjudicated to be illegal or unconstitutional; or
- (7) Paid as a result of mistake, inadvertence, or lack of knowledge by any person

exempted from paying real property taxes or a portion thereof pursuant to [RCW 84.36.128: PROVIDED, That a claim for such refund is made on or before October 30 of the year for which the taxes have been paid] section 4 of this 1971 amendatory act; or

(8) Overpaid as a result of mistake, inadvertence, or lack of knowledge by any person paying the same: PROVIDED, That a claim for such refund is made on or before October 30 of the year for which the taxes have been overpaid; or

(9) Paid on the basis of an assessed valuation which was appealed to the state board of tax appeals and ordered reduced by the board: PROVIDED, That the amount refunded shall only be for the difference between the tax paid on the basis of the appealed valuation and the tax payable on the valuation adjusted in accordance with the board's order.

No refunds under the provisions of this section shall be made because of any error in determining the valuation of property, except as authorized in subsection (9).

Sec. 7. Section 84.41.030, chapter 15, Laws of 1961 and RCW 84.41.030 are each amended to read as follows:

[Each county assessor shall commence, immediately if possible, but no later than January 1, 1956, a comprehensive program of revaluation of all taxable property within his respective county. Such program shall progress at a rate which will result in the revaluation of all taxable property within the county before June 1, 1958.] Each county assessor shall [thereafter] maintain an active and systematic program of revaluation on a continuous basis, and shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years. [A copy of such schedule shall be filed by each assessor with the tax commission before October 15, 1956.]

Sec. 8. Section 84.41.040, chapter 15, Laws of 1961 and RCW 84.41.040 are each amended to read as follows:

Each county assessor shall cause real property being valued to be physically inspected [and shall require such examination as will] at least once every four years in order to provide adequate data from which to make accurate valuations. [Property which may have been revalued after physical examination by the assessor subsequent to May 31, 1954, shall be considered to have been revalued pursuant to the requirements of this chapter.] During the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data.

NEW SECTION. Sec. 9. There is added to chapter 84.48 RCW a new section to read as follows:

The board of equalization shall reconvene on the first Monday of September for the purpose of equalizing valuations of real property within the county. Such equalization shall be accomplished in the following manner:

(1) The department of revenue shall certify to the board the ratio of the assessed valuation of locally assessed property in the county to the true and fair value of such property, based upon assessed values established without regard to equalization accomplished pursuant to this section (hereinafter referred to as the 'tentative county indicated ratio'). The department shall also certify the ratio of the assessed valuation of locally assessed property in those geographical areas in the county which have been revalued pursuant to a cyclical revaluation program approved by the department of revenue to the

true and fair value of such property (hereinafter referred to as the 'revaluation ratio'). The board shall review the revaluation ratio so certified, and may accept, reject, or modify the ratio.

(2) If the revaluation ratio, as determined by the board, exceeds one hundred and ten percent of the tentative county indicated ratio, the board shall order the assessor, in accordance with the provisions of section 8 of this act, to reduce by a uniform percentage the true and fair values of real property within the geographical areas covered by the revaluation ratio by a uniform percentage such that the revaluation ratio shall equal the tentative county indicated ratio. For the purpose of administrative convenience, such reductions may be accomplished, in lieu of actual changes in the assessment rolls, by the assessor certifying to the treasurer the percentage adjustment for the geographical areas involved, on the basis of which the treasurer shall adjust the amount of taxes otherwise payable.

Sec. 10. Section 84.48.080, chapter 15, Laws of 1961 and RCW 84.48.080 are each amended to read as follows:

[The members of the tax commission shall constitute the state board of equalization; the chairman of the tax commission shall be the president of the board, and the secretary of the tax commission shall be the secretary thereof. The board shall remain in session not to exceed thirty days; it may adjourn from day to day, and employ such clerical assistance as may be deemed necessary to facilitate its labors. The board shall meet annually on the first day after the first day of August, Saturdays, Sundays and holidays excepted, at the office of the tax commission, and] *Annually during the month of August, the department of revenue shall examine and compare the returns of the assessment of the property in the several counties of the state, and the assessment of the property of railroad and other companies assessed by the [tax commission] department, and proceed to equalize the same, so that each county in the state shall pay its due and just proportion of the taxes for state purposes for such assessment year, according to the ratio the valuation of the property in each county bears to the total valuation of all property in the state.*

First. [They] *The department shall classify all property, real and personal, and shall raise and lower the valuation of any class of property in any county to a value that shall be equal [and uniform], so far as possible, to the true and fair value of such class as of January 1st of the current year [in every part of the state,] for the purpose of ascertaining the just amount of tax due from each county for state purposes. Such classification may be on the basis of types of property, geographical areas, or both.*

Second. The [secretary] *department shall keep a full record of [the] its proceedings [of the board,] and the same shall be published annually by the [state tax commission] department.*

Third. [They] *The department shall have authority to adopt the rules and regulations [for the government of the board, and] to enforce obedience to its orders in all matters in relation to the returns of county assessments, and the equalization of values by [said board] the department.*

The [state board of equalization] *department shall levy the state taxes authorized by law: PROVIDED, That the amount levied in any one year for general state purposes shall not exceed the lawful millage on the dollar of the assessed value of the property of the entire state, which assessed value shall be fifty percent of the true and fair value of such property in money; and shall apportion the amount of tax for state purposes levied by the [board] department, among the several counties, in proportion to the valuation of the taxable property of the county for the year as equalized by the [board] department.*

[Within three days] *After the completion of the duties hereinabove prescribed, the [president and secretary of the board] director of the department shall certify the record of the proceedings of the [board] department under this section, the tax levies made for state purposes and the apportionment thereof among the counties, to the state auditor.*

*NEW SECTION. Sec. 11. The indicated county ratios determined by the department of revenue for 1970, as adjusted for the purposes of reflecting compliance with chapter 84.41 RCW, are hereby adopted, confirmed, and approved.*

*NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:*

(1) Section 1, chapter 132, Laws of 1967 ex. sess., section 62, chapter 262, Laws of 1969 ex. sess. and RCW 84.36.128; and

(2) Section 3, chapter 8, Laws of 1970 ex. sess. and RCW 84.36.129.

*NEW SECTION. Sec. 13. The amendment or repeal of any statutes by this 1971 amendatory act shall not be construed as invalidating, abating or otherwise affecting any existing right acquired or any liability or obligation incurred under the provisions of the statutes amended or repealed. Such amendment or repeal shall not affect the right of any person to make a claim for exemption during the calendar year 1971 pursuant to RCW 84.36.128 nor shall the amendment to RCW 84.69.020 affect the right of any person to a refund for taxes paid by any person exempted therefrom pursuant to RCW 84.36.128.*

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

*NEW SECTION. Sec. 15. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Section 4 of this act shall be applicable to claims made in 1971 and subsequent years with respect to taxes due and payable in 1972 and subsequent years.'*

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Hatfield, Haussler, Hurley, Julin, King, Marzano.  
 MINORITY recommendation: Do not pass. Signed by Representatives Kilbury, Kuehne.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 803, providing that state finance committee shall control incurrence of state debt, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 3, line 25 after "indebtedness" and before the period insert "including the funding or refunding of any existing indebtedness"

On page 3, section 6, line 1 after "act" and before the period insert " , principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority"

On page 5, section 10, line 15 strike "or" and insert "of"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Julin, King, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 817, providing for issuance of general obligation bonds for indebtedness of Washington building authority, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 4 strike "may" and insert "shall"

On page 1, section 1, line 5 after "bonds" strike all the matter down to and including "act" on line 8 and insert "or bond anticipation notes in the amount necessary to fund or refund, at or prior to maturity, all indebtedness, including any premium payable with respect thereto and all interest thereon, incurred by the Washington state building authority"

On page 1, section 1, line 12 after "bonds" and before the period insert "or bond anticipation notes"

On page 1, section 1, line 13 after "bonds" and before "shall" insert "or bond anticipation notes"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Hatfield, Haussler, Hurley, Julin, Kilbury, King, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 927, regulating the use of asbestos in manufacturing and construction, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 9 after "by the" insert "state"

On page 1, section 2, line 10 beginning with "These standards" strike everything down to and including "safety" on line 13 and insert "Standards to be adopted shall describe the types of asbestos that may be used in manufacturing and construction, methods and procedures for the use of asbestos in order to protect the health of workmen and such other requirements as may be needed to protect the public health and safety"

On page 1, section 3, line 14 beginning with "The standards" strike everything down to and including "department" on line 17 and insert "Such standards as are adopted by the state board of health shall be enforced by the department of labor and industries where applicable"

On page 1, line 18 strike all of section 4

On page 1, line 2 of the title after "trades;" insert "and" and after "sections" strike " ; and declaring an emergency"

Signed by Representatives Curtis, Chairman, Kuehne, Vice Chairman, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, Juelling, O'Brien, Pardini, Perry, Polk.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE JOINT RESOLUTION NO. 42, allowing for contracting of debt by the state, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, subsection (d), line 28 strike "or" and insert " , "

On page 2, subsection (d), line 29 after "section" and before the period insert " , principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority"

On page 2, subsection (e), line 30 strike "*contract debt without limitation, to*" and insert "*, without limitation,*"

On page 3, subsection (e), line 1 strike "*to*"

On page 3, subsection (e), line 6 after "*thereon,*" add "*Such funding or refunding shall not be deemed to be contracting debt by the state.*"

On page 3, subsection (h), line 26 after "*contracting*" and before "*of*" insert "*, funding or refunding*"

On page 3, subsection (h), line 29 after "*purposes;*" strike all of the matter down to and including "*debt;*" on line 30

On page 4, subsection (h), line 3 after "*contracting*" and before "*of*" insert "*, funding or refunding*"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Bluechel, Ceccarelli, Eikenberry, Hatfield, Haussler, Hurley, Julin, Kilbury, King, Marzano, Pardini, Randall.

Passed to Committee on Rules and Administration for second reading.

### MESSAGES FROM THE SENATE

March 3, 1971.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE CONCURRENT RESOLUTION NO. 13, and passed the resolution as amended by the House. SIDNEY R. SNYDER, Secretary.

March 3, 1971.

Mr. Speaker: The Senate has concurred in the House amendment to SENATE JOINT RESOLUTION NO. 5, and has passed the resolution as amended by the House. SIDNEY R. SNYDER, Secretary.

### MOTION

On motion of Mr. Bledsoe, the House advanced to the ninth order of business.

### SECOND READING

HOUSE BILL NO. 364, by Representatives Gladder, Copeland, Kopet and Grant (by Secretary of State request):

Implementing law relating to candidates and voters' pamphlets.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 364 was placed on final passage.

Mr. Gladder spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 364, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bagnariol, King—2.

House Bill No. 364, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



HOUSE BILL NO. 350, by Representatives Wolf, Grant, Cunningham, Hoggins, Kilbury and Luders:

Authorizing increase in amount of insurance premiums school directors and higher educational institutions may pay for personnel.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 350 was placed on final passage.

Mr. Wolf spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Wolf yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Wolf, if this legislation passes, does this possibly become a question for contract negotiations?"

Mr. Wolf: "Yes, it does."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 350, and the bill passed the House by the following vote: Yeas, 86; nays, 11; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Douthwaite, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, O'Brien, Paris, Perry, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—86.

Voting nay: Representatives Amen, Blair, Curtis, Eikenberry, Hatfield, North, Pardini, Rabel, Schumaker, Shera, Smith—11.

Absent or not voting: Representatives Bagnariol, Flanagan—2.

House Bill No. 350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 247, by Representatives Conner and Gallagher:

Enacting a special fuel tax act.

#### MOTION

On motion of Mr. Amen, Substitute House Bill No. 247 was substituted for House Bill No. 247, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 247 was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 247 was placed on final passage.

Representatives Conner and Gallagher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 247, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel,

Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Grant—1.

Absent or not voting: Representatives Bagnariol, Flanagan—2.

Substitute House Bill No. 247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 445, by Representatives Brouillet, Wolf, Zimmerman, Wojahn, McCormick, Shera, Knowles, Luders, Pardini, Litchman, Randall and Smythe (by Joint Committee on Education request):

Providing state-wide system of public and instructional television.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 2, line 18 after "network" strike ", and such other distribution systems as are deemed necessary for the public interest"

On page 3, section 5, line 28 after "business" and before ", professional" insert ", commercial broadcast television management"

The bill was read the second time.

On motion of Mr. Hoggins, the committee amendments were adopted.

On motion of Mr. Wolf, the following amendment by Representatives Wolf and Backstrom was adopted:

On page 6, section 14, line 9 after "shall" strike all of the matter down to and including line 13 and insert "use only common carrier facilities for intercity transmission"

House Bill No. 445 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 445 was placed on final passage.

Mr. Brouillet spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 445, and the bill passed the House by the following vote: Yeas, 88; nays, 9; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shipoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—88.

Voting nay: Representatives Conway, Gladder, Hubbard, Kuehnle, Marzano, Perry, Schumaker, Smith, Spanton—9.

Absent or not voting: Representatives Berentson, Flanagan—2.

Engrossed House Bill No. 445, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 597, by Representatives Rosellini, Hatfield and Grant:

Adding an eighth member to the mobile home and recreation vehicle advisory board.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 3, line 31 beginning with "of twenty-five" strike everything through "Washington" on page 3, line 1 and insert "[of twenty-five dollars for each day or portion thereof that the board is in session and each member shall receive in addition thereto his necessary and reasonable transportation and other expenses recognized by the state of Washington] in accordance with RCW 43.03.050 and mileage in accordance with RCW 43.03.060"

The bill was read the second time.

On motion of Mr. Curtis, the committee amendment was adopted.

House Bill No. 597 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 597 was placed on final passage.

Mr. Rosellini spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 597, and the bill passed the House by the following vote: Yeas, 95; nays, 4; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representatives Jones, Mentor, Rabel, Schumaker—4.

Engrossed House Bill No. 597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 273, by Representatives Hurley, Kiskaddon, Douthwaite and Charnley:

Requiring environmental impact reports on interstate and primary state highways.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal of February 22, 1971, Forty-third Day.)

The bill was read the second time.

Mr. Zimmerman moved adoption of the committee amendment.

Representatives Zimmerman, Cunningham and Hurley spoke in favor of the committee amendment.

The committee amendment was adopted.

On motion of Mrs. Hurley, the following amendment to the title was adopted:

On page 1, line 1 of the title strike "interstate and primary"

House Bill No. 273 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 273 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 273, and the bill passed the House by the following vote: Yeas, 91; nays, 5; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy,

Grant, Hansey, Harris, Haussler, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker-91.

Voting nay: Representatives Beck, Hatfield, Hubbard, Smith, Wanamaker-5.

Absent or not voting: Representatives Anderson, Hoggins, Newhouse-3.

Engrossed House Bill No. 273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 505, by Representatives Brown, Haussler, Kopet, Merrill and Backstrom:

Repealing the expiration of the local sales tax.

The bill was read the second time and passed to Committee on Rules and Administration for third reading.

#### POINT OF INFORMATION

Mr. Bledsoe: "An explanatory comment on this measure and the ones preceding it dealing with revenue: On three separate occasions now we have had on the floor of the House measures on the calendar dealing with revenue—an increase in sales tax on cigarettes, one on liquor, and this one dealing with the extension of the sales tax to local governments. These measures have emerged from the Rules Committee with very hard partisan support. It was quite obvious in the discussions that have been going on between leadership on both sides of the aisle that we must join with some commonality of interest on these. It is for this reason that we are not suggesting or even hinting that we proceed to full conclusion on this measure or any other measure dealing with revenue until we have had a look at the budget and then arrive at some common position where hopefully those on both sides of the aisle can find some measure to support. It is for this reason we wish to work no further on this bill."

HOUSE BILL NO. 303, by Representatives Barden, Gallagher, Litchman, Polk, Randall, Backstrom and Hoggins (by Joint Committee on Governmental Cooperation request):

Providing for forest fire protection.

Committee recommendation: Majority, do pass with the following amendments:

On page 4 add two new sections following section 1 as follows:

"NEW SECTION. Sec. 2. There is added to chapter 76.04 RCW a new section to read as follows:

Any unauthorized entry into a sealed tool box shall constitute a gross misdemeanor.

NEW SECTION. Sec. 3. There is added to chapter 76.04 RCW a new section to read as follows:

No person shall dump mill waste, chips, sawdust or forest debris of any kind, on forest or range lands located in this state, without first obtaining a written permit issued by the department of natural resources on such terms and conditions determined by the department pursuant to rules and regulations enacted to protect forest lands from fire. Said permit must be obtained in addition to any and all other permits required by law. Any person who dumps any mill waste, chips, sawdust, or forest debris without a required permit, or in violation of a permit, shall be guilty of a gross misdemeanor and upon conviction shall be subject to a fine of not less than two hundred fifty dollars and not more than one thousand dollars, and may further be required to remove all materials dumped in violation of this act."

On line 1 of the title after "protection;" strike all the matter in the title and insert "amending section 2, chapter 12, Laws of 1965 ex. sess. and RCW 76.04.251; adding new sections to chapter 76.04 RCW; and prescribing penalties."

The bill was read the second time.

On motion of Mr. Zimmerman, the committee amendments were adopted.

House Bill No. 303 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 303 was placed on final passage.

Representatives Zimmerman and Smith spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 303, and the bill passed the House by the following vote: Yeas, 91; nays, 7; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brown, Ceccarelli, Charette, Charnley, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—91.

Voting nay: Representatives Bradley, Brouillet, Chatalas, Eikenberry, Grant, Shera, Mr. Speaker—7.

Absent or not voting: Representative Hoggins—1.

Engrossed House Bill No. 303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 394, by Representatives Flanagan, Thompson, Julin and Martinis: Providing for a state water resources management plan.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal of February 24, 1971, Forty-fifth Day.)

The bill was read the second time.

On motion of Mr. Zimmerman, the committee amendment was adopted.

House Bill No. 394 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 394 was placed on final passage.

Representative Flanagan spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 394, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Jastad, Johnson, Jones, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representatives Conner, Kuehnle—2.

Absent or not voting: Representatives Hoggins, Hurley, Julin—3.

Engrossed House Bill No. 394, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 493, by Representatives Bledsoe, Brouillet, Wolf, O'Brien, Charette, Newhouse, Flanagan, Amen, Benitz, Bozarth, Mentor, Pardini and Schumaker:

Pertaining to assessment of leasehold estates.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 4, line 25 after "council" and before "shall" insert "in conjunction with the department of revenue"

On page 2, section 4, line 28 after "to the" strike the remaining language including "legislature" and insert "legislature, not later than the next regular session"

On page 2 after line 28 insert:

**NEW SECTION.** Sec. 5. A state agency, municipal corporation, or political subdivision (hereinafter referred to as "public lessor") which has entered into, prior to the effective date of this act, as lessor, a lease of real or personal property (including any permit, concession agreement or other type of agreement essentially comparable to a lease) may agree to a modification of the provisions of such lease in order to allow, in whole or in part, the absorption by the public lessor of any property tax imposed upon the leasehold interest, if the lessee agrees to a suitable modification of the provisions of such lease with respect to the duration or other terms of such lease for the benefit of the public lessor; and for the purpose of allowing such modifications with respect to the duration of the lease a public lessor is authorized, if it finds it to be beneficial to itself, to extend the term of such lease for a period not to exceed five years beyond any otherwise applicable statutory limitation.

**NEW SECTION.** Sec. 6. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Remember the remaining section consecutively.

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments were adopted.

Mr. Sawyer moved adoption of the following amendment by Representatives Sawyer, Wolf, Bottiger and Zimmerman:

On page 1, section 1, line 8 strike everything in line 8 through "lands" on line 24 and insert the following:

"The assessor shall assess all property at fifty percent of its true and fair value in money. The true and fair value of real property for taxation purposes shall not be determined upon a speculative use which is presumed to be its highest and best use, but upon that use which the majority of the property in the immediate area is generally used for, the specific use, or the true cash value of the purchase price of said property, whichever is greater. The assessor shall value each article or description of property by itself, and at such price as he believes the same to be fair by worth in money at the time such assessment is made and not as a result of a forced sale.

The true cash value of property in money shall be that value at which a sale has been, or can be made for cash, less ordinary and usual costs of sale including but not limited to costs of title insurance, legal services, recording fees and taxes levied against such sale that are borne by the seller, and an amount equal to the customary fees payable to a licensed real estate broker for handling such a sale. In valuing real estate, the assessor may take into account such items as capitalized income that would accrue from prudent use of such real estate for the purposes for which it is used if the majority of similar property in the area is so used: PROVIDED, That no change of use has occurred or sale or transfer of title been made within five years. The cash value or any sale which is not a forced sale within five years shall be evidence of value unless it can be shown that special or unusual conditions were present in such sale.

In assessing any tract or lot of real property, the value of the land, exclusive of improvements, shall be determined; also, the value of all improvements and structures thereon, but the aggregate value of the property, including all structures and other improvements, excluding the value of crops growing on cultivated lands shall not exceed the true cash value of the property as defined above.

Any property owner having property of a value of one hundred thousand dollars or less may establish the value of his property for assessment purposes by unconditionally offering it for sale for cash through a licensed real estate broker for a period of at least ninety days at ten percent over his own sworn statement of its value, but this provision shall not be his only or sole defense against overassessment."

#### POINT OF ORDER

Mr. Bledsoe: "Point of order, Mr. Speaker. I would suggest that the amendment proposed, worthy though it might be, is beyond the scope and object of the intent of the measure even though it might be within the breadth of the title. If I might comment?"

The Speaker: "You may."

Mr. Bledsoe: "The entire reference of this measure deals with leasehold interests—that and that alone. The intent of this amendment, which is very thoughtfully drawn and very constructive in its nature, deals with the entire spectrum of assessments of all properties and the manner in which they shall be assessed. Emerging from the State Government Committee today is a complete revamp of the entire assessment procedure and the impact of the reappraisal which is the specific direction of this proposed floor amendment. It would seem to me that this amendment would fit much more appropriately within this measure now before us in Rules Committee rather than being hooked on to House Bill No. 493

dealing with leasehold interests, and leasehold interests exclusively. This document before us, fragile as it is, might possibly be overburdened with the breadth of this amendment. I would also assure the sponsors of this amendment that they have my hand and assurance in assisting that this one now on our desks be appended to the complete property tax revamping that is in Rules Committee now."

The Speaker recognized Mr. Bottiger.

Mr. Bottiger: "Mr. Speaker, in rising to dispute the point of order: Earlier in this session, in an almost identical situation, I raised an almost identical point of order. The Chair then ruled that under the title of that act, the amendment which was proposed (in this case which I opposed) was in order under the title of the act. I would suggest to the Chair that the precise section which is being amended by this bill by attempting to define a leasehold is also being attempted to be amended by the Sawyer-Wolf amendment. It would appear that to be consistent with the Chair's prior ruling, you would have to rule that this amendment is in order."

The Speaker recognized Mr. Wolf.

Mr. Wolf: "Speaking to the point of order, and against the position of the previous speaker (not Mr. Bottiger): An act relating to revenue and taxation. Period. The whole first page relates to the taxation of land and property at true and fair value. I don't believe the amendment we have prepared enlarges the scope or object, or questions the integrity of the title, whatsoever. I believe it to be completely within the scope of the title. The section numbers are correct. The language of the sections say, 'All property shall be assessed,' and all we are doing by our amendment is improving that language in that section of the bill. We have no hangup with the moratorium, or the leasehold interests, or their problem in the court case that came after the fact. The title is absolutely perfect, I believe, Mr. Speaker, to the question, of how do you assess property at true and fair value, and I urge you to rule in favor."

The Speaker recognized Mr. Julin.

Mr. Julin: "Mr. Speaker, speaking in favor of Representative Bledsoe's point of order: I believe that in ruling on these matters, the Chair is not limited just to the language of the title itself, but must and should properly take into consideration the purpose and intent of the subject matter dealt with in the bill. A careful reading of this particular measure indicates that this bill deals with the subject of the taxation of leasehold interests. Therefore, I believe that the amendment does go beyond the scope and intent and purpose of this bill and that the point of order is well taken."

#### RULING BY THE SPEAKER

The Speaker: "The Speaker has examined House Rule 32 which reads: 'No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; . . .' The Speaker has also examined the interpretation of rules such as that under Reed's Rules, Sections 131 and 160. The Speaker has examined House Bill No. 493 and finds that it deals with certain amendatory language to Section RCW 84.40.030. The bill to accomplish that purpose, even though it restates a considerable extent of existing statute, does not change or make new enactment in that particular section of the code now sought to be amended by Mr. Sawyer. The bill deals only with the amendatory portion of that particular code section, and it deals with a peculiar situation of the matter of assessments and taxation of leasehold estates. The amendment sought to be submitted here is a rewrite of existing law not affected by the bill. It starts right after the enacting clause. It does not deal with leasehold estates or the taxation thereof, but the entire subject matter of the assessment of real property. The Speaker believes that it so enlarges the scope, object and intent of that particular measure that in accordance with the ruling made by Speaker Eldridge, wherein he ruled, based upon certain precedent of Speaker O'Brien, that dealt with House Bill No. 505 last session which involved increasing the interest on delinquent inheritance taxes. When Representative Grant moved an amendment striking after the enacting clause and inserting language dealing with exemptions for certain classes of people from the sales tax, Speaker Eldridge ruled, in accordance with the precedent set by Speaker O'Brien which I believe to be sensible and correct, that such an attempted amendment was out of order. The Speaker feels our present situation is very similar as far as changing and enlarging the scope of the measure, and that the proposed floor amendment by Representatives Sawyer, Wolf, Bottiger and Zimmerman is therefore ruled out of order."

#### PERSONAL PRIVILEGE

Mr. Wolf: "I have come to the conclusion that you might have been prepared for this. I have never seen a ruling so beautifully handled in the short three seconds since we put the amendment on the desk, and my compliments to you, Mr. Speaker. I only rise to a point of personal privilege that this is of great concern to a great number of members on the floor of

this House. Mr. Bledsoe agrees completely, and I know many others agree. In having to live with your ruling, I would also like to point out that our amendment did not strike the balance of the act. It only struck present language on page one, from line eight through twenty-four, and kept all the leasehold text. As I am a sponsor of the leasehold tax moratorium, I don't want the record to show that in any way did this amendment try to strike the leasehold tax amendment."

#### APPEAL FROM DECISION OF CHAIR

Mr. Sawyer: "I wish to appeal the decision of the Chair."

The Speaker stated the question before the House to be, shall the decision of the Chair be the judgment of the House.

Mr. Sawyer: "Speaking on this, Mr. Speaker, I rise with a great deal of reluctance, because I am a firm believer of the orderly procedure of the House, and that is why I am appealing the decision of the Chair. Never in my day, since I came here in 1955, have I seen a ruling to this extent. This is purely within the subject matter of the very amendment that is being considered. So, Mr. Speaker, I wish to tell you that I am for House Bill No. 493, or I was until this time. The proposed amendment strengthens the bill. This bill is probably going to be headed for some very rough sledding unless we hit this thing head on. I say, Mr. Speaker, that your ruling makes an impossible precedent to follow. I think we, the members of the House, should consider your ruling at this time, not only in regards to this bill, but in regards to how we are going to live with this in the future. I think the Speaker should have a great deal of power, but I don't think the power should be abused such as it is on this present ruling. Therefore, Mr. Speaker, in light of how important this matter is, (and I realize that Mr. Flanagan feels, and Mr. Bledsoe feels, this type of amendment is not of the importance that we do, or I do) I wish to have this matter put to the body."

The Speaker recognized Mr. Bledsoe.

Mr. Bledsoe: "Mr. Speaker, ladies and gentlemen of the House: Defending the Speaker's ruling, and defending the Speaker's demeanor throughout the prior days of this session, and looking affirmatively to his considerate handling of this body in the days to come, I feel that his ruling was eminently fair, certainly not whimsical, certainly not arbitrary nor capricious, but well thought out, and well researched. The duties of leadership and the duties of the Speaker weigh heavily on any man, and I think no one in this body can feel that the Speaker is using his gavel or his immense power to discriminate against any member on either side of the aisle. His ruling, eminently fair and not casually arrived at, is certainly defensible and I would apologize to the body for putting us in this particular situation in raising the point of order that now we seem to have a contest about whether our Speaker is truly wise and fair. Eminently he is both."

Mr. Anderson demanded an electric roll call, and the demand was sustained.

The Speaker recognized Mr. Zimmerman.

Mr. Zimmerman: "Mr. Speaker, ladies and gentlemen: As one of the four members of the House that signed this amendment, I would hope, and we had hoped, that this would not become a partisan matter. We do not seek it now to become a partisan matter. This issue is beyond the realm of Democrat versus Republican. It is something that I am sorry we have gotten into at this point. Certainly I am going to vote to support the Speaker's ruling on this because I think this is a matter of where we stand together on that point. I would hope that we wouldn't allow this to become an issue of this sort. I think this is an issue that we can settle and hopefully, with the words we have had from both Representative Bledsoe and Representative Flanagan, there will be an opportunity to come back and do this job. This is one we need to deal with. I would have to say it is a subject that certainly all of us want to resolve. At this point I would hope that, while we are in a partisan position at this point, we can get to this issue soon and that it will be dealt with. It is one of importance to many of our districts and has great significance."

The Speaker recognized Mr. Bottiger.

Mr. Bottiger: "Mr. Speaker, ladies and gentlemen of the House: I also hope that property taxes don't become a partisan political issue. I would hate to see the day when one party was for high property taxes and the other party was not. House Bill No. 160 (and somehow as I learn the rules down here, the Speaker sets the tone early in the session) was a real nonpartisan bill dealing with downed aircraft beacons. An amendment was offered, and I raised the identical point. Being as nonpartisan as I could, I was fighting Mr. Martinis over here, and we were battling on our own side. I raised the point that he was trying to add a new section, completely changing the scope and object of the title of the bill which then said, 'relating to state government and state aircraft.' He expanded it to all aircraft. In the exercise of a little parliamentary maneuvering, I raised this point. The Speaker then ruled that Mr. Martinis' amendment was in order because it 'pertained to state government.' That



is fine, and I understand. Now here we are trying to amend the very section that the bill amends, 'an act relating to revenue and taxation.' I would suggest that on a nonpartisan question—and forget politics—if you can't hang this amendment here, you can't hang amendments on the floor. If this ruling is sustained, I will raise this objection to every amendment that is proposed in this body. If you are going to be consistent then you are going to have a rule that is far tougher than any Lieutenant Governor Cherberg ever thought of in the Senate. I think this is a very important point of parliamentary procedure. I think it is a very dangerous thing, Representative Bledsoe, when you attempt to defeat this effort by raising this partisan maneuver. And that is all it can be called. I would like to get the partisan politics out of this. Here we are talking about property taxes. I very earnestly suggest that if you can't amend the very same section that the bill amends, then you can't amend anything by a floor amendment."

The Speaker stated the question before the House to be, shall the decision of the Chair be the judgment of the assembly.

The Speaker recognized Mr. O'Brien.

Mr. O'Brien: "Mr. Speaker, ladies and gentlemen of the House: I know that I was mentioned in this ruling relative to the point of order. I also know that appeals of the decision of the Speaker are something that I have never particularly liked, and I don't know whether it is really a wise move because of all the factors involved. I didn't particularly agree with this decision either, but it just seems to me we are embarking on something here that I know some of us would like to avoid. Because of the very nature of the presiding officer, some of these things are not the easiest decisions to make. If there is any way out, sometimes we would like to see if there are other ways of resolving some of these conflicts. I know that this matter of taxation is very dear to the hearts of all of us, as a matter of fact, and whether or not this proposed amendment by Mr. Sawyer and others was going to do that much harm to this particular measure might be questionable. But we are all now in some sort of dilemma, and it is something that, perhaps, we would like to avoid if at all possible. It is apparently just one of those things where the Speaker, in his own judgment, made a decision and now we are challenging it. It is a real rough one, and I appreciate your position in this matter. It seems to me there should be another way out, perhaps with another bill that we could amend to take care of the matter that you people feel so strongly about. Anyway, it is a decision that you made and are probably going to have to live with."

The Speaker recognized Mr. Perry.

Mr. Perry: "Thank you, Mr. Speaker. Mr. Speaker, ladies and gentlemen of the House: I have served a great many terms here. And unlike Mr. Sawyer, I believe I have appealed a ruling of the Speaker. I don't think there is anything sacrosanct about Speakers. I appreciate the way in which you have handled this body. I think philosophically you are wrong. I think as far as the technical aspects of this amendment are concerned you are wrong. I think the thing is so serious that we have now come to a point, as Mr. Bottiger has stated, where we have to stand here and represent what we think is right. Unlike Mr. O'Brien, I don't hold any Speaker, as he well knows, with a crown on, nor a Governor. We are here to represent the people of the districts we come from, and if we don't do just that, why we're not much."

#### MOTION

Mr. King moved that the House defer further consideration of House Bill No. 493, and the bill be ordered placed at the top of tomorrow's second reading calendar.

#### RULING BY THE SPEAKER

The Speaker: "I find that the motion to postpone to a time certain to be of higher rank than a point of order or an appeal, and it is therefore in order."

Mr. King spoke in favor of the motion to defer further consideration of House Bill No. 493.

The motion was carried, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE JOINT RESOLUTION NO. 27, by Representatives Goldsworthy, Backstrom and Kopet (by Secretary of State request):

Deleting need of publication by newspaper of laws submitted to people.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 3, line 20 after "created" strike everything down to and including

"election]" on line 25 and insert ", and notice that such law will be submitted to the people shall be published at least [four times] *one time* during the [four weeks next] *first week* preceding the election in every legal newspaper in the state: PROVIDED, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election."

The bill was read the second time.

Mr. Bluechel moved adoption of the committee amendment.

Mrs. Hurley moved adoption of the following amendment to the committee amendment:

Amend the amendment by the Committee on State Government as follows:

On line 5 of the amendment strike "*one time* during the [four weeks next] *first week*" and insert "*one time* during each of the [four] *two weeks* [next]"

Mrs. Hurley spoke in favor of the amendment to the amendment, and Mr. Bluechel spoke against it.

Mrs. Hurley spoke again in favor of the amendment, and Mr. Goldsworthy spoke against it.

The amendment by Mrs. Hurley to the committee amendment to House Joint Resolution No. 27 was not adopted.

The committee amendment was adopted on a rising vote.

House Joint Resolution No. 27 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 27 was placed on final passage.

Representatives Goldsworthy and Beck spoke in favor of passage of the resolution, and Representative Perry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 27, and the resolution failed to pass the House by the following vote: Yeas, 64; nays, 33; absent or not voting, 2.

Voting yea: Representatives Amen, Backstrom, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bradley, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Jastad, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Luders, Lynch, Martinis, McCormick, Mentor, Morrison, Newhouse, North, Pardini, Polk, Rabel, Randall, Ross, Savage, Sawyer, Schumaker, SHERA, Shinpoch, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—64.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bozarth, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Hubbard, Hurley, Johnson, Knowles, Litchman, Lysen, Marsh, Marzano, Maxie, May, McDermott, Merrill, Moon, O'Brien, Paris, Perry, Rosellini, Van Dyk, Williams—33.

Absent or not voting: Representatives Thompson, Wojahn—2.

Engrossed House Joint Resolution No. 27, having failed to receive the constitutional majority, was declared lost.

HOUSE JOINT RESOLUTION NO. 28, by Representatives Kopet, Backstrom and Goldsworthy (by Secretary of State request):

Deleting necessity to publicize by newspaper notice of constitutional amendments.

#### MOTION

On motion of Mr. Morrison, the House deferred consideration of House Joint Resolution No. 28, and the resolution was ordered placed at the bottom of today's second reading calendar.

## MOTION FOR RECONSIDERATION

Mr. Barden, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed House Joint Resolution No. 27 failed to pass the House.

The motion was carried.

## RECONSIDERATION

The Speaker stated the question before the House to be final passage of Engrossed House Joint Resolution No. 27.

Representatives Goldsworthy, Backstrom, Kraabel and Kiskaddon spoke in favor of passage of the resolution, and Representatives Perry and Hurley spoke against it.

Mr. Shera demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 27, and the resolution passed the House by the following vote: Yeas, 71; nays, 26, absent or not voting, 2.

Voting yea: Representatives Amen, Anderson, Backstrom, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Jastad, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Luders, Lynch, Lysen, Marsh, Martinis, Maxie, McCormick, McDermott, Mentor, Morrison, Newhouse, North, O'Brien, Pardini, Polk, Rabel, Randall, Ross, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Wanamaker, Wojahn, Wolf, Mr. Speaker—71.

Voting nay: Representatives Adams, Bagnariol, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Hubbard, Hurley, Johnson, Knowles, Litchman, Marzano, May, Merrill, Moon, Paris, Perry, Rosellini, Sawyer, Van Dyk, Williams—26.

Absent or not voting: Representatives Thompson, Zimmerman—2.

Engrossed House Joint Resolution No. 27, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 428, by Representatives Bluechel, Perry and Conway (by Departmental request):

Providing for the reorganization of the department of general administration.

The bill was read the second time.

On motion of Mr. Bluechel, the following amendment was adopted:

On page 2, section 2, line 5 after "terms of" strike "RCW 41.06.075" and insert "RCW 41.06.070"

House Bill No. 428 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 428 was placed on final passage.

Representative Bluechel spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 428, and the bill passed the House by the following vote: Yeas, 85; nays, 11; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Douthwaite, Farr, Flanagan, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Julin, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Maxie, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry,

Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Mr. Speaker—85.

Voting nay: Representatives Bauer, Bozarth, Curtis, Gallagher, Gladder, Haussler, Kilbury, Martinis, Marzano, Moon, Wojahn—11.

Absent or not voting: Representatives Eikenberry, Jueling, Zimmerman—3.

Engrossed House Bill No. 428, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 429, by Representatives Bluechel, Perry and Conway (by Departmental request):

Providing for the financing of services, facilities, equipment, material, goods and supplies for government and certain other entities.

The bill was read the second time.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and House Bill No. 429 be placed on final passage.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Grant.

Mr. Grant: "Mr. Bluechel, I'm not sure I want to see the passage of this bill, and that is why I am raising this question at this point. Under this bill, will it be necessary for a state agency to have a warrant issued by the state treasurer, for example, to pay for the janitorial services in his office?"

Mr. Bluechel: "Mr. Grant, I am not sure I can answer your question directly, but perhaps I can by explaining the bill. What this does is allocate in the budget this year the cost of paying for the administrative services of state government, such as the janitorial services, storing services, the state archivist and all that are charged to the various departments that use this particular service. This bill sets up a revolving fund so that these moneys, which are already in the budget as we have been working the budget, are paid to general administration for these services when the services are used. Now I can't answer your question as to the particular use of the warrant or not, but the funds are in the budget in each agency to pay general administration every time they use the services, or on a monthly basis."

Mr. Grant spoke against the motion.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to advance House Bill No. 429 to third reading and final passage, and the motion was lost by the following vote: Yeas, 53; nays, 45; absent or not voting, 1.

Voting yea: Representatives Backstrom, Bagnariol, Barden, Benitz, Berentson, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Luders, Lynch, Marsh, Martinis, Marzano, Mentor, Morrison, Newhouse, North, Pardini, Paris, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—53.

Voting nay: Representatives Adams, Amen, Anderson, Bauer, Beck, Blair, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Goldsworthy, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Lysen, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—45.

Absent or not voting: Representative Polk—1.

House Bill No. 429 was passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 1031, by Representatives Morrison, Perry and Bluechel (by Executive request):

Providing for retirement of certain public employees prior to age seventy under certain conditions and on certain dates.

The bill was read the second time.

On motion of Mr. Morrison, the following amendment by Representatives Morrison, Perry and Bluechel was adopted:

Strike all the matter after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) On and after June 30, 1971, no employee in classified service who has attained age sixty-five and who has thirty or more years of creditable service under the public employees' retirement system and/or under a pension contract issued by the teachers' insurance annuity association shall be retained in employment after the last day of the calendar month in which the said employee shall have attained age sixty-five or June 30, 1971, whichever date is later.

(2) Any employee in classified service who has attained age sixty-five but who has not accumulated thirty years of creditable service under the public employees' retirement system and/or under a pension contract issued by the teachers' insurance annuity association may be retained until he completes thirty years of such employment or until he reaches age seventy, whichever date occurs first.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, on and after June 30, 1975, no employee in classified service who has attained age sixty-five shall be retained in such employment after the last day of the calendar month in which the said employee shall have attained age sixty-five or June 30, 1975, whichever date is later.

(4) There shall be no extensions of employment beyond the limits fixed by the provisions of this section to any employee in classified service.

NEW SECTION. Sec. 2. There is added to chapter 41.06 RCW a new section to read as follows:

(1) On and after June 30, 1971, no employee in classified service who has attained age sixty-five and who has thirty or more years of creditable service under the public employees' retirement system shall be retained in employment after the last day of the calendar month in which the said employee shall have attained age sixty-five or June 30, 1971, whichever date is later.

(2) Any employee in classified service who has attained age sixty-five but who has not accumulated thirty years of creditable service under the public employees' retirement system may be retained until he completes thirty years of such employment or until he reaches age seventy, whichever date occurs first.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, on and after June 30, 1975, no employee in classified service who has attained age sixty-five shall be retained in such employment after the last day of the calendar month in which the said employee shall have attained age sixty-five or June 30, 1975, whichever date is later.

(4) There shall be no extensions of employment beyond the limits fixed by the provisions of this section to any employee in classified service.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on June 30, 1971."

On motion of Mr. Morrison, the following amendment to the title was adopted:

On page 1, line 2 of the title after "chapter" strike "46.01" and insert "41.06"

House Bill No. 1031 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1031 was placed on final passage.

Mr. Morrison spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1031, and the bill passed the House by the following vote: Yeas, 89; nays, 10; absent or not voting, 0.

Voting yea: Representatives Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charney, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kibury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall,

Rosellini, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Adams, Conner, Gladder, Hatfield, Martinis, Ross, Savage, Spanton, Van Dyk, Wojahn—10.

Engrossed House Bill No. 1031, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 242, by Representatives Shinpoch, Brown, Smythe and Grant (by Secretary of State request):

Providing elections officials instruction in use of voting devices and setting minimum pay for election officials.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 242 was placed on final passage.

Mr. Shinpoch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 242, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Grant, Hansey, Harris, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representatives Hatfield, Haussler—2.

Absent or not voting: Representatives Copeland, Goldsworthy—2.

House Bill No. 242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 138, by Representatives Bauer, Wolf, Sawyer, Marsh and Luders:

Providing period to determine if benefits set-off against highway, street or road condemnation award actually inure to remaining land.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendments see Journal of February 27, 1971, Forty-eighth Day.)

The bill was read the second time.

On motion of Mr. Spanton, the committee amendments were adopted.

House Bill No. 138 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 138 was placed on final passage.

Mr. Bauer spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Spanton yielded to question by Mr. Julin.

Mr. Julin: "Representative Spanton, when you spoke to the amendment that was just adopted, you indicated that the state must rule that there has been no benefit. My reading of the digest says that within five years the owner of the land must prove that there is no benefit. I am concerned to know whether or not the burden of proof in this situation is on the state to prove lack of benefit thereof, or whether the landowner has the burden of that proof."

Mr. Spanton: "Let me get the folder out here again. I believe you are probably correct, Representative Julin, it would be upon the landowner to establish the fact that no benefits had accrued. It's still a good deal."

Representative Julin spoke against passage of the bill, and Representative Berentson spoke in favor of it.

#### MOTION

On motion of Mr. Grant, further consideration of Engrossed House Bill No. 138 was deferred, and the bill was ordered held for tomorrow's third reading calendar.

HOUSE BILL NO. 464, by Representatives Hoggins, Brouillet, King, Jones, Cunningham, Knowles and Randall (by Joint Committee on Education request):

Implementing law relating to acquisition of state lands by school districts or institutions of higher education.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal of February 23, 1971, Forty-fourth Day.)

Mr. Hoggins moved adoption of the committee amendment.

On motion of Mr. Hoggins, the following amendment to the committee amendment was adopted:

Amend the amendment by the Committee on Education and Libraries as follows:

On page 2, section 1, line 14 after the colon insert "*PROVIDED FURTHER, That such lands may be leased for agricultural purposes for any period not to exceed twenty-five years:*"

The amended committee amendment was adopted.

On motion of Mr. Hoggins, the committee amendment to the title was adopted.

House Bill No. 464 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 464 was placed on final passage.

Representatives Charette and Johnson spoke against passage of the bill, and Representative Brouillet spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 464, and the bill passed the House by the following vote: Yeas, 51; nays, 47; absent or not voting, 1.

Voting yea: Representatives Adams, Barden, Bauer, Beck, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Charnley, Conner, Conway, Copeland, Costanti, Cunningham, Douthwaite, Farr, Gallagher, Gilleland, Hansey, Hoggins, Hubbard, Jones, Julin, King, Kirk, Kiskaddon, Knowles, Luders, Marsh, Martinis, Marzano, May, McCormick, McDermott, Mentor, Moon, Morrison, O'Brien, Paris, Polk, Rabel, Sawyer, Schumaker, Smythe, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—51.

Voting nay: Representatives Amen, Anderson, Backstrom, Bagnariol, Benitz, Berentson, Blair, Bledsoe, Bozarth, Bradley, Charette, Chatalas, Curtis, Eikenberry, Flanagan, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hurley, Jastad, Johnson, Jueling, Kilbury, Kopet, Kraabel, Kuehnle, Litchman, Lynch, Lysen, Maxie, Merrill, North, Pardini, Pery, Randall, Rosellini, Ross, Savage, Shera, Shipoch, Smith, Spanton, Van Dyk, Mr. Speaker—47.

Absent or not voting: Representative Newhouse—1.

Engrossed House Bill No. 464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.  
On motion of Mr. Bledsoe, the House advanced to the eleventh order of business.

## APPOINTMENT OF STANDING COMMITTEE MEMBERS

The Speaker announced the appointment of Representative Copeland to the Committee on Appropriations in place of Representative Hoggins, and Representative Hoggins to the Committee on Transportation in place of Representative Copeland.

## MOTION

On motion of Mr. Bledsoe, the House reverted to the third order of business.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

## REPORTS OF STANDING COMMITTEES

March 3, 1971.

HOUSE BILL NO. 151, enacting the operating budget, reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Goldsworthy, Chairman, Kopet, Vice Chairman, Barden, Costanti, Curtis, Farr, Copeland, Jueling, Kirk, Lynch, Mentor, Morrison, North, Paris, Polk, Ross, Shera, Smith, Wolf, Zimmerman.

## POINT OF ORDER

Mr. Grant: "Mr. Speaker, we noted with considerable interest your shifting of members on the . . ."

The Speaker: "State your point of order, Mr. Grant."

Mr. Grant: "I call your attention to Rule 3(f) providing that committee members will be selected by each party's caucus. I don't recall any caucus of the Republican party by which this change was made. I suggest you caucus, Mr. Speaker."

The Speaker: "Your point is not well taken."

House Bill No. 151 was passed to Committee on Rules and Administration for second reading.

## POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, I refer you to Rule 81 which states in part, 'A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out.' I don't believe that Mr. Copeland attended a regularly called meeting of the Appropriations Committee to sign that majority report."

The Speaker: "Your point is well taken."

## ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Goldsworthy announced a meeting of the Appropriations Committee to be held immediately in the Majority Caucus Room.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.



## REPORTS OF STANDING COMMITTEES

March 3, 1971.

HOUSE BILL NO. 151, enacting the operating budget, reported by Committee on Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Goldsworthy, Chairman, Kopet, Vice Chairman, Barden, Costanti, Curtis, Farr, Copeland, Jueling, Kirk, Lynch, Mentor, Morrison, North, Paris, Polk, Ross, Shera, Smith, Wolf, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

## MOTIONS

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 9:30 a.m., Thursday, March 4, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTY-THIRD DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 4, 1971.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles H. Perry of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MOTION

On motion of Mr. Bledsoe, the House advanced to the tenth order of business.

## THIRD READING

ENGROSSED HOUSE BILL NO. 138, by Representatives Bauer, Wolf, Sawyer, Marsh and Luders:

Providing period to determine if benefits set-off against highway, street or road condemnation award actually inure to remaining land.

The House resumed consideration of Engrossed House Bill No. 138 on third reading.

Representative Bauer spoke in favor of passage of the bill, and Representative Julin spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 138, and the bill passed the House by the following vote: Yeas, 65; nays, 31; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Berentson, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Chatalas, Conner, Conway, Copeland, Cunningham, Curtis, Farr, Flanagan, Gallagher, Goldsworthy, Grant, Hansey, Haussler, Hoggins, Hubbard, Jastad, Johnson, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Marzano, McCormick, Merrill, Moon, Morrison, Newhouse, O'Brien, Pardini, Paris, Perry, Randall, Rosellini, Savage, Sawyer, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman—65.

Voting nay: Representatives Barden, Benitz, Blair, Bluechel, Brown, Charnley, Douthwaite, Eikenberry, Gilleland, Gladder, Hatfield, Hurley, Jones, Jueling, Julin, Kirk, Kiskaddon, Martinis, May, McDermott, Mentor, North, Polk, Rabel, Ross, Schumaker, Shera, Shinpoch, Smith, Williams, Mr. Speaker—31.

Absent or not voting: Representatives Costanti, Harris, Maxie—3.

Engrossed House Bill No. 138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 429, by Representatives Bluechel, Perry and Conway (by Departmental request):

Providing for the financing of services, facilities, equipment, material, goods and supplies for government and certain other entities.

House Bill No. 429 was read the third time and placed on final passage.

Representatives Bluechel and Bledsoe spoke in favor of passage of the bill, and Representatives Grant and Beck spoke against it.

Mr. Bluechel spoke again in favor of the bill.

## POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "If one who was receiving the services of this general administration office thought he were being discriminated against somehow, what would the appeal proceedings be for him to make a case in appeal of the rates he was being charged?"

Mr. Bluechel: "Mr. Douthwaite, the rates charged are the same for everyone in state government and the amount of services determines the amount you are being charged. The rates are the same whether they be for the governor, the treasurer or the auditor—they all pay exactly the same price for the same service, but some departments use more services than other departments, and this determines the overall cost."

Mr. Douthwaite: "I don't think you answered my question. Suppose there were some dispute, for example, of how many feet were involved. What would the appeal procedures be?"

Mr. Bluechel: "They would simply measure the amount of square feet to determine the exact amount being used."

Mr. Douthwaite: "Who would I appeal to?"

Mr. Bluechel: "I believe, Mr. Douthwaite, you could go out and watch the measurement being done so you could be convinced the square foot measurement was correct."

Representatives Shinpoch and Conner spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 429, and the bill passed the House by the following vote: Yeas, 52; nays, 47; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, McDermott,

Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—52.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—47.

House Bill No. 429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Bledsoe, House Bill No. 429 was ordered transmitted immediately to the Senate.

On motion of Mr. Bledsoe, the House reverted to the ninth order of business.

#### SECOND READING

HOUSE BILL NO. 493, by Representatives Bledsoe, Brouillet, Wolf, O'Brien, Charette, Newhouse, Flanagan, Amen, Benitz, Bozarth, Mentor, Pardini and Schumaker:

Pertaining to assessment of leasehold estates.

The House resumed consideration of House Bill No. 493.

#### MOTION

On motion of Mr. Bledsoe, the House deferred further consideration of House Bill No. 493 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 151, by Representatives Goldsworthy and Kopet (by Executive request):

Enacting the operating budget.

#### MOTION

On motion of Mr. Bledsoe, the House deferred consideration of House Bill No. 151, and the bill was ordered placed on the second reading calendar following House Bill No. 726.

HOUSE BILL NO. 726, by Representatives Brown, Morrison and Smythe:

Enacting congressional redistricting and reapportionment.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal of March 2, 1971, Fifty-first Day.)

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Brown moved adoption of the committee amendment.

Mr. Brown spoke in favor of adoption of the amendment.

#### POINT OF ORDER

Mr. Sawyer: "Mr. Speaker, I wish to raise a point of order. I think the amendment is beyond the scope of the original bill pursuant to your ruling of last night."

Mr. Sawyer spoke to the point of order.

## RULING BY THE SPEAKER

The Speaker: "Your point is not well taken."

## MOTION

Mr. Moon moved that House Bill No. 726 be rereferred to the Committee on Elections and Apportionment.

Representatives Moon and Grant spoke in favor of the motion, and Representatives Brown and Morrison spoke against it.

## POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. Haussler

Mr. Haussler: "Representative Bottiger, was the committee given an opportunity to amend this bill? And the second question is: Did the committee consider the congressmen's recommendations?"

Mr. Bottiger: "Mr. Haussler, at approximately 5:15 in the afternoon, we were asked to come into the majority caucus room. We were handed a copy of the bill, told what it did, shown a map on the wall, and handed a 'do not pass' recommendation for our signature. Whether we had an opportunity to amend it or not, I do not know."

Mr. Haussler: "Did you consider the congressmen's recommendations?"

Mr. Bottiger: "Well some of us did, Mr. Haussler. We were busy running population figures and things like this, to see how we could adopt the congressmen's plan about the time we were handed the recommendation."

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

Mr. Bottiger spoke in favor of the motion to rerefer House Bill No. 726 to the Committee on Elections and Apportionment.

## POINT OF INQUIRY

Mr. Brown yielded to question by Mr. Smythe.

Mr. Smythe: "Representative Brown, having served on that committee, I do recall that we were attempting to follow a court mandate, I believe, in using the census tracts and blocks rather than the precincts. Would you care to comment on that? Is that true?"

Mr. Brown: "Yes, Representative Smythe, that is precisely correct. Actually when we look at the decisions of the United States Supreme Court in the redistricting area, we are left with no alternative except to utilize census areas. Now it is true that around the boundaries of any area there are going to have to be adjustments in precincts. However, it is actually impossible to use precincts and stay within any reasonable equality of population within the various districts, which is the prime and principal criteria that is mandated by the Supreme Court. Now what Mr. Bottiger is advocating, in essence—the use of precinct boundaries—would result in a completely worthless plan. We would be all wasting our time here today because it couldn't possibly hold up in court, and we would just be going through the motions needlessly and the courts would end up doing it.

"I would submit there is a gentlemen in the Chamber on the other side of this building that would look askance at that sort of procedure. So if what you want is to turn this over to the courts, then follow that suggestion and use precincts. We must use the census units as our basis of measurement because that is the only basis on which population data is available to us. This plan does not violate county boundaries except where it is necessary to maintain equality of population. Equality of population and consideration for the people are evident throughout this plan. This plan has in it more fairness, I think—I know, than any redistricting plan presented to this legislature in many years."

## ROLL CALL

The Clerk called the roll on the motion by Mr. Moon to rerefer House Bill No. 726 to the Committee on Elections and Apportionment, and the motion was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charney, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott,

Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

The Speaker stated the question before the House to be the committee amendment.

#### MOTION

Mr. King moved that House Bill No. 726 be indefinitely postponed.

Representatives King and Moon spoke in favor of the motion, and Representative Brown spoke against it.

Mr. Anderson demanded an electric roll call, and the demand was sustained.

Mr. Bledsoe spoke against the motion, and Mr. Douthwaite spoke in favor of it.

Mr. Brown spoke again in opposition to the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. King to indefinitely postpone House Bill No. 726, and the motion was lost by the following vote: Yeas, 46; nays, 53; absent or not voting, 0.

Voting yea: Representatives Adams, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—46.

Voting nay: Representatives Amen, Anderson, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—53.

The Speaker stated the question before the House to be the committee amendment.

The committee amendment was adopted.

House Bill No. 726 was ordered engrossed.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 726 be placed on final passage.

Mr. Grant demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed House Bill No. 726 to third reading and final passage, and the motion was lost by the following vote: Yeas, 51; nays 48; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck,

Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Engrossed House Bill No. 726 was passed to Committee on Rules and Administration for third reading.

#### MOTION

On motion of Mr. Bledsoe, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Clerk called the roll and all members were present.

#### SECOND READING

HOUSE BILL NO. 151, by Representatives Goldsworthy and Kopet (by Executive request):

Enacting the operating budget.

The House resumed consideration of House Bill No. 151.

#### MOTION

On motion of Mr. Copeland the House deferred consideration of House Bill No. 151 on second reading, and the bill was ordered placed at the top of tomorrow's second reading calendar.

HOUSE BILL NO. 306, by Representatives Barden, Mentor, Litchman, Randall and Wolf (by Joint Committee on Governmental Cooperation request):

Amending the powers of the board of tax appeals.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 306 was placed on final passage.

Representative Barden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 306, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Benitz, Berentson, Ross—3.

House Bill No. 306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 497, by Representatives Hoggins, Marsh, Cunningham, Polk, Sawyer and Bauer (by Superintendent of Public Instruction request):

Providing for rescheduled or extended school years.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Bill No. 497 was placed on final passage.

Representative Hoggins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 497, and the bill passed the House by the following vote: Yeas, 92; nays, 5; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—92.

Voting nay: Representatives Amen, Curtis, Hubbard, Randall, Zimmerman—5.

Absent or not voting: Representatives Benitz, Berentson—2.

House Bill No. 497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 378, by Representatives Flanagan, Conner, Newhouse and Costanti (by Departmental request):

Providing for a personal use salmon license.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 3, line 10 strike "One dollar One Day" and insert "Three dollars Two Days"

On page 2, section 3, line 13 strike "one hundred eighty" and insert "ninety"

On page 2, section 5, line 30 after "outlay" insert ": PROVIDED, That the first one million five hundred thousand dollars collected pursuant to this act during the 1971-1973 biennium shall be used for the establishment of artificial propagation facilities as determined by the department"

The bill was read the second time.

On motion of Mr. Zimmerman, the first two committee amendments were adopted.

Mr. Zimmerman moved adoption of the third committee amendment and spoke in favor of its adoption.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. King.

Mr. King: "Will this proviso insure that the Department of Fisheries' budget will be increased by that amount of money, or is it a mandate from the legislature that they use at least that amount of money for propagation of fish?"

Mr. Zimmerman: "Their budget is predicated on passage of this bill in terms of estimated revenue of two or three million dollars. They are counting on that revenue in their present budget that we have in the budget bill. Out of that budget they would then be expected to use the first one and one-half million dollars for the purpose of seeing that more salmon are developed through hatchery propagation."

Mr. King: "Could you tell me how much they would normally spend for that?"

Mr. Zimmerman: "As far as the precise figure for hatcheries, the biggest share of their expenditures involves hatchery propagation throughout the various hatcheries they have. I

can't give you a precise figure on that. This would undoubtedly expand their operation and provide additional facilities for the very thing we are talking about."

Mr. King: "My point is that the largest percentage of their budget now is for hatcheries and propagation of fish. If this is not additional money, there is really no need for the amendment."

Mr. Zimmerman: "Well, it was felt the amendment would help in those areas they want to be assured of some additional emphasis on and that the money would be directed toward propagation rather than going to some kinds of other activities—patrolling, and other kinds of uses, and they wanted to direct it. It was at the request of Representatives Anderson, Beck and others that we included this particular amendment."

The committee amendment was adopted.

Mr. Van Dyk moved adoption of the following amendment:

On page 2, section 3, beginning on line 9, after "Nonresident" strike all of the material down to and including "five" on line 11, and insert:

	"Twenty dollars	Annual
Nonresident	Six dollars	Two days
Nonresident	Ten"	

Mr. Van Dyk spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Van Dyk closed debate, speaking in favor of the amendment.

The amendment by Mr. Van Dyk was not adopted.

House Bill No. 378 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 378 was placed on final passage.

Representative Flanagan spoke in favor of the bill, and Representatives Savage and Beck spoke against it.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "I think this is a good bill and I don't want in any way to cast any shadows on it, but I do have one question that bothers me. In new section 3 (the provision relative to residency) it appears to me that we are saying someone who has been out of the state for 90 days is then a nonresident from the standpoint of getting a salmon license. Am I misinterpreting this? It seems to me a legal residence should be the basis for determination of whether you are a resident or a nonresident. It would appear to me, the way this is worded, if you take a 90-day trip and come home you are then a nonresident."

Mr. Flanagan: "Representative Kuehnle, I would like to defer that question to the committee chairman."

#### POINT OF INFORMATION

Mr. Zimmerman: "Thank you very much, Mr. Flanagan. I am not sure of the precise definition of resident. However I do know when we discussed it and changed it from 180 to 90 days that at that time we had the attorneys look at it, and there was no concern about that matter. I would assume the man who wanted to go fishing might not be gone that 90 days just to be on the safe side. I would assume that would be one way to prevent that problem. But I am sorry as far as the precise definition on it—perhaps this may be something that will need some attention."

#### POINT OF INFORMATION

Mr. Charette: "In answering the question directly, residency is a matter of intention. If you are taking a trip out of the state and even, in many cases, when you are serving in the military, your residency is still within the state of Washington at the address you maintain."

Mr. Costanti spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 378, and the bill passed the House by the following vote: Yeas, 58, nays, 41; absent or not voting, 0.



Voting yea: Representatives Adams, Amen, Bauer, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bozarth, Bradley, Brown, Charnley, Chatalas, Conner, Conway, Costanti, Curtis, Eikenberry, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hubbard, Jones, Julin, Kilbury, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Luders, Lynch, Lysen, Mentor, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Rabel, Ross, Schumaker, SHERA, Shinpoch, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Zimmerman—58.

Voting nay: Representatives Anderson, Backstrom, Bagnariol, Barden, Beck, Bottiger, Brouillet, Ceccarelli, Charette, Copeland, Cunningham, Douthwaite, Farr, Gallagher, Grant, Haussler, Hoggins, Hurley, Jastad, Johnson, Juelling, King, Litchman, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Perry, Randall, Rosellini, Savage, Sawyer, Smith, Wojahn, Wolf, Mr. Speaker—41.

Engrossed House Bill No. 378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 903, by Representatives Kopet, Douthwaite and Ross:

Requiring local governmental sewerage systems to have waste disposal permits from the department of ecology.

#### MOTION

On motion of Mr. Wolf, the House deferred consideration of House Bill No. 903 and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 734, by Representatives Eikenberry, Knowles and Julin:

Regarding duties of the personal representative and appraiser in probate.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 2, line 24 after "thereon" strike the colon and insert "; (5) Any account receivable, contract receivable, or other cash entitlement, where valued at the full remaining balance thereon, including but not limited to entitlements of the estate under retirement or pension plans, and cash surrender and face value of life insurance:"

On page 3, section 3, line 14 after "thereon" strike the period and insert "; (e) Any account receivable, contract receivable, or other cash entitlement, where valued at the full remaining balance thereon, including but not limited to entitlements of the estate under retirement or pension plans, and cash surrender and face value of life insurance."

On page 3, section 3, line 16 after "(1)(c)," strike "and (1)(d)" and insert "(1)(d) and (1)(e)"

On page 3, section 3, line 23 after "(1)(c)," strike "and (1)(d)" and insert "(1)(d) and (1)(e)"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments were adopted.

House Bill No. 734 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 734 was placed on final passage.

Representative Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 734, and the bill passed the House by the following vote: Yeas, 99; nays, 0; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker,

Shera, Shinpoch, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—99.

Engrossed House Bill No. 734, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 35, by Representatives Copeland, Litchman, Bledsoe, Bluechel, Backstrom, King, Shera, Smith, Curtis, Brown, North, Kraabel, Morrison, Farr, Cunningham, Kiskaddon, Lynch, Pardini, Lysen, Wojahn, Ceccarelli, Mentor, Kirk, Conway, Hoggins, Harris, Bauer, Chatalas, McCormick and Smythe (by Executive request):  
Providing a new method for amending the Constitution.

The resolution was read the second time.

Mr. Bluechel moved adoption of the following amendment:

On page 1, line 7 after "follows:" strike the balance of the bill and insert the following:

"Article XXIII, section 1. Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: PROVIDED, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. *An amendment which amends an entire article or less than the entire article shall be considered as one amendment and may be submitted to the electorate as a single proposition even though it relates to different sections of the article; and an amendment composed of amendments to sections contained in more than one article may be submitted to the electorate as a single proposition if it embraces one subject only and matters properly connected therewith.* The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: PROVIDED, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Mr. Bluechel spoke in favor of the amendment, and Mr. Copeland spoke against it.

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. Bauer.

Mr. Bauer: "Representative Copeland, would you explain what the 'all' means on line 9 of the original bill?"

Mr. Copeland: "Well obviously the word 'all' is referring back to the fact that we are concerning ourselves with revision or revisions of portions or all of the Constitution. In other words, you can relate back to the entire Constitution by verbiage itself, but the proviso on line 17 says you may not submit a full constitutional amendment. A case in point, and I think this is one of technicality more than anything else, but assuming for the sake of the problem that you wanted to go ahead and make some constitutional amendments dealing with the structuring of cities and the authority cities have, I think it would now take about 17 separate constitutional amendments in order to be able to enter into that. So one subject matter (not that this is possible—but it would almost be) one subject matter dealing with cities could enter into 17 different areas of the Constitution. This is the reason that the word 'all' was constructed in there. In other words, two or three subject matters literally could touch almost every section."

Mr. Bauer: "Mr. Copeland, then would it be possible by submitting enough subject matter on one ballot to amend the entire Constitution?"

Mr. Copeland: "I think good students of government, Mr. Bauer, would say in all probability it would take seven separate entries. You would have to have one dealing with the judiciary, one dealing with the executive, one dealing with the legislative branch of government. You would have to have one complete subject matter dealing with the taxation and the authority contained therein, one dealing with the political subdivisions that might be created now or herein to be created later, and a seventh item dealing with the amendatory provisions—how you are going to handle it, voting requirements, things like that—and one of just a general area. So I think seven entries would be required to cover an entire Constitution."

Mr. Bauer: "It is possible then?"  
 Mr. Copeland: "That is correct."

Representatives Bledsoe, Newhouse and Hubbard spoke in favor of adoption of the amendment by Mr. Bluechel, and Representative King spoke against it.

#### POINT OF INQUIRY

Mr. Copeland yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Copeland, in this proposed amendment by Mr. Bluechel, what is he actually accomplishing? In my opinion you could do most of the things he is advocating in this amendment right now without going through this process. You really aren't gaining very much if you go through the whole procedure of amending our Constitution."

Mr. Copeland: "Well, Mr. O'Brien, there has been a great deal of debate and dialogue with respect to the two different approaches. Now the verbiage that is contained in House Joint Resolution No. 35 refers to revision or revisions. And the counsel that we have received through the years felt that the words revision or revisions more clearly defined what you were trying to do in the modification of a Constitution. What Mr. Bluechel has here, he refers to as amendments. Now then, of course, with the common subject matter, I think the conflict comes on the basis of two schools of thought. One, are we more clearly defining what we are doing when we use the terminology revision or revisions or whether or not we are clearly defining ourselves by calling it strictly an amendment. What constitutes an amendment? We passed a little item through the House not too long ago having to do with one word 'lottery.' It all comes in one section—the legislature shall not grant a divorce or authorize a lottery. Two subject matters are contained in that one provision, Mr. O'Brien, and this is the point of discussion. If you wanted to eliminate that, could you do it on one subject matter? Would this then be an amendment? The question is really one of technicalities more than anything else. That is why I say the concept of the wording revision or revisions more clearly defines what you are trying to do rather than the word amendment. If you tried to strike out the divorce granting and the lottery authorization, are you entering into two subject matters? And are you creating an amendment? The counsel I have received says the safest thing for you to do is write it up on the basis you are revising portions of the Constitution, rather than making amendatory acts that even in themselves might enter into two subject matters."

Mr. Ross spoke against adoption of the amendment by Mr. Bluechel to House Joint Resolution No. 35.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Bluechel to House Joint Resolution No. 35, and the amendment was lost by the following vote: Yeas, 40; nays, 59; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Bauer, Benitz, Bledsoe, Bluechel, Brown, Conway, Costanti, Curtis, Douthwaite, Eikenberry, Gilleland, Gladder, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jones, Jueling, Julin, Kopet, Kraabel, Kuehne, Lynch, Mentor, Moon, Morrison, Newhouse, North, Paris, Polk, Schumaker, Shera, Shinpoch, Spanton, Wanamaker, Wolf, Zimmerman—40.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Beck, Berentson, Blair, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Cunningham, Farr, Flanagan, Gallagher, Goldsworthy, Grant, Harris, Hoggins, Jastad, Johnson, Kilbury, King, Kirk, Kiskaddon, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, O'Brien, Pardini, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Smith, Smythe, Thompson, Van Dyk, Williams, Wojahn, Mr. Speaker—59.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and House Joint Resolution No. 35 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 35, and the resolution passed the House by the following vote: Yeas, 76; nays, 22; absent or not voting, 1.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Blair, Bledsoe, Bluechel, Bottiger, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hoggins, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McCormick, McDermott, Mentor, Merrill, Moon, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—76.

Voting nay: Representatives Amen, Barden, Beck, Benitz, Berentson, Bozarth, Bradley, Conway, Gladder, Hatfield, Haussler, Hubbard, Hurley, Jueling, Kopet, May, Morrison, Newhouse, Polk, Schumaker, Spanton, Wolf—22.

Absent or not voting: Representative Douthwaite—1.

House Joint Resolution No. 35, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 586, by Representatives Bluechel, Bottiger, Haussler, Flanagan, North, Cunningham, Kopet, Eikenberry, Hoggins and Shera:

Providing for purchases by counties of open space land and development rights termed "conservation futures."

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 2, line 2 after "otherwise," and before "the fee" insert "except by eminent domain,"

On page 2, section 3, line 17 after "acquire" and before "rights" insert " , except by eminent domain,"

The bill was read the second time.

On motion of Mr. Flanagan, the committee amendments were adopted.

On motion of Mr. Bluechel, the following amendments by Representatives Bluechel and Haussler were adopted:

On page 2, section 2, line 1 after "county" insert " , city or town"

On page 2, section 2, line 8 after "county" insert " , city or town"

On page 2, section 3, line 16 after "county" insert " , city or town"

On page 2, section 3, line 25 after "county" insert " , city or town"

On page 2, section 3, line 27 strike "county"

House Bill No. 586 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 586 was placed on final passage.

Mr. Bluechel spoke in favor of passage of the bill, and Mr. Newhouse spoke against it.

Mrs. Hurley spoke in favor of the bill and Mr. Bluechel spoke again in its favor.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Mentor.

Mr. Mentor: "My concern is if there is any possibility at all of the counties having any eminent domain rights to buy or acquire any of this property or any rights in this property?"

Mr. Bluechel: "There is none whatsoever, Mr. Mentor. There is absolutely nothing anywhere in this bill or any interpretation whatsoever about eminent domain or mandatory taxing. It is entirely voluntary. The whole bill is designed to be on a voluntary basis—negotiation between the owner of the land and whatever taxing authority is interested. So there is absolutely nothing, and I reemphasize this, in any manner, shape or form that is more than a permissive agreement between two parties including the taxation power."

Representatives Haussler, Pardini and Bottiger spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Hubbard.

Mr. Hubbard: "For the purpose of the record, can you assure me that the legislative intent, as you understand it, in no way could be construed that once a public desirability of

this program were established for the local municipality, that eminent domain could then follow if negotiation couldn't take place?"

Mr. Bluechel: "When we originally wrote the bill we asked, for your reasons, that eminent domain be entirely left out. When it came before the committee there was this question brought to the committee members. To make absolutely sure this was left out and there was no intention whatsoever to include eminent domain, the words 'except eminent domain' were made in the two committee amendments that we passed just a couple of minutes ago as proposed by the chairman of the revenue and taxation committee."

Mr. Hubbard: "I will support the measure with that assurance."

Mr. Van Dyk spoke in favor of passage of the bill.

Mr. Merrill demanded the previous question, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 586, and the bill passed the House by the following vote: Yeas, 96; nays, 2; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Grant, Shipoch—2.

Absent or not voting: Representative Lynch—1.

Engrossed House Bill No. 586, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

### MOTION

On motion of Mr. Morrison, the House recessed until 3:45 p.m.

### SECOND AFTERNOON SESSION

The Speaker called the House to order at 3:45 p.m.

The Clerk called the roll and all members were present.

### JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker instructed the Sergeants at Arms of the Senate and House to escort the Senators to seats within the House Chamber.

The Speaker turned the gavel over to the President of the Senate.

The Secretary of the Senate called the roll of the Senate and all members were present.

The Clerk of the House called the roll of the House and all members were present.

The President of the Senate: "Honored members of the legislature, ladies and gentlemen: The purpose of this joint session of the Washington State Legislature is to receive an address from His Excellency, the Vice President of the United States of America.

The President, on behalf of the Senate, wishes to compliment the Speaker, members of the House, and the members of the House staff for the wonderful arrangements this afternoon and to express appreciation to you on your warm welcome and friendly hospitality. For the benefit of the many people who could not be present within the House Chamber today, I should like to announce that this joint session will be shown delayed on KOMO-TV, Channel 4, this evening commencing at 9:30 p.m. Starting at 4:30 p.m., the immediate start of the activities of the special joint session, KIRO-TV, Channel 7, will present this occasion live for the benefit of those who are in the rotunda, the outer offices, and for people throughout the state."

The President of the Senate appointed the following committee to escort the Justices of the Supreme Court of the State of Washington to seats within the bar of the House: Senators Gissberg, Greive, Twigg and Atwood; and Representatives Marsh, Wojahn, Blair, Cunningham and Pardini.

The committee retired.

The Sergeant at Arms of the Senate announced the arrival of the Justices of the Supreme Court at the bar of the House, and the President invited the Justices to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort the elected state officials to seats at the front of the House Chamber: Senators Talley, Andersen, Knoblauch and Lewis; and Representatives Mentor, Morrison, Backstrom and Rosellini.

The committee retired.

The Sergeant at Arms of the Senate announced the arrival of the elected state officials at the bar of the House, and the President invited the officials to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort Vice President Spiro T. Agnew and Governor Daniel J. Evans to seats on the rostrum: Senators Bailey, Sandison and Woodall; and Representatives Chatalas, Newhouse and Bledsoe.

The President announced it would be several minutes before the distinguished guests arrived.

The committee retired.

For the benefit of the audience in the galleries, the President of the Senate introduced the Justices of the Supreme Court: Chief Justice Hamilton and Justices Hale, Finley, Rosellini, Hunter, Neill, McGovern, Stafford and Wright.

The President of the Senate introduced the state officials in attendance: Secretary of State Kramer, State Treasurer O'Brien, State Auditor Graham, Commissioner of Public Lands Cole, Attorney General Gorton, Insurance Commissioner Hermann. The President expressed the regrets of State Superintendent of Public Instruction Bruno, who was unable to be present.

The President instructed the members of the press and the broadcast media to take the positions to which they were assigned.

The Sergeant at Arms of the House announced the arrival of Vice President Agnew and Governor Evans at the bar of the House, and the President instructed the committee and Governor Evans to escort His Excellency, the Vice President of the United States, to the rostrum.

The President of the Senate: "Your Excellency the Vice President, Governor Evans, Mr. Speaker, members of the Washington State Legislature, ladies and gentlemen: The purpose of this joint session of the Washington State Legislature is to receive a message from His Excellency, the Vice President of the United States of America. At this time, the President should like to respectfully request of Governor Daniel J. Evans, Governor of the State of Washington, that he present the Vice President, Governor Evans."

Governor Evans: "Mr. President, Mr. Speaker, this is an auspicious day for the State of Washington and particularly for this legislative body. It is the first time in the history of our state that we have been honored in this capitol by a president or a vice president, and I think it is particularly apropos that the Vice President is here today to speak with us about an issue that is of overriding importance to this nation and to those of you who have legislative responsibilities as well as those in the audience who represent local government, the mayors, the county commissioners of this state, business, labor, other leaders of the state who are gathered here to listen to the Vice President speak on revenue sharing. After the Vice President's remarks are completed, he will field questions, himself, from the floor during the remainder of the allotted time. If each of you who wishes to ask a question would stand, identify yourself and your position, if you hold an office, and then ask the question directly of the Vice President.

"Now it is my particular pleasure to introduce to you a rare individual in national government in the history of our nation. Few people who hold high national office have had political experience—elected experience—at all three levels of government. The Vice President has, as the County Supervisor in a county surrounding Baltimore, as a colleague of mine as Governor of Maryland for two years, and of course, now in his present responsibility as Vice President of the United States. I have known him personally and have worked with him. He is a man of great courage, a man who is forthright in his views and the expression of those views. We are exceedingly fortunate to have him here today, and it is with great pride that I introduce my colleague and our Vice President of the United States."

Vice President Agnew: "Thank you very much Governor Evans, Lieutenant Governor Cherberg, Mr. Speaker, members of the Washington legislature, and the many distinguished officials from local government who are here as well as the community leaders from all walks of life who have attended this joint session of the Washington legislature because of their interest in the revenue sharing proposals of the President:

"Let me say first to the legislators here assembled that I am deeply appreciative of your restraint in not banning me from the golf courses of your great state. The incident at Palm Springs, traumatic as it was, did have some compensations, however. For example, I have been offered a job as Chief Medical Writer to Golf Magazine. Like Arnold Palmer, I have also picked up a following on the golf course. Of course in my case the following is there because no one dares to precede me. But it could be worse. I assure you gentlemen that I have no intention of taking up archery. But it's discouraging sometimes. Those of you who are probably not athletically inclined wouldn't understand the disabilities that I may have—what it is to get up on the tee and everyone else is assigned a caddy and you get a stretcher bearer. But be that as it may, my purpose here today is not to promote that great and frustrating sport, but to bring to you, what I hope will be in an instructive and informative and enlightening (rather than purely rhetorical) manner, some information about the President's revenue sharing program.

"Some of what I am going to say, many of you concerned legislators and county officials and mayors have probably heard before. Some of the material I am going to cover is fairly recent, having just been sent to the Congress yesterday. But the point that is of overriding importance to everyone of you who has an interest in the efficacy of state and local government is that unless there is a balancing of our federal resources and encouragement by the federal government to the state and local governments to assume and undertake a greater responsibility in the conduct of affairs of their constituencies, then we are eventually doomed to see elimination of state and local government that may result in the complete bureaucratic control from Washington. I don't think any of us wants to see that occur.

"In an effort to reverse this trend toward a greater centralization of power and greater preemption of resources by the federal government in Washington, the President has presented some revenue sharing proposals. They fall into two categories. The first proposal is for general revenue sharing. And this proposal would be financed by five billion dollars of new money, that is money not presently budgeted for any federal program, which will be allocated to all general purpose units of government, on a predetermined formula, which would mean that a state's share would come to it by virtue of two factors: By virtue of its population, that is on a purely capitation index on the one hand, made somewhat flexible by tax effort. I am glad to say that your state is one of those that maintains a higher than average tax effort so that would mean that in the state of Washington you would receive a greater distribution of money than you would had the distribution been made on a purely capitation basis. The purpose of this general revenue sharing money is to lend to state and local government the utmost flexibility for its expenditures. There is a requirement that a state must maintain its efforts towards its counties and its cities. There is no requirement on the part of local government to maintain any effort to particular programs in order to be entitled to these funds.

"Now this general revenue sharing proposal went to the Congress. We don't look for easy passage of it. There is a great amount of resistance to it in Washington. I think it is only candid for me to make that clear to you. But on the other hand there is tremendous and overwhelming support for general revenue sharing around the country, in the states, and in the localities. I just came from the Western Regional District Convention of the National Association of Counties in Hilo, Hawaii, and I can tell you that most of the local officials there are tremendously supportive of this program. Your assistance, however, is urgently needed if we are to relate to the members of the Congress a desire on the part of legislators, county officials and mayors, as well as governors that these proposals be enacted.

"The general revenue sharing proposal totals five billion dollars of new money, as I said. A fixed percentage of the personal taxable base of the United States is how this amount is determined. Now that should be of interest to you because what that says is that the five billion dollars that we speak of for our first year share happens to be 1.3 percent of the personal taxable base of the United States for this year. By 1980 we estimate that, using the same formula, revenue sharing would amount in the general sense to ten billion dollars.

"The state of Washington's first year share will be ninety-two million dollars. That means that your state government share represents a 19 percent increase in federal aid to the state. The general revenue sharing funds will be disseminated with no use restrictions, other than a prohibition against their being used for purposes that are illegally discriminatory in a racial sense. The local government's share will be determined by the amount of the local tax efforts in relation to the tax efforts of the state as a whole. We have found that in the

normal case this amounts to approximately 48 percent of the general revenue sharing fund being passed through to the local governments automatically—52 percent being retained by the state.

"As far as the distribution among the elements of local government is concerned, that will be determined on a basis of their tax revenues, the amount of their total tax revenues when compared to the total local share. So that is based on a percentage of the tax raising effort of that particular local government compared to the total tax raising efforts of all local governments. Direct federal aid to the city of Seattle for example will increase more than 206 percent under this proposal, from 4.3 million dollars to 8.8 million dollars.

"I told you earlier that Washington's population is about 1.68 percent of the population of the United States, but because Washington is a high tax effort state, you would receive in revenue sharing about 1.84 percent of the revenue sharing funds.

"Now the pass through formula that is provided in the legislation can be aborted if the state and local governments wish it to be through agreement among them, and any other formula that is acceptable to them can be substituted. If a substitute formula is adopted, there is a 10 percent incentive bonus provided to stimulate that kind of mutual intergovernmental cooperation.

"Now let me move, if I may, from the—let me say just one more thing about general revenue sharing. One of the reasons for opposition to it in the beginning was a thought that large metropolitan cities, large metropolitan areas, principally big cities, would be penalized because they had such a high percentage of the poor, and that therefore their tax effort would not be as high perhaps as the peripheral metropolitan counties surrounding them. We ran tests in thirty of the principal metropolitan areas of the country and we found out that in no case did the share of a city, per capita, amount to less than the metropolitan county surrounding it. In every case it was more. This is because the personal income tax or the personal tax base is not the index for local effort. Local effort includes all of the other taxes that the city raises, such as sales, occupancy and use and transit taxes, and when you put these into the formula you come out with a higher capitation distribution.

"Let's move along to special revenue sharing. The details of this program are still being worked out. The separate legislation for each broad purpose is being sent to Congress as it develops. So far the President has sent messages on law enforcement, special revenue law enforcement, and special revenue sharing—one yesterday on manpower training. The total special revenue sharing funds are eleven billion dollars. I don't want to leave any impression that this is all new money, because mainly it is not. One billion dollars of the eleven billion is new money. The other ten billion is really a consolidation of existing categorical grants—not just a consolidation, but a complete redrawing of the conditions of the granting, to the extent that some, I guess over 150 categorical grants, are now placed in six special revenue sharing areas. Elementary and secondary education is allocated three billion dollars; urban community development, two billion; rural community development, 1.1 billion; transportation, 2.6 billion; manpower training, two billion; law enforcement, a half billion. In addition to this there is a three hundred million dollar hold harmless amount that has been set aside so that we can assure the recipients of the categorical grants that are being changed to special revenue sharing that in no case will the government get less in special revenue sharing than it did under the categories that it replaces. This is a very important feature for cities who may be afraid that their model cities program or their urban renewal programs would serve them better than special revenue sharing. This total of eleven billion dollars in special revenue sharing will, in our opinion, correct a very difficult problem that has existed for state and local governments for many years. Let me just review briefly, because I think it is tremendously interesting to everyone, how the federal grant-in-aid categorical programs have escalated in a short period of time. I am not going to go into the whole history, but let me just say that in 1960 there were only 44 categorical grant-in-aid programs, at a total cost of six billion dollars. Of this six billion, five billion was allocated to highways and welfare. The rest were just a few isolated programs. From 1960 to 1970, categorical grant-in-aid programs have proliferated from 44 to over 480, and the cost has risen to some thirty billion dollars from six billion. Now what we propose to do is to take ten billion of this categorical program, roughly one-third, and convert them to special revenue sharing, which some people might say are really block grants. They aren't block grants exactly because even in block grants there are some requirements that don't exist as far as special revenue sharing is concerned. For example, matching requirements, requirements for maintenance of effort, and requirements for prior approval of plans have all been abolished from most of our special revenue sharing programs in order to give state and local governments better flexibility.

"I want to underscore, for those who ask why must we abolish successful categorical grants, that we are not asking that this be done. There is no reason why a state or a municipality, who is engaged in the successful operation of a categorical program that is now part of special revenue sharing, cannot continue that program. They have the utmost flexibility to do that. The only difference is that they continue it because they know it is good, and not because Washington says it is good.

"So it is your call gentlemen, under the new special revenue sharing. Of course approximately two-thirds of the categorical grants still on the books will continue. We think there are places where experimentation, innovation, or the national direction is important. We don't think all categorical grants should be abolished. The no-matching requirement is being abolished, and I think this is extremely important. As a county official and as a governor, time and time again I ran into cases where I was persuaded to reverse my priorities



on the basis that Project B was eligible for federal matching money whereas Project A was not. This made Project A become Project B, even though as far as the state was concerned it was much more important to go ahead with the other project. We will eliminate that temptation for Washington to decide the areas of priorities for states and municipalities.

"Some people ask why is it necessary to have revenue sharing. Just let me review the financial plight of state and local government. Their burdens have increased and their powers waned. In the past 25 years, state and local governmental expenses have increased twelve-fold, from eleven billion dollars in 1946 to an estimated one hundred thirty billion last year, and revenue sources, as you gentlemen well know, have not kept pace with the demands that have been made on state and local governments. Property tax receipts are six times as great as they were a quarter century ago. States have had to institute new taxes, or raise old ones on 450 separate occasions in the last 12 years alone. Contrast this with the federal government—they have only had to resort to a major tax increase four times since 1930.

"State debt has increased over 600 percent in the past 20 years, as states have scrambled to borrow money to keep from imposing a level of taxation that the people would regard confiscatory. The federal income tax yield is now growing at a rate of ten billion dollars a year. That is without any increase in the tax rate. Growth generally runs ahead of the economy. On the other hand, the property and sales taxes that state and local governments depend so heavily upon generally lag 40 to 50 percent behind the growth in expenditures, making increases more frequent in those taxes, both of which are regressive and hard on people of limited income.

"While we have had what the President calls a fiscal mismatch between federal and state governments, we have also found the flow of power to Washington has been constantly on the rise. Local dependency for financial aid has reached the point now where the federal government calls the shots in many functions that previously were the exclusive preserve of local government. In this past quarter century, federal aid to the states has increased from one billion dollars to thirty billion and there has been a string, or at least a sliver, of bright red tape attached to every dollar that came down to you.

"As the President said in his message to the Congress, the money is spent for the things Washington wants, and the things Washington orders. We don't think that is the way it ought to be. We don't think the trend and imbalance should be preserved, and we are trying to reverse some of it through revenue sharing—a return of the decision-making power to the grassroots of government. When our founding fathers conceived of this great federal system that has served us so well, it was carefully balanced between the states and the local government on the one hand and the federal government on the other. Except for brief periods in our history, principally in times of national emergency, it has remained that way. But I think you will agree that in recent years we have seen a rather alarming trend as the central government has built up, and bypassed the state and local governments, not only bypassed them in the sense of usurping to some degree their powers and prerogatives, but bypassed them to the extent of establishing, with federal money, political antibodies of nonelected people who have a right to call the shots against the wishes of the state people who are elected in that very area to do that same function. We don't have a federal trash collection agency yet, but if we keep up this path we are on, we may well have one some day. And we are determined to reverse this trend.

"Let me take a few moments to talk about some of the alternatives that have been suddenly surfacing as revenue sharing has enlisted the popular support and as the polls have indicated the support of the people for it. You have heard many people say that a takeover of welfare would be much better. There have been very strong attempts to picture revenue sharing as a partisan program of the Nixon Administration, and this is a matter for partisan politics in the Congress and among some of the state and local officials. Now that just isn't true. Revenue sharing is a proposal that has evolved from years of hard work, by the Advisory Commission on Intergovernmental Relations, by governors and mayors conferences, county officials conferences, and among people of both parties. It has been truly a bipartisan development with an idea whose time has come. Those who would seek to make this a partisan effort seem to promote as an alternative to revenue sharing a federal takeover of welfare. The boosters of this idea claim that it would be of much more help than revenue sharing to those areas of the country that especially need assistance. Let me lay that myth to rest right here.

"First of all, nationalization of welfare is not a substitute for revenue sharing. Instead of centralizing the rapidly growing powers of the federal government, it would add to it. While I endorse, under certain balances and restraints, greater federal participation to achieve equitable standards and to directly handle welfare areas that perhaps would be better administered by the federal government under social security, welfare reform is not and never can be a substitute for revenue sharing. It won't offer a permanent, growing source of revenue to the states and local governments, as would a fixed annual sharing of the federal income tax as proposed under the present program.

"Secondly, a federal takeover of welfare costs would benefit just a few states, relatively few, at the expense of most of the others. And it would do virtually nothing for many local governments which don't carry part of the welfare load. Thirty-seven states would receive less cash benefits under welfare federalization than they would under revenue sharing. Of the few that would benefit, three (New York, California and Pennsylvania) would receive 51 percent of the relief. Sixty-two percent of the welfare relief would go to the ten richest states and five percent of the welfare relief would go to the ten poorest states. I don't call

that a fair distribution. Only 20 percent of the welfare reform money would go to local governments, and three quarters of that 20 percent would go to the local governments in only two states out of the 50. Now to take an example locally, Washington would benefit by seventy-six million dollars in fiscal '72 if the federal government assumed all welfare costs. But its local governments would get absolutely nothing.

"Under revenue sharing, the state of Washington and its local governments would receive ninety-two million dollars. Some people may give you another figure than the seventy-six million, but I submit to you when they give you that figure they will include Medicaid in it. And we are not talking about a takeover of Medicaid, just a takeover of welfare.

"What we seek is enactment of a revenue sharing program that will strengthen state and local governments throughout the United States, and a reform of the welfare program such as the President has had before the Congress for the last two years. Continuing to fund the present welfare system, whether the federal government alone does it, or whether in combination with state and local governments, will neither reform the present welfare system nor will it strengthen state and local governments.

"I believe that the existing welfare system is a financial disaster. I think it has been a tremendous failure. It needs to be reformed. The President has proposals for its reform before the Congress. We don't think they are perfect, but we know that the existing system is not doing the job. We know it because just since the President sent that message to Congress on welfare reform, we have added two million new welfare recipients to the rolls in the United States, at an additional cost of 1.5 billion dollars. Now that is a pretty unsuccessful system, and it needs reform.

"One of the alternatives proposed to the administration revenue sharing plan is a bill sponsored by Senator Humphrey and Congressman Royce. This bill is similar in several respects to the administration's proposal, but in our opinion it lacks several of the vital features of the administration bill.

"First, there wouldn't be any fixed percentage of the personal tax base. The Humphrey-Royce bill would depend on Congress for an annual appropriation. In other words you would have to take your chances on what you got each year, and you wouldn't be able to budget, making any accurate forecasts. The Humphrey-Royce bill also requires the state to enact a master plan for the modernization of state and local governments in order to receive funds in the first year of the plan. Now I know, and you know, that there is a need for some reform among state and local governments and there are strong moves underway in many areas to accomplish this. But as long as Congress refuses to allow reform of the federal government, I don't think Washington is on very firm ground by exacting demands for state and local governmental reform.

"There has also been a proposal that as a serious alternative to revenue sharing we use a tax credit route. This would mean that the federal government would allow as a deduction from the ultimate tax liability of an individual, taxes that he had paid to the state in income, or whatever the case may be, property and the like. There are several things wrong with this. First of all, it won't raise the amount of money that proponents claim it will because right now those who itemize deductions have a right to take off their state taxes on their federal return, and therefore, if they happen to be on a 50 percent basis, they are already taking off half of them. But even more than that, there are 13 states that don't have income tax. Some of them are barred by their constitutions from having income taxes, and some other states are already taxing income up to the full amount that is allowed under their constitutions. Now here is what has to be done before you can have the tax credit route: (1) the Congress has to act to allow it; (2) the states have to enact income taxes to take the benefit of it (some of the states would even have to change their constitutions); and (3) there is no assurance that local government will get a dime of that money; so there would have to be extensive negotiations, through the state legislature and the local governments, on what kind of pass through would be permitted of the money that is saved in tax credits. Now this may take years to accomplish. The fiscal crisis is now. The revenue sharing proposal that I am speaking for is here now. It is available now and it should be passed now. I would go into, if we have a question, but I am going to pass over it because of the time limitation, payments in lieu of taxes which seem to be of tremendous interest in some parts of the West and discuss the question of states that have a high percentage of federal land.

"Before I stop, I do want to talk about the two special revenue sharing messages that have gone to Congress which I think will be of interest—the Law Enforcement Revenue Sharing Act of 1971 and the Manpower Revenue Sharing Act of 1971. The Law Enforcement Revenue Sharing Act, which is funded at five hundred million dollars, which is roughly one hundred twenty-five or one hundred thirty million over existing funding for the Safe Streets Law of 1968 and the Omnibus Crime Control Act of 1971, puts more control in state and local governments, but it does retain certain good characteristics of the Safe Streets Law which was the first really effective block grant that we enacted. Changes in Title I of the Safe Streets Act would be that special revenue sharing payments would replace the block grants, and the funds would continue to be allocated according to population. Beginning in July, 1972, states would be required to pass through to local governments portions of their law enforcement expenditures. States must also allocate an adequate share to high crime areas. Again, here the matching requirement would be abolished. These funds can be used as matching money for planning and correction grants under parts B and E of the Safe Streets Act which remain unaffected by this special revenue sharing program. So

you can take your money that you get under Title A of the new 1971 law, which is really Title A money under the old Safe Streets Law, and you can get your matching money out of that to go into your correction system. The present requirement that the states present a comprehensive plan would be retained. However, LEAA would not have to give prior approval before funds are released. LEAA would review and comment. Part B of the Safe Streets Law would be strengthened to require proper fiscal and accounting control by the state. Also, the states would be required to submit detailed reports on programs that they funded previously.

"The maintenance of effort would be deleted as would present requirements that states and local government within a reasonable time assume the total cost of the program. Salary limitations for people employed would be retained. Civil rights safeguards would be retained.

"The Part E grants for correctional institutions would be retained and LEAA would still be authorized to use up to 15 percent of action funds for discretionary grants such as the National Institute of Academic Assistance—statistical and technical assistance.

"So basically there is not a formidable reduction of the flexibility that was given under the Safe Streets Law, but there is to some extent an increase in it through an abrogation of matching requirements and also the removal of the maintenance of effort requirement and the abandonment of prior approval.

"The Manpower Revenue Sharing Act, the message of which went up yesterday, is a two billion dollar program. This program takes the programs that had been funded by the Manpower Act of 1962 and the Economic Opportunity Act of 1964 (they amounted together to 1.5 billion dollars), lumps them together and adds a half-billion dollars. More than a dozen categorical manpower programs, including institutional training, on-the-job training, the neighborhood youth corps, new careers, Operation Mainstream, jobs and concentrated employment programs, are included in this special revenue sharing act.

"Now this cumbersome, categorical monstrosity that existed under those two laws that I mentioned is presently operated through nearly 10,000 direct grants in contract with public and private organizations. Each categorical program had its own lobby, its own project design, its own standards, and its own method of operation. The cost of this disjointed monstrosity has been confusion, duplication and inefficiency. Manpower Revenue Sharing divides four dollars for every three dollars currently used for this purpose. In addition, the act also contains a trigger mechanism, and this is especially important to you in the state of Washington because you have been suffering so acutely from an unemployment problem here. This trigger mechanism will make additional funds available to high unemployment areas whenever the national unemployment rate rises to 4.5 percent or more for three consecutive months. These are moneys that will be appropriated and sent into these critical areas to provide additional training on employment, including public service jobs, to help offset increases in unemployment.

"Eighty-five percent of each year's appropriation will be allocated to state and local governments. The remaining 15 percent will be administered by the Secretary of Labor for national activities. The distribution will be among state and local general governmental units of 100,000 or more persons. Smaller general governmental units are allowed to form consortia to meet the population requirements and receive direct funding in that manner. Contiguous metropolitan areas which meet the criteria of the standard metropolitan statistical requirement are able to get together and thereby receive direct assistance, even though they don't have 100,000 in population. General purpose units of government under 100,000 population will receive their assistance from the state.

"The criteria for distribution among state and local governments will take into account these factors: The proportion of the labor force in the area, the number of unemployed persons and the number of low income individuals 16 years of age or more. The Secretary of Labor will publish in the federal register the apportionment factors and the distributive shares for each unit of government prior to each fiscal year. Appropriate manpower expenditures will be considered for areas of institutional training, on-the-job training, support employment and manpower services.

"There will be a priority for the disadvantaged and those who receive public welfare payments. Payments and allowances are limited to two years in recognition of the fact that these are supposed to be temporary training programs and not provide jobs forever. The act requires publication of program objectives by units of government receiving funds and also requires interrelated governmental units to publish comments about each others' programs, which is certainly something new. It requires publication of an annual report by each unit receiving funds, the report to specify the activities that have taken place during the previous year. The Secretary of Labor retains his 15 percent of these funds for training, technical assistance, research and development, labor market information, computerized job bans and initiative programs which are not effectively managed on the local basis. He must also evaluate state and local programs, compile comparative data, and assure fiscal accountability so that the program can be properly assessed. It is important to remember that every categorical program can continue under this act, provided that states and local governments want it to continue.

"You have been very patient. I recognize that these matters that I have been discussing are to some extent technical and not tremendously thought-provoking and certainly aren't as exciting in the sense that some of the more political things that we have discussed from time to time in the course of our governmental interchanges are. Nonetheless, they are important. I am tremendously encouraged that you have given me this opportunity to

present this information to you, and I deem it a privilege that I am the first Vice President who has had the privilege of addressing this joint session of the legislature. Thank you very much.

"Now ladies and gentlemen, if you have questions, and I'm sure you will have some, I will do my best to respond. I want to preface that remark by saying to you that some of these programs are not fully defined yet. They are still under discussion and the formulae are still being developed. I also may at times resort to some of the technical people I have brought with me, if your questions get beyond my cant; but with those restrictions, I will be glad to try."

Representative Stewart Bledsoe, Ellensburg: "Mr. Vice President, I am Majority Leader of this House, where I think we bid you welcome by a vote of 51 to 48.

"Kidding aside, sir, we have a House Joint Memorial memorializing Congress to enact the revenue sharing that has passed halfway through the legislative process, now in the State Senate in this body. Would its transmission to Washington, D. C., enacted by both bodies, help enforce the plea of the state for revenue sharing?"

The Vice President: "Mr. Majority Leader, I don't see how it can be of any harm. There is only one fear I have with regard to steps that may be construed to be an exhortation to some constitutional consideration of the measure so that the federal government would be required to do what it has to do by a mandate rather than the usual legislative process, and that fear would be that perhaps there may be some of the people who would normally support these programs that I have been defining who would think that this was another alternative that would be to some extent in contest with the normal legislative process. I hope that won't happen. With that one exception, I think certainly any steps that show the representation in Washington that the people of the state are fully and firmly behind revenue sharing would be of assistance to us."

Senator Joe L. Stortini, Tacoma: "Mr. Vice President, Senator Joe Stortini. We bid you welcome by a vote of 49 to 0.

"My question is in regards to the first phase of the two-part revenue sharing program. Of the five billion dollars in general revenue sharing, how does Washington's proportionate share compare with our state share of federal income tax payments?"

The Vice President: "I can't answer that right off the bat. Where is Larry? Larry Thompson perhaps has those figures . . . you have 1.81 percent of the federal income tax base. And 1.84 percent of the revenue sharing. So you are three one-hundredths better off under the revenue sharing than you would be under the percentage of the federal income tax base."

Representative Clifford W. (Red) Beck, Bremerton: "Your Excellency, Mr. Vice President. I am Representative Beck from the 23rd District, in Kitsap County—the Navy Yard in Bremerton. We have certain well-defined programs which the federal government has been assisting us in. I might cite, for example, these federally impacted funds for education, our welfare programs, our highway programs. Just what is going to happen to these long-established programs if we shift over into the revenue sharing program?"

The Vice President: "You would have to get specific on those programs to see what was going to happen to them, because as I indicated about two-thirds of the categorical programs would be totally unaffected by this. The general revenue sharing affects no program because that is simply new money on top of the existing assistance that the state and local levels get from the federal government. For example, there is a special revenue sharing category called transportation. Under this program, money for highways and airports or any other transportation measure would continue to come down in the same amount as previously received, or more. But it would then be up to the state or the local government to make a decision whether it was to be spent for highways or if for highways, what type of highway, whether it was for A, B, C, or for some other type of highway construction—whether it was for airport planning. The only distinction in transportation will be, I believe, under present thinking, that mass transit funds may be kept separate. I am not certain of that. It hasn't been finally decided. But to respond to your question generally there is no categorical program that cannot be continued just as it is, if the state or local government involved wishes it to continue. We are not abolishing any programs that are successful. We are simply asking the state and the local government to take a look at what they have and see whether the restrictions, restraints and conditions that have been dictated from Washington are the ones they want to continue. If they want to continue it in exactly the same form, they have a right to do that. If they want to change it minutely, they have a right to do that. If they want to abandon it totally, they have a right to do that, too."

Representative A. J. Pardini, Spokane: "Mr. Vice President, Representative Pardini from Spokane. You alluded, in the early comments that you made, to difficulty in getting the President's message through Congress. And Chairman Mills of Ways and Means has expressed some opposition to this. Could you completely brief us on the thinking of Chairman Mills and the Congressmen, and what we can do to change that type of thinking to make this a reality?"

The Vice President: "The opposition that Chairman Mills has enunciated thus far goes to the idea that possibly a takeover of the welfare system might be preferable to revenue sharing. I attempted in my remarks to indicate why I didn't think this would provide the equity that is present in the revenue sharing proposal that we had presented to the Congress.

The alternatives are not fully flushed out. The alternatives are really suggestions of philosophy that have not been properly prepared to allow an adequate comparison with the administration programs. I would be very happy if those who espouse the alternatives would detail them to the degree that our proposals have been detailed so that we can continue our comparisons. We are not committed unalterably to the fact that the programs we have sent up cannot be changed for the better. But we don't want to see a long debate over a bare set of bones alternative that nobody has any ability to make a complete judgment on. I might also say it is very odd to me that some of the people who are scrambling for the alternatives have been in position to offer constructive programs for the past 15 years and haven't offered one."

Representative John L. O'Brien, Seattle: "Mr. Vice President, I am John O'Brien, State Representative. As one of the sponsors of the revenue sharing resolution that passed the House of Representatives here by an overwhelming majority, I have a deep interest in this entire program. It appears to me that members of Congress have a deep feeling that legislative bodies are not responsible enough to handle this allocation of funds that might be allocated to us. Is the administration going to attempt (I suppose you are) to dispel this feeling of not being satisfied with the state legislative bodies and local units of government on the basis that members of Congress know best how to handle these funds? I know it is getting into the political arena too, very much, and of course we don't like to see this. I am just wondering how you are going to get the message to Congress that legislative bodies are responsible and know the needs of their respective units of government and can handle this money wisely and prudently."

The Vice President: "I think the point is important, and it is a good point. I don't feel it is as important perhaps as some may consider it to be. For a long period of time it has been fashionable in the ranks of both parties to deprecate the abilities of state legislators, county officials, mayors of small municipalities and the like. This attitude that all wisdom reposes in the national government in Washington has been proved fallacious and has increasingly proven fallacious when one looks at this tremendous hodgepodge of conflicting, overlapping, categorical programs that has led us to the point of frenzy where we are now casting about to simplify our government and return the decision-making power where it belongs. Most of the people who serve in the Congress would do well to remember, and I think most of them do remember, that they started their political careers in some lesser position. Sometimes those lesser positions may have a greater impact on the well-being of their immediate constituents than what they do as a congressman. One thing is certainly clear, state government has improved greatly in the last twenty years, and local government has become increasingly concerned, increasingly responsive to its constituents. I think that if we get this revenue sharing proposal through it will improve further, because the people, when they find their local and state officials have a much greater decision-making authority than they had previously, will be doubly careful about who they put in these positions."

Representative Thomas L. Copeland, Walla Walla: "The Governor had invited the county commissioners and mayors in the galleries, and they are equipped with portable microphones. I wanted to call that to your attention."

Governor Evans: "Before you answer another question, Mr. Vice President, I know there are many who would love to ask questions all evening. The time is pretty close to the end, and I think maybe it is a good place to end it on the last question from a local governmental representative up there in the balcony."

Vernon Marll, Chairman of the Columbia County Commissioners: "Mr. Vice President, we appreciate the fact that you have been a former local official and we appreciated your statement concerning the fact that the federal government will not be placing a restriction on these funds. We are concerned, however, that at some future date the state agencies might be able to place restrictions on these funds and thus control local government. Are there built-in restrictions in this?"

The Vice President: "Yes, there is a requirement that the state cannot use the revenue sharing funds that it keeps for its own as a means of diminishing the assistance that it is presently rendering the local government. We would hope they would become even more responsive to the problems of local government and help even more."

"As far as I am concerned, because I have been so lengthy in my remarks (which is difficult to avoid when you are constantly adding material every time a new message goes up), I would be perfectly willing to stay another fifteen minutes so I can take some of these questions."

Governor Evans: "I would be the last one to overrule."

Senator August P. Mardesich, Everett: "Mr. Vice President, I am August Mardesich, Senator. Like all things, I suspect this is going to cost someone some money in terms of taxes. It is my information that the deficit will be somewhere between ten and possibly as much as seventeen billion dollars. May we fear that this might be solved by additional taxes on the federal level, or what alternative, if any, is in the mill?"

The Vice President: "There is no immediate proposal under consideration to increase federal taxes. The President, in his economic message to this budget message, has indicated he intends to operate under what he calls a full employment budget, which is a budget that will be in balance—would be in balance, I should say, if the economy were operating in full employment—full employment generally being considered a four percent rate of unemployment. This question comes to me frequently: 'How can you distribute money when you have a deficit?' Well, the priorities of the federal government are decided in an overall sense on whether the budget is in balance or in deficit. The programs defined in that

budget must be on-going. I might say if I wanted to be tricky or cute that the five billion dollars we have selected for general revenue sharing, the five billion dollars of new money, comes out of the black part of the budget. Perhaps the Defense Department expenditures are in the red, but I am not going to attempt to do that. The point remains that since 1968, there has been a fantastic reversal of our priorities by the federal government. Not many people realize that the Vietnam War cost twenty-four billion dollars in 1968 and the cost of our efforts to wind down that war and totally extricate ourselves from that terrible situation are now less than twelve billion dollars annually. So you see, whether the budget is in balance or whether it isn't in balance, the money that is distributed to you at the state level and to those at the local level is just as spendable and just as helpful as it would be if the budget were in balance. Of course we would all aspire to a balanced budget, but not to the extent of constricting our economy to the point that we are accelerating this unemployment rate even further. So the budget decision has to remain apart and separate from any individual program which is such a small part of the overall appropriation process."

Senator Fred H. Dore, Seattle: "Mr. Vice President, I am Fred Dore, State Senator. My question is this: As I understand revenue sharing, there are no strings attached. It comes to us directly without any control. Yet as Chairman of the Appropriations Committee, I find that throughout the budget your contributions to welfare, to education, to cultural enrichment, all have standards and control. My question is, is it your thinking that when you ultimately shift to help the states entirely by revenue sharing, will you surrender your right to have standards and control of the money?"

The Vice President: "Not at all, because I feel very strongly that categorical programs which embody restrictive and highly controlled definitions are necessary. They are necessary in areas where the national government seeks as a national purpose to stimulate activity among the state and local governments in a particular direction. The only thing this tries to do is take one-third of those highly restrictive programs and let the control come from Washington. It is not an overall attempt to convert everything into the block grant of less restricted areas because we believe very firmly that in experimental areas, categorical grants are important to stimulate innovation and new expression, so this is not our purpose. Our purpose is just to give back to the local governments and the state governments some financial ability to do their own experimentation. We don't think all of the talent is in Washington. We think perhaps that given the right to use these funds creatively, some state governments and some local governments may well come up with ideas that have escaped those of us back in the nation's capitol. Ideas that may well be turned to the advantage of other states."

Representative Donn Charnley, Seattle: "Your Excellency, I am Donn Charnley, Representative from Seattle. I wish to laud one statement you made and that was with regard to the elimination of any concept of matching funds in your revenue sharing program. This concept has been used as a harassment to some of us here in this House this session in terms of trying to reassess our values and where to use our money, specifically from the highway fund where we have an increasing amount of funds being diverted and yet we are told we dare not put them there because we will lose all this federal money. I would be very interested in any statement you might have at this time that this concept might be removed from other categorical funds from the federal government."

The Vice President: "We have no plans at the moment to affect any of the remaining categorical moneys that are not included in the special revenue sharing programs. If changes are made in those categorical programs, they will be done topically, by subject matter. I am not certain that in any of the cases I can think of offhand that the removal of the matching requirements would be well received or advocated by a sufficient number of people. When you come right down to it, the special revenue sharing moneys that we provided in this program are those which have been most desired by state government to be less restrictive and to be removed from the matching requirement, particularly in the roads area where you may run into a case where political pressures are so intense to go to a certain piece of construction to get matching money that a long standing number one priority is totally impossible to complete. I wouldn't rule out entirely the fact that at sometime in the future, Congress may look at some particular categorical program that may be considered experimental or innovative at the moment, decide that it belongs in a continuing general function of government and decide to move it into some less restricted category than presently exists. But I wouldn't want to predict in any particular what might happen in that regard."

Representative Mark Litchman, Seattle: "Mr. Vice President, I come from one of the highest unemployment districts in the state of Washington. My name is Litchman, from the 45th District. We are in a recession. I would like to know what the administration's plans are relative to the SST and unemployment in the state of Washington?"

The Vice President: "Well I think you know that the administration is firmly behind the SST. I have found it personally difficult to understand how the reservations that have been expressed by those who are fearful of damage to the environment can be balanced out against a total forfeiture of the development of the SST without having sufficient real proof that harm can come. I am concerned that we will delay development of the SST, find that foreign countries are going ahead with theirs, find possibly that the ecological reservations are inaccurate, and I just can't see the people of the United States under those conditions continue to fly subsonic airplanes when the rest of the world is going supersonic. That would mean that we would be buying our airplanes from another country, which would have a deleterious effect on our balance of payments. I am hopeful that the SST program

will continue to go forward, while we continue very forcefully and very stringently to make sure that it will not be an ecological disaster. The general unemployment problem in the state of Washington that you refer to is of course of tremendous concern. I am aware that you in this area suffer an abortively high rate of unemployment due to a combination of unfortunate circumstances, and as you know, your Governor has been to Washington to discuss this with the President. I am sure everything possible is being done to alleviate this condition. But I am not sure there is a short range answer to it. I would be less than candid if I didn't tell you I think it is a tremendously difficult problem, but one in which we will do our best to cooperate. The manpower training program I just mentioned, which allows special funds to be introduced in high unemployment areas, might be of some assistance in providing temporary public service positions until the usual economy adjusts itself. I wish I could be encouraging, but I can't be totally encouraging on this question."

Representative Litchman: "As to the vote, about the vote, do you have any idea or could you speculate as to what the situation might be in the Senate?"

The Vice President: "The last time I tried to predict a Senate vote, I got in deep trouble."

Representative Richard A. King, Everett: "Mr. Vice President, I am Dick King, State Representative. If the funds have no strings attached to them, could states use them to replace categorical aid that might have strings attached to it? For example, could a state fund the segregated school system with these funds?"

The Vice President: "No, that is specifically prohibited. Any use of these funds for any racially discriminatory purpose is outlawed under the legislation."

Senator Sam C. Guess, Spokane: "I am Sam Guess from Eastern Washington. We are particularly anxious that the generating capacity at Hanford—the N Reactor—be maintained, and we are very hopeful that you might be bringing us good news today. Do you have any information?"

The Vice President: "I wish I were bringing you good news. I was asked the question at the airport as to whether I had any information on the special reconsideration of this problem that the President has appointed a commission to look at, at the request of Governor Evans. So far as I know, that investigation is still going forward, and the determination has not been reached yet. So I'm afraid I can't give you any information on it."

Representative Bledsoe: "Mr. Vice President, you have by your candor and your direct presentation to this body increased your count. It is 148 to 0 welcome now, sir, for bringing us your very direct explanation of an idea whose time has come—revenue sharing. We are in your debt. Thank you, Mr. Vice President."

The Vice President: "Thank you, very much."

The President of the Senate: "Mr. Speaker, Mr. Vice President, ladies and gentlemen, at this time the President would like to present His Excellency, the Governor of the State of Washington, the Honorable Daniel J. Evans."

Governor Evans: "I think Mr. Vice President, I speak on behalf of all of my former colleagues in the legislature and those with whom I work very closely, the mayors, the county commissioners, the citizen leaders of this state in saying to you we are very, very glad you came. We are all more knowledgeable about revenue sharing than we were before you started. We are even more enthusiastic than we were, and I know I can speak on behalf of all legislators in saying we will do our part—I hope you do yours back in Washington, D. C., because we sure need the money."

The President of the Senate instructed the committee consisting of Senators Bailey, Sandison and Woodall; and Representatives Chatalas, Newhouse and Bledsoe to come to the rostrum.

The President of the Senate: "Mr. Vice President, as one Senate President to another, I am sure that you, as a person of rare good humor will agree that we as Senate Presidents have certain prerogatives. With your permission, I would like to exercise one of those prerogatives at this time and present to you an autographed football on behalf of the Washington State Senate as a token of our appreciation for your friendly visit and as something that you could use in a game where you can feel free to hit someone as demonstrated by your world's champion Baltimore Colts."

The Vice President was presented with a football which had been autographed by the Washington State Senators. He threw a pass, which was caught by one of his aides on the sidelines.

The President of the Senate: "Mr. Vice President, that isn't the only pass that has been completed here this session."

The honor committee consisting of Senators Bailey, Sandison and Woodall; and Representatives Chatalas, Newhouse and Bledsoe escorted Vice President Agnew and Governor Evans from the House Chamber.

The President of the Senate instructed the committee consisting of Senators Talley, Andersen, Knoblauch, and Lewis; and Representatives Mentor, Morrison, Backstrom and Rosellini to escort the elected state officials from the House Chamber.

The President of the Senate instructed the committee consisting of Senators Gissberg,

Greive, Twigg and Atwood; and Representatives Marsh, Wojahn, Blair, Cunningham and Pardini to escort the Justices of the Supreme Court from the House Chamber.

#### MOTION

On motion of Mr. Wolf, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker.

The Speaker requested the Sergeants at Arms of the Senate and the House to escort the Lieutenant Governor and the Senators to the Senate Chamber.

The House resumed its session.

#### MOTION

On motion of Mr. Bledsoe, the House reverted to the third order of business.

#### REPORTS OF STANDING COMMITTEE

March 3, 1971.

HOUSE BILL NO. 261, establishing standards of safety regarding the ability of a private motor vehicle to sustain shock, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 9, strike sections 2 and 3 and insert new sections as follows:

*"NEW SECTION.* Sec. 2. Every private motor vehicle manufactured on and after January 1, 1973, and subsequently sold and licensed in the state of Washington, shall be sold subject to the manufacturer's warranty that it is equipped with an appropriate energy absorption system and that, without compromising existing standards of passenger safety, it can be driven, both front and rear directly into a standard Society of Automotive Engineers test barrier (SAE J 850) at a speed of five miles per hour without sustaining any damage to the automobile.

*NEW SECTION.* Sec. 3. Every private motor vehicle manufactured on and after January 1, 1975, and subsequently sold and licensed in the state of Washington, shall be sold subject to the manufacturer's warranty that it is equipped with an appropriate energy absorption system and that, without compromising existing standards of passenger safety, it can be driven, both front and rear, directly into a standard Society of Automotive Engineers test barrier (SAE J 850) at a speed of ten miles per hour without sustaining any damage to the automobile."

On page 2, beginning on line 6, strike section 5 and renumber the remaining section.

Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Amen, Bauer, Beck, Blair, Bozarth, Charnley, Conner, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Jastad, Johnson, Jones, Kraabel, Martinis, Newhouse, Williams.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 605, providing standards for motor vehicle smoke and odor control, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 14 after "prevent the" beginning with "escape" strike everything down to and including "moving" on line 18 and insert "[escape of excessive fumes or smoke] discharge into the atmosphere any air contaminant other than condensed water vapor for a period of more than ten seconds which is:

(a) As dark or darker in shade as that designated as No. 1 on the Ringlemann chart, as published by the United States Bureau of Mines, or

(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in paragraph (a) of this subsection"

On page 1, section 1, beginning on line 25 strike all of subsection (4) and insert the following:

(4) *No person shall operate a motor vehicle engine for a period of time longer than ten minutes when the vehicle is in a stationary position, except that this subsection shall not be taken to prohibit operating an engine in any manner required to accomplish the functional purposes of the vehicle."*

On page 2, beginning on line 8 strike all of section 2

On page 1, line 1 of the title after "smoke" strike "and odor"

On page 1, line 2 of the title after "control;" insert "and"

On page 1, line 4 of the title after "46.37.390" insert a period and strike the balance of the title

Signed by Representatives Berentson, Chairman, Adams, Amen, Bauer, Beck, Blair,



Bradley, Charnley, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Martinis, Williams.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 645, providing for distribution of moneys from penalty assessments to traffic safety education account, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 25, strike "3.61" and insert "3.16"

Signed by Representatives: Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Johnson, Jones, Kraabel, Martinis, Newhouse, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE BILL NO. 759, amending reporting and planning periods of urban arterial board, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Spanton, Vice Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Martinis, Newhouse, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

February 25, 1971.

HOUSE BILL NO. 718, increasing the allowable interest on consumer installment sales to fifteen percent, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 4, section 2, line 26, after "one" insert "and one-quarter"

Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Bagnariol, Ceccarelli, Farr, Hatfield, Jueling, Pardini, Perry, Polk, Wojahn, Wolf.

Passed to Committee on Rules and Administration for second reading.

March 3, 1971.

HOUSE JOINT MEMORIAL No. 9, regarding unconventional automobile combustion systems, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12, after "Whereas, The" stroke "internal combustion engine is universally recognized as one of the largest" and insert "fuels presently used in internal combustion engines are universally recognized as among the major"

On page 1, line 15, after "alternative" insert "fuels and"

On page 1, line 20, after "alternative" insert "fuels and"

Signed by Representatives: Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Amen, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gladder, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Newhouse, Schumaker, Williams.

Passed to Committee on Rules and Administration for second reading.

### MESSAGES FROM THE SENATE

March 3, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SENATE BILL NO. 91,

SUBSTITUTE SENATE BILL NO. 216,

SENATE BILL NO. 249,

ENGROSSED SUBSTITUTE SENATE BILL NO. 352,

SENATE CONCURRENT RESOLUTION NO. 4, and the same are herewith transmitted. WILLIAM GLEASON, Assistant Secretary.

March 4, 1971.

Mr. Speaker: The President has signed:

SENATE JOINT RESOLUTION NO. 5,

SENATE CONCURRENT RESOLUTION NO. 13,

HOUSE CONCURRENT RESOLUTION NO. 22, and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 4, 1971.

Mr. Speaker: The President has signed:

SENATE BILL NO. 311,  
SENATE CONCURRENT RESOLUTION NO. 18, and the same are herewith  
transmitted. SIDNEY R. SNYDER, Secretary.

## MOTIONS

On motion of Mr. Morrison, the House advanced to the ninth order of business.

On motion of Mr. Morrison, the House deferred further consideration of the second reading calendar, and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 9:00 a.m., Friday, March 5, 1971.

THOMAS A. SWAYZE, Jr., Speaker

MALCOLM McBEATH, Chief Clerk

## FIFTY-FOURTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 5, 1971.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Ross who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Robert D. Bradbury of the Richmond Beach Congregational Church of Seattle.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## MESSAGES FROM THE SENATE

March 4, 1971.  
Mr. Speaker: The Senate has passed ENGROSSED SENATE BILL NO. 314, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 311,  
SENATE JOINT RESOLUTION NO. 5,  
SENATE CONCURRENT RESOLUTION NO. 13,  
SENATE CONCURRENT RESOLUTION NO. 18.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 91, by Senators Gissberg, Woodall and Atwood:

An Act relating to the service of summons and process in actions involving motor vehicle accidents, collisions or liability; and amending section 46.64.040, chapter 12, Laws of 1961 and RCW 46.64.040.

Referred to Committee on Judiciary.

SUBSTITUTE SENATE BILL NO. 216, by Committee on Judiciary:

An Act relating to the registration of escrow agents; amending section 1, chapter 153, Laws of 1965 and RCW 18.44.010; amending section 2, chapter 153, Laws of 1965 as amended by section 1, chapter 76, Laws of 1967 ex. sess. and RCW 18.44.020; amending section 4, chapter 153, Laws of 1965 and RCW 18.44.040; amending section 5, chapter 153, Laws of 1965 and RCW 18.44.050; amending section 8, chapter 153, Laws of 1965 and RCW 18.44.080; amending section 16, chapter 153, Laws of 1965 and RCW 18.44.150; amending section 17, chapter 153, Laws of 1965 and RCW 18.44.160; and adding new sections to chapter 153, Laws of 1965 and to chapter 18.44 RCW.

Referred to Committee on Judiciary.

SENATE BILL NO. 249, by Senator Holman (by Judicial Council request):

An Act relating to uniform rendition of accused persons; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

ENGROSSED SENATE BILL NO. 314, by Senators Holman, Peterson (Lowell) and Connor (by Joint Committee on Governmental Cooperation request and by Departmental request):

An Act relating to public lands; concerning lands under the jurisdiction of the department of natural resources; creating new sections; amending section 32, chapter 255, Laws of 1927 and RCW 79.01.128; amending section 1, chapter 20, Laws of 1963 and RCW 79.44.003; repealing section 1, chapter 175, Laws of 1933, section 1, chapter 159, Laws of 1949, section 1, chapter 301, Laws of 1955 and RCW 79.56.010; and repealing section 1, chapter 73, Laws of 1939 and RCW 79.56.020.

Referred to Committee on Natural Resources and Ecology.

ENGROSSED SUBSTITUTE SENATE BILL NO. 352, by Committee on Transportation:

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 6, chapter 65, Laws of 1970 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 7, chapter 65, Laws of 1970 ex. sess. and RCW 82.12.030; and prescribing an effective date.

Referred to Committee on Transportation.

SENATE CONCURRENT RESOLUTION NO. 4, by Senators Metcalf, Ridder and Elicker (by Joint Committee on Education request):

Providing for study on agency responsibility in educating handicapped children.

Referred to Committee on Education and Libraries.

## MOTION

On motion of Mr. Morrison, the House advanced to the tenth order of business.

## THIRD READING

ENGROSSED HOUSE BILL NO. 726, by Representatives Brown, Morrison and Smythe:

Enacting congressional redistricting and reapportionment.

Engrossed House Bill No. 726 was read the third time and placed on final passage.

Representatives North, Brown and Morrison spoke in favor of passage of the bill, and Representatives Grant, Charette, O'Brien and Gallagher spoke against it.

#### MOTION

Mr. Moon moved that Engrossed House Bill No. 726 be rereferred to the Committee on Elections and Apportionment.

Mr. Moon spoke in favor of the motion.

Mr. Anderson demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Moon to rerefer Engrossed House Bill No. 726 to the Committee on Elections and Apportionment, and the motion was lost by the following vote: Yeas, 47; nays, 50; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—47.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Absent or not voting: Representatives Backstrom, Ross—2.

#### PARLIAMENTARY INQUIRY

Mr. King: "Mr. Speaker, I raise a point of parliamentary inquiry. It is my understanding that we neglected to amend the title on this bill, and the title would reenact the existing congressional redistricting, whereas the bill itself would change it. Where do we go from here, if that is the case?"

The Speaker: "The title reads, 'AN ACT Relating to the redistricting and reapportionment of the state into congressional districts.' It appears to encompass the subject matter of the bill."

#### POINT OF ORDER

Mr. Grant: "The point is, Mr. Speaker, that the title amendment that you neglected to adopt yesterday also would have repealed the old congressional districting act. That has not been done."

The Speaker: "I believe that is taken care of in the body of the bill, Mr. Grant."

Mr. Grant: "Would you point out to me where in the body of the bill we repealed the old districts?"

The Speaker: "I see many repealers in section 12 of the bill, Mr. Grant. Of course if there is a legal question as to whether those sections are correct, I assume that would be proper for a court action. In addition, in each section of the bill there are a number of RCW sections lined out, which would appear to be repealers as well. Your point of order is not well taken."

#### PARLIAMENTARY INQUIRY

Mr. O'Brien: "Was the amendment to the title adopted yesterday?"

The Speaker: "No, it was not."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 726, and the bill passed the House by the following vote: Yeas, 50; nays, 48; absent or not voting, 1.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—48.

Absent or not voting: Representative Ross—1.

Engrossed House Bill No. 726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Morrison, the House reverted to the ninth order of business.

## SECOND READING

HOUSE BILL NO. 151, by Representatives Goldsworthy and Kopet (by Executive request):

Enacting the operating budget.

## MOTION

On motion of Mr. Bledsoe, Substitute House Bill No. 151 was substituted for House Bill No. 151, and the substitute bill was placed on the calendar for second reading. Substitute House Bill No. 151 was read the second time.

## MOTION

On motion of Mr. Morrison, the House recessed until 11:00 a.m.

## SECOND MORNING SESSION

The Speaker called the House to order at 11:00 a.m.

## MOTION

On motion of Mr. Bledsoe, the House recessed until 1:00 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Clerk called the roll and all members were present.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 151, by Committee on Appropriations:  
Enacting the operating budget.  
The House resumed consideration of Substitute House Bill No. 151 on second reading.

## MOTION

Mr. Marsh moved that Substitute House Bill No. 151 be rereferred to the Committee on Appropriations.

Mr. Marsh spoke in favor of the motion.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. Marsh, please confine your remarks to the motion before the House."

Mr. Marsh continued his remarks.

## POINT OF ORDER

Mr. Bledsoe: "Point of order, Mr. Speaker. We are dealing with an appropriations measure. The gentleman has already slopped over into the revenue area, when we are trying to rerefer under his motion something dealing with appropriations."

The Speaker: "Please confine your remarks to the motion before the House."

Mr. Marsh continued his remarks.

The Speaker: "Mr. Marsh, I do not believe your remarks are appropriate as to why the Committee on Appropriations can better handle those inadequacies than the floor of this House. Please confine your remarks to that issue."

Mr. Marsh concluded his remarks.

Mr. Goldsworthy spoke against the motion to rerefer Substitute House Bill No. 151 to the Committee on Appropriations.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

Mr. Moon spoke in favor of the motion.

Mrs. Hurley spoke in favor of the motion to rerefer.

## ADMONITION BY THE SPEAKER

The Speaker: "Mrs. Hurley, you are not confining your remarks as to why the Appropriations Committee could better deal with the matter you are discussing than the floor of this House. Please confine your remarks to the motion."

Mrs. Hurley continued her remarks.

The Speaker: "Mrs. Hurley, you are out of order."

Mr. Charette spoke in favor of the motion.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. Charette, you are straying from the motion before the House. You are dealing with bills that are not before the Appropriations Committee."

Mr. Charette concluded his remarks.

Mr. Bledsoe spoke against the motion to rerefer Substitute House Bill No. 151 to the committee on Appropriations.

## POINT OF INQUIRY

Mr. Litchman: "I would like to ask a couple of questions of Mr. Goldsworthy, or if he can't answer them, perhaps somebody else can."

Representative Goldsworthy declined to yield to question.

## POINT OF INQUIRY

Mr. Marsh yielded to question by Mr. Litchman.

Mr. Litchman: "Mr. Marsh, one of the problems with this bill, as I see it, relates to page 8, section 25, line 14 . . ."

The Speaker: "Mr. Litchman, I feel that is not appropriate to the question before the House which is the motion whether to refer the bill to the Committee on Appropriations."

Mr. Litchman: "I think it is very important, Mr. Speaker. The point I wish to get to is that I don't believe sufficient investigation has been done to determine the facts for appropriating some \$4,661,245 for some unnecessary appraisers. Is this policy of the state (which Mr. Goldsworthy does not wish to answer) and secondly, of course, this tremendous sum of money . . ."

The Speaker: "Please state your question. Mr. Marsh has yielded, and he is waiting."

Mr. Litchman: "Mr. Marsh, it has been called to my attention that in order to reappraise the state, under its reevaluation program, it will cost an additional \$4,661,000. According to the bill, it states that the department of revenue shall hire the appraisers. It seems to me that when we appropriated some eleven million dollars for this a number of years ago, the purpose was to allow the county assessors to reappraise the state rather than the state revenue department. I wondered what your comments were now that the majority party has given all this money to the director of revenue to reappraise, rather than giving it as the sole and exclusive power of the county assessors."

## RULING BY THE SPEAKER

The Speaker: "The question is out of order, not pertaining to the issue before the House."

Mr. Grant spoke in favor of the motion to rerefer Substitute House Bill No. 151 to the Committee on Appropriations.

Mr. Morrison demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Marsh to rerefer Substitute House Bill No. 151 to the Committee on Appropriations, and the motion was lost by the following vote: Yeas, 48; nays, 51; absent or not voting, 0.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shipoch, Thompson, Van Dyk, Williams, Wojahn—48.

Voting nay: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Mrs. North moved adoption of the following amendment by Representatives North and Ross:

On page 4, section 15, line 15 after "General Legal Services Revolving Fund Appropriation" strike "\$5,502,936" and insert "\$5,912,936"

Mrs. North spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Rosellini demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives North and Ross to Substitute House Bill No. 151, and the amendment was lost by the following vote: Yeas, 38; nays, 61; absent or not voting, 0.

Voting yea: Representatives Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Lynch, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Shera, Smith, Smythe, Wolf, Zimmerman, Mr. Speaker—38.

Voting nay: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Copeland, Costanti, Flanagan, Gallagher, Grant, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kuehnle, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Schumaker, Shinpoch, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn—61.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Barden, Jueling and Shera to Substitute House Bill No. 151:

On page 14, section 43, line 20 after "assistance:" insert "PROVIDED, That an applicant for public assistance shall file, in addition to the standard form required by RCW 74.08.050, an affidavit showing for himself and all dependent members of his household on behalf of whom assistance is being applied for or is being received, the total of net incomes for the twelve month period immediately preceding the date of application.

When the total of net incomes shall exceed an amount equal to seven thousand dollars for the applicant or for the applicant and one such dependent, plus six hundred dollars for each additional such dependent not to exceed five, the applicant shall as a condition of receiving public assistance agree in writing to repay to the department of social and health services up to eighty percent of the value in money of public assistance received during the calendar year of application, such repayment to be required only to the extent that net incomes of the applicant and the dependent members of his household on behalf of whom assistance was received total in excess of an amount equal to seven thousand dollars for the applicant or for the applicant and one such dependent plus six hundred dollars for each additional such dependent not to exceed five during the calendar year following the calendar year in which application is made.

In the event of failure or refusal to repay, the amounts agreed to be repaid shall be collectible as provided in RCW 74.04.300 through 74.04.306 for recovery of payments improperly received, except that the lien provided for in RCW 74.04.300 shall not be imposed."

Mr. Flanagan spoke in favor of adoption of the amendment.

## POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Flanagan, I have tried to work in some areas like this to find ways that we can hold down the public assistance recipients' caseload, and I keep running into the federal requirements that if we attach conditions like this we lose our federal money. Can I ask if you have received an Attorney General's opinion as to whether this is permissible?"

Mr. Flanagan: "I thought I had it written in the amendment that if this was contrary to federal legislation that it would not be effective."

Mr. Bottiger: "I don't see it in the amendment that is on my desk."

Mr. Flanagan: "I think the RCW reference in the last paragraph applies to that, Representative Bottiger."

Mr. Morrison demanded an electric roll call, and the demand was sustained.

## POINT OF INQUIRY

Mr. Barden yielded to question by Mr. Gladder.

Mr. Gladder: "Mr. Barden, I note that you are one of the prime sponsors of this amendment which seems to make a lot of sense. I wonder if you could give us an idea of the fiscal impact of this amendment if enacted?"

Mr. Barden: "Representative Gladder, the fiscal impact, as it might relate to a recipient



on this case—I suppose I could use, as an example, one of the welfare cases that we are most familiar with, and that is one of the welfare rights activists who have contacted most of us during the preceding couple of weeks. This welfare family is a man and wife and five children. Under this amendment they would be entitled to earn up to \$10,000 in the calendar year preceding their application for public assistance. Let's say for example that they earned \$11,000 which would be \$1,000 over their \$10,000 exemption. Then in the calendar year succeeding the application for public assistance, they would be required, if they again in this second year earned more than \$10,000 to pay back up to \$800 to the department which is 80 percent of the \$1,000 over the exemption. Now they would not be obligated to pay that \$800 unless they earned it in excess of their \$10,000 exemption that they are entitled to each year. So I would say that this is an amendment that allows a great latitude and is one that will put a stop to only the very few extreme cases of excessive grants."

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Flanagan, at the present time do people who apply for public assistance have to set forth their actual resources, their cash and other assets?"

Mr. Flanagan: "Representative O'Brien, from all that I have read in the public assistance laws, they must set forth their resources. They are allowed to have so many dollars in the bank, I think it is \$1,000; and allowed to have some life insurance; allowed to have a home if they live in it; allowed to have an automobile or automobiles and various things, but I can't find anything in the law that refers to their annual income."

Mr. O'Brien: "In your proposal here on annual income, if they earn \$7,000 plus \$600 for each dependent, not to exceed five, during the preceding calendar year and then go on public assistance, they would have to repay 80 percent of what they receive from public assistance in the following year?"

Mr. Flanagan: "They have to repay 80 percent of the amount in excess of that many dollars. In other words, \$7,000 for a man and wife if they were on the rolls and then \$600 for each dependent—80 percent of the amount in excess of that amount of income."

Mr. O'Brien: "In other words, then, you are putting a ceiling on the amount they can receive, and if they go over that ceiling they have to repay 80 percent of it? Is that the intent of the amendment?"

Mr. Flanagan: "I am putting a floor on how much they have to repay by saying that they repay 80 percent of the amount in excess of this amount of earnings. In other words, if the 80 percent took them below the \$7,000, or \$7,600, or whatever it was, then they wouldn't have to repay that part of it."

The Clerk read the following amendment by Mr. Julin to the amendment by Representatives Flanagan, Barden, Juelling and Shera to Substitute House Bill No. 151:

On the last line of the amendment after "imposed" strike the period and insert " PROVIDED FURTHER, That if any part of this 1971 act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this 1971 act is hereby declared to be inoperative solely to the extent of such conflict and with respect to the agency directly affected, and such finding or determination shall not affect the operation of the remainder of this 1971 act and its application to the agencies concerned:"

#### POINT OF ORDER

Mr. Barden: "Mr. Speaker, this amendment by Representative Flanagan and myself is an amendment to section 95 of this act. If you will see line 24, page 15, of the bill which is within section 95, there is the identical proviso attendant to all sections of section 95. So we would be putting it in the same section twice if we adopted the amendment to the amendment."

The Speaker: "Would you like to point that out to Representative Julin? He might be willing to withdraw his amendment to the amendment."

Mr. Julin moved adoption of the amendment to the amendment.

Representatives Julin and Bottiger spoke in favor of adoption of the amendment to the amendment.

The amendment by Mr. Julin to the amendment by Representatives Flanagan and others to Substitute House Bill No. 151 was adopted.

The Speaker stated the question before the House to be the amendment by Representatives Flanagan and others as amended.

## POINT OF INQUIRY

Mr. Barden yielded to question by Mrs. Hurley.

Mrs. Hurley: "Mr. Barden, does this amendment of yours relate to ADC?"

Mr. Barden: "The amendment relates to all public assistance grants."

Mrs. Hurley: "It does relate to ADC then. My second question is: I wonder if you know, Mr. Barden, that the state of Washington is number three in its payment in relation to other states in the ADC program? I wonder if you also know that some of these people on ADC are receiving a whole lot more in their monthly grants than a lot of people in my district do. Besides this, it is take-home pay for them, plus food stamps, plus medical, plus hospital. I have a few of the sizes of the checks here. Some of them go as high as \$633.40, and \$570.00, and \$720.00. I just wondered if you thought maybe your amendment would do us some good. I had an amendment up there that I took back. It was to make our payments no more than Idaho, Nevada, Arizona, Mississippi and a few other states like that (everything west of New York and New Jersey). Do you think your amendment would help in this regard?"

Mr. Barden: "Yes."

Mr. Grant spoke against the amended amendment.

## POINT OF INQUIRY

Mr. Barden yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Assume that my friend at Boeing got laid off. He was a \$20,000 a year engineer, and I know quite a few of those. Then let's assume that through some catastrophe he was completely wiped out financially. Let's assume then that he has not been on unemployment for a year. Would you explain to me how this affects that individual?"

Mr. Barden: "Representative Shinpoch, assuming that we are talking about the same hypothetical case that I indicated originally and Representative Grant then alluded to (a family with five children, therefore with a \$10,000 exemption) the employee had earned \$20,000 the preceding year so the situation would be this: If he were, in the year in which he applied and received public assistance, to earn more than \$10,000, then he would be required to pay back to the state exactly in dollar amount \$800 out of the earnings in excess of \$10,000. Now you see, theoretically then, he has a \$10,000 exemption; in the year preceding his application he earned \$20,000; so there is \$10,000 that is not exempt; 80 percent of that is \$8,000. In the year in which he applied for public assistance and received it, if he were to receive or earn more than \$10,000 then he would have to repay to the department of public assistance as much as he earned over the \$10,000, up to \$8,000. In other words, if he got his job back that year and earned his \$20,000, then he would have to pay up to the amount that he received in public assistance, or up to the 80 percent over the \$10,000 grant, whichever would be the smaller."

Mr. Shinpoch: "Mr. Barden, I am not sure that I understand your answer; however, the way that I read your amendment, it states very specifically that if he earns over \$10,000, and he did earn \$10,000 more than the \$10,000 exemption, then he would have to in effect sign a note, or he would have to agree in writing to repay up to 80 percent of the value in money received during the calendar year of the application. He has to sign a note, or agree in writing (this particular individual we are talking about that earned \$20,000 last year that got wiped out) for \$8,000 according to your amendment before he is eligible for public assistance."

## POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Jueling.

Mr. Jueling: "Apparently we are far afield from the meaning and the intent of your amendment of which you are the prime sponsor. I wonder if you would address yourself particularly to the problem that Representative Shinpoch poses."

Mr. Flanagan: "Yes, the 80 percent is not 80 percent of the amount the man earned if you read the amendment, it is 80 percent of the amount he received in public assistance. The following year if he didn't have any income, of course, according to the way the amendment is written, he wouldn't repay anything because according to the amendment, he repays up to 80 percent of the amount he received in public assistance, providing that doesn't take him below the \$10,000 if he is earning that much in the next year. If he isn't earning anything, then according to the amendment he couldn't repay anything. He could only repay the amount down to \$10,000, which would be 80 percent of the amount he received in public assistance. If that took him below the \$10,000, he wouldn't be repaying 80 percent."

## POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Kiskaddon.

Mr. Kiskaddon: "Just to be sure that I understand—I think I am getting the picture now—but to be in the position of having to pay back some money, you actually would have to be earning the same amount of money in two different years. The first year to be a measure that you would have to agree to repay it, and the second year you would actually be earning the money?"

Mr. Flanagan: "You wouldn't have to be earning the same amount of money. In the example he gave, the man was earning \$20,000, and then when he made his application for public assistance he showed that he earned \$20,000 in the previous twelve months. Then the next year, in the example he gave he didn't have any job at all. Of course then he couldn't repay anything because the amount that he has to repay is 80 percent of the amount that he received in public assistance down to that \$10,000. But he didn't receive anything, so he wasn't above it even, so he couldn't repay anything. That's the way I read the amendment."

Mr. King spoke against the amended amendment, and Representatives Newhouse and Brown spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the amendment by Representatives Flanagan, Barden, Juelling and Shera, as amended by Representative Julin, and the amendment was adopted by the following vote: Yeas, 76; nays, 23; absent or not voting, 0.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, May, McCormick, Mentor, Merrill, Moon, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Randall, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman, Mr. Speaker—76.

Voting nay: Representatives Anderson, Beck, Ceccarelli, Charette, Charnley, Chatalas, Conner, Grant, Johnson, Kilbury, King, Knowles, Marzano, Maxie, McDermott, O'Brien, Perry, Rosellini, Ross, Savage, Shipoch, Thompson, Wojahn—23.

## PARLIAMENTARY INQUIRY

Mr. Thompson: "May I make a parliamentary inquiry, Mr. Speaker? As we proceed through this appropriations bill, general questions occur to me and other members. Would it be appropriate to raise them as we proceed, section by section through the bill, or will you give us an opportunity to raise them at the termination of our second reading process?"

## REPLY BY THE SPEAKER

The Speaker: "Any questions you have about this measure can be fully debated and raised on final passage, Mr. Thompson."

Mr. Bluechel moved adoption of the following amendment by Representatives Bluechel and Brown to Substitute House Bill No. 151:

On page 34, section 74, line 22 after "districts" insert "shall be used only for the fiscal year 1972-73 and the funds to be distributed for fiscal year 1971-72 shall be distributed outside the formula to maintain the allotment in relation to enrollment given in the 1970-71 fiscal year"

Representative Bluechel spoke in favor of adoption of the amendment, and Representatives Charette and Berentson spoke against it.

## POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Bottiger.

Mr. Bottiger: "Mr. Berentson, on behalf of some of us who represent part of the city of Tacoma, and Gig Harbor, and Bethel, and a few places like that, would you tell us what we are supposed to do?"

Mr. Berentson: "Well I think you have to add up the plusses and the minuses."

Representatives Brown and King spoke in favor of adoption of the amendment.  
Mr. Morrison demanded an electric roll call, and the demand was sustained.  
Mr. Randall spoke against adoption of the amendment.

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Smythe.

Mr. Smythe: "I understand you are the keeper of the records over there. Can you tell me how Vancouver and the Evergreen districts will fare?"

Mr. Brouillet: "I just wanted to say that I just got this myself and that is why everyone is coming around and asking. Clark County—Vancouver would like this amendment."

Mr. Hoggins spoke in favor of the amendment by Representatives Bluechel and Brown to Substitute House Bill No. 151.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

The Speaker declared the question before the House to be the amendment by Representatives Bluechel and Brown to Substitute House Bill No. 151.

Mr. Chatalas demanded the previous question, and the demand was sustained.  
Mr. Bluechel closed debate, speaking in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Bluechel and Brown to Substitute House Bill No. 151, and the amendment was adopted by the following vote: Yeas, 65; nays, 33; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Benitz, Blair, Bluechel, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conway, Cunningham, Douthwaite, Eikenberry, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Harris, Hatfield, Haussler, Hoggins, Hubbard, Jones, Julin, King, Kirk, Kiskaddon, Kopet, Kraabel, Litchman, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, McDermott, Mentor, Merrill, Moon, North, O'Brien, Pardini, Perry, Polk, Rabel, Rosellini, Ross, Schumaker, Shinpoch, Smith, Smythe, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—65.

Voting nay: Representatives Anderson, Beck, Berentson, Bledsoe, Bottiger, Bozarth, Charette, Conner, Copeland, Costanti, Curtis, Farr, Hansey, Hurley, Jastad, Johnson, Jueling, Kilbury, Knowles, Kuehnle, Luders, May, McCormick, Morrison, Newhouse, Paris, Randall, Savage, Sawyer, Shera, Spanton, Thompson, Van Dyk—33.

Absent or not voting: Representative Flanagan—1.

Mr. Cunningham moved adoption of the following amendment by Representatives Cunningham, Kirk and Eikenberry:

On page 36, section 74, line 11 after "estimates" insert " PROVIDED, That the department of public instruction shall not, under the provisions of this section or any other section of this act, reimburse school districts for transportation costs in any amount in excess of the state-wide average cost per pupil of providing such transportation"

Mr. Cunningham spoke in favor of adoption of the amendment.

#### POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. Bagnariol.

Mr. Bagnariol: "Is the Seattle school district currently getting the average percentage in transportation moneys?"

Mr. Cunningham: "I am not exactly sure what they get, but they are at least getting the average."

Mr. Bagnariol: "Another question, is this amendment an effort to prevent the Seattle school district from gaining additional funds for the mandatory busing program that they are attempting?"

Mr. Cunningham: "No, I wrote the amendment strictly as a mechanic's amendment to correct the problem in disbursing the funds from the state department of public instruction."

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Ross.

Mr. Ross: "Do you happen to know what percentage of the busing funds the city of Seattle receives?"

Mr. Brouillet: "Do you mean percentage per student?"

Mr. Ross: "In terms of the overall average."

Mr. Brouillet: "They receive very little busing funds. They have only a minor amount of people being bused. They receive very little of the total state-wide."

Mr. Ross: "I see. Would this amendment, in your opinion, jeopardize the busing of students who are in rural areas, Mr. Brouillet?"

Mr. Brouillet: "Well, I'm not sure what this does. I was going to ask Mr. Cunningham a couple of questions myself."

#### POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. Brouillet.

Mr. Brouillet: "Mr. Cunningham, in this amendment it says '... shall not, under the provisions of this section or any other section of this act, reimburse school districts for transportation costs . . .' Now, 'or any other section of this act'—we've got in this act, for example, some funds for URD, which is not under the reimbursement formula and which is a special thing. This then would prohibit them from carrying out these URD programs and doing some programs in the central area, or out, say, in Toppenish. Would this amendment prohibit them from reimbursing more than the state average as you indicate in this?"

Mr. Cunningham: "When any district operates today, it operates under state averages on reimbursement. This is just to clarify that they do get the state average. That is the way it is done now. As I was trying to explain before, we used to reimburse at 90 percent, but now we operate under a closed end budget. And we only have the average cost, whatever the percentage happens to come out to be to reimburse on, and this is cause for misunderstanding in reimbursement of funds. That was the only reason for the amendment."

Mr. Brouillet spoke against adoption of the amendment by Representatives Cunningham, Kirk and Eikenberry to Substitute House Bill No. 151, and Mr. Cunningham spoke again in favor of it.

#### POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. King.

Mr. King: "Again I am in the area that is puzzling to me, but it looks to me that by putting a maximum of state-wide average cost per pupil (it doesn't say per pupil, per mile) this might affect districts that are spread out—it might affect rural districts in some way."

Mr. Cunningham: "I'm beginning to wish I hadn't submitted the amendment, but this is the way it works. They take the whole cost for the state of Washington, for the year before, and they divide it by the cost. Then they lump it all together and figure out what the average cost was in transporting for the year before, and then this is what you are reimbursed on the next year. You are always one year behind on what they pay you. That is one of the reasons why they can't reimburse at the 90 percent, because they are always one year behind. But this is the way it is done, and this is simply to clarify some of the problems they have had. It doesn't have any bearing on how far you transport, because you are only reimbursed on a state average anyway. But it used to be 90 percent, and they would just like to clarify that it will be on an average of whatever that comes out to be under a closed end budget."

Mr. King spoke against adoption of the amendment by Representatives Cunningham, Kirk and Eikenberry to Substitute House Bill No. 151.

#### POINT OF INQUIRY

Mr. Cunningham yielded to question by Mr. Berentson.

Mr. Berentson: "I understand now (and I would like you to either tell me if I am right, or wrong) that school districts right now never receive more than the state-wide average cost per pupil and then make up the remainder out of local funds. Is that right?"

Mr. Cunningham: "That is correct."

Mr. Berentson: "In what way is this different when you state the exact same language here?"

Mr. Cunningham: "What happens here is the point that I was trying to get at—that there has been difficulty with the department of public instruction in an attempt to reimburse (and the districts over the years thought they had been entitled to 90 percent and since we have a closed end budget they are not). This is just establishing that they will get the average cost. For example: The average cost for the last school year was \$66.00 per child to transport at an average cost in the state of Washington. That is what the reimbursement will be based on is average cost. Now they do it in another way. They average some other things in there to get that, but that is what the average cost in transporting a child in the state of Washington is today."

Mr. Chatalas spoke against the amendment.

#### POINT OF INQUIRY

Mrs. Kirk yielded to question by Miss Maxie.

Miss Maxie: "Representative Kirk, is this the same amendment submitted by you in the Appropriations Committee where we defeated it on the premise that this was, in fact, a device to stop mandatory busing in Seattle?"

Mrs. Kirk: "No, this is not that amendment. This is Mr. Cunningham's amendment. The attorneys worked with him on it, and my name got on the amendment. He said he wished the other names had not been on it, so that it would not have been looked on as my amendment."

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Moon.

Mr. Moon: "Representative Brouillet, at this time is it possible for the state superintendent's office to accomplish this by regulation?"

Mr. Brouillet: "Speaking to the question, Mr. Moon, it is my understanding that they can do all this right now and they do it right now. I don't know what they need a regulation for. They are now paying 90 percent of approved cost which averages out, as you heard, to about 78 percent. They are doing this now, and for the life of me I don't see why we need the amendment."

The Speaker stated the question before the House to be the adoption of the amendment by Representatives Cunningham, Kirk and Eikenberry to Substitute House Bill No. 151, and the amendment was lost on a rising vote.

Mr. Kopet moved adoption of the following amendment to Substitute House Bill No. 151:

On page 38, section 74, line 2 strike "\$10,202,500" and insert "\$9,405,314"

Mr. Kopet spoke in favor of the amendment, and Mr. Ross spoke against it.

Mr. Anderson demanded an electric roll call, and the demand was sustained.

#### POINT OF INQUIRY

Mr. Kopet yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I think in order to vote intelligently on this, Mr. Kopet, we need to know what is the impact per capita per student. Are we cutting, or are we cutting down the amount as a result of the fact that there are fewer students with us this year?"

Mr. Kopet: "That wasn't taken into consideration. As a matter of fact, if there are fewer students they could operate with more money per student in the program than they operate with now."

Mr. Douthwaite: "Yes, but the numbers—you are cutting down from \$10,202,500 to \$9,405,314, which is a reduction of about five percent."

Mr. Kopet: "On an average of an actual student at the present enrollment, that would be one dollar per student throughout the state."

Mr. Douthwaite: "I am trying to get at the amount per student. Has the student enrollment dropped about five percent as the budget is being reduced here?"

Mr. Kopet: "I will have to ask someone else. I know that in total number of students that are being projected, there are 785,000 actual students being projected for the next year, which I believe is a decrease."

Mr. Douthwaite: "I think the point is, if it is a decrease proportionate to the amount of dollars so that we are supporting the program about the same way, I would be happy to vote for it. But unless we know how many students we are talking about here, I don't think we can intelligently vote on this. I don't want to cut back on a per capita basis, but I am happy to cut back if we can do it without hurting people this way. Can anybody answer that question?"

## POINT OF INFORMATION

Mr. Shera: "I would point out to Mr. Douthwaite that by reducing this budget to \$9,405,314 we are continuing it on about the same basis that we are now. So with a slight decrease in students, that would mean an actual increase per student in school if you spread it over state-wide."

Mr. Charette spoke against adoption of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kopet to Substitute House Bill No. 151, and the amendment was adopted by the following vote: Yeas, 50; nays, 49; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansy, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—49.

## MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of Substitute House Bill No. 151, and the bill was ordered placed at the top of tomorrow's second reading calendar.

On motion of Mr. Morrison, the House deferred consideration of the balance of the bills on today's second reading calendar, and the bills were rereferred to the Committee on Rules and Administration.

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Saturday, March 6, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 6, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles H. Perry of St. John's Episcopal Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House former State Representatives Saling and Richardson of Spokane, and O'Dell of Camas, and requested that Representatives Luders, Knowles, Bauer and the Sergeant at Arms conduct them to a place on the rostrum.

## MOTION

Mr. Bledsoe moved that the rules be suspended, and the three former State Representatives be allowed to vote on the budget.

## MOTION

On motion of Mr. Bledsoe, the House advanced to the ninth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 151, by Committee on Appropriations:

Enacting the operating budget.

The House resumed consideration of Substitute House Bill No. 151 on second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. Hoggins moved adoption of the following amendment:

On page 38, section 74, line 25 add "General Fund Appropriation for reducing property taxes to be funded by revenue from an increase in the sales tax, if approved by the 1971 session of the legislature; to be distributed in a manner to be determined by the 1972 session of the legislature \$100,000,000."

Mr. Hoggins spoke in favor of the amendment.

## POINT OF ORDER

Mr. O'Brien: "It appears from the context of this proposed amendment by Mr. Hoggins that he is involved with revenue. He is going to adjust the property taxes if the sales tax is increased at a later date. I submit to you this is an appropriations bill pertaining to expenditures, and being involved with revenue is not germane. It was once held by the State Supreme Court that in appropriations measures you could not be involved with revenue under the same title. The Supreme Court ruled that we were involved with a two-headed monster one time when we had revenue items included with our appropriations bill. It



appears that with this amendment you are discussing revenue along with your general fund appropriations bill."

The Speaker: "Mr. Hoggins, your amendment states page 28, section 74, line 25. Line 25 is 'NEW SECTION. Sec. 75. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION'. Is that where you wanted your amendment?"

Mr. Hoggins: "I wanted it to go at the bottom of that section. Maybe a new line 25 and renumber the rest of the lines."

The Speaker: "Do you mean at the bottom of the preceding section or dealing with the state board for community college education?"

Mr. Hoggins: "I would like it as a separate line at the end of one section and the beginning of another."

The Speaker: "Do you want a new section or are you tying it to section 74, for the Superintendent of Public Instruction?"

Mr. Hoggins: "The intent was to make it a new section."

#### RULING BY THE SPEAKER

The Speaker: "Mr. O'Brien, Mr. Hoggins appears to be adding a new general fund appropriation of one hundred million dollars to this bill. I do have 'with proviso' language to qualify that appropriation. We do have an amendment to the amendment. I think in view of Mr. Hoggins' explanation that it is intended to be a new section, creating a new general fund appropriation of one hundred million dollars, I would have to hold it within the scope of the bill and your point is not well taken. The body then, of course, has the right to perfect the language of the amendment and the proviso, and we do have an amendment to the amendment."

Mr. Bottiger moved adoption of the following amendment to the amendment by Mr. Hoggins:

Amend the amendment by Representative Hoggins to read:

"If Federal Revenue Sharing Funds are received in the sum of \$92,000,000.00 the sum shall be distributed to relieve real property taxes as provided by the 1972 session of the legislature."

The Speaker: "Mr. Bottiger, I would ask: Is your amendment intended to be a complete striking of Mr. Hoggins' language and a complete substitution?"

Mr. Bottiger: "Yes, Mr. Speaker, it is."

Representatives Bottiger and Moon spoke in favor of adoption of the amendment to the amendment, and Representatives Pardini, Kiskaddon and Morrison spoke against it.

The amendment by Mr. Bottiger to the amendment by Mr. Hoggins, Substitute House Bill No. 151, was lost on a rising vote.

The Speaker stated the question before the House to be the amendment by Mr. Hoggins to Substitute House Bill No. 151.

Mr. Charette spoke against adoption of the amendment.

#### ADMONITION BY THE SPEAKER

The Speaker: "Please confine your remarks to the merits of the amendment."

Mr. Charette concluded his remarks against the amendment.

The amendment by Mr. Hoggins was lost.

Mr. Curtis moved adoption of the following companion amendments by Representatives Curtis and Bozarth to Substitute House Bill No. 151:

On page 39, section 75, line 3 starting with "PROVIDED FURTHER," strike through and including "General" on line 7

On page 41, section 75, line 8 following "students" insert "PROVIDED FURTHER, That not more than \$50,000 shall be expended for legal services rendered or for expenses incurred by the Office of the Attorney General"

Mr. Shera moved adoption of the following companion amendments to Substitute House Bill No. 151:

On page 43, section 88, line 23 after "law" insert "PROVIDED, That payments from these funds shall be utilized to provide up to \$15 per state employee per month, up to \$15 per certificated school employee per month and up to \$15 per month per employee of the state institutions of higher education"

On page 43, section 88, line 24 strike "\$13,938,871" and insert "\$9,224,621"  
 Mr. Shera spoke in favor of adoption of the amendments.  
 Mr. Rosellini demanded an electric roll call, and the demand was sustained.

#### MOTION

Mr. Sawyer moved that the question be divided.  
 Mr. Sawyer spoke in favor of the motion, and Mr. Shera spoke against it.

#### POINT OF ORDER

Mr. O'Brien: "My point of order is that it appears you have two separate amendments presented by Mr. Shera. The question is whether or not they should be handled separately. I submit to you they are two separate amendments and this is the way they should be handled instead of dividing the question."

#### RULING BY THE SPEAKER

The Speaker: "Mr. Shera asked that the amendments be considered together, and he so moved. There was no point of order raised at that time. If the point of order had been raised at that time, it would have been a matter of consent of the House, by majority vote, as to whether he could combine his amendments. No point of order was raised at that time, until the motion was made to divide the question. The result of the vote, regardless of how it is put, will be the same, namely whether the two amendments will be considered together. The motion that was made and is before the House is whether the House will grant its consent to consider these two amendments together. But the motion as phrased was to divide the question, and I will so phrase the motion. An affirmative vote will be a vote to consider the amendments separately. A negative vote will grant consent of the House to consider the amendments together."

#### POINT OF ORDER

Mr. Sawyer: "Is it your ruling, then, that in order to consider two amendments together you do not have to suspend the rules, but it would take just a majority vote?"

#### RULING BY THE SPEAKER

The Speaker: "Yes, this is a matter for consent of the House. Consent of the House is determined by majority vote, not two-thirds vote.

"To restate the question, an affirmative vote will be to divide, and a negative vote will be to grant consent to consider the amendments together."

The motion to divide the question was lost, and the two amendments were considered together.

#### ROLL CALL

The Clerk called the roll on the adoption of the two amendments by Representative Shera to Substitute House Bill No. 151, and the amendments were adopted by the following vote: Yeas, 53; nays, 46; absent or not voting, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bradley, Brown, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Hurley, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Randall, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—53.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Douthwaite, Gallagher, Grant, Haussler, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—46.

Substitute House Bill No. 151 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 151 was placed on final passage.

Representative Goldsworthy spoke in favor of passage of the bill, and Representative Beck spoke against it.

#### POINT OF ORDER

Mr. Bledsoe: "I might remind you of the three-minute rule, sir."

The Speaker: "Yes, the sands of time have run out, Mr. Beck."

Mr. Beck continued speaking.

#### RULING BY THE SPEAKER

The Speaker: "You are out of order, Mr. Beck."

Representative Shera spoke in favor of passage of the bill, and Representative Litchman spoke against it.

#### POINT OF INQUIRY

Mr. Brouillet yielded to question by Mr. Litchman.

Mr. Litchman: "Mr. Brouillet, is there any money in this budget for mandatory busing?"

Mr. Brouillet: "Mr. Litchman, let me just say this: This question was brought up in the Appropriations Committee, and I assume you are talking about mandatory busing for racial balance because many schools around the state do bus people around other than Seattle. But the State Superintendent of Public Instruction's office made a statement to both Mrs. Kirk and Mrs. North, who asked this question, that there was no money in this budget for mandatory busing in the city of Seattle. That is all I know."

#### POINT OF INQUIRY

Mr. Goldsworthy yielded to question by Mr. Litchman.

Mr. Litchman: "Mr. Goldsworthy, was there any intention by the Appropriations Committee to appropriate any money whatsoever for mandatory busing as Mr. Brouillet has referred to?"

Mr. Goldsworthy: "No, Representative Litchman, there was no intent by the committee to do that."

Mr. Litchman concluded his remarks in opposition to the bill.

Mr. Bledsoe spoke in favor of passage of the bill, and Mr. Sawyer spoke against it.

Mr. Wolf demanded an oral roll call, and the demand was sustained.

Mr. Conner spoke against passage of the bill.

Mr. Kraabel spoke to the remarks of Mr. Litchman concerning funds in the budget to be allocated for the reappraisal of property.

Mr. Shinpoch commended the Office of Program Planning and Fiscal Management in reply to the remarks of Representative Beck.

Mrs. Hurley spoke against passage of the bill, and Mr. Curtis replied to Mrs. Hurley's remarks regarding the stipend program and salary increments.

Mr. Grant spoke against passage of the bill.

#### POINT OF ORDER

Mr. Gladder: "Mr. Grant has now gone on for four minutes."

The Speaker: "You are correct, his time has expired."

#### POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Kilbury.

Mr. Kilbury: "Mr. Moon, how does the original budget request for Washington State University compare with the proposed budget?"

Mr. Moon: "I suspect what you are interested in is in the area of agricultural research, engineering, research and cooperative extension programs. The governor's budget for 1971-73 proposed the following reductions in these three areas: In the area of agricultural research, a reduction of \$2,711,318, or 19.8 percent; in engineering research, \$404,457, a reduction of 19.8 percent; in the area of cooperative extension, a reduction of \$1,802,409, a reduction of 23.8 percent; for a total of \$4,918,184, a total reduction of 21.1 percent. This is a reduction as far as all funds are concerned. If we were to look at only the state funds, we would find even greater reductions—a reduction percentage-wise of 30.3 percent and dollar-wise of \$5,001,341."

Mr. Kilbury: "Mr. Moon, was any effort made in the committee to restore the funding for Washington State University to the level of their request?"

Mr. Moon: "Yes, there was. Some of us on the committee felt that in the area of agricultural research and in engineering research, and particularly in the area of cooperative extension service, the funds requested by Washington State University should be restored to the level they had requested. We did make an attempt in committee to restore these funds to this level. The motion to do this was defeated. We did restore about three million dollars of the five million dollars."

Representatives Savage and May spoke against passage of the bill, and Representative Lynch spoke in favor of its passage.

Mr. Morrison demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 151, and the bill failed to pass the House by the following vote: Yeas, 32; nays, 67; absent or not voting, 0.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Copeland, Costanti, Curtis, Farr, Gilleland, Goldsworthy, Hansey, Hatfield, Hubbard, Jones, Junin, Kopet, Kraabel, Kuehnle, Lynch, Newhouse, North, Pardini, Rabel, Schumaker, Shera, Smith, Smythe, Wanamaker, Mr. Speaker—32.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Cunningham, Douthwaite, Eikenberry, Flanagan, Gallagher, Gladder, Grant, Harris, Haussler, Hoggins, Hurley, Jastad, Johnson, Jueling, Kilbury, King, Kirk, Kiskaddon, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, O'Brien, Paris, Perry, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Shipoch, Spanton, Thompson, Van Dyk, Williams, Wojahn, Wolf, Zimmerman—67.

Engrossed Substitute House Bill No. 151, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Mr. Morrison, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Substitute House Bill No. 151 failed to pass the House.

The motion was carried.

The Speaker declared the question before the House to be final passage of Engrossed Substitute House Bill No. 151.

#### MOTIONS

On motion of Mr. Morrison, the House deferred further consideration of Engrossed Substitute House Bill No. 151, and the bill was rereferred to the Committee on Rules and Administration.

On motion of Mr. Morrison, the House reverted to the third order of business.

## REPORTS OF STANDING COMMITTEES

March 4, 1971.

HOUSE BILL NO. 149, revising the Washington Public Employees Retirement system, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 12 strike all of section 7 and renumber the remaining sections consecutively

On page 1, line 14 of the title strike "amending section 1, chapter 68, Laws of 1970 ex. sess., and RCW 41.40.195;"

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Blair, Hubbard, King, Litchman, Luders, O'Brien.

Passed to Committee on Rules and Administration for second reading.

March 1, 1971.

HOUSE BILL NO. 346, implementing leave provisions for school district employees, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 19 after "bereavement" strike "[and] , emergencies and personal business" and insert "and, emergencies"

On page 2, section 1, line 19 strike "[shall not] may be compensable" and insert "shall not be compensable except in the following manner: Any leave for injury or illness accumulated up to a maximum of one hundred and eighty days shall be creditable as service rendered for the purpose of determining the time at which a teacher is eligible to retire"

On page 2, section 1, line 28 after "district" strike everything down to and including "leave" on line 33

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, May.

Passed to Committee on Rules and Administration for second reading.

March 4, 1971.

HOUSE BILL NO. 373, increasing state patrol retirement benefits, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

Beginning on page 1 strike all of lines 22, 23 and 24

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Blair, Hubbard, King, Litchman, Luders.

Passed to Committee on Rules and Administration for second reading.

March 4, 1971.

HOUSE BILL NO. 642, implementing law relating to mutual savings banks, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 7, section 8, line 6 strike "[real estate]" and insert "real estate ["

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Bagnariol, Blair, Hubbard, King, Litchman, Luders, O'Brien.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

HOUSE BILL NO. 895, providing for research program to provide alternatives to present field burning by seed grass growers, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Costanti, Hansey, Haussler, Kilbury, Van Dyk.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

SENATE BILL NO. 10, authorizing eighteen years of age to be legal age in probate law, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoeh.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED HOUSE BILL NO. 40, establishing procedures relative to records of personal representatives, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoeh.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED SENATE BILL NO. 122, modifying existing laws to include the court of appeals, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

SENATE BILL NO. 126, relating to nonprofit corporations, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED SENATE BILL NO. 135, providing an assessment on each meat food animal to support the livestock disease diagnostic service, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Amen, Chairman, Bauer, Bozarth, Costanti, Haussler, Kilbury.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED SENATE BILL NO. 141, permitting minors under fourteen to use firearms when properly supervised, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SUBSTITUTE SENATE BILL NO. 157, pertaining to certain property of the mentally ill, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman, Beck, Ceccarelli, Chatalas, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, Marzano, McDermott, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED SENATE BILL NO. 183, requiring a claim for mechanic's and materialmen's liens to contain address of claimant, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 27 before "city" strike "Address," and insert "(Address,"

On page 3, line 10, add a new section as follows:

"NEW SECTION. Sec. 2. This 1971 amendatory act shall take effect on January 1, 1972."

On page 1, line 3 of the title, after "60.04.060" insert "; and declaring an effective date"

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SENATE BILL NO. 228, providing for the control of pets capable of transmitting disease to man, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Gladder, Vice Chairman, Beck, Ceccarelli, Chatalas, Conner, Conway, Eikenberry, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, Marzano, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SENATE BILL NO. 241, adding additional members to the judicial council, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 6, line 8 after "association" strike "from a list of nominees submitted by the legislative committee of the Washington state bar association"

Signed by Representatives Julin, Chairman, Bottiger, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

SENATE BILL NO. 244, relating to district courts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

SUBSTITUTE SENATE BILL NO. 390, providing that only decisions of the court of appeals which have precedential value shall be published, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Bottiger, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch, Spanton.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED SUBSTITUTE SENATE BILL NO. 446, regulating custom meat facilities, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Schumaker, Vice Chairman, Bauer, Benitz, Bozarth, Haussler, Kilbury.

Passed to Committee on Rules and Administration for second reading.

March 5, 1971.

ENGROSSED SENATE BILL NO. 447, providing for publication and distribution of court of appeals reports, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Eikenberry, Knowles, Marsh, Rosellini, Shinpoch.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

March 5, 1971.

Mr. Speaker: The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 146,

ENGROSSED SENATE BILL NO. 335,

ENGROSSED SENATE BILL NO. 411,

SENATE BILL NO. 522,

ENGROSSED SENATE BILL NO. 737,

ENGROSSED SENATE BILL NO. 738,

ENGROSSED SENATE BILL NO. 739,

and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

#### INTRODUCTION AND FIRST READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 146, by Committee on Medicine, Dentistry, and Health Care, Air and Water Pollution:

An Act relating to controlled substances; enacting the Uniform Controlled Substances Act; repealing section 2072, Code of 1881, section 418, chapter 249, Laws of 1909, section 4, chapter 205, Laws of 1963, and RCW 9.91.030; repealing section 69.33.220, chapter 27, Laws of 1959, section 7, chapter 256, Laws of 1969 ex. sess., and RCW 69.33.220; repealing sections 69.33.230 through 69.33.280, chapter 27, Laws of 1959, and RCW 69.33.230 through 69.33.280; repealing section 69.33.290, chapter 27, Laws of 1959, section 1, chapter 97, Laws of 1959, and RCW 69.33.290; repealing section 69.33.300, chapter 27, Laws of 1959, section 8, chapter 256, Laws of 1969 ex. sess. and RCW 69.33.300; repealing sections 69.33.310 through 69.33.400, chapter 27, Laws of 1959, and RCW 69.33.310 through 69.33.400; repealing section 69.33.410, chapter 27, Laws of 1959, section 20, chapter 38, Laws of 1963, and RCW 69.33.410; repealing sections 69.33.420 through 69.33.440, 69.33.900 through 69.33.950, chapter 27, Laws of 1959, and RCW 69.33.420 through 69.33.440, 69.33.900 through 69.33.950; repealing section 255, chapter 249, Laws of 1909 and RCW 69.40.040; repealing section 1, chapter 6, Laws of 1939, section 1, chapter 29, Laws of 1939, section 1, chapter 57, Laws of 1945, section 1, chapter 24, Laws of 1955, section 1, chapter 49, Laws of 1961, section 1, chapter 71, Laws of 1967, section 9, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.060; repealing section 1, chapter 23, Laws of 1955, section 2, chapter 49, Laws of 1961, section 2, chapter 71,

Laws of 1967 and RCW 69.40.061; repealing section 21, chapter 38, Laws of 1963 and RCW 69.40.063; repealing section 2, chapter 6, Laws of 1939, section 23, chapter 38, Laws of 1963, section 10, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.070; repealing section 12, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.075; repealing section 1, chapter 205, Laws of 1963, and RCW 69.40.080; repealing section 2, chapter 205, Laws of 1963 and RCW 69.40.090; repealing section 3, chapter 205, Laws of 1963 and RCW 69.40.100; repealing section 11, chapter 256, Laws of 1969 ex. sess. and RCW 69.40.110; repealing section 1, chapter 33, Laws of 1970 ex. sess. and RCW 69.40.120; repealing section 1, chapter 80, Laws of 1970 ex. sess.; adding new chapter 69.50 RCW to Title 69 RCW; defining crimes; prescribing penalties; declaring an emergency; and prescribing an effective date.

Referred to Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 335, by Senator Gissberg:

An Act relating to food fish and shellfish; adding a new section to chapter 75.12 RCW; and prescribing penalties.

Referred to Committee on Natural Resources and Ecology.

ENGROSSED SENATE BILL NO. 411, by Senators Lewis, Henry, Woodall, Newschwander, Clarke, Guess, McDougall, Matson, Metcalf, Anderson, Donohue, Jolly, Day, Walgren, Mardesich, Keefe, Herr, Knoblauch, Talley, Stortini, Peterson (Lowell), Stender, Ridder, Connor, Twigg, Canfield, Holman and Odegaard:

An Act relating to the licensing and regulation of outdoor festivals; prescribing conditions for the issuance of permits; adding new sections to Title 70 RCW; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on Local Government.

SENATE BILL NO. 522, by Senators Keefe, Day and Fleming:

An Act relating to the Washington public employees' retirement system; amending section 43, chapter 274, Laws of 1947 as last amended by section 13, chapter 128, Laws of 1969, and RCW 41.40.410; and declaring an emergency.

Referred to Committee on Financial Institutions and Insurance.

ENGROSSED SENATE BILL NO. 737, by Senators Twigg, Day, Guess, Cooney and Keefe:

An Act relating to state government; establishing a commission; describing its powers and duties; and declaring an emergency.

Referred to Committee on Business and Professions.

ENGROSSED SENATE BILL NO. 738, by Senators Twigg, Day, Guess, Cooney and Keefe:

An Act relating to business corporations; providing for a surtax on the license and other fees on domestic and foreign corporations as prescribed by RCW 23A.40.040, 23A.40.060, 23A.40.130 and 23A.40.140; and declaring an emergency.

Referred to Committee on Business and Professions.

ENGROSSED SENATE BILL NO. 739, by Senator Twigg:

An Act relating to the acquisition of land and the construction and use of a state building or buildings in the city of Spokane; authorizing the construction of such building or buildings by the state building authority and the acquisition of the necessary land therefor by either the state building authority or department of commerce and economic development; providing for the lease thereof by the state building authority to the department of commerce and economic development; authorizing the sublease thereof; and declaring an emergency.

Referred to Committee on Business and Professions.



## MOTIONS

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Monday, March 8, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, March 8, 1971.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representatives Hoggins and Shinpoch who were excused.

The Speaker assumed the rostrum.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles A. Loyer of the Westminster United Presbyterian Church of Olympia.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

March 6, 1971.

HOUSE BILL NO. 696, providing for a temporary study commission on "no fault" automobile insurance, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Berentson, Blair, Hoggins, Litchman, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

HOUSE BILL NO. 733, regulating insurance holding companies, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

On page 9, section 9, line 21 after "stockholders until" strike "thirty" and insert "sixty"

On page 9, section 9, line 25 at the beginning of the line strike "thirty-day" and insert "sixty-day"

On page 10, section 9, line 6 after "within the" strike "thirty-day" and insert "sixty-day"

Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Berentson, Blair, Hoggins, Litchman, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SENATE BILL NO. 79, providing for inclusion of court of appeals judges in judges retirement system, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Berentson, Blair, Hoggins, Litchman, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SENATE BILL NO. 156, providing for the licensing and regulation of snowmobiles, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, section 8, line 12 strike "Fifteen" and insert "Twenty-five"

On page 6, section 8, line 25 strike "Sixty" and insert "Fifty"

Signed by Representatives Zimmerman, Chairman, Beck, Bradley, Charnley, Cunningham, Gilleland, Hansey, Kraabel, Luders, Martinis, McCormick, North, Smith, Thompson, Van Dyk, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

SENATE BILL NO. 288, authorizing parks and recreation commission to call for new and higher bids in disposing of land not needed for park purposes, reported by Committee on Natural Resources and Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Zimmerman, Chairman, Berentson, Bradley, Charnley, Conner, Cunningham, Gilleland, Hansey, Kilbury, Kraabel, Luders, Martinis, McCormick, North, Schumaker, Smith, Spanton, Thompson, Wanamaker.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SENATE BILL NO. 380, providing for health care benefits in certain circumstances notwithstanding provisions of the insurance contract, reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Shera, Chairman, Pardini, Vice Chairman, Backstrom, Bagnariol, Berentson, Litchman, Merrill, O'Brien.

Passed to Committee on Rules and Administration for second reading.

### MESSAGES FROM THE SENATE

March 6, 1971.

Mr. Speaker: The Senate has passed:

HOUSE BILL NO. 12,  
 HOUSE BILL NO. 15,  
 HOUSE BILL NO. 16,  
 HOUSE BILL NO. 17,  
 HOUSE BILL NO. 18,  
 ENGROSSED HOUSE BILL NO. 50,  
 ENGROSSED HOUSE BILL NO. 54,  
 HOUSE BILL NO. 55,  
 ENGROSSED HOUSE BILL NO. 57,  
 ENGROSSED HOUSE BILL NO. 71,  
 HOUSE BILL NO. 109,  
 HOUSE BILL NO. 143,  
 ENGROSSED HOUSE BILL NO. 206,  
 ENGROSSED HOUSE BILL NO. 320,  
 ENGROSSED HOUSE BILL NO. 509,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 12,  
 HOUSE BILL NO. 15,  
 HOUSE BILL NO. 16,  
 HOUSE BILL NO. 17,  
 HOUSE BILL NO. 18,  
 HOUSE BILL NO. 50,

HOUSE BILL NO. 54,  
 HOUSE BILL NO. 55,  
 HOUSE BILL NO. 57,  
 HOUSE BILL NO. 71,  
 HOUSE BILL NO. 109,  
 HOUSE BILL NO. 143,  
 HOUSE BILL NO. 206,  
 HOUSE BILL NO. 320,  
 HOUSE BILL NO. 509.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 23, by Representatives King and Shipoch:

Providing for a legislative council study of landlord-tenant laws and relationships.  
 Referred to Committee on Judiciary.

The Speaker declared the House to be at ease.  
 The Speaker called the House to order.

#### RESOLUTIONS

HOUSE RESOLUTION NO. 71-17, by Representative Newhouse:

WHEREAS, The State of Washington has developed several different systems of mapping for the recording and display of data and information throughout the State; and

WHEREAS, No method exists for the overall development and coordination of such systems; and

WHEREAS, The need for development and coordination of such systems exists or these independent systems will become even more incompatible in the future; and

WHEREAS, Increased use of such systems will be necessitated by the expansion of the use of graphic data recording by the State of Washington; and

• WHEREAS, Preliminary studies by an ad hoc committee composed of agencies who prepare and use maps has revealed a commonality of map needs among them which may provide the basis for development of a more comprehensive and economical system for meeting these demands; and

WHEREAS, Contacts with selected local agencies indicate similar needs and problems relative to mapping and map use; and

WHEREAS, Further investigation into the matter of developing a state-wide mapping system requires legislative affirmation;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Council, in cooperation with the Office of the Governor, be directed to review the possibility of developing a coordinated mapping system for the State of Washington, and recommend appropriate actions to the next Regular Session of the Legislature; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted immediately after final passage thereof, by the Chief Clerk of the House of Representatives, to the Legislative Council and the Office of the Governor.

On motion of Mr. Newhouse, the resolution was adopted.

#### MOTIONS

On motion of Mr. Morrison, HOUSE BILL NO. 440 was rereferred to the Committee on Rules and Administration to the Committee on Elections and Apportionment.

On motion of Mr. Morrison, HOUSE BILL NO. 755 was rereferred from the Committee on Natural Resources and Ecology to the Committee on Transportation.

#### MESSAGES FROM THE SENATE

March 6, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 157 with the following amendments:

On page 1, line 19, after "compensation;" and before "PROVIDED," insert "PROVIDED FURTHER, That this act shall only apply where the person, firm or

corporation rendering the above service shall have maintained records of donor suitability and donor identification similar to those specified in Sections 73.301 and 73.302(e) as now written or hereafter amended in Title 42, Public Health Service Regulations adopted pursuant to the Public Health Service Act, 42, U.S.C. 262:"

Following section 1, add a new section to read as follows:

"NEW SECTION. Sec. 2. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### MOTION

On motion of Mr. Julin, the House concurred in the Senate amendments to Engrossed House Bill No. 157.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 157, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 157 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charmley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Grant—1.

Absent or not voting: Representatives Hoggins, Shinpoch—2.

Engrossed House Bill No. 157 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 10, by Senator Gissberg:

Authorizing eighteen years of age to be legal age in probate law.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 10 was placed on final passage.

Mr. Julin spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Charette.

Mr. Charette: "Mr. Julin, in your opinion is it the intention of this bill to change any testamentary instrument where it provides that distribution would be made at age 21 or a later date?"

Mr. Julin: "In my opinion, it is not the intent of this act to change that in any way."

Miss Maxie spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Bluechel yielded to question by Miss Maxie.

Miss Maxie: "Representative Bluechel, as you will recall, House Bills No. 309 and No. 404 were heard in a public meeting. At that time I mentioned that I would support H.B. 309 in the event that it was seen that H.B. 404 would not go. I believe at that time you told me there would be another hearing on H.B. 404. Also, at that particular hearing, I mentioned to you that I had spoken with the Governor, along with a few freshman legislators, that same day. I mentioned to him that H.B. 404 should be the bill to go. He concurred with me, and I testified to this effect at the hearing. My question is: How many amendments were added to H.B. 309 before it came out of State Government Committee to Rules Committee? And was H.B. 404 considered? I realize that you have the prerogative as the prime sponsor of H.B. 309 to consider your bill first. But the question is: Did you consider H.B. 404 as a comprehensive measure for getting the job done, and not piecemeal?"

Mr. Bluechel: "Representative Maxie, if I remember correctly, House Bill No. 309 was moved out 'do pass' as having the least corrective amendments to make. Even with House Bill No. 309 there were still 15 pages of amendments recommended by the bar association that were added. Some of these amendments were in H.B. 404; some were not. They did not overlap into the body of H.B. 309 and were added to the end of H.B. 309 after section 95, I believe. In addition, we added to H.B. 309, by committee vote, wine. The beer was in it and we added wine. This made the bill complete in two areas. As the bar association had requested, all the minor rights had been changed in this bill. And the controversial section is the beer and wine section. This bill is currently in the Rules Committee and I would expect that action would be taken on it in the special session. In referring this bill to Senate Bill No. 10 here, there are four sections in Senate Bill No. 10 which coincide with four sections in H.B. 309. It would be my intent when this arrives on the floor, to make a floor amendment to delete these four sections."

Miss Maxie: "Were not beer, wine and alcoholic beverages included in House Bill No. 404?"

Mr. Bluechel: "Yes, this was brought up in committee. We took a committee vote as to whether to include all alcoholic beverages, and it was voted down in committee."

Miss Maxie: "I see. Another question please: At the public hearing, it was mentioned to me . . ."

## ADMONITION BY THE SPEAKER

The Speaker: "Miss Maxie, discussion has gone a little far afield into other matters than those contained in Senate Bill No. 10. I would like you to confine your remarks and questions to the merits of Senate Bill No. 10."

Miss Maxie: "I believe I am trying to do that, Mr. Speaker, if you will allow me. The question is: I don't want to put you on the spot, Representative Bluechel, but I think you should be a person of your word. You assured me that I would be notified of a second hearing on this particular bill, and again I committed myself to push the 18-year-old rights and responsibilities bill in any way. I am not trying to get any credit for anything, but I think you did not notify me of the second hearing on this measure. Thank you."

## MOTION

On motion of Mr. Bottiger, the House deferred further consideration of Senate Bill No. 10 on third reading, and the bill was ordered placed on tomorrow's third reading calendar.

ENGROSSED SENATE BILL NO. 40, by Senators Francis and Andersen:

Establishing procedures relative to records of personal representatives.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 40 was placed on final passage.

Representative Julin spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 40, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland,

Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Hoggins, Kirk, Shinpoch—3.

Engrossed Senate Bill No. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 122, by Senators Gissberg, Dore, Andersen and Greive (by Joint Committee on Governmental Cooperation request):

Modifying existing laws to include the court of appeals.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 122 was placed on final passage.

Representative Julin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 122, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Farr, Hoggins, Shinpoch—3.

Engrossed Senate Bill No. 122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

On March 8, 1971, I missed voting on Engrossed Senate Bill No. 122 on final passage. It was necessary for me to be off the floor checking a question by another member regarding RCW citations on a bill from my committee. I would have voted for Engrossed Senate Bill No. 122. CASWELL J. FARR, 42nd District.

SENATE BILL NO. 126, by Senator Dore:  
Relating to nonprofit corporations.

#### MOTION

On motion of Mr. Wolf, the House deferred consideration of Senate Bill No. 126, and the bill was ordered placed on the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 135, by Senators Wilson, Canfield and Donohue:

Providing an assessment on each meat food animal to support the livestock disease diagnostic service.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of Engrossed Senate Bill No. 135, and the bill was ordered placed on tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 141, by Senators Huntley, Peterson (Lowell) and Talley:

Permitting minors under fourteen to use firearms when properly supervised.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 141 was placed on final passage.

Representative Knowles spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 141, and the bill passed the House by the following vote: Yeas, 92; nays, 4; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnl, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—92.

Voting nay: Representatives Bluechel, Kirk, Litchman, Ross—4.

Absent or not voting: Representatives Hoggins, Newhouse, Shipoch—3.

Engrossed Senate Bill No. 141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 142, by Committee on Natural Resources, Fisheries and Game:

Authorizing the director of fisheries to permit fish farming.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 142 was placed on final passage.

Representatives McDermott and Beck spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 142, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnl, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Hoggins, Ross, Shinpoch—3.

Engrossed Substitute Senate Bill No. 142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

There was a mechanical problem in voting for Engrossed Substitute Senate Bill No. 142. I wish to be recorded as favoring the bill. MICHAEL K. ROSS, 37th District.

ENGROSSED SENATE BILL NO. 143, by Senators Guess, Washington and Donohue (by Departmental request):

Providing for the sale of highway contract plans.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 143 was placed on final passage.

Representative Spanton spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 143, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker--97.

Absent or not voting: Representatives Hoggins, Shinpoch—2.

Engrossed Senate Bill No. 143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 150, by Senators Holman and Foley (by State Finance Committee request):

Specifying date for deposit of funds in outdoor recreational bond redemption fund.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 150 was placed on final passage.

Representative Flanagan spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 150, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris,



Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representatives Amen—1.

Absent or not voting: Representatives Hoggins, Shinpoch—2.

Senate Bill No. 150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 157, by Committee on Public Institutions:

Pertaining to certain property of the mentally ill.

MOTION

On motion of Mr. Wolf, the House deferred consideration of Engrossed Substitute Senate Bill No. 157, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 177, by Senator Clarke:

Providing for city indebtedness for open space, park, recreation and community facilities.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 177 was placed on final passage.

Representative Polk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 177, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraebel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Spanton, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Mentor—1.

Absent or not voting: Representatives Hoggins, Shinpoch—2.

Engrossed Senate Bill No. 177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 183, by Senators Holman, Clarke and Elicker:

Requiring a claim for mechanics' and materialmen's liens to contain the address of claimant.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, section 1, line 27 before "city" strike "Address," and insert "(Address,"

On page 3, line 10 add a new section as follows:

"NEW SECTION. Sec. 2. This 1971 amendatory act shall take effect on January 1, 1972."

On page 1, line 3 of the title after "60.04.060" insert "; and declaring an effective date"

The bill was read the second time.

On motion of Mr. Julin, the committee amendments to pages 2 and 3 were adopted.

Mr. Ceccarelli moved adoption of the following amendment by Representatives Ceccarelli, Backstrom and Rabel:

On page 1, section 1, following line 7 insert:

*"The liens created by this chapter are preferred to all prior liens, mortgages, or other encumbrances upon the property, even though filed or recorded, to the extent loan proceeds secured by such lien, mortgage, or other encumbrance remain undischarged by the lender or his agent at the date of commencement of the performance of labor, furnishing of materials, or supplying of equipment for which the lien is claimed: PROVIDED, That the lien claimant delivers within ten days after such commencement date a notice in writing to the owner of record of such lien, mortgage, or other encumbrance stating in substance that such claimant has commenced to perform labor, furnish material, or supply equipment, with the name of the person ordering the same, the date of commencement, the address or other commonly used description of the property, and that a lien may be claimed in respect thereof, and that disbursement of loan proceeds secured by the lien, mortgage, or other encumbrance by the lender or his agent does not remove the right of the claimant to claim a lien against the property, unless the person giving such notice is in fact paid. Such notice shall be personally delivered, or mailed by registered or certified mail."*

Mr. Ceccarelli spoke in favor of adoption of the amendment, and Mr. Pardini spoke against it.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Moon.

Mr. Moon: "Without this amendment, would it be possible for a subcontractor to do a good job, complete the work that was specified in the contract with the subcontractor, an individual go bankrupt, and still the subcontractor not be paid?"

Mr. Pardini: "Yes. In other words, a general contractor goes into a contract with the subcontractor to get work performed. The subcontractor performs the work in a satisfactory manner. The lending institution pays the money to the general contractor who does not pay the subcontractor. In that particular case, the subcontractor is going to get hurt. I think this is what we are attempting to correct by this amendment. I would submit it does not do the job. It does only half the job, because the same situation would also arise, Mr. Moon, with a subcontractor who does not do the work adequately. He would be under the same obligation to pay that person."

Mr. Moon: "This amendment then, as it is written, would protect the subcontractor who did an adequate job. Is that correct?"

Mr. Pardini: "And it would also penalize the general contractor who had a subcontractor who did not do a good job."

Mr. Moon: "But that would be under the contractor's jurisdiction or authority or ability to control when he lets the subcontract. He should check out the ability of the subcontractor to perform under the terms of the subcontract."

Mr. Pardini: "Yes, that is the point I am trying to make—that this is a contractual arrangement between the general contractor and the subcontractor, both for performance of job from the subcontractor's viewpoint and for payment for that job. This amendment would take that provision away from them. There would no longer be a two-man relationship. It becomes a three-man relationship, with the third party obligated to pay money to somebody who did not do his job satisfactorily."

Mr. Bradley spoke in favor of adoption of the amendment, and Mr. Bottiger spoke against it.

#### MOTION

Mr. May moved that the House defer further consideration of Engrossed Senate Bill No. 183 on second reading, and the bill be ordered placed on tomorrow's calendar.

Representatives Pardini and Mentor spoke against the motion.

The motion by Mr. May was lost on a rising vote.

The Speaker stated the question before the House to be the amendment by Representatives Ceccarelli, Backstrom and Rabel.

Representatives Julin and Polk spoke against adoption of the amendment.

The amendment by Representatives Ceccarelli, Backstrom and Rabel to Engrossed Senate Bill No. 183 was not adopted.

On motion of Mr. Julin, the committee amendment to the title was adopted.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 183 as amended by the House be placed on final passage.

Mr. Chatalas demanded an electric roll call and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 183 as amended by the House, to third reading and final passage, and the motion was lost by the following vote: Yeas, 50; nays, 47; absent or not voting, 2.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Thompson, Van Dyk, Williams, Wajahn—47.

Absent or not voting: Representatives Ross, Shinpoch—2.

## MOTION

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representatives Shinpoch and Spanton who were excused.

## MOTION

On motion of Mr. Morrison, the House reverted to the third order of business.

## REPORTS OF STANDING COMMITTEES

March 8, 1971.

SENATE BILL NO. 88, authorizing the state building authority to lease land from the state or its agencies, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Bledsoe, Cunningham, Knowles, Kraabel, Marzano, McCormick, Perry, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

March 8, 1971.

SENATE BILL NO. 107, allowing Indian tribes to participate in public cooperative ventures, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Bledsoe, Cunningham, Knowles, Kraabel, Marzano, McCormick, Moon, Perry, Swayze, Williams.

Passed to Committee on Rules and Administration for second reading.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 157.

## MOTIONS

On motion of Mr. Morrison, the House advanced to the eighth order of business.

On motion of Mr. Morrison, Engrossed Senate Bill No. 156 was rereferred from the Committee on Rules and Administration to the Committee on Appropriations.

## SECOND READING

SENATE BILL NO. 219, by Senators Twigg and Guess:

Providing authority for first class cities to exchange property for park purposes.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of Senate Bill No. 219, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 228, by Senators Francis, Elicker and Ridder (by Departmental request):

Providing for the control of pets capable of transmitting disease to man.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of Engrossed Senate Bill No. 228, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 241, by Senators Holman, Foley, Dore and Clarke (by Judicial Council request):

Adding additional members to the judicial council.

Committee recommendation: Majority, do pass with the following amendment:

On page 2, section 6, line 8 after "association" strike "from a list of nominees submitted by the legislative committee of the Washington state bar association"

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 241 as amended by the House was placed on final passage.

Representative Wojahn spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 241 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Voting nay: Representative Brown—1.

Absent or not voting: Representatives Shinpoch, Spanton, Van Dyk—3.

Engrossed Senate Bill No. 241 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 244, by Senators Holman and Francis (by Judicial Council request):

Relating to district courts.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 244 was placed on final passage.

Representative Eikenberry spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 244, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Voting nay: Representative Bradley—1.

Absent or not voting: Representatives Shinpoch, Spanton—2.

Senate Bill No. 244, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 266, by Senators Metcalf, Talley, Woodall, Gardner, Ridder and Herr (by Joint Committee on Education request):

Allowing school district joint purchasing agency to make certain purchases in cooperation with private schools.

Committee recommendation: Majority, do pass with the following amendments:

On page 2, following section 1, add a new section reading:

"NEW SECTION. Sec. 2. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and shall take effect immediately."

On page 1, line 1 of the title after "education;" strike "and"

On page 1, line 3 of the title after "28A.58.107" insert "and declaring an emergency"

The bill was read the second time.

On motion of Mr. Mentor, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 266 as amended by the House was placed on final passage.

Mr. Mentor spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Mentor yielded to question by Mr. Farr.

Mr. Farr: "Mr. Mentor, do I understand correctly that this bill would cost the public schools nothing in the operation?"

Mr. Mentor: "I don't think it would cost the public schools anything. I think in fact they might save money. By buying more materials, they ought to be able to get these things at a lower cost, and both the private and public schools are supposed to pay their share of the materials and supplies they use. It is my opinion it would save in the total overall cost to the people of the state of Washington."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 266 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland,

Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Shinpoch, Spanton—2.

Senate Bill No. 266 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 390, by Committee on Judiciary:

Providing that only decisions of the court of appeals which have precedential value shall be published.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 390 was placed on final passage.

Representative Marsh spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 390, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Shinpoch, Spanton—2.

Substitute Senate Bill No. 390, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 447, by Senators Gissberg, Andersen and Greive:

Providing for publication and distribution of court of appeals reports.

The bill was read the second time.

On motion of Mr. Julin, the following amendment was adopted:

On page 1, section 1, line 11 after "court" insert "*and court of appeals*"

On motion of Mr. Rosellini, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 447 as amended by the House was placed on final passage.

Representatives Harris and Charette spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 447 as amended by the House and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden,

Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Shinpoch, Spanton—2.

Engrossed Senate Bill No. 447 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Bledsoe, the House reverted to the sixth order of business.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 24, by Representative Bledsoe:  
Extending time for the consideration of bills.

On motion of Mr. Bledsoe, the rules were suspended, House Concurrent Resolution No. 24 was advanced to second reading and read the second time.

#### MOTIONS

On motion of Mr. Bledsoe, the House deferred further consideration of House Concurrent Resolution No. 24, and the resolution was ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Morrison, the House reverted to the third order of business.

#### REPORTS OF STANDING COMMITTEES

March 6, 1971.

ENGROSSED SENATE BILL NO. 103, providing certain health measures relating to common schools, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, beginning with line 4 strike the remainder of the act and insert: "Every board of school directors shall have the power, and it shall be its duty to provide for and require [testing of] *screening* for the [hearing] *visual and auditory acuity* of all children attending schools in their districts to ascertain which if any of such children have defects [in their hearing] sufficient to retard them in their studies. *Auditory and visual* [Such tests] *screening* shall be made [annually commencing each September by competent persons which may include superintendents, principals, or teachers in the school, but at least every two years tests given all children shall be by a registered physician or registered nurse] *in accordance with procedures and standards adopted by rule or regulation of the state board of health. Prior to the adoption or revision of such rules or regulations the state board of health shall seek the recommendations of the superintendent of public instruction regarding the administration of visual and auditory screening and the qualifications of persons competent to administer such screening.*

Sec. 3. Section 28A.31.040, chapter 223, Laws of 1969 ex. sess. and RCW 28A.31.040 are each amended to read as follows:

The person or persons completing [such tests] *the screening prescribed in RCW 28A.31.030* shall promptly prepare a record of the [test] *screening* of each child found to [be hard of hearing,] *have, or suspected of having, reduced visual and/or auditory acuity in need of attention, including the special education services provided by chapter 28A.13 RCW,* and send copies of such records and recommendations to the parents or guardians of such children [, and to the superintendent of public instruction, and to the state director of health,] and shall deliver the original records to the [teachers in charge of such children, and such teachers] *appropriate school official who* shall preserve such records [, and give special attention to said children with defective hearing and assist them toward making their grades

in studies with their classes] and forward to the superintendent of public instruction and the secretary of social and health services visual and auditory data as requested by such officials.

Sec. 4. Section 28A.31.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.31.050 are each amended to read as follows:

[It shall be the duty of] The superintendent of public instruction [, after consultation with the state director of health, to prepare and] shall print and distribute to [the] appropriate school [boards or to the respective county or intermediate district superintendents for them, suitable rules and directions, together with] officials the rules and regulations adopted by the state board of health pursuant to RCW 28A.31.030 and the recommended records [,] and forms to be used in making and reporting such [tests] screenings."

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, May, McDermott, Randall, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

March 6, 1971.

ENGROSSED SENATE BILL NO. 158, changing monthly apportionment schedule for funds going from state general fund to school districts, reported by Committee on Education and Libraries.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 1 add two new sections as follows:

"Sec. 2. Section 28A.41.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.055 are each amended to read as follows:

State and county funds which may become due and apportionable to school districts shall be apportioned in such a manner that any apportionment factors used shall utilize data and statistics derived in the school year that such funds are paid: PROVIDED, That the superintendent of public instruction may make necessary administrative provision for the use of estimates, and corresponding adjustments, to the extent necessary: PROVIDED FURTHER, That the enrollment estimates as projected in the preliminary budget for all school districts pursuant to chapter 28A.65 RCW, if deemed proper, shall be so certified by the superintendent of public instruction and shall become the basis for apportionment to school districts for the school year that such funds are paid, subject only to revisions due to enrollment increases or revisions downward by the boards of directors of the various school districts: when there are such revisions they shall then become the basis for the apportionment as provided for in this section: AND PROVIDED FURTHER, That the superintendent of public instruction shall equitably adjust in any school district's budget for the ensuing school year any excess payment of state funds made on the basis of enrollment estimates so certified as hereinabove in this section provided.

Sec. 3. Section 28A.65.040, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.040 are each amended to read as follows:

Estimates of number of teachers required, equipment, instruction, supplies, textbooks, and such other items as depend in amount directly upon the prospective enrollment shall be submitted on the basis of the requirements for the ensuing fiscal year and be subject to revision in September: PROVIDED, That subject only to revisions provided for in section 2 of this 1971 amendatory act, the certified enrollment estimates by the superintendent of public instruction pursuant to section 2 of this 1971 amendatory act shall be controlling in any revision of the items enumerated in this section."

Renumber the remaining section consecutively

On page 2 following section 4, being "Sec. 2." of the original bill, add a new section as follows:

"NEW SECTION. Sec. 5. If any provision of this 1971 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

In line 2 of the title after the semicolon and before "and prescribing" insert "amending section 28A.41.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.055; amending section 28A.65.040, chapter 223, Laws of 1969 ex. sess. as amended by section 23, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.040;"

Signed by Representatives Hoggins, Chairman, Mentor, Vice Chairman, Brouillet, Charette, Conway, Costanti, Hatfield, Johnson, Jones, Lysen, May, McDermott, Polk, Savage, Smythe.

Passed to Committee on Rules and Administration for second reading.

March 8, 1971.

SENATE BILL NO. 195, increasing the amount counties may expend for maintenance and operation of county historical museums, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5 strike all of section 1 and insert the following:



"NEW SECTION. Section 1. Section 2, chapter 160, Laws of 1949 as amended by section 2, chapter 47, Laws of 1957, and RCW 27.48.020 are each repealed."

On page 1, line 2 of the title before "section" strike "amending" and insert "repealing" Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Bauer, Blair, Bradley, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, North, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

March 8, 1971.

SENATE BILL NO. 302, providing for destruction of noncurrent public records, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Bauer, Blair, Bradley, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, North, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

#### MOTION

On motion of Mr. Morrison, the House advanced to the ninth order of business.

#### SECOND READING

SENATE BILL NO. 126, by Senator Dore:

Relating to nonprofit corporations.

Mr. Grant moved adoption of the following amendment:

On page 3, section 2, following line 4 add a new section to read as follows:

"NEW SECTION. Sec. 3. There is added to chapter 235, Laws of 1967, and to chapter 24.03 RCW a new section to read as follows:

All nonprofit corporations not covered by the National Labor Relations Act (Title 29, U.S.C.A.) or any other state or federal act relating to collective bargaining shall be governed by the provisions of chapter 41.56 RCW, Public Employees Collective Bargaining Act of the state of Washington, as presently written or hereinafter amended."

Mr. Grant spoke in favor of the amendment.

#### MOTION

On motion of Mr. Newhouse, the House deferred further consideration of Senate Bill No. 126 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 157, by Committee on Public Institutions:

Pertaining to certain property of the mentally ill.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 157 was placed on final passage.

Mr. Farr spoke in favor of passage of the bill.

Mr. Charette urged the members of the House to vote for the bill, but stated he was going to vote against it.

#### POINT OF INQUIRY

Mr. Farr yielded to question by Mr. Chatalas.

Mr. Chatalas: "Doctor, you mentioned in order to qualify for federal money that it has to be under \$300.00. Could you lower it down to \$299.99?"

Mr. Farr: "Mr. Chatalas, I wouldn't lower it that far, but how far the superintendent finds it desirable to lower the amount to I wouldn't know. He does have, however, under this law the right and the power to lower it, to whatever level it would be necessary for the individual to qualify for one of the assistance (public or private) programs."

Mr. Bottiger spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 157, and the bill passed the House by the following vote: Yeas, 78; nays, 19; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brown, Ceccarelli, Charnley, Conner, Conway, Copeland, Costanti, Cunningham, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Johnson, Jones, Jueling, Julin, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, O'Brien, Pardini, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shera, Smythe, Thompson, Van Dyk, Wanamaker, Wojahn, Wolf, Zimmerman, Mr. Speaker—78.

Voting nay: Representatives Anderson, Brouillet, Charette, Chatalas, Curtis, Douthwaite, Gallagher, Hurlley, Jastad, Kilbury, Lysen, Maxie, May, Moon, Paris, Perry, Schumaker, Smith, Williams—19.

Absent or not voting: Representatives Shinpoch, Spanton—2.

Engrossed Substitute Senate Bill No. 157, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 219, by Senators Twigg and Guess:

Providing authority for first class cities to exchange property for park purposes.

The bill was read the second time.

On motion of Mr. Kuehnle, the following amendment was adopted:

On page 3, section 1, line 7 after "*public*" strike "*in*terest" and insert "*interest*"

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 219 as amended by the House was placed on final passage.

Representatives Pardini and Hurlley spoke in favor of the bill, and Representative Charette spoke against it.

## POINT OF INQUIRY

Mr. Pardini yielded to question to Mr. Kraabel.

Mr. Kraabel: "I would like to know, are there any controls placed on the governing body as to the execution of a person's wishes?"

Mr. Pardini: "It sounds as though you are making reference to Mr. Charette's comments that a person who gives this land would then lose control of it. The language in the bill, Mr. Kraabel, states specifically that if the donor is there and available, that the city fathers must get his consent. The only time they would move without the consent of the donor would be if he died, and recognizing that with the passage of time, and the death of the donor, there might be changes in land use that might make it more beneficial to the entire city that, while not carrying out the actual intent of the donor, would certainly carry out the general intent that there be some parkland from him."

## POINT OF INQUIRY

Mr. Smythe yielded to question by Mr. Grant.

Mr. Grant: "Representative Smythe, you are Chairman of the Local Government Committee where this Senate bill was referred. It relates to cities of the first class. I wonder if it would also apply to optional municipal code cities?"

Mr. Smythe: "I can't answer that offhand, Representative Grant. Can anyone else?"

Mr. Grant: "Well I think, Mr. Smythe, this certainly has bearing. We have optional code cities in our legislative district in which some exchange of property for park purposes was contemplated a couple of years ago. In that it was, at that time, a second class city, a bill was drafted to permit this sort of exchange of park property. It didn't pass the House, but I am wondering if cities of the second, third, and fourth class might be able to get rid of some properties that are now dedicated for park purposes by simply adopting a resolution making them a nonchartered code city, without even having a charter. This can be done quite easily, as we have witnessed in some cities of the state. I certainly have some serious reservations now on this Senate bill."

Mr. Smythe: "Representative Grant, I was just informed by Representative Kopet that the attorney advised him that they are considered cities of the first class, so they would be."

## POINT OF INQUIRY

Mr. Hubbard yielded to question by Mr. Wanamaker.

Mr. Wanamaker: "Representative Hubbard, if I dedicate a piece of land for a particular purpose to a governmental agency, can an act of the legislature change that at any time at its will?"

Mr. Hubbard: "My opinion is that they cannot. This particular attempt that we have here today, I think, would be an unconstitutional measure, clearly. I think you are going to do irreparable damage to the donor program in this state where property has been dedicated for certain purposes to the city. If people begin to find out that suddenly it is used in manners they do not want, they are going to quit making these gifts. The families that are sitting back, that would have the reverter in these situations, are going to run right down to the cities with the inevitable lawsuits."

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Rabel.

Mr. Rabel: "Representative Pardini, if piece of property No. 1, which had been donated for park purposes, were exchanged for piece of property No. 2, would piece of property No. 2 then have to be used for park purposes?"

Mr. Pardini: "Yes, this is the intent of the bill, that the usage of the land would certainly not change. The only time the trade could be made would be if the piece of land for which they were trading were also going to be used for park purposes. That is why I made the earlier comments that the general intention of the donor would not have been changed. We have asked title companies to clear title on this and to issue a title insurance policy, and because of the restrictions they will not issue a title insurance policy on the swapped land unless we have permissive legislation like this."

## MOTION

Mr. King moved that Senate Bill No. 219 be rereferred to Committee on Judiciary.

Representatives King and Julin spoke in favor of the motion.

The motion was carried.

ENGROSSED SENATE BILL NO. 228, by Senators Francis, Elicker and Ridder (by Departmental request):

Providing for the control of pets capable of transmitting disease to man.

The bill was read the second time.

## MOTION

On motion of Mr. Moon, the House deferred further consideration of Engrossed Senate Bill No. 228, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE CONCURRENT RESOLUTION NO. 24, by Representative Bledsoe:

Extending time for the consideration of bills.

The House resumed consideration of House Concurrent Resolution No. 24 on second reading.

Mr. Bledsoe explained the purpose of House Concurrent Resolution No. 24.

## POINT OF INQUIRY

Mr. Bledsoe yielded to question by Mr. Sawyer.

Mr. Sawyer: "Mr. Bledsoe, when you say that the Senate bills are not ready to be worked on, does this mean we do not have Senate bills in Rules Committee, or that we do not have Senate bills in our committees?"

Mr. Bledsoe: "A little of both, sir. With the cutoff there would not be time yet for additional committee action to transmit to Rules, and thence to the calendar, enough Senate measures to keep this House fully occupied in the closing days. There are some Senate bills in Rules Committee, all right—some of some substance, and some of minor substance. It is possible that there are some things that this House might be more interested in, that we could start preliminary work on at least."

Mr. Sawyer: "But there are Senate bills presently pending that we haven't worked on in our various committees?"

Mr. Bledsoe: "Yes sir, there are those, but under this cutoff, we would not be able to process them through and get them on the floor here. This is the reason for the amendment."

#### POINT OF INFORMATION

Mr. Copeland: "Mr. Sawyer, I might be able to shed some light on this. It is our intention that consideration of Senate bills would be extended for an extra 48 hours. This week's schedule is made up on a terribly flexible arrangement, so we probably would be able to let the committees go ahead and meet for a greater period of time on Tuesday and again Wednesday. We would consider Senate bills through 4:00 p.m. Thursday. This is the reason and intention behind it. I wanted to make it clear that we will probably have to have some additional committee meetings."

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### SECOND READING

The House resumed consideration of House Concurrent Resolution No. 24 on second reading.

On motion of Mr. Bledsoe, the following amendment by Representatives Bledsoe and Sawyer was adopted:

On page 1, line 12 after "bills" and before "up" insert the following: "that were in their respective rules committees on the fifth day of March 1971"

House Concurrent Resolution No. 24 was ordered engrossed.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 24 was placed on final passage and adopted.

#### MOTIONS

On motion of Mr. Bledsoe, Engrossed House Concurrent Resolution No. 24 was ordered transmitted immediately to the Senate.

On motion Mr. Morrison, Senate Bill No. 126 was rereferred to Committee on Rules and Administration.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 151, by Committee on Appropriations:

Enacting the operating budget.

#### MOTIONS

On motion of Mr. Bledsoe, the House deferred consideration of Engrossed Substitute House Bill No. 151 on third reading, and the bill was ordered placed at the top of tomorrow's third reading calendar.

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Tuesday, March 9, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTY-EIGHTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 9, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Spanton who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father Donald Werner of Saint Anthony's Catholic Church of Renton.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

March 6, 1971.

HOUSE BILL NO. 599, clarifying ballot titles of initiative and referendum measures, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: Do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, Grant, May, Moon, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

ENGROSSED SENATE BILL NO. 163, providing for acceptance of ID besides the Washington state liquor ID card, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 5, of the engrossed bill after "license" strike "or identification card of any state" and insert "of any state or 'identical' issued by the Washington state department of motor vehicles pursuant to RCW 46.20.117"

Signed by Representatives Curtis, Chairman, Backstrom, Bagnariol, Ceccarelli, Farr, Gallagher, Gladder, Hatfield, O'Brien, Pardini, Perry, Wojahn.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

SENATE BILL NO. 249, adopting a uniform law on the rendition of accused persons, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 14, after section 8 add a new section as follows:

"NEW SECTION. Sec. 9. The costs of the procedures required by this act shall be borne by the demanding state, except when the designated agent is not a public official. In any case when the designated agent is not a public official, he shall bear the cost of such procedures."

Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Hubbard, Knowles, Marsh, Rosellini.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

ENGROSSED SENATE BILL NO. 391, validating plats or subdivisions notwithstanding defects in notice, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Hubbard, Knowles, Marsh, Rosellini.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

SENATE BILL NO. 496, implementing law relating to homesteads, including awards in addition to or awards in lieu of, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Julin, Chairman, Harris, Vice Chairman, Hubbard, Knowles, Marsh, Rosellini.  
Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

March 8, 1971.

Mr. Speaker: The Senate has passed:  
ENGROSSED HOUSE BILL NO. 108,  
ENGROSSED HOUSE BILL NO. 118,  
HOUSE BILL NO. 220,  
ENGROSSED HOUSE BILL NO. 234,  
ENGROSSED HOUSE BILL NO. 405,  
HOUSE BILL NO. 558,

and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

March 8, 1971.

Mr. Speaker: The President has signed:  
HOUSE BILL NO. 12,  
HOUSE BILL NO. 15,  
HOUSE BILL NO. 16,  
HOUSE BILL NO. 17,  
HOUSE BILL NO. 18,  
HOUSE BILL NO. 50,  
HOUSE BILL NO. 54,  
HOUSE BILL NO. 55,  
HOUSE BILL NO. 57,  
HOUSE BILL NO. 71,  
HOUSE BILL NO. 109,  
HOUSE BILL NO. 143,  
HOUSE BILL NO. 206,  
HOUSE BILL NO. 320,  
HOUSE BILL NO. 509,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 108,  
HOUSE BILL NO. 118,  
HOUSE BILL NO. 220,  
HOUSE BILL NO. 234,  
HOUSE BILL NO. 405,  
HOUSE BILL NO. 558.

## MOTION

On motion of Mr. Bledsoe, the House reverted to the third order of business.

## REPORTS OF STANDING COMMITTEES

March 6, 1971.

HOUSE BILL NO. 214, providing for a time limit on recalls, reported by Committee on Elections and Apportionment.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Brown, Chairman, Morrison, Vice Chairman, Bottiger, May, North, Pardini, Smythe.

Passed to Committee on Rules and Administration for second reading.

The Speaker declared the House to be at ease.  
The Speaker called the House to order.

## MOTION

On motion of Mr. Bledsoe, the House recessed until 2:00 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 2:00 p.m.

The Clerk called the roll and all members were present except Representative Spanton who was excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## REPORTS OF STANDING COMMITTEES

March 8, 1971.

ENGROSSED SENATE BILL NO. 97, increasing bonding requirements of elected county officials, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 18, strike "board of county commissioners" and insert "[board of county commissioners] *proper county legislative authority*"

On page 1, section 1, beginning with "board" on line 20, strike everything down to and including "commissioners" on line 21 and insert "[board of county commissioners] *proper county legislative authority*"

On page 2, section 1, beginning with "board" on line 2, strike everything down to and including "commissioners" on line 3 and insert "[board of county commissioners] *proper county legislative authority*"

On page 2, section 1, line 4, strike "County commissioners" and insert "[County commissioners] *Members of the proper county legislative authority*"

On page 2, section 1, line 19, strike "board of county commissioners" and insert "[board of county commissioners] *proper county legislative authority*"

On page 2, section 1, beginning with "board" on line 20, strike everything down to and including "commissioners" on line 21 and insert "[board of county commissioners] *proper county legislative authority*"

On page 2, section 1, beginning with "board" on line 24, strike everything down to and including "commissioners" on line 25 and insert "[board of county commissioners] *proper county legislative authority*"

On page 2, section 1, beginning with "board" on line 25, strike everything down to and including "commissioners" on line 26 and insert "[board of county commissioners] *proper county legislative authority*"

On page 3, section 1, line 4, strike "commissioners" and insert "[commissioners] *the proper county legislative authority*"

Signed by Representatives Smythe, Chairman, Barden, Vice Chairman, Adams, Amen, Bauer, Blair, Bozarth, Bradley, Brown, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Martinis, Mentor, Merrill, North, Smith, Thompson.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

ENGROSSED SENATE BILL NO. 737, creating a commission for Expo '74; authorizing bonds and construction, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, Pardini, Polk.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

ENGROSSED SENATE BILL NO. 738, relating to the filing and licensing of business corporations, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, Pardini, Polk.

Passed to Committee on Rules and Administration for second reading.

March 9, 1971.

ENGROSSED SENATE BILL NO. 739, pertaining to the acquisition of land and the construction and use of a state building in the city of Spokane, reported by Committee on Business and Professions.

MAJORITY recommendation: Do pass. Signed by Representatives Curtis, Chairman, Kuehnle, Vice Chairman, Backstrom, Farr, Gallagher, Gladder, Hatfield, Jastad, Jueling, Pardini, Polk.

Passed to Committee on Rules and Administration for second reading.

## MESSAGES FROM THE SENATE

March 9, 1971.

Mr. Speaker: The President has signed:  
 SENATE BILL NO. 40,  
 SENATE BILL NO. 122,  
 SENATE BILL NO. 141,  
 SUBSTITUTE SENATE BILL NO. 142,  
 SENATE BILL NO. 143,  
 SENATE BILL NO. 150,  
 SUBSTITUTE SENATE BILL NO. 157,  
 SENATE BILL NO. 177,  
 SENATE BILL NO. 244,  
 SUBSTITUTE SENATE BILL NO. 390,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 9, 1971.

Mr. Speaker: The President has signed:  
 HOUSE BILL NO. 108,  
 HOUSE BILL NO. 118,  
 HOUSE BILL NO. 157,  
 HOUSE BILL NO. 220,  
 HOUSE BILL NO. 234,  
 HOUSE BILL NO. 405,  
 HOUSE BILL NO. 558,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 40,  
 SENATE BILL NO. 122,  
 SENATE BILL NO. 141,  
 SENATE BILL NO. 142,  
 SENATE BILL NO. 143,  
 SENATE BILL NO. 150,  
 SENATE BILL NO. 157,  
 SENATE BILL NO. 177,  
 SENATE BILL NO. 244,  
 SENATE BILL NO. 390.

## SENATE AMENDMENTS TO HOUSE CONCURRENT RESOLUTION

March 9, 1971.

Mr. Speaker: The Senate has adopted Engrossed House Concurrent Resolution No. 24 with the following amendments:

On line 17, strike "*Thursday*" and insert "*Wednesday*" and strike "*eleventh*" and insert "*tenth*"

On line 18 strike "*sixtieth*" and insert "*fifty-ninth*"  
 and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## MOTION

On motion of Mr. Bledsoe, the House concurred in the Senate amendments to Engrossed House Concurrent Resolution No. 24.

FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION  
 AS AMENDED BY THE SENATE

The Speaker stated the question before the House to be the final passage of House Concurrent Resolution No. 24 as amended by the Senate.

House Concurrent Resolution No. 24 as amended by the Senate was adopted.



## SENATE AMENDMENT TO HOUSE BILL

March 8, 1971.

Mr. Speaker: The Senate has passed Engrossed House Bill No. 720 with the following amendment:

On page 1, section 1, line 10, after "18.57 RCW," insert "chiropractor licensed under RCW 18.25," and the same is herewith transmitted. BILL GLEASON, Assistant Secretary.

## MOTION

On motion of Mr. Julin, the House concurred in the Senate amendment to Engrossed House Bill No. 720.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 720 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 720 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 4; absent or not voting, 5.

Voting yea: Representatives Adams, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Hansey, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker--90.

Voting nay: Representatives Brown, Grant, North, Zimmerman--4.

Absent or not voting: Representatives Amen, Anderson, Harris, Pardini, Spanton--5.

Engrossed House Bill No. 720 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

March 9, 1971.

Mr. Speaker: The Senate has passed House Bill No. 41 with the following amendments:

On page 1, section 1, line 7, after "bacon" and before "shall" insert "other than that packaged in cans" and on line 8 after "only" and before "in packages" insert "at retail"

On page 1, section 1, line 8, after "sold" insert "within the state of Washington" and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## MOTION

Mr. Morrison moved that the House concur in the Senate amendments to House Bill No. 41.

Mrs. Wojahn spoke in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 41 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 41 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 9; absent or not voting, 3.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraebel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Benitz, Eikenberry, Gladder, Hatfield, Hubbard, Jones, Kuehne, Polk, Smith—9.

Absent or not voting: Representatives Amen, Ross, Spanton—3.

House Bill No. 41 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

March 8, 1971.

Mr. Speaker: The Senate has passed Engrossed House Bill No. 75 with the following amendments:

In line 1 of the title, after "to" strike all of the material down to and including "28A.5A RCW;" in line 3, and insert the following:

"school districts; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 153, Laws of 1969 ex. sess. and RCW 28A.24.055; creating new sections;"

Strike all material after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. It is the intent of the legislature and the purpose of this 1971 amendatory act that in the event of major forest fires, floods, or other natural emergencies that boards of directors of school districts, in their discretion, may rent or lease school buses to governmental agencies for the purposes of transporting personnel, supplies and/or evacuees.

**NEW SECTION.** Sec. 2. Each school district board shall determine its own policy as to whether or not its school buses will be rented or leased for the purposes of section 1 of this 1971 amendatory act, and if the board decision is to rent or lease, under what conditions, subject to the following:

(1) Such renting or leasing may take place only after the state director of civil defense or any of his agents so authorized has, at the request of an involved governmental agency, declared that an emergency exists in a designated area insofar as the need for additional transport is concerned.

(2) The agency renting or leasing the school buses must agree, in writing, to reimburse the school district for all costs and expenses related to their use and also must provide an indemnity agreement protecting the district against any type of claim or legal action whatsoever, including all legal costs incident thereto.

Sec. 3. Section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 153, Laws of 1969 ex. sess. and RCW 28A.24.055 are each amended to read as follows:

Every board of directors shall provide and pay for transportation of children to and from school whether such children live within or without the district when in its judgment the best interests of the district will be subserved thereby, but the board is not compelled to transport any pupil living within two miles of the schoolhouse.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

When commercial charter bus service is not reasonably available to a school district, the state board of education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extra-curricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

*In addition to the right to contract for the use of buses provided in sections 1 and 2 of this 1971 amendatory act, any school district may contract to furnish the use of school buses of that district to other users who are engaged in conducting an educational or recreational program supported wholly or in part by tax funds at times when those buses are not needed by that district and under such terms as will fully reimburse such school district for all costs related or incident thereto: PROVIDED, HOWEVER, That no such use of school district buses shall be permitted except where other public or private transportation certificated or licensed by the Washington utilities and transportation commission is not reasonably available to the user: PROVIDED FURTHER, That no user shall be required to accept any charter bus for services which the user believes might place the health or safety of the children in jeopardy.*

Whenever any school children are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses in an amount not exceeding one thousand dollars per child, per injury for the benefit of school children injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the school children notwithstanding the provisions of RCW 28A.58.420.

If the transportation of children is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

**NEW SECTION. Sec. 4.** This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.”  
and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### MOTION

Mr. Curtis moved that the House concur in the Senate amendments to Engrossed House Bill No. 75.

Representatives Curtis, Haussler, Savage and Bottiger spoke in favor of the motion, and Representative Randall spoke against it.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 75 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 75 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, Mentor, Merrill, Moon, Morrison, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—94.

Voting nay: Representative McDermott—1.

Absent or not voting: Representatives Lysen, Newhouse, Shera, Spanton—4.

Engrossed House Bill No. 75 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGES FROM THE SENATE

March 9, 1971.

Mr. Speaker: The Senate refuses to concur in the House amendments to Senate Bill No. 131, and asks the House to recede therefrom, and said bill together with the amendments thereto is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

#### MOTION

On motion of Mr. Amen, the House receded from its amendments to Senate Bill No. 131.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Senate Bill No. 131 without the House amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 131 without the House amendments, and the bill passed the House by the following vote: Yeas, 70; nays, 24; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bozarth, Brown, Ceccarelli, Charette, Charnley, Conner, Conway, Copeland, Costanti, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Hansey, Harris, Hatfield, Hubbard, Hurley, Johnson, Jueling, Julin, Kilbury, King, Kirk, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Marsh, Martinis, Maxie, May, McCormick, Mentor, Merrill, Moon, Morrison, O'Brien, Pardini, Paris, Perry, Randall, Ross, Savage, Schumaker, Shera, Shipoch, Smythe, Thompson, Wanamaker, Williams, Wojahn, Wolf, Mr. Speaker—70.

Voting nay: Representatives Blair, Bottiger, Bradley, Brouillet, Cunningham, Eikenberry, Gladder, Grant, Haussler, Hoggins, Jastad, Jones, Kiskaddon, Kuehnle, Marzano, McDermott, North, Polk, Rabel, Rosellini, Sawyer, Smith, Van Dyk, Zimmerman—24.

Absent or not voting: Representatives Barden, Chatalas, Lysen, Newhouse, Spanton—5.

Senate Bill No. 131 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

I voted "no" on Senate Bill No. 131 but my voting lever failed to record my vote.  
PAUL BARDEN, 30th District.

#### SECOND READING

ENGROSSED SENATE BILL NO. 135, by Senators Wilson, Canfield and Donohue:  
Providing an assessment on each meat food animal to support the livestock disease diagnostic service.

## MOTION

On motion of Mr. Morrison, Engrossed Senate Bill No. 135 was rereferred to the Committee on Rules and Administration.

ENGROSSED SENATE BILL NO. 228, by Senators Francis, Elicker and Ridder (by Departmental request):

Providing for the control of pets capable of transmitting disease to man.

The House resumed consideration of Engrossed Senate Bill No. 228.

On motion of Mr. Moon, the following amendment was adopted:

On page 2, section 4, line 19 after "secretary" insert ", with the advice and concurrence of the director of the department of agriculture."

Mr. Ceccarelli moved adoption of the following amendment:

On page 2, section 4, line 23, following "state" and before the period insert "":  
PROVIDED, That in order to reduce the hazard of communication of disease by wild animals, it shall be unlawful for anyone to import, acquire, sell or barter, any wild animal for use as personal pets"

Representative Ceccarelli spoke in favor of adoption of the amendment, and Representatives Ross, Litchman and Zimmerman spoke against it.

Mr. Ceccarelli spoke again in favor of the amendment and Mr. Moon spoke against it. The amendment by Mr. Ceccarelli was not adopted.

On motion of Mr. Moon, the following amendment was adopted:

On page 2, section 6, line 29 add a new section to read as follows:  
"NEW SECTION. Sec. 6. The powers conferred on the secretary by this act shall be concurrent with the powers conferred on the director of the department of agriculture by chapter 16.36 RCW, and chapter 42.23 RCW, and the secretary and director shall cooperate in exercising their responsibilities in these areas."

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 228 as amended by the House was placed on final passage.

Representative Farr spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 228 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Bledsoe, Brown, Spanton—3.

Engrossed Senate Bill No. 228 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 283, by Representative Flanagan:

Providing an act relating to revenue and taxation.

## MOTION

On motion of Mr. Wolf, House Bill No. 283 was referred to the Committee on Revenue and Taxation.

HOUSE BILL NO. 493, by Representatives Bledsoe, Brouillet, Wolf, O'Brien, Charette, Newhouse, Flanagan, Amen, Benitz, Bozarth, Mentor, Pardini and Schumaker:

Pertaining to assessment of leasehold estates.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of House Bill No. 493 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

SENATE BILL NO. 195, by Senators Talley, Bailey and Woodall:

Increasing the amount counties may expend for maintenance and operation of county historical museums.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, line 5 strike all of section 1 and insert the following:

"NEW SECTION. Section 1. Section 2, chapter 160, Laws of 1949 as amended by section 2, chapter 47, Laws of 1957, and RCW 27.48.020 are each repealed."

On page 1, line 2 of the title before "section" strike "amending" and insert "repealing"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendments were adopted.

On motion of Mr. Rosellini, the rules were suspended, the second reading considered the third, and Senate Bill No. 195 as amended by the House was placed on final passage.

Representative Thompson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 195 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; absent or not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, SHERA, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—98.

Absent or not voting: Representative Spanton—1.

Senate Bill No. 195 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 380, by Senators Day, Woodall and Keefe:

Providing for health care benefits in certain circumstances notwithstanding provisions of the insurance contract.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of Engrossed Senate Bill No. 380, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 79, by Senators Elicker, Fleming and Herr (by Public Pension Commission request):  
 Providing for inclusion of court of appeals judges in judges retirement system.

#### MOTION

On motion of Mr. Wolf, the House deferred consideration of Engrossed Senate Bill No. 79 and the bill was ordered placed at the top of tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 158, by Senators Ridder, Peterson (Ted) and Knoblauch (by Joint Committee on Education request):  
 Changing monthly apportionment schedule for funds going from state general fund to school districts.

Committee recommendation: Majority, do pass with the following amendments:  
 (For amendments see committee report in Journal, March 8, Fifty-seventh Day.)

The bill was read the second time.

On motion of Mr. Hoggins, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 158 as amended by the House was placed on final passage.

Representatives Hoggins and Brouillet spoke in favor of passage of the bill, and Representative Pardini spoke against it.

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Hoggins, when we discussed this in caucus, I didn't completely understand the effect of your amendment. I would like to give an example of a certain situation and then have you explain how it would work under present law without the amendment, and how it would work with the amendment. For example, suppose a determination is made by all the school districts (on the basis of enrollment estimates) that there are so many total weighted pupils in the state at the beginning of the school year. You know there are so many total dollars available through the state appropriation for apportionment plus all the local revenue that is included in the apportionment. You arrive at the determination by making the division that there is, say, \$370 per pupil. Then as you go through the school year, you find that the enrollments are a lot more than that, and therefore there aren't really that many dollars per pupil there, because you have to divide by more total pupils into the total amount, which reduces the per pupil amount. Under existing law, what does the superintendent do under that situation? What do you do now, I mean?"

Mr. Hoggins: "Under the existing law, I think we find ourselves in the situation much as the superintendent has done recently. He would, because of the uniform budget and accounting act, have to come out within what we budgeted. If there is not enough money there, he has to reduce the per pupil guarantee. This bill doesn't relate to increasing or reducing the per pupil guarantee. It relates to the number of students you will get paid for. So my answer would be that if there is not enough money in the budget, then he is obligated under the uniform budget and accounting act to reduce that amount of money. Furthermore, if and when we ever pass House Bill No. 151, it puts all this authority in the Office of Program Planning and Fiscal Management to make these revisions in any department's budget."

Mr. Flanagan: "From your answer, the way I understand it, under existing law if he finds out after you get about halfway through the school year that there are more weighted pupils than he thought at the beginning of the school year, then he can reduce the amount down so that he comes out with the right number of dollars. But with your amendment, he can't reduce it until the next school year, which will put him farther behind than he would have been because he has gone another, maybe, three months, figuring the per pupil amount too high."

Mr. Hoggins: "The amendment relates to the amount that the school districts receive on the basis of enrollment. Now, in addition, the superintendent has the responsibility and obligation to reduce that per pupil guarantee. So the amendment deals with permitting the school districts to base their budgets on projected enrollments. And assuming that the per pupil guarantee wouldn't change from one year to the next, that could be for the second year of the biennium, or the second year, the school districts would receive less. If, in addition, our enrollments skyrocket, then the superintendent would have two problems, and the local school districts would have two problems."

Mr. Flanagan: "Well, if it skyrockets, he would have to drop the per pupil amount down to where it would match the money that was available, because the legislature can't come back in session and make another appropriation. There is no way to do that, so there are only so many dollars there."

Mr. Hoggins: "I think that is what I said."

Mr. Flanagan: "I frankly can't see where the amendment does any good."

Mr. Hoggins spoke again in favor of the bill.

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Randall.

Mr. Randall: "I would like to pose a hypothetical question to you, to clear confusion on this. Contracts are let April 15th in school districts. The apportionment, by this amendment, would be determined by the preliminary budget in May. Let us suppose an error was made in our projection, and we had less pupils in the fall than we originally projected, which means now we have too many contracts out. This amendment would allow payment for that, to cover the trouble we got ourselves into. Is that right?"

Mr. Hoggins: "Yes."

Mr. Randall: "Now, let us say, we had set up a thirty to one pupil-teacher ratio on these contracts, and we find now we are in the advantageous position of twenty-five to one, and we would just as soon keep it that way. Now the proviso—that the superintendent of public instruction shall equitably adjust in any school district's budget—we can make a position for twenty-five to one. No? Why not?"

Mr. Hoggins: "It says, if you read further, '... shall equitably adjust in any school district's budget for the ensuing school year any excess payment of state funds made on the basis of enrollment estimates...' So the adjustment is downward for any excess payments received. The situation you probably find yourself in is that your class size the second year, if you couldn't meet your obligation any other way, would be 35 per classroom."

Mr. Randall: "One more question then: Realizing again that contracts are let well before the preliminary budget is out, what difference if this ruling is made on the final budget which is more accurate? The Superintendent of Public Instruction can still go ahead and allow for the difference in error. I am missing the intent here someplace, because it would seem to me that the final budget is the more accurate to work on rather than the preliminary, and because contracts are let prior to either budget, it really doesn't matter."

Mr. Hoggins: "Well, I am not sure I understand your question, but it does matter, because contracts are let, the preliminary budget is set, final budgets are set the first of October. At the first of May, the preliminary budget time, it is too late to release people from contracts and you have between May and October, which is several months, for something to happen to your enrollment. You have let the contracts in April. You have no way of releasing people from their contracts at that point. You then have between October and the following April 15 to certify to teachers that their services will no longer be required because you haven't the funds to pay them, and that is a legitimate cause for dismissal."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 158 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 18; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Bauer, Beck, Blair, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charete, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hoggins, Hurley, Jastad, Johnson, Jones, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kraabel, Kuehnle, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman—79.

Voting nay: Representatives Barden, Benitz, Berentson, Bledsoe, Bluechel, Eikenberry, Flanagan, Gladder, Haussler, Hubbard, Juelling, Kopet, Lysen, Maxie, Pardini, Schumaker, Shera, Mr. Speaker—18.

Absent or not voting: Representatives Newhouse, Spanton—2.

Engrossed Senate Bill No. 158 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## MOTIONS

On motion of Mr. Morrison, the House advanced to the twelfth order of business.

On motion of Mr. Morrison, the House adjourned until 10:00 a.m., Wednesday, March 10, 1971.

THOMAS A. SWAYZE, Jr., Speaker.

MALCOLM McBEATH, Chief Clerk.

## FIFTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 10, 1971.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Newhouse presiding). The Clerk called the roll and all members were present except Representative Spanton who was excused.

The Speaker assumed the chair.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles A. Loyer of the Westminster United Presbyterian Church of Olympia:

"Almighty God Who hast given unto man the task of ordering the affairs of society: We thank Thee for our democratic institutions and for the men and women who accept the responsibility and endure the political brick-bats of public office.

"Be with our legislators with their nonunion hours. Bless them with moments of renewal: A flash of inspiration here, a word of praise there, a touch of humor, an unexpected breakthrough. Reward the long hours of committee work, the give and take of debate, the cautious compromise, with legislation that will answer to the economic and social ferment of the times.

"And with all this labor and fatigue, this burning of the candle at both ends, as it were, grant that a substantial length of wick may yet be left to brighten their homes and warm the hearts of loved ones sometime this weekend. Amen."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

## REPORTS OF STANDING COMMITTEES

March 6, 1971.

HOUSE BILL NO. 553, providing for comprehensive health planning, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Farr, Chairman, Gladder, Vice Chairman,

Adams, Beck, Ceccarelli, Conner, Conway, Jastad, Kirk, Kiskaddon, Kopet, Lynch, Marsh, McDermott, Paris, Zimmerman.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

HOUSE BILL NO. 860, exempting hops in transit from property taxes, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass. Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Ceccarelli, Hatfield, Haussler, Kilbury, King, Kuehnle.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

HOUSE BILL NO. 1011, providing relocation or removal costs to publicly-owned public utilities resulting from highway construction, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 1 of the title after "highways" and before the period insert "; and providing payment of costs of relocating public utility facilities from federal funds to the extent such funds may be available"

On page 1, beginning on line 3 strike all of section 1 and insert a new section as follows:

"NEW SECTION. Section 1. Whenever in constructing or reconstructing or improving a public highway under the jurisdiction of the state of Washington it is necessary that water, sewer, or other utility pipes or lines owned by a water district, sewer district, or other public, municipal corporation be removed from the place in which such pipes or lines were installed (or the use thereof prohibited) requiring the relocation thereof, the state shall pay to the owner of such pipes or lines all costs incident to the relocation thereof to the extent that such funds are or may be available to the state for such purposes by grant-in-aid made pursuant to any law of the United States of America."

Signed by Representatives Berentson, Chairman, Anderson, Bauer, Beck, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gladder, Hansey, Hoggins, Jones, Kraabel, Perry, Schumaker.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

ENGROSSED SENATE BILL NO. 37, providing that no property segregation be made unless all delinquent taxes and assessments have been paid, reported by Committee on Revenue and Taxation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 12 after "PROVIDED, That" and before "no" strike "excepting when property is being acquired for public use"

Signed by Representatives Flanagan, Chairman, Kiskaddon, Vice Chairman, Bagnariol, Benitz, Bledsoe, Ceccarelli, Hatfield, Haussler, Kilbury, King, Kuehnle.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

ENGROSSED SENATE BILL NO. 47, providing for certain changes relating to motor vehicles, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Newhouse, Perry, Schumaker.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

ENGROSSED SENATE BILL NO. 49, providing certain changes in the regulation of motor vehicle wreckers, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Gallagher, Gilleland, Hansey, Hubbard, Jastad, Jones, Kraabel, Perry.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

ENGROSSED SENATE BILL NO. 95, allowing school buses to use studded tires, reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 8 after "buses" and before the comma insert "and fire department vehicles"

Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Jastad, Johnson, Jones, Kraabel, Newhouse, Schumaker.

Passed to Committee on Rules and Administration for second reading.

March, 10, 1971.

SENATE BILL NO. 172, providing for changes in the law relating to highway relocation payments, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Amen, Anderson, Bauer, Beck, Blair, Bozarth, Bradley, Charnley, Conner, Conway, Cunningham, Douthwaite, Gallagher, Gilleland, Gladder, Hansey, Hubbard, Jastad, Jones, Kraabel, Newhouse, Perry, Schumaker.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

ENGROSSED SUBSTITUTE SENATE BILL NO. 352, providing use tax exemption for certain motor vehicles and trailers, reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Berentson, Chairman, Wanamaker, Vice Chairman, Adams, Anderson, Bauer, Beck, Bozarth, Bradley, Conner, Cunningham, Gallagher, Gilleland, Gladder, Hansey, Jastad, Jones, Newhouse, Schumaker.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

March 9, 1971.

Mr. Speaker: The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 241, and passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

March 9, 1971.

Mr. Speaker: The Senate has concurred in the House amendments to SENATE BILL NO. 266 and passed the bill as amended by the House.

BILL GLEASON, Assistant Secretary.

March 9, 1971.

Mr. Speaker: The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 447 and passed the bill as amended by the House.

BILL GLEASON, Assistant Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 41,

HOUSE BILL NO. 75,

HOUSE BILL NO. 720,

HOUSE CONCURRENT RESOLUTION NO. 24.

#### SENATE AMENDMENT TO HOUSE BILL

March 9, 1971.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 10 with the following amendment:

On page 1, line 4, after "1." insert "There is added to RCW 41.04 a new section to read as follows:"

and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### MOTION

Mr. Morrison moved that the House concur with the Senate amendment to House Bill No. 10.

Mr. Bluechel spoke in favor of the motion.  
The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 10 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 10 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; absent or not voting, 5.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—94.

Absent or not voting: Representatives Amen, Eikenberry, Polk, Spanton, Wolf—5.

House Bill No. 10 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

March 9, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 66 with the following amendments:

Beginning on line 2 of the title, after "apportionment" strike the remainder of the title and insert "by trustees and personal representatives of receipts and expenses among income beneficiaries and remaindermen; to make uniform the law with reference thereto; adding a new chapter to Title 11; repealing section 1, chapter 160, Laws of 1947 and RCW 23.74.010; repealing section 2, chapter 160, Laws of 1947 and RCW 23.74.020 and declaring an effective date."

On page 7, section 7, line 25 of the printed bill, being page 7, section 7, line 23 of the engrossed bill, after "which" and before "was" strike "is" and insert "it"

On page 7, section 7, line 26 of the printed bill, being line 24 of the engrossed bill, after "income," strike "The" and insert "Except as otherwise provided in section 4(4), the"

On page 8, section 8, line 7 of the printed bill, being line 5 of the engrossed bill, after "section 2" strike "(1)(c)"

On page 9, section 10, line 14 of the printed bill, being line 12 of the engrossed bill, after "section 2" strike "(1)(c)"

On page 10, section 12(3), line 10 of the printed bill, being line 8 of the engrossed bill, after "(3)" strike "An" and insert "Except as otherwise provided in section 4(4), an"

On page 12, section 14, line 17 of the engrossed bill, being line 19 of the printed bill, after "incurred" insert "on or" and after "by" insert "the estate of any decedent dying on or after the effective date of this act or by", and on line 17 of the engrossed bill, being line 19 of the printed bill, after "trust" strike "or decedent's estate"

On page 13 of the printed and engrossed bill, add new sections following section 18 to read as follows:

*NEW SECTION.* Sec. 19. This act shall take effect on January 1, 1972.

*NEW SECTION.* Sec. 20. Sections 1 through 14 of this act entitled the Washington principal and income act shall constitute a new chapter in Title 11 RCW." and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## MOTION

Mr. Julin moved that the House concur in the Senate amendments to Engrossed House Bill No. 66.

Mr. Julin spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Charette.

Mr. Charette: "Representative Julin, if passed, would the effect of this law be to change any trust agreement or either testamentary or *inter vivos* that is now in existence?"

Mr. Julin: "No, Mr. Charette, it will not. It is not retrospective in operation, merely prospective."

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 66 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 66 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Amen, Spanton—2.

Engrossed House Bill No. 66 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

March 9, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 298 with the following amendments:

On page 2, section 3, line 18 after "any vehicle," insert "the tires of which have contact with the driving surface of the road,"

On page 3, section 3, line 6 after "(5) A" strike "tire bearing a"

On page 3, section 3, line 24 after "misdemeanor" and before the period insert: "PROVIDED, HOWEVER, That if the violation relates to items (1) to (6) inclusive of this section that the condition or defect must be such that it can be detected by a visual inspection of tires mounted on vehicles, including visual comparison with simple measuring gauges"

and the same is herewith transmitted. BILL GLEASON, Assistant Secretary.

## MOTION

Mr. Morrison moved that the House concur in the Senate amendments to Engrossed House Bill No. 298.

Mr. Wanamaker spoke in favor of the motion.  
The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 298 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 298 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Spanton—2.

Engrossed House Bill No. 298 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

March 9, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 523 with the following amendment:

On page 1, section 1, line 16 after "made" and before "from" insert "annually", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### MOTION

On motion of Mr. Smythe, the House concurred in the Senate amendment to Engrossed House Bill No. 523.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 523 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 523 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; absent or not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hoggins, Hubbard, Hurley, Jastad,

Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—97.

Absent or not voting: Representatives Bledsoe, Spanton—2.

Engrossed House Bill No. 523 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Newhouse moved that the House recess until 1:00 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:00 p.m.

The Clerk called the roll and all members were present except Representatives Perry and Spanton. Representative Spanton was excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Morrison, the House reverted to the third order of business.

#### REPORTS OF STANDING COMMITTEES

March 10, 1971.

ENGROSSED SENATE BILL NO. 56, providing for certain changes relating to the department of civil defense, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Knowles, Kraabel, Moon, Paris, Perry, Swayze.

Passed to Committee on Rules and Administration for second reading.

#### SECOND READING

ENGROSSED SENATE BILL NO. 79, by Senators Elicker, Fleming and Herr (by Public Pension Commission request):

Providing for inclusion of court of appeals judges in judges' retirement system.

#### MOTION

On motion of Mr. Morrison, the House deferred action on Engrossed Senate Bill No. 79, and the bill was ordered placed at the bottom of today's second reading calendar.

#### PARLIAMENTARY INQUIRY

Mr. Charette: "In reading the rules, I wanted to check to make sure to verify if I am either right or wrong. My understanding is that after 4:00 today we can no longer consider anything except differences between the two houses. Is that true?"

The Speaker: "Further exceptions are revenue and appropriations measures, together with whatever measure is before us at 4:00, and matters dealing with the conclusion of the session."

ENGROSSED SENATE BILL NO. 363, by Senators Guess, Henry and Washington:

Providing for acquisition of property by public agencies.

The bill was read the second time.

Mr. Julin moved adoption of the following amendment:

On page 3, section 3, lines 7-10 strike everything and insert “; or

(3) If, in the opinion of the trial court, condemnor has shown bad faith in its dealings with condemnee relative to the property condemned.”

Representatives Julin and Bottiger spoke in favor of adoption of the amendment, and Representatives Berentson, Newhouse, and Martinis spoke against it.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

Mr. Hubbard spoke in favor of the amendment by Representative Julin, and Mr. Ceccarelli spoke against it.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Amen.

Mr. Amen: “Representative Berentson, do you have any figures available that you can give us to show what this could mean to the state, counties or cities?”

Mr. Berentson: “In reply, I might just give you some examples of the fees and length of trial. To give you an idea, in April of 1968 an attorney’s fee of seventy-six hundred dollars was awarded for a three-day trial; ninety-eight hundred dollars for a five-day trial; twenty-five thousand in attorney’s fees for a six-day trial.

“I think the House should understand how these fees are arrived at. They are on a contingency fee basis. What happens is the property owner is given an offer which, by the way, is a full and fair value offer by the state; he goes to court; through the attorney’s efforts, the jury awards additional money; the attorney, on a contingency fee basis, participates in 30 to sometimes 100 percent of that increase. Actually, if you look at the figures, the statement that only the people are going to be hurt and not the attorneys, I don’t think that is our problem here. We are trying to save not only the state but the county and the city some money in cases such as are before us, and as we look at this I don’t think we need to address ourselves to what the attorney is going to do to his clients. I think the client can protect himself by finding a cheaper attorney. But this is definitely a situation which is a contingency fee basis and we don’t feel it should be. There isn’t any risk on the part of the attorney. He knows he is going to get paid. When you look at the tremendous fees—I think Representative Martinis can give you additional examples—it just borders on being a license to steal.”

#### POINT OF INQUIRY

Mr. Hubbard yielded to question by Mr. Kraabel.

Mr. Kraabel: “I would like to ask a question by example, if I may. Let us say my home is being taken by a condemning agency; let’s say they offer \$20,000; we go to court and a jury awards \$29,000. As I understand it, in the present situation the attorney would get a set, agreed percentage of that, let’s say thirty-three and a third percent. He would get \$3,000, and this \$3,000 under the present law would come from the condemning agency. Is that correct?”

Mr. Hubbard: “That is correct.”

Mr. Kraabel: “And I would get the full \$29,000?”

Mr. Hubbard: “Yes, you would get \$29,000.”

Mr. Kraabel: “Under the arrangement we are proposing, if this bill goes through unamended, the fee for the attorney would not be set as a fixed percentage but would be set at so much per day and so much per hour of homework. Let’s say they still award me the \$29,000. Would I still get the \$29,000?”

Mr. Hubbard: “No, you would not get the \$29,000 under the present bill because the attorney would have a side contingent fee agreement with you which would reduce it by \$3,000 out of your pocket which would be offset by the hourly rate or trial time. You must remember that many times you work for weeks on these things for a day-and-a-half or a two-day trial.”

Mr. Kraabel: “This is a side contingency fee arrangement you say?”

Mr. Hubbard: “Well this is what would happen if this bill passes.”

Mr. Kraabel: “He would also get certain fees based on the number of hours put in on preparation for the case?”

Mr. Hubbard: “This would be offset against the contingency. He wouldn’t get it in addition to the contingency. It would simply be offset by whatever size moneys he got as a result of this bill if it passed and would reduce the contingency by that amount.”

Mr. Kraabel: “What you are saying then is that in practice this is what would happen, but as the bill is written it is not the way it is intended to be set up.”

Mr. Hubbard: “Well, this is right. It isn’t going to hurt attorneys no matter what you do here. It is simply going to take money out of the peoples’ pockets.”



## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Barden.

Mr. Barden: "Representative Martinis, in previous debate, it was indicated you have some concise examples of what might happen if this amendment were to pass. I wonder if you could provide me with that information?"

Mr. Martinis: "Yes, I thought I made it clear . . ."

## POINT OF ORDER

Mr. Charette: "My point of order is: Is this matter within the purview of a 'yield to question' or rather is it part of the debate?"

## RULING BY THE SPEAKER

The Speaker: "I think your point of order is well taken, Mr. Charette."

Mr. Bledsoe demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Julin to page 3, line 7, Engrossed Senate Bill No. 363, and the amendment was lost by the following vote: Yeas, 39; nays, 55; absent or not voting, 5.

Voting yea: Representatives Blair, Bluechel, Bottiger, Brouillet, Charette, Chatalas, Conner, Cunningham, Eikenberry, Gladder, Hatfield, Hoggins, Hubbard, Hurley, Johnson, Julin, Kilbury, King, Knowles, Kopet, Kraabel, Litchman, Marsh, Marzano, Maxie, McDermott, O'Brien, Polk, Rabel, Randall, Rosellini, Sawyer, Shera, Shinpoch, Smythe, Van Dyk, Williams, Wojahn, Mr. Speaker—39.

Voting nay: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bozarth, Bradley, Brown, Ceccarelli, Charnley, Conway, Copeland, Costanti, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Haussler, Jastad, Jones, Jueling, Kirk, Kiskaddon, Kuehnle, Luders, Lynch, Lysen, Martinis, May, McCormick, Mentor, Merrill, Morrison, Newhouse, North, Paris, Ross, Savage, Schumaker, Smith, Thompson, Wanamaker, Wolf, Zimmerman—55.

Absent or not voting: Representatives Anderson, Moon, Pardini, Perry, Spanton—5.

Mr. Charette moved adoption of the following amendment:

On page 1, section 1, line 18 after "section" strike "all" and insert "all"

Mr. Charette spoke in favor of the amendment, stating it would correct a typographical error.

At the request of Mr. Berentson, the Clerk reread the amendment.

Representatives Berentson, Martinis and Newhouse spoke against adoption of the amendment.

Mr. Bledsoe demanded the previous question, and the demand was sustained.

Mr. Charette closed debate, speaking in favor of the amendment.

The amendment by Mr. Charette to Engrossed Senate Bill No. 363 was not adopted.

Mr. Julin moved adoption of the following amendment:

On page 3, section 3, line 19 after "within" strike "fifteen" and insert "thirty"

Representatives Julin and Bottiger spoke in favor of adoption of the amendment.

## MOTION

Mr. Bledsoe moved that the House defer further consideration of Engrossed Senate Bill No. 363 on second reading and the bill be made a special order of business for 3:59 today.

The motion was carried on a rising vote.

Mr. Bledsoe demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Bledsoe, the House proceeded with business under the Call of the House.

## MOTION

On motion of Mr. Bledsoe, the House advanced to the tenth order of business.

## THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 151, by Committee on Appropriations:

Enacting the operating budget.

The Speaker stated the question before the House to be reconsideration of final passage of Engrossed Substitute House Bill No. 151.

Representatives Goldsworthy and Bledsoe spoke in favor of passage of the bill, and Representative O'Brien spoke against it.

Mr. Sawyer spoke against passage of the bill.

## ADMONITION BY THE SPEAKER

The Speaker: "Mr. Sawyer, confine your remarks to the merits of House Bill No. 151."

Mr. Sawyer concluded his remarks in opposition to the bill.

Mr. Morrison demanded an oral roll call, and the demand was sustained.

## POINT OF INQUIRY

Mr. Marsh yielded to question by Mr. Randall.

Mr. Randall: "Recognizing, Representative Marsh, that the reinstatement in the budget for the funding of such institutions as Northern State Hospital will result in maintaining adequate care for our deeply disturbed citizens; also recognizing that the closing of community mental health centers will result in a tragic decrease in the quality of care of the mentally ill in the state of Washington (I don't think there is any way to get around that conclusion), my question is: Has any appropriation, hidden or otherwise, been allocated toward the continued operation of these vital facilities that you know of?"

Mr. Marsh: "No, there are no funds in the budget for the continued operation of the Olympic Center."

Mr. Randall spoke against passage of the bill.

## RULING BY THE SPEAKER

The Speaker: "Mr. Randall, your three minutes have expired."

Mr. Morrison demanded the previous question, and the demand was not sustained.

Representatives Moon and Savage spoke against passage of the bill.

Mr. Shera replied to Mr. Moon's remarks.

## POINT OF INQUIRY

Mr. Shera yielded to question by Mr. Perry.

Mr. Perry: "In other words, the Governor, in balancing the budget, anticipated the use of that eighteen million dollars?"

Mr. Shera: "This biennium, yes; next, no."

## POINT OF INQUIRY

Mr. Marsh yielded to question by Mr. Beck.

Mr. Beck: "Representative Marsh, up in Kitsap County, we happen to have received the bad news that Governor Evans is closing out Olympic Center. I would call your attention to page 12, line 32, which reads: 'That the Legislative Budget Committee shall prepare a report for the 1973 regular session of the Legislature setting forth a timetable and plan for closing one of the two existing veteran home facilities . . .' Now since we only have two veterans' homes in this state and there are 15 people in this legislature that represent Pierce County where one of the veterans' homes is, and there are only four representing Kitsap County, and a political decision has got to be made, it would appear to me that the Retsil Veterans' Home is going to be phased out. Now, anyone who votes for this bill—are they voting to phase one of these homes out—probably Retsil Veterans' Home?"

Mr. Marsh: "Representative Beck, either Retsil or Orting Soldiers' Home is in severe trouble if this proviso stays in the budget."

Mr. Beck: "Yes, but there are 15 legislators down here from Pierce County as compared to four from Kitsap County—when a political decision is to be made, usually the decision is made where the votes are, is it not?"

Mr. Marsh: "That is correct."

Mr. Bledsoe demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 151, and the bill passed the House by the following vote: Yeas, 51; nays, 48; excused, 0.

Voting yea: Representatives Amen, Barden, Benitz, Berentson, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehne, Lynch, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Wanamaker, Wolf, Zimmerman, Mr. Speaker—51.

Voting nay: Representatives Adams, Anderson, Backstrom, Bagnariol, Bauer, Beck, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Litchman, Luders, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Williams, Wojahn—48.

Engrossed Substitute House Bill No. 151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

With regard to my vote this date on Engrossed Substitute House Bill No. 151 (appropriations bill), I am opposed to this bill because it is, I believe, twenty million dollars out of balance, and also is at least 5.4 percent above the spending level of 1969-71. However, after long and difficult negotiation and deliberation, I have changed my vote from negative to affirmative in the belief that further delay of the bill will result in an even higher level of spending, and because the entire Republican Caucus has cast an affirmative vote, with a resulting 51 (Republican) aye, and 48 (Democrat) nay. KENNETH O. EIKENBERRY, 36th District.

## EXPLANATION OF VOTE

I voted for Engrossed Substitute House Bill No. 151 in order to enable the legislative process to continue and to maintain the unity of the Republican Caucus. I strongly disapprove of the high rate of spending and the fact that this is not a balanced budget in my opinion. Even with these basic objections I have concluded that no useful purpose would be served by delaying the passage of the bill. WILLIAM N. POLK, 41st District.

## EXPLANATION OF VOTE

I did not support this budget on the first time around because I did not believe that the priorities were right . . . it did not do an adequate job in the area of human needs because of the following:

There should have been more for public assistance.

There should have been more assistance for the elderly.

There should have been support for special educational programs.

There should have been more medical insurance.

However, very little is going to move in the Legislature until we get a budget over to the Senate and I am interested in getting on to other legislation that in many ways is just as important, but does not involve the budget.

The aforestated are my reasons for voting for the budget. MICHAEL K. ROSS, 37th District.

## EXPLANATION OF VOTE

In casting an "aye" vote for this budget, I am not indicating complete favor of it. This budget contains too many "ifs." However, it was obviously as close as we would be able to come to agreement. I would, however, expect the Governor to pare expenditures as soon as it becomes apparent that fiscal problems will arise. I would hope that such cuts would be imposed in the areas of unquestioned waste. KEITH J. SPANTON, 15th District.

## EXPLANATION OF VOTE

Priorities established by the House-approved budget which sets spending levels for the next two years are not in keeping with my personal preferences. Working within the stringent limits imposed upon us by depressed economic conditions, however, made a completely satisfactory budget impossible.

There are several areas of the budget either directly or indirectly related to human needs that I feel are too low. This precipitated my negative vote March 6, 1971, on SHB 151. In my opinion, some adjustments within the budget could have been made without increasing the total amount of spending.

On the plus side, the House-passed budget did cut general government (bureaucracy) spending 32 percent from existing levels, while funding for human resources went up 17.5 percent.

Despite admitted shortcomings, I voted for the bill on final passage to move it over to the Senate for its consideration and to permit the House to get on with other important business that has been stacking up because of endless discussions about the budget.

It is my guess that the Senate is going to make substantial changes anyway, which means we will have it back in the House where we will get another look at it before it becomes law. Meanwhile, we can be working on other key legislation now before us. WILLIAM N. PARIS, 18th District.

## MOTION

On motion of Mr. Bledsoe, Engrossed Substitute House Bill No. 151 was ordered transmitted immediately to the Senate.

## PERSONAL PRIVILEGE

Mr. Newhouse: "Mr. Speaker, ladies and gentlemen: It is with a good deal of despair and chagrin that I must comment. I have never seen a more partisan legislature than I have seen in this House this session. I don't know what has brought it on. I wish I did. I wish I could do something about it. For the first time in the memory of those of us here, a budget has passed with the votes of only one party. Your leader has, at times, come to this side when you were in the majority and has gotten votes for a budget. More than that, I would like to point out in a more partisan manner, that all the bleeding you are doing over there today . . . This is a point of personal privilege, Mr. O'Brien. There were no amendments proposed on second reading by the people who are bleeding for what is not in this budget, and I accuse you here of insincerity in what you have said today."

## THIRD READING

SENATE BILL NO. 10, by Senator Gissberg:

Authorizing eighteen years of age to be legal age in probate law.

Senate Bill No. 10 was read the third time and placed on final passage.

## MOTION

Mr. Bottiger moved that the rules be suspended and Senate Bill No. 10 be returned to second reading for the purpose of amendment.

Representatives Bottiger and Julin spoke in favor of the motion, and Representatives Gladder, King and Maxie spoke against it.

Mr. Beck spoke against the motion by Mr. Bottiger.

## POINT OF ORDER

Mr. Charette: "Mr. Speaker, on a motion to suspend the rules, isn't it the rule that no speeches are given, but just the person making the motion is allowed to explain the reason for suspending the rules?"

## RULING BY THE SPEAKER

The Speaker: "Your point is well taken, Mr. Charette. The mover of the motion is entitled to explain his position, and one speaker in opposition."

## PARLIAMENTARY INQUIRY

Mr. Beck: "I would like to know what rule this is."

The Speaker: "Rule 48, Mr. Beck."

The motion by Mr. Bottiger to suspend the rules and return Senate Bill No. 10 to second reading was not carried.

## MOTION

On motion of Mr. Bledsoe, the House dispensed with further business under the Call of the House.

The Speaker stated the question before the House to be final passage of Senate Bill No. 10.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 10, and the bill passed the House by the following vote: Yeas, 89; nays, 5; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—89.

Voting nay: Representatives Conner, Gladder, Hubbard, Kuehnle, Smith—5.

Absent or not voting: Representatives Bledsoe, Brown, Hoggins, Pardini, Spanton—5.

Senate Bill No. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Morrison, the House reverted to the ninth order of business.

## SECOND READING

HOUSE BILL NO. 69, by Representatives Newhouse, Bledsoe and Moon (by Legislative Council request):

Providing for the taxation of mobile homes.

## MOTION

On motion of Mr. Flanagan, Substitute House Bill No. 69 was substituted for House Bill No. 69, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 69 was read the second time.

Mr. King moved adoption of the following amendment by Representatives King and Brouillet:

On page 18, after line 18, insert the following:

"Sec. 35, Section 84.04.090, chapter 15, Laws of 1961 and RCW 84.04.090 are each amended to read as follows:

The term 'real property' for the purposes of taxation shall be held and construed to mean and include the land itself, whether laid out in town lots or otherwise, and all buildings, structures or improvements or other fixtures of whatsoever kind thereon, except improvements upon lands the fee of which is still vested in the United States, or in the state of Washington, and all rights and privileges thereto belonging or in any wise appertaining, except leases of real property and leasehold interests therein for a term less than the life of the holder; and all substances in and under the same; all standing timber growing thereon, except standing timber owned separately from the ownership of the land upon which the same may stand or be growing; and all property which the law defines or the courts may interpret, declare and hold to be real property under the letter, spirit, intent and meaning of the law for the purposes of taxation. *Except for purposes of chapters 84.56 and 84.60 RCW, the term 'real property' shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of being permanently fixed in location upon land owned or leased by the owner of the mobile home and placed on a permanent foundation with fixed pipe connections with sewer, water or other utilities.*"

Renumber the remaining section consecutively

Representatives King, Flanagan and Newhouse spoke in favor of adoption of the amendment.

The amendment by Representatives King and Brouillet was adopted.

Mr. Moon moved adoption of the following amendment:

On page 17 insert a new section:

"NEW SECTION. Sec. 36. The provisions of this act shall expire July 1, 1977."

Mr. Moon spoke in favor of adoption of the amendment.

## POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Moon, when you wish something to expire, are you referring to the whole bill or to section 35, or to the fifty dollar exemption for elderly people?"

Mr. Moon: "I mean the provisions of the entire bill."

Mr. Newhouse: "Well the entire bill, Mr. Moon, is not a tax exemption. The provisions of the entire bill are a provision for how mobile homes should be taxed, changing them from an excise tax basis to a basis of real property, or personal property, and I suspect that you are accomplishing something if this amendment passes that you do not wish to accomplish."

Mr. Moon: "No, the new sections of this bill provide for the changeover, and the underlined portions of this bill that are new provide for the changeover from personal property from an excise tax, but the entire piece of legislation deals with excise taxes as they apply, and this is what I would like to have reviewed by the legislature at least by 1977."

The amendment by Mr. Moon was not adopted.

On motion of Mr. King, the following amendment to the title was adopted:

On line 4 of the title after the semicolon following "RCW 46.68.030" insert "amending section 84.04.090, chapter 15, Laws of 1961 and RCW 84.04.090;"

House Bill No. 69 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

## MOTION

Mr. King moved that HOUSE BILL NO. 756 be made a special order of business for 3:30 today.

## POINT OF ORDER

Mr. Wolf: "Mr. Speaker, how would you rule on House Bill No. 756 passing today some time around 3:30 or 3:45 and the Senate cutoff on our bills being exactly the same—4:00? Would it be possible for House Bill No. 756 to pass this legislature in the next 30 minutes?"

The Speaker: "As a matter of fact we can't even move it to third reading, Mr. Wolf, so we can't get it to the Senate before the end of this regular session."

The motion by Mr. King was lost.

ENGROSSED SENATE BILL NO. 103, by Senators Metcalf, Ridder and Odegaard (by Joint Committee on Education request):

Providing certain health measures relating to common schools.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendment see Journal of March 8, 1971, Fifty-seventh Day.)

The bill was read the second time.

Mr. Mentor moved adoption of the committee amendment.

Representatives Mentor and Brouillet spoke in favor of adoption of the amendment.

The amendment was adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 103 as amended by the House was placed on final passage.

Mr. Mentor spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 103 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Mârzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—93.

Voting nay: Representatives Bottiger, Charette—2.

Absent or not voting: Representatives Bledsoe, Hoggins, Pardini, Spanton—4.

Engrossed Senate Bill No. 103 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 88, by Senators Guess, Twigg, Washington and Atwood:  
Authorizing the state building authority to lease land from the state or its agencies.  
The bill was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Mr. May moved adoption of the following amendment:

On page 1, section 1, line 13 strike “, the state or its agencies”  
 Mr. Bluechel spoke in favor of adoption of the amendment.  
 The amendment was adopted.

Mr. May moved adoption of the following amendment:

On page 1, section 1, line 23, following “rates.” insert: “*The authority may contract with the state or any of its agencies, and may lease and release buildings to the state or its appropriate agencies, in the same manner, to the same extent, and subject to the same conditions and limitations, as apply to the authority’s ability to contract with and lease or release buildings to institutions of higher learning.*”

#### POINT OF INQUIRY

Mr. May yielded to question by Mr. Bluechel.

Mr. Bluechel: “Mr. May, I think what you have is a technical corrective amendment to allow the bonds to be sold for this. However, I am not familiar with the source of the amendment. Would you explain who prepared the amendment?”

Mr. May: “Our caucus attorney drew this amendment to tighten up the language because it had been so loosely drawn and to make it more readable and more understandable.”

Mr. Bluechel spoke in favor of adoption of the amendment.  
 The amendment was adopted.

On motion of Mr. May, the following amendments were adopted:

On page 2, section 2, line 3 strike “, the state or its agencies”

On page 2, section 2, line 4 following “lease.” insert “*The state and its agencies may lease buildings erected by the authority in the same manner, to the same extent and subject to the same conditions and limitations as apply to leases entered into by institutions of higher learning.*”

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 88 as amended by the House was placed on final passage.

Mr. Bluechel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 88 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O’Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Mr. Speaker—94.

Voting nay: Representative Wolf—1.

Absent or not voting: Representatives Hoggins, Pardini, Spanton, Zimmerman—4.

Senate Bill No. 88 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Chatalas moved that the House immediately consider ENGROSSED SENATE BILL NO. 79.

Mr. Chatalas spoke in favor of the motion.

The motion was carried on a rising vote.



ENGROSSED SENATE BILL NO. 79, by Senators Elicker, Fleming and Herr (by Public Pension Commission request):

Providing for inclusion of court of appeals judges in judges' retirement system.

The bill was read the second time.

Mr. Wolf moved adoption of the following amendment by Representatives Wolf and Charette:

On page 5 after line 32 insert a new section as follows and renumber the remaining sections consecutively:

"Sec. 7. Section 2, chapter 96, Laws of 1970 ex. sess. and RCW 2.12.100 are each amended to read as follows:

(1) Any member of the Washington public employees' retirement system who is eligible to participate in the judges' retirement system, may by written request filed with the director and custodian of the two systems respectively, transfer such membership to the judges' retirement system. Upon the receipt of such request, the director of the Washington public employees' retirement system shall transfer to the state treasurer (1) all employees' contributions and interest thereon belonging to such member in the employees' savings fund and all employers' contributions credited or attributed to such member in the benefit account fund and (2) a record of service credited to such member. One-half of such service but not in excess of twelve years shall be computed and credited to such member as though such service was performed as a member of the judges' retirement system. Upon such transfer being made the state treasurer shall deposit such moneys in the judges' retirement fund. In the event that any such member should terminate judicial service prior to his entitlement to retirement benefits under any of the provisions of chapter 2.12 RCW, he shall upon request therefor be repaid from the judges' retirement fund an amount equal to the amount of his employees' contributions to the Washington public employees' retirement system and interest plus interest thereon from the date of the transfer of such moneys: PROVIDED, HOWEVER, That this section shall not apply to any person who is retired as a judge as of [the effective date of this act] February 20, 1970.

(2) Any member of the judges' retirement system who was formerly a member of the Washington public employees' retirement system but who has terminated his membership therein under the provisions of chapter 41.40 RCW, may reinstate his membership in the Washington public employees' retirement system, for the sole purpose of qualifying for a transfer of membership in the judges' retirement system in accordance with subsection (1) above by making full restoration of all withdrawn funds to the employees' savings fund. Upon reinstatement in accordance with this subsection, the provisions of subsection (1) and the provisions of RCW 41.40.120(3) shall then be applicable to the reinstated member in the same manner and to the same extent as they are to the present members of the Washington public employees' retirement system who are eligible to participate in the judges' retirement system.

(3) Any member of the judges' retirement system who has rendered service for the state of Washington, or any political subdivision thereof, prior to October 1, 1947, or prior to the time of the admission of the employer into the Washington public employees' retirement system, may—upon his payment into the judges' retirement fund of a sum equal to five percent of his compensation earned for such prior public service—request and shall be entitled to have one-half of such service computed and not more than six years immediately credited to such member as though such service had been performed as a member of the judges' retirement system, provided that any such prior service so credited shall not be claimed for any pension system other than a judicial retirement system.

Subsections (2) and (3) of this amendatory act shall not apply to any person who is a retired judge as of the effective date of this act."

Representatives Wolf and Charette spoke in favor of adoption of the amendment, and Representative Shera spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Charette, I am a bit confused from listening to Mr. Shera and to you. In a situation where a man has served in several different positions—under the provisions of this amendment, would he then be able to total all that service, even though he elected during the period of prior service as a legislator or some other official, not to become a part of the retirement system?"

Mr. Charette: "To give a concise and precise answer to your total question—no."

#### POINT OF INQUIRY

Mr. Shera yielded to question by Mr. Brouillet.

Mr. Brouillet: "I am a little confused in the exchange here. I thought you said the judge receives at least half of the time he put in. Mr. Charette's answer was 'no.' I wonder if you would clear that up for me."

Mr. Shera: "Yes, I don't think his answer was correct. Some time back, there were a number of these judges that were eligible to be members of the Washington public employees' retirement system, either by way of being legislators, or prosecuting attorneys or in some other capacity as a state employee. However, at that time they elected not to be members of the retirement system; yet this act provides that they may go back and contribute their five percent into the fund on a retroactive basis and pick up the credit. However the amendment does not provide for the employers' contribution, which we would have lost (or which we will lose if this passes) and also the resultant interest from the employee's and employer's contribution. Again I urge you to defeat this amendment."

The amendment was lost on a rising vote.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 79 was placed on final passage.

Mr. Shera spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 79, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charmley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Hoggins, Pardini, Spanton—3.

Engrossed Senate Bill No. 79, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 493, by Representatives Bledsoe, Brouillet, Wolf, O'Brien, Charette, Newhouse, Flanagan, Amen, Benitz, Bozarth, Mentor, Pardini and Schumaker:

Pertaining to assessment of leasehold estates.

The House resumed consideration of House Bill No. 493 on second reading.

House Bill No. 493 was ordered engrossed.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 493 was placed on final passage.

Representatives Bledsoe and O'Brien spoke in favor of passage of the bill.

Mr. Bottiger demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 493, and the bill passed the House by the following vote: Yeas, 87; nays, 7; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bluechel, Bottiger, Bozarth, Brouillet, Brown, Ceccarelli, Charette, Chatalas, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Marsh, Martinis, Marzano, Maxie, May, McCormick, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Savage, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—87.

Voting nay: Representatives Blair, Bradley, Conner, Lysen, McDermott, Ross, Van Dyk-7.

Absent or not voting: Representatives Charnley, Hoggins, Pardini, Sawyer, Spanton-5.

Engrossed House Bill No. 493, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 380, by Senators Day, Woodall and Keefe:

Providing for health care benefits in certain circumstances notwithstanding provisions of the insurance contract.

The bill was read the second time.

Mr. Shera moved adoption of the following amendment by Representatives Shera and Bagnariol:

On page 1, following section 2, add new sections to read as follows:

"NEW SECTION. Sec. 3. As used in this 1971 act, unless the context otherwise requires:

(1) 'Affiliate' of, or a person 'affiliated' with, a specific person, shall mean a person who directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

(2) 'Control', including 'controlling', 'controlled by', and 'under common control with', shall mean the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, unless the power is solely the result of an official position with or a corporate office held by the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, ten percent or more of the voting securities of any other person. This presumption may be rebutted by showing that control does not exist in fact.

(3) 'Insurance holding company system' shall consist of two or more affiliated persons, one or more of which is an insurer.

(4) 'Insurer' shall have the same meaning given it in RCW 48.01.050.

(5) 'Person' shall mean an individual, a corporation, a partnership, an association, a joint stock company, a business trust, an unincorporated organization, any similar entity or any combination of the foregoing acting in concert.

(6) 'Subsidiary' of a specified person shall mean an affiliate controlled by such person directly, or indirectly through one or more intermediaries.

(7) 'Commissioner' shall mean the insurance commissioner.

NEW SECTION. Sec. 4. No person other than the issuer or an affiliate of the issuer shall make a tender offer for a request or invitation for tenders of, or agreement to exchange securities for or otherwise acquire, any voting security or any security convertible into a voting security of a domestic insurer or of any other person controlling a domestic insurer if, as a result of the consummation thereof, the person making such tender offer, request or agreement, would directly or indirectly, acquire actual control of such insurer, unless:

(1) Such person has filed with the commissioner a statement containing such of the following information, and such additional information as the commissioner may by rule or regulation prescribe as necessary or appropriate in the public interest or for the protection of policyholders:

(a) The background and identity of all persons by whom or on whose behalf the purchases or the exchange, merger, or other acquisition of control are to be effected;

(b) The source and amount of the funds or other consideration used or to be used in making the purchases or in effecting the exchange, merger or other acquisition of control, and, if any part of such funds or other consideration has been or is to be borrowed or otherwise obtained for the purpose of making the purchases or effecting the exchange, merger, or other acquisition of control, a description of the transaction and the names of the parties thereto;

(c) Any plans or proposals which such persons may have to liquidate such insurer, to sell its assets or merge it with any person, or to make any other major change in its business or corporate structure or management;

(d) The amount of each class of voting securities, or securities which may be converted into voting securities, of such insurer or such controlling person, which are beneficially owned, and the amount of each class of voting securities or securities which may be converted into voting securities of such insurer or such controlling person concerning which there is a right to acquire beneficial ownership, by each such person and by each such affiliate;

(e) Information as to any contracts, arrangements or understandings with any person with respect to any securities of such insurer, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements or understandings have been entered into, and giving the details thereof; and

(f) A copy of any such agreement, and any amendments thereto, to exchange or otherwise acquire securities or to merge with or otherwise to acquire control of such insurer; and

(2) The time for disapproval, as provided in section 7 of this 1971 amendatory act, including any agreed extensions, has elapsed or approval has been given by the commissioner.

**NEW SECTION.** Sec. 5. All requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders of such voting securities for actual control of a domestic insurer made by or on behalf of any such person shall contain such of the information specified in section 4 of this 1971 amendatory act as the commissioner may prescribe, and shall be filed with the commissioner at least ten days prior to the time such material is first published or sent or given to security holders. Copies of any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain such information as the commissioner may prescribe as necessary or appropriate in the public interest or for the protection of policyholders and stockholders, and shall be filed with the commissioner at least ten days prior to the time copies of such material are first published or sent or given to security holders.

**NEW SECTION.** Sec. 6. If the person required to file the statement referred to in section 4 of this 1971 amendatory act is a partnership, limited partnership, syndicate or other group, the commissioner may require that the information called for by section 4 of this 1971 amendatory act shall be given with respect to each partner of such partnership or limited partnership, each member of such syndicate or group and each person who controls such partner or member. If the person required to file the statement referred to in section 4 of this 1971 amendatory act is a corporation, the commissioner may require that the information called for by section 4 of this 1971 amendatory act shall be given with respect to such corporation and each officer and director of such corporation and each person who is directly or indirectly the beneficial owner of more than ten percent of the outstanding securities of such corporation.

**NEW SECTION.** Sec. 7. (1) In the absence of approval by the commissioner the purchases, exchanges, mergers or other acquisitions of control referred to in section 4 of this 1971 amendatory act may be made unless the commissioner, within twenty days after the statement required by section 4 of this 1971 amendatory act has been filed with him, disapproves the purchases, exchanges, mergers or other acquisitions of control. The commissioner may disapprove any such transaction within twenty days after such filing if he finds that:

(a) After the change of control the domestic insurer could not satisfy the requirements for the issuance of a certificate of authority according to requirements in force at the time of the issuance of its last certificate of authority to do the insurance business which it intends to transact in this state;

(b) The effect of the purchases, exchanges, mergers, or other acquisitions of control may be substantially to lessen competition in insurance in this state or tend to create a monopoly therein; or would violate the laws of this state or the United States relating to monopolies or restraint of trade;

(c) The financial condition of an acquiring person is such as would jeopardize the financial stability of the insurer, or prejudice the interest of its policyholders or, in the case of an acquisition of control, the interest of any remaining shareholders who are unaffiliated with the acquiring person;

(d) The plans or proposals which the acquiring person has to liquidate the insurer, to sell its assets, or to merge it with any person, or to make any other major change in its business or corporate structure or management, are unfair or prejudicial to policyholders; or

(e) The competence, experience and integrity of those persons who would control the operation of the insurer indicate that it would not be in the interest of policyholders, shareholders, or the public to permit them to do so.

(2) The provisions of sections 4 through 7 of this 1971 amendatory act apply to any change of control if and to the extent that the commissioner, by rule or regulation or by order, shall exempt the same from the provisions of such sections as not comprehended within the purpose of this section.

**NEW SECTION.** Sec. 8. (1) Every insurer which is authorized to do business in this state and which is a member of an insurance holding company system shall register with the commissioner, except that such requirements shall not apply to a foreign insurer domiciled in a jurisdiction which has adopted by statute or regulation disclosure requirements and standards substantially similar to those contained in this 1971 amendatory act. Any insurer which is subject to registration under the provisions of this section shall register within sixty days after the effective date of this act or fifteen days after it becomes subject to registration, whichever is later, unless the commissioner, for good cause shown, extends the time for registration, and then within such extended time. Nothing in this section shall be construed to prohibit the commissioner from requesting any authorized insurer, which is a member of a holding company system, which is not subject to registration under the provisions of this section for a copy of the registration statement or other information filed by such insurance company with the insurance regulatory authority of its state of domicile.

(2) Every insurer subject to registration shall file a registration statement on a form provided by the commissioner, which shall contain current information about:

(a) The capital structure, general financial condition, ownership and management of the insurer and any person controlling the insurer;

(b) The following transactions currently outstanding between such insurer and its affiliates:

- (i) Loans, other investments, or purchases, sales or exchanges of securities of the affiliate by the insurer or of the insurer by its affiliates;
- (ii) Purchases, sales, or exchanges of assets;
- (iii) Transactions not in the ordinary course of business;
- (iv) Guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the insurer's assets to liability, other than insurance contracts entered into in the ordinary course of the insurer's business;
- (v) All management and service contracts and all cost-sharing arrangements, other than cost allocation arrangements, based upon generally accepted accounting principles; and
- (vi) Reinsurance agreements covering all or substantially all of one or more lines of insurance of the ceding company; and
- (c) Other matters concerning transactions between a registered insurer and any affiliate as may be required by the commissioner.

(3) No information need be disclosed on the registration statement filed pursuant to the provisions of this section if such information is not material for the purposes of this 1971 amendatory act. Unless the commissioner by rule, regulation or order provides otherwise, sales, purchases, exchanges, loans or extensions of credit, or investments, involving one-half of one percent or less of an insurer's admitted assets as of December 31 immediately preceding shall not be deemed material for purposes of this section.

(4) Each registered insurer shall keep current the information required to be disclosed in its registration statement by reporting all material changes or additions on forms provided by the commissioner on or before the fifteenth day of the following month in which it learns of each such change or addition.

(5) The commissioner shall terminate the registration of any insurer which demonstrates that it no longer is a member of an insurance holding company system.

(6) Two or more affiliated insurers subject to registration hereunder may file a consolidated registration statement or consolidated reports amending their respective consolidated statements or their individual registration statements so long as such consolidated filings correctly reflect the condition of and transactions between such persons.

(7) The commissioner may allow any insurer which is authorized to do business in this state and which is part of an insurance holding company system to register on behalf of any affiliated insurer which is required to register under subsection (1) of this section, and to file all information and material required to be filed under the provisions of this 1971 amendatory act.

(8) The provisions of this section shall not apply to any insurer, information or transaction if and to the extent that the commissioner by rule, regulation, or order shall exempt the same from the provisions of this section as not comprehended within the purposes thereof.

(9) Any person may file with the commissioner a disclaimer of affiliation with any authorized insurer or such a disclaimer may be filed by such insurer or any member of an insurance holding company system. The disclaimer shall fully disclose all material relationships and basis for affiliation between such person and such insurer as well as the basis for disclaiming such affiliation. After a disclaimer has been filed, the insurer shall be relieved of any duty to register or report under this section which may arise out of the insurer's relationship with such person unless and until the commissioner disallows such a disclaimer. The commissioner shall disallow such a disclaimer only after furnishing all parties in interest with notice and opportunity to be heard, and after making specific findings of fact to support such disallowance.

**NEW SECTION.** Sec. 9. Material transactions by registered insurers with their affiliates occurring after the effective date of this 1971 amendatory act shall be subject to the following standards:

- (1) The terms shall be fair and reasonable;
- (2) The books, accounts, and records of each party shall be so maintained as to clearly and accurately disclose the precise nature and details of the transaction; and
- (3) The insurer's surplus to policyholders following any dividends or distributions to shareholders or affiliates shall be reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs.

**NEW SECTION.** Sec. 10. For purposes of this 1971 amendatory act, in determining whether an insurer's surplus to policyholders is reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs, the following factors, among others, shall be considered:

- (1) The size of the insurer as measured by its assets, capital and surplus, reserves, premium writings, insurance in force, and other appropriate criteria;
- (2) The extent to which the insurer's business is diversified among the several lines of insurance;
- (3) The number and size of risks insured in each line of business;
- (4) The extent of the geographical dispersion of the insurer's insured risks;
- (5) The nature and extent of the insurer's reinsurance program;
- (6) The quality, diversification, and liquidity of the insurer's investment portfolio;
- (7) The recent past and projected future trend in the size of the insurer's surplus to policyholders;

- (8) The surplus to policyholders maintained by other comparable insurers;
- (9) The adequacy of the insurer's reserves; and
- (10) The quality and liquidity of investments in subsidiaries.

**NEW SECTION.** Sec. 11. No insurer subject to registration under the provisions of this 1971 amendatory act shall pay any extraordinary dividend or make any other extraordinary distribution to its stockholders until sixty days after the commissioner has received notice of the intent to declare such dividend or distribution and has not within such period disapproved such payment, or the commissioner shall have approved such payment within such sixty-day period. For purposes of this section, an extraordinary dividend or distribution is any dividend or distribution which, together with other dividends or distributions made within the preceding twelve months, exceeds the greater of ten percent of such insurer's surplus to policyholders as of December 31 of the year immediately preceding, or the net gain from operations of such insurer if such insurer is a life insurer, or the net investment income if such insurer is not a life insurer, for the twelve-month period ending December 31 of the year immediately preceding. Notwithstanding any other provision of law, an insurer may declare an extraordinary dividend or distribution which is conditional upon the commissioner's approval thereof, and such a declaration shall confer no rights upon stockholders until the commissioner has approved the payment of such dividend or distribution or the commissioner has not disapproved such payment within the thirty-day period referred to above.

**NEW SECTION.** Sec. 12. (1) Subject to the limitations contained in this section and in addition to the powers which the commissioner has under chapter 48.03 RCW, relating to the examination of insurers, the commissioner shall also have the power to order any insurer registered under the provisions of this 1971 amendatory act to produce such records, books, or papers in the possession of the insurer or affiliates as shall be necessary to verify the information required to be contained in the insurer's registration statement, and any additional information pertinent to transactions between insurer and affiliates. Such books, records, papers and information shall be examined in the manner prescribed in chapter 48.03 RCW relating to the time, place and expense of examination.

(2) The purposes of the examination, under the provisions of subsection (1) of this section, shall be to verify the registration statement and any addition or amendment thereto made pursuant to the provisions of this 1971 amendatory act.

**NEW SECTION.** Sec. 13. Every report made pursuant to the provisions of this 1971 amendatory act, including every report of examination or investigation, and any duly authenticated copy thereof in the possession of any person subject to the provisions of this act, shall be a confidential communication, shall not be subject to subpoena and shall not be made public by the commissioner without the prior written consent of the insurer or unless the commissioner determines that the interests of policyholders, shareholders or the public will be served by the publication thereof, in which event he may make a public record or publish all or any part thereof in such manner as he may deem appropriate.

**NEW SECTION.** Sec. 14. Any person obtaining or attempting to obtain control of a domestic insurer shall by such act subject such person to the jurisdiction of the courts of this state.

**NEW SECTION.** Sec. 15. The commissioner may, upon notice and opportunity for all interested parties to be heard, issue such reasonable rules, regulations and orders as shall be necessary to carry out and effectuate provisions of this 1971 amendatory act.

Sec. 16. Section 13.26, chapter 79, Laws of 1947 and RCW 48.13.260 are each amended to read as follows:

(1) An insurer shall invest and keep invested its funds aggregating in amount, if a stock insurer, not less than one hundred percent of its minimum required capital, or if a mutual or reciprocal insurer, not less than one hundred percent of its required minimum surplus, in cash or investments eligible in accordance with RCW 48.13.040 (public obligations), and in mortgage loans on real property located within this state, pursuant to RCW 48.13.110.

(2) In addition to the investments required by subsection (1) of this section, an insurer shall invest and keep invested its funds aggregating not less than one hundred percent of its reserves required by this code in cash or premiums in course of collection or in investments eligible in accordance with the following sections: RCW 48.13.040 (public obligations), 48.13.050 (corporate obligations), 48.13.080 (preferred or guaranteed stocks), 48.13.090 (trustees' or receivers' obligations), 48.13.100 (equipment trust certificates), 48.13.110 (mortgages, loans and contracts), 48.13.150 (auxiliary chattel mortgages), 48.13.160 (real property, home office building, etc.), 48.13.180 (foreign securities), 48.13.190 (policy loans), 48.13.200 (savings and share accounts), 48.13.220 (common stocks), 48.13.230 (collateral loans), 48.13.250 (special consent investments).

(3) This section shall not apply to title insurers nor to mutual insurers on the assessment premium plan.

**NEW SECTION.** Sec. 17. If any provision of this 1971 amendatory act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this 1971 amendatory act which can be given effect without the invalid provisions or application and for this purpose the provisions of this 1971 amendatory act are severable.

**NEW SECTION.** Sec. 18. Sections 3 through 15 and section 17 shall be added to chapter 79, Laws of 1947 and shall constitute a new chapter in Title 48 RCW."

The amendment was adopted.

On motion of Mr. Shera, the following amendment to the title was adopted:

On page 1, line 1 of the title after "insurance;" and before "adding" insert "amending section .13.26, chapter 79, Laws of 1947 and RCW 48.13.260; adding new sections to chapter 79, Laws of 1947 and a new chapter to Title 48 RCW;"

Mr. Bottiger moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 380 as amended by the House be placed on final passage.

The motion was lost on a rising vote.

ENGROSSED SENATE BILL NO. 97, by Senators Whetzel, Walgren and Cooney (by Legislative Council request):

Increasing bonding requirements of elected county officials.

Committee recommendation: Majority, do pass as amended.

(For Committee Amendments see Journal of March 9, 1971, Fifty-eighth Day.)

The bill was read the second time.

On motion of Mr. Smythe, the committee amendments were adopted.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 97 as amended by the House was placed on final passage.

Mr. Bottiger spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Bottiger yielded to question by Mr. O'Brien.

Mr. O'Brien: "What is the fiscal impact, Mr. Bottiger, of this bill? Do you have any idea how much money will be saved with this bill?"

Mr. Bottiger: "Mr. O'Brien, I can't answer you for King County. In general it results in a dollar savings to Pierce County, and I presume it would to King County as well. The County Clerk told me it would save eighteen hundred dollars a year."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 97 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Hoggins, Kilbury, Pardini, Spanton—4.

Engrossed Senate Bill No. 97 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I abstained from voting on Engrossed Senate Bill No. 97 because of a conflict of interest. CHARLES D. KILBURY, District 16-B.

SENATE BILL NO. 107, by Senator Wilson:

Allowing Indian tribes to participate in public cooperative ventures.

The bill was read the second time.

On motion of Mr. Wolf, the rules were suspended, the second reading considered the third, and Senate Bill No. 107 was placed on final passage.

Mr. Schumaker spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 107, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Hoggins, Pardini, Spanton—3.

Senate Bill No. 107, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Bledsoe, all bills passed today were ordered transmitted immediately to the Senate.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## SPECIAL ORDER OF BUSINESS

The hour of 3:59 having arrived, the Speaker declared the question before the House to be the special order of business, Engrossed Senate Bill No. 363 on second reading.

ENGROSSED SENATE BILL NO. 363, by Senators Guess, Henry and Washington:

Providing for acquisition of property by public agencies.

The House resumed consideration of Engrossed Senate Bill No. 363.

The Speaker stated the question before the House to be the following amendment by Mr. Julin:

On page 3, section 3, line 19 after "*within*" strike "*fifteen*" and insert "*thirty*"

Mr. Newhouse spoke against adoption of the amendment.

## PERSONAL PRIVILEGE

Mr. Bottiger: "Mr. Speaker, members of the House: Mr. Newhouse has called your attention to what (if it was a statement of mine) was inaccurate. When the state makes its offer, it deposits in the court moneys in the amount offered. The property owner can go down and draw it out. However the state, when it files its intention to condemn, doesn't have to deposit the money in the court, and the property may sit there. I can tell you one place in Pierce County where for three years (and they have filed the intention to condemn) the property owners can't sell FHA or VA, can't borrow money for improvements, but the state hasn't deposited the money in court yet."

Mr. Julin closed debate, speaking in favor of the amendment.

The amendment was lost on a rising vote.

Mr. Julin moved adoption of the following amendment:

On page 3, section 3, line 28 after "*in*" insert "*subsection (2) of*"

Representatives Julin and Charette spoke in favor of adoption of the amendment, and Representatives Berentson, Newhouse and Bledsoe spoke against it.

Mr. Hubbard demanded an electric roll call, and the demand was sustained.

Mr. Bottiger spoke in favor of adoption of the amendment.



## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Julin to page 3, section 3, line 28, Engrossed Senate Bill No. 363, and the amendment was lost by the following vote: Yeas, 44; nays, 50; absent or not voting, 5.

Voting yea: Representatives Backstrom, Bauer, Benitz, Blair, Bluechel, Bottiger, Brouillet, Brown, Charette, Charnley, Conner, Cunningham, Eikenberry, Gladder, Hubbard, Hurley, Johnson, Julin, Kilbury, King, Kirk, Knowles, Kraabel, Litchman, Luders, Marsh, Marzano, Maxie, McDermott, O'Brien, Perry, Polk, Rabel, Rosellini, Ross, Sawyer, Shera, Shinpoch, Smith, Smythe, Van Dyk, Williams, Wojahn, Mr. Speaker—44.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Berentson, Bledsoe, Bozarth, Bradley, Ceccarelli, Conway, Copeland, Costanti, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Jastad, Jones, Juelling, Kiskaddon, Kopet, Kuehnle, Lynch, Lysen, Martinis, May, McCormick, Mentor, Merrill, Moon, Morrison, Newhouse, Pardini, Paris, Randall, Savage, Schumaker, Thompson, Wanamaker, Wolf, Zimmerman—50.

Absent or not voting: Representatives Chatalas, Harris, Hoggins, North, Spanton—5.

Mr. Bottiger moved adoption of the following amendment:

On page 3, beginning on line 29 after "shall" strike the remainder of the subsection (4) and insert "be based upon the following criteria: (a) the time and labor required; (b) the novelty and difficulty of the question involved and the skill requisite properly to conduct the case; (c) the customary charges of the bar for similar services; (d) the amount involved in the controversy and the benefits resulting to the client from the services; (e) the contingency or the certainty of the compensation; (f) the character of the employment, whether casual or for an established and constant client; (g) the standing, experience and ability of the lawyer; and (h) the applicable minimum bar fee schedule."

Representatives Bottiger and Julin spoke in favor of adoption of the amendment, and Mr. Berentson spoke against it.

Mr. Bledsoe demanded an electric roll call, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Bottiger to page 3, section 3, line 29, Engrossed Senate Bill No. 363, and the amendment was lost by the following vote: Yeas, 35; nays, 59; absent or not voting, 5.

Voting yea: Representatives Backstrom, Blair, Bluechel, Bottiger, Brown, Charette, Chatalas, Cunningham, Eikenberry, Gladder, Hatfield, Hubbard, Hurley, Johnson, Julin, Kirk, Knowles, Kraabel, Litchman, Luders, Marsh, Marzano, Maxie, Moon, O'Brien, Perry, Polk, Rabel, Rosellini, Ross, Sawyer, Shera, Shinpoch, Wojahn, Mr. Speaker—35.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Bledsoe, Bozarth, Bradley, Brouillet, Ceccarelli, Conner, Conway, Copeland, Costanti, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Haussler, Jastad, Jones, Juelling, Kilbury, King, Kiskaddon, Kopet, Kuehnle, Lynch, Lysen, Martinis, May, McCormick, McDermott, Mentor, Merrill, Morrison, Newhouse, North, Paris, Randall, Savage, Schumaker, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wolf, Zimmerman—59.

Absent or not voting: Representatives Charnley, Harris, Hoggins, Pardini, Spanton—5.

Mr. Julin moved adoption of the following amendment:

On page 4, after section 3 insert a new section as follows:

"NEW SECTION. Sec. 4. Nothing in this 1971 amendatory act shall be applicable to any cause of action that was the subject of litigation commenced on or before the effective date of this act."

Mr. Julin spoke in favor of adoption of the amendment, and Mr. Berentson spoke against it.

## POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Charette.

Mr. Charette: "Mr. Berentson, is it fair to say that it is your statement if Senate Bill No. 363 passes, no lawsuit that is now pending will be affected by this act?"

Mr. Berentson: "What I meant to say, if I didn't say it correctly, is that any fees actually earned prior to the effective date of the act will be awarded under the old law, and the courts will in fact determine what happens from this point on, once the new law is in existence."

The amendment was not adopted.

The bill was read the second time.

Mr. Wolf moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 363 be placed on final passage.

Mr. Charette demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to advance Engrossed Senate Bill No. 363 to third reading and final passage, and the motion was lost by the following vote: Yeas, 47; nays, 49; absent or not voting, 3.

Voting yea: Representatives Adams, Anderson, Barden, Beck, Benitz, Berentson, Bledsoe, Bozarth, Bradley, Ceccarelli, Charnley, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gallagher, Gilleland, Goldsworthy, Grant, Hansey, Haussler, Jastad, Jones, Juelling, Kirk, Kiskaddon, Kopet, Kuehnle, Lynch, Lysen, Martinis, May, Mentor, Morrison, Newhouse, Pardini, Randall, Savage, Schumaker, Wanamaker, Williams, Wolf, Zimmerman—47.

Voting nay: Representatives Amen, Backstrom, Bagnariol, Bauer, Blair, Bluechel, Bottiger, Brouillet, Brown, Charette, Chatalas, Conner, Eikenberry, Gladder, Hatfield, Hubbard, Hurley, Johnson, Julin, Kilbury, King, Knowles, Kraabel, Litchman, Luders, Marsh, Marzano, Maxie, McCormick, McDermott, Merrill, Moon, North, O'Brien, Paris, Perry, Polk, Rabel, Rosellini, Ross, Sawyer, Shera, Shipoch, Smith, Smythe, Thompson, Van Dyk, Wojahn, Mr. Speaker—49.

Absent or not voting: Representatives Harris, Hoggins, Spanton—3.

#### MESSAGES FROM THE SENATE

March 10, 1971.

Mr. Speaker: The President has signed:

SENATE BILL NO. 131,  
SENATE BILL NO. 241,  
SENATE BILL NO. 266,  
SENATE BILL NO. 447,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE BILL NO. 131,  
SENATE BILL NO. 241,  
SENATE BILL NO. 266,  
SENATE BILL NO. 447.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker: "I would like to advise the members for the matter of communication with their staff and their own planning that we have been advised that a Special Session of this Legislature has been called to commence at 9:00 a.m., Friday."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGES FROM THE SENATE

March 10, 1971.

Mr. Speaker: The Senate has passed:  
 ENGROSSED HOUSE BILL NO. 134,  
 HOUSE BILL NO. 211,  
 HOUSE BILL NO. 216,  
 HOUSE BILL NO. 217,  
 HOUSE BILL NO. 250,  
 ENGROSSED HOUSE BILL NO. 675,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 10, 1971.

Mr. Speaker: The Senate has passed:  
 HOUSE BILL NO. 266,  
 ENGROSSED HOUSE BILL NO. 267,  
 HOUSE BILL NO. 434,  
 and the same are herewith transmitted. BILL GLEASON, Assistant Secretary.

March 10, 1971.

Mr. Speaker: The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 228 and passed the bill as amended by the House.  
 SIDNEY R. SNYDER, Secretary.

March 10, 1971.

Mr. Speaker: The Senate has concurred in the House amendments to SENATE BILL NO. 195 and passed the bill as amended by the House.  
 SIDNEY R. SNYDER, Secretary.

March 10, 1971.

Mr. Speaker: The President has signed:  
 SENATE BILL NO. 195,  
 SENATE BILL NO. 228,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SENATE BILL NO. 195,  
 SENATE BILL NO. 228.

## SENATE AMENDMENT TO HOUSE BILL

March 10, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 158 with the following amendment:

On page 2, section 2, line 2 of the engrossed bill after "securities," strike "or other assets within" and insert "and other assets or debts or other obligations owed to", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## MOTION

Mr. Morrison moved that the House concur in the Senate amendment to Engrossed House Bill No. 158.

Mr. Shera spoke in favor of the motion.  
 The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 158 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 158 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent or not voting, 7.

Voting yea: Representatives Adams, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Polk, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Amen, Wolf—2.

Absent or not voting: Representatives Anderson, Flanagan, Harris, Hoggins, Kirk, Rabel, Spanton—7.

Engrossed House Bill No. 158 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

May 10, 1971.

Mr. Speaker: The Senate has passed HOUSE BILL NO. 228 with the following amendments:

In line 4 of the title after "43.99.110" insert a period and strike the remainder of the title.

On page 2, strike all of section 2., and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## MOTION

Mr. Morrison moved that the House concur in the Senate amendments to House Bill No. 228.

Mr. Zimmerman spoke in favor of the motion.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 228 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 228 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 4; absent or not voting, 5.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Farr, Flanagan, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Paris, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—90.

Voting nay: Representatives Eikenberry, Gallagher, Pardini, Smith—4.

Absent or not voting: Representatives Anderson, Harris, Hoggins, Perry, Spanton—5.

House Bill No. 228 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

March 10, 1971.

Mr. Speaker: The Senate has passed ENGROSSED HOUSE BILL NO. 322 with the following amendment:

On line 4 of the Committee amendment to page 1, line 6 of the printed bill, being page 1, line 7 of the engrossed bill, strike "PROVIDED, That such nonprofit organizations are regularly engaged in educational activities related to these children:" and after "PROVIDED" on line 6 of the committee amendment, being line 9 of the engrossed bill, strike "FURTHER", and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### MOTION

On motion of Mr. Mentor, the House concurred in the Senate amendment to Engrossed House Bill No. 322.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 322 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 322 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; absent or not voting, 4.

Voting yea: Representatives Adams, Amen, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Flanagan, Gallagher, Gillemund, Gladder, Goldsworthy, Grant, Hansey, Hatfield, Haussler, Hubbard, Hurley, Jastad, Johnson, Jones, Jueling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehne, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—95.

Absent or not voting: Representatives Anderson, Harris, Hoggins, Spanton—4.

Engrossed House Bill No. 322 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Bledsoe, the balance of the Senate Bills remaining on today's second reading calendar were referred to the Committee on Rules and Administration.

On motion of Mr. Bledsoe, the balance of the House Bills remaining on today's second reading calendar were deferred and the bills were ordered placed on tomorrow's second reading calendar.

On motion of Mr. Morrison, the House adjourned until 11:00 a.m., Thursday, March 11, 1971.

THOMAS A. SWAYZE, JR., Speaker.

MALCOLM McBEATH, Chief Clerk.

## SIXTIETH DAY

### MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 11, 1971.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Spanton who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father Edward Boyle of Holy Trinity Parish of Bremerton.

Reading of the journal of the previous day was dispensed with and it was ordered to stand approved.

### REPORTS OF STANDING COMMITTEES

March 10, 1971.

HOUSE BILL NO. 541, requiring nondiscrimination clauses in public contracts, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Kraabel, McCormick, Paris, Swayze.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

HOUSE BILL NO. 594, prohibiting discrimination based on sex, race, creed, color, or national origin, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and that the substitute bill do pass. Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Hurley, Kraabel, McCormick, Paris, Swayze.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

SENATE BILL NO. 321, increasing the membership of the advisory committee on the drug control unit, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 3 after "legislative" strike "municipal committee" and insert "[municipal committee] council"

On page 2, section 1, beginning on line 6 with "[forty-second]" strike everything down to and including "1973" on line 7 and insert "[forty-second session of the legislature of the state of Washington in January, 1971] each session of the legislature"

On page 2, following section 1 add two new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 43.43 RCW a new section to read as follows:

The chief of the Washington state patrol may, in his discretion, authorize special commissions for officers of the drug control assistance unit. Officers commissioned pursuant to this section shall have and exercise, throughout the state, such police powers and duties as are vested in sheriffs and peace officers generally.

**NEW SECTION.** Sec. 3. This 1971 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 2 of the title after "unit;" strike "and" and insert "adding a new section to chapter 43.43 RCW;"

On page 1, line 4 of the title after "43.43.660" insert "; and declaring an emergency" Signed by Representatives Bluechel, Chairman, Conway, Vice Chairman, Bledsoe, Cunningham, Hoggins, Kraabel, Paris, Spanton, Swayze.

**MINORITY recommendation:** Do not pass. Signed by Representatives Moon, Perry.

Passed to Committee on Rules and Administration for second reading.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 10,  
HOUSE BILL NO. 66,  
HOUSE BILL NO. 134,  
HOUSE BILL NO. 158,  
HOUSE BILL NO. 211,  
HOUSE BILL NO. 216,  
HOUSE BILL NO. 217,  
HOUSE BILL NO. 228,  
HOUSE BILL NO. 250,  
HOUSE BILL NO. 266,  
HOUSE BILL NO. 267,  
HOUSE BILL NO. 298,  
HOUSE BILL NO. 322,  
HOUSE BILL NO. 434,  
HOUSE BILL NO. 523,  
HOUSE BILL NO. 675.

#### REPORTS OF STANDING COMMITTEES

March 10, 1971.

HOUSE BILL NO. 403, authorizing the issuance of revenue warrants under the Municipal Airports Act of 1945, reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Smythe, Chairman, Adams, Bauer, Bradley, Douthwaite, Gilleland, Haussler, Jones, Kopet, Kuehnle, Litchman, Mentor, Merrill, North, Rabel, Smith.

Passed to Committee on Rules and Administration for second reading.

March 10, 1971.

HOUSE BILL NO. 771, allowing cities, towns and counties to expend funds on tourist promotion, reported by Committee on Local Government.

**MAJORITY recommendation:** Do pass. Signed by Representatives Smythe, Chairman, Adams, Bauer, Blair, Douthwaite, Gilleland, Jones, Kopet, Kuehnle, Litchman, Mentor, Merrill, North, Rabel, Smith.

**MINORITY recommendation:** Do not pass. Signed by Representatives Barden, Vice Chairman, Blair, Bradley.

Passed to Committee on Rules and Administration for second reading.

#### MESSAGES FROM THE SENATE

March 11, 1971.

Mr. Speaker: The President has signed:

SENATE BILL NO. 10,  
SENATE BILL NO. 79,  
SENATE BILL NO. 107,

and the same are herewith transmitted, SIDNEY R. SNYDER, Secretary.

## RESOLUTIONS

HOUSE RESOLUTION NO. 71-18, by Representatives Flanagan, Haussler, Johnson, Benitz, Hubbard and Kilbury:

WHEREAS, Serious economic conditions afflict all portions of the State's economy; and

WHEREAS, Tight money and rising inflation have dealt crippling blows to the State's wood products industry; and

WHEREAS, Agriculture, the State's second largest industry, is also suffering economically, particularly the farming of potatoes; and

WHEREAS, Low prices have been such that many producers in the major potato-growing areas, including the Columbia Basin and the Yakima and Kittitas Valleys, are faced with bankruptcy; and

WHEREAS, Potato prices currently do not reflect even forty percent of the cost production to the grower; and

WHEREAS, All potato-growing regions of Washington, Oregon, Idaho, and northern California have an oversupply of ten to fifteen percent above normal marketing needs; and

WHEREAS, These regions are all competing in the same markets, driving prices down even further; and

WHEREAS, Programs of the United States Department of Agriculture, through the Agricultural Conservation and Stabilization Service, could be of vital assistance to Washington potato producers, and to the producers of Oregon, Idaho, and northern California;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby urge the Honorable Clifford M. Hardin, United States Secretary of Agriculture, to immediately institute any commodity assistance program and/or surplus removal program for which potato growers may be eligible under federal farm laws; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted immediately by the Chief Clerk of the House of Representatives to Secretary Hardin.

Mr. Flanagan moved adoption of the resolution, and spoke in favor of its adoption.

## POINT OF INQUIRY

Mr. Ross yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative Ross, looking this thing over, I wondered if in your opinion this would have anything to do with a guaranteed annual income?"

Mr. Ross: "Certainly, Mr. Hoggins. I feel this is part of the guaranteed annual income that has been provided for farmers for well over 50 years. Farmers have had a welfare program that is superior to any now provided in this country."

The resolution was adopted on a rising vote.

HOUSE RESOLUTION NO. 71-19, by Representative Johnson:

WHEREAS, The Kennewick Lions have won the state high school Class AA wrestling title for the second straight year; and

WHEREAS, In bringing home the title the Lions outdistanced their nearest rival by a convincing margin; and

WHEREAS, The talent and effort of the entire team combined was instrumental in giving Kennewick the wrestling title for this year; and

WHEREAS, The individual championship effort of Bill Van Cleve contributed greatly to his team's victory;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commends the Kennewick Lions wrestling team and their coach, Bill Conrad, for their recent state high school Class AA wrestling title.

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to each member of the Kennewick wrestling team, to their coach, and to the principal of the Kennewick High School.

On motion of Mrs. Johnson, the resolution was adopted.

HOUSE RESOLUTION NO. 71-20, by Representatives Lynch, Charette and Goldsworthy:

WHEREAS, One of the more important and frequently used methods of funding state and local governmental programs or projects is by way of long-term borrowing, or bonded-debt financing; and

WHEREAS, This method of financing over the years has become, in the total fiscal spectrum, not only comprehensive and far-reaching, but progressively more involved in terms of numbers of projects or programs so financed; and

WHEREAS, In most cases, as reflected by the present statutory or constitutional limitations on maximum bonded indebtedness, such proposals for financing specific programs or projects must be presented to the people as a whole or in specific voting districts for approval or authority; and



WHEREAS, If a new or increased tax levy is involved as a funding source without a stated time or dollar amount limit imposed for the stated purpose, the new or increased tax levy is frequently continued to fund other projects or purposes beyond which the authority or approval was granted by the people;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee be authorized and directed to make a study of new tax or increased tax levies for the purpose of projects or programs required to be authorized by the people, and to determine which, if any, of those new or increased tax levies are used for other purposes when the purpose for which they have been authorized has been fulfilled and, finally, to analyze both the legal and moral use of such continuing taxes.

BE IT FURTHER RESOLVED, That said Committee shall make a report of its findings, including therein recommendations and any legislation deemed necessary, for consideration by the 1973 Session of the State Legislature.

On motion of Mrs. Lynch, the resolution was adopted.

### PERSONAL PRIVILEGE

Mr. Shinpoch: "Mr. Speaker, ladies and gentlemen of the House: Yesterday Representative Newhouse made some derogatory remarks relative to lack of Democrat votes for the budget bill.

"I would like to point out that Representative Newhouse was not a member of the Appropriations Committee (although he may be now—you people seem to move rather fast, changing committees once in awhile); however, from his remarks it was obvious that he did not know what occurred there. In the deliberations of the Appropriations Committee on House Bill No. 151, I proposed a number of amendments to change some of the priorities as proposed by the Governor and, my Republican colleagues, I think it would be fair to say that I vigorously debated those proposals.

"It is a matter of record, and I would like to so inform Representative Newhouse, that his party, without exception, turned down each and every amendment that I proposed. My Democratic colleagues and I worked long and hard on the budget and, except for the educational value we may have received, we might as well have stayed home. Considering the absolute lack of bipartisan effort in the committee, I am forced to take exception to Mr. Newhouse's remarks. It does not seem fair to me to be subjected to remarks such as Mr. Newhouse made yesterday for not voting for a document when I wasn't able to make any impact on that document. I wasn't able to change one single solitary priority to reflect either my position, or my party's position.

"Mr. Newhouse, in my judgment, your remarks were designed to mislead the general public. Your remarks were unfair and they were certainly not well taken. Thank you."

### SECOND READING

HOUSE BILL NO. 38, by Representatives Mentor, Wanamaker and Randall:

Extending and expanding real property tax exemption to sectarian organizations.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 10, after "by" and before "organizations" strike "[nonsectarian]" and insert "nonsectarian"

On page 1, section 1, after line 16, insert a new paragraph to read as follows:

*"Property owned by any church which is utilized as a camp facility if solely used for organized and supervised educational and recreational activities. The rental of property otherwise exempt under this paragraph to another church or to an organization described in RCW 84.36.050 or to a public school or to a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age for the use by the lessee for the purposes set forth in this paragraph shall not nullify the exemption provided for in this paragraph if the rental income is devoted solely to the operation and maintenance of the property. The exemption provided by this paragraph shall apply to a maximum of two hundred acres of any such camp as selected by the church, including buildings and other improvements thereon and shall expire July 1, 1973."*

On page 1, section 1, line 18, after "building" and before "boys" strike "in" and insert "[in] of"

On page 1, section 1, line 22, after "benefit" and before the semicolon insert the following:

*"The rental of property otherwise exempt under this paragraph to another nonprofit organization or association engaged in character building of boys and girls under eighteen years of age or to a church or to an organization described in RCW 84.36.050 or to a public school for the use by the lessee for the purposes set forth in this paragraph shall not nullify the exemption provided for in this paragraph if the rental income is devoted solely to the operation and maintenance of the property"*

On page 2, section 2, after line 12, strike all of section 2 and insert:

*"NEW SECTION. Sec. 2. The legislative council shall review the exemptions provided pursuant to RCW 84.36.030 and shall present recommendations to the next regular session of the legislature."*

In line 3 of the title after "RCW 84.36.030;" and before the period on line 4 strike "and amending section 2, chapter 137, Laws of 1969 and RCW 84.36.031" and insert "and creating a new section"

The bill was read the second time.

With the consent of the House, the first two committee amendments were considered together, and Mr. Kiskaddon moved their adoption.

#### POINT OF INQUIRY

Mr. Kiskaddon yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I notice the wording in here expresses the phrase 'character building' in more than one place, and I am interested to know in your opinion what 'character building' means, because it seems it could mean just about anything you want it to mean."

Mr. Kiskaddon: "Mr. Douthwaite, the words that were chosen here are words that were basically in the existing statute in other sections having to do with Boy Scouts and all, and we felt rather than attempt to change the entire statute at this time that we would not in essence look towards any of the other words that are in the bill. You will note the final amendment is one for study of the complete section so that we could redo the whole area."

#### POINT OF INQUIRY

Mr. Kiskaddon yielded to question by Mr. Charnley.

Mr. Charnley: "I think you answered my question partially, but I wondered why the cut-off date was in here."

Mr. Kiskaddon: "The cut-off date was put there because the members of the committee felt we were in an area that needed some real looking into, and that we could justify the exemptions for this period until we had a complete, thorough study of the subject."

#### POINT OF INQUIRY

Mr. Kiskaddon yielded to question by Mr. Blair.

Mr. Blair: "I have another question. What is the fiscal impact of this tax exemption in this biennium?"

Mr. Kiskaddon: "I think this will be discussed when we get to final passage rather than on the amendment at this particular time."

The two committee amendments were adopted.

On motion of Mr. Kiskaddon, the other three committee amendments to the body of the bill were adopted.

On motion of Mr. Moon, the following amendment by Representatives Moon and Flanagan was adopted:

On page 2 after "legislature." insert "*NEW SECTION.* Sec. 3. The provisions of this act shall expire July 1, 1977."

On motion of Mr. Kiskaddon, the committee amendment to the title was adopted.

House Bill No. 38 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 218, by Representatives Benitz, Julin and Hubbard:  
Authorizing regional law libraries.

#### MOTION

On motion of Mr. Morrison, the House deferred consideration of House Bill No. 218 and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 314, by Representatives Conway, Eikenberry, Paris, Kiskaddon and Gladder (by Departmental request):

Creating lien against time loss compensation to recipient of public assistance.

## MOTION

On motion of Mr. Farr, Substitute House Bill No. 314 was substituted for House Bill No. 314, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 314 was read the second time.

On motion of Mr. Farr, the following amendment was adopted:

On page 1, section 1, line 17 after "RCW" strike "51.34.090" and insert "51.32.090"

Substitute House Bill No. 314 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 351, by Representatives Julin, Charette, Hubbard and Backstrom:  
Granting immunity to medical professionals bringing charges against fellow professionals.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, section 1, lines 8 to 21 strike everything and insert

"Physicians licensed under chapter 18.71 RCW or chapter 18.57 RCW, and dentists licensed under chapter 18.32 RCW who, in good faith, file charges or present evidence against another member of their profession based on the claimed incompetency or gross misconduct of such person before a regularly constituted review committee or board of a medical or dental society or hospital whose duty it is to evaluate the competency and qualifications of members of the profession, including limiting the extent of practice of such person in a hospital or similar institution, shall be immune from civil action for damages arising out of such activities except where said physician, or dentist acts maliciously in filing the charges or presenting the evidence. The written records of such committees or boards shall not be subject to subpoena or discovery proceedings in any civil action, except actions arising out of the recommendations of such committees."

The bill was read the second time.

On motion of Mr. Julin, the committee amendment was adopted.

House Bill No. 351 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 356, by Representatives Paris, Thompson and Anderson:

Making an appropriation for the Puget Island-Westport ferry.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, beginning on line 4 strike all of section 1 and insert a new section as follows:

"NEW SECTION. Section 1. The Washington state highway commission is hereby authorized to enter into a continuing agreement with Wahkiakum county pursuant to which the state highway commission shall pay to Wahkiakum county from moneys appropriated for such purpose the sum of one thousand dollars per month to be used in the operation and maintenance of the Puget Island ferry or a sum equal to sixty percent of the monthly deficit incurred in the operation and maintenance of the ferry, whichever sum is the greater, commencing July 1, 1971. The agreement shall provide for proper audits and operating procedures which will insure the efficient operation and maintenance of the ferry by Wahkiakum county.

There is appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1973 the sum of forty thousand dollars or so much thereof as may be necessary to carry out the provisions of this section."

The bill was read the second time.

On motion of Mr. Wanamaker, the committee amendment was adopted.

House Bill No. 356 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 357, by Representatives Gallagher, Beck and Hatfield:

Amending certain parts of the White Cane Law.

The bill was read the second time.

## MOTION

On motion of Mr. Wolf, the House deferred consideration of House Bill No. 357 on second reading, and the bill was ordered placed at the bottom of today's second reading calendar.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SENATE BILL NO. 10,  
 SENATE BILL NO. 79,  
 SENATE BILL NO. 107.

## MESSAGE FROM THE SENATE

March 11, 1971.

Mr. Speaker: The Senate refuses to concur in the House amendments to Senate Bill No. 88 and asks the House to recede therefrom, and said bill together with the amendments thereto, is herewith transmitted.

SIDNEY R. SNYDER, Secretary.

## MOTION

On motion of Mr. Bluechel, the House receded from its amendments to Senate Bill No. 88.

## FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Senate Bill No. 88 without the House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 88 without the House amendments, and the bill passed the House by the following vote: Yeas, 96; nays, 0; absent or not voting, 3:

Voting yea: Representatives Adams, Amen, Anderson, Backstrom, Bagnariol, Barden, Bauer, Beck, Benitz, Berentson, Blair, Bledsoe, Bluechel, Bottiger, Bozarth, Bradley, Brouillet, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Douthwaite, Eikenberry, Farr, Gallagher, Gilleland, Gladder, Goldsworthy, Grant, Hansey, Harris, Hatfield, Hausler, Hubbard, Hurley, Jastad, Johnson, Jones, Juelling, Julin, Kilbury, King, Kirk, Kiskaddon, Knowles, Kopet, Kraabel, Kuehnle, Litchman, Luders, Lynch, Lysen, Marsh, Martinis, Marzano, Maxie, May, McCormick, McDermott, Mentor, Merrill, Moon, Morrison, Newhouse, North, O'Brien, Pardini, Paris, Perry, Polk, Rabel, Randall, Rosellini, Ross, Savage, Sawyer, Schumaker, Shera, Shinpoch, Smith, Smythe, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Wolf, Zimmerman, Mr. Speaker—96.

Absent or not voting: Representatives Flanagan, Hoggins, Spanton—3.

Senate Bill No. 88 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGES FROM THE SENATE

March 11, 1971.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 10,  
 HOUSE BILL NO. 66,  
 HOUSE BILL NO. 134,  
 HOUSE BILL NO. 158,  
 HOUSE BILL NO. 211,  
 HOUSE BILL NO. 216,  
 HOUSE BILL NO. 217,  
 HOUSE BILL NO. 228,  
 HOUSE BILL NO. 250,  
 HOUSE BILL NO. 266,  
 HOUSE BILL NO. 267,

HOUSE BILL NO. 298,  
 HOUSE BILL NO. 322,  
 HOUSE BILL NO. 434,  
 HOUSE BILL NO. 523,  
 HOUSE BILL NO. 675,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary

## MOTION

On motion of Mr. Morrison, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

The Clerk called the roll and all members were present except Representative Spanton who was excused.

## SECOND READING

HOUSE BILL NO. 430, by Representatives Newhouse, Wojahn, Bottiger, Smythe, Chatalas, Backstrom and Haussler (by Departmental request):

Providing for participation under the Economic Opportunity Act of state and local government.

Committee recommendation: Majority, do pass with the following amendment:

On page 1, line 1 of the title after "ACT" strike "Relating to social and economic development" and insert "Authorizing participation in the programs of the Economic Opportunity Act of 1964 as amended"

The bill was read the second time.

On motion of Mr. Smythe, the committee amendment was adopted.

House Bill No. 430 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 499, by Representatives Julin, Charette and Harris:

Providing for suspension or deferral of sentence in certain criminal cases.

Committee recommendation: Majority, do pass with the following amendments:

On page 1, section 1, line 22 after "sentence" strike "[shall not] may" and insert "shall not"

On page 2, section 1, line 3 after "sentence" strike "[shall not] may" and insert "shall not"

On page 2, section 1, line 17 after "sentence" strike "[shall not] may" and insert "shall not"

The bill was read the second time.

Mr. Julin moved adoption of the first committee amendment and spoke in favor of its adoption.

## PARLIAMENTARY INQUIRY

Mr. Kuehnle: "Mr. Speaker, point of parliamentary inquiry. We have a floor amendment on the desk dealing with subsection one, and the committee amendments relate then to the following subsection. Should we consider the floor amendment first?"

The Speaker: "Under our rules, committee amendments are taken up first and then we go back and take floor amendments even though they are in a prior section."

Mr. Kuehnle spoke in favor of the committee amendment.

The first committee amendment was adopted.

On motion of Mr. Julin, the remaining two committee amendments were adopted.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Eikenberry:

On page 1, section 1, line 14 after "sentence" strike "[shall not] may" and insert "shall not"

Mr. Kuehnle spoke in favor of the amendment, and Mr. Julin spoke against it.

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. O'Brien.

Mr. O'Brien: "Mr. Julin, have there been a number of instances where individuals have been involved with this mandatory five-year sentence because they carried a firearm? In our area do you know of any cases where someone has been sentenced, maybe without justification, because he just happened to have a firearm and he wasn't involved with trying to kill somebody?"

Mr. Julin: "Representative O'Brien, I do not know of the case or the actual sentencing. I do know that there was testimony before us by judges of the superior court in Pierce County where they had indication that the strict application of the law itself would result in the imposition of a five-year mandatory sentence in a situation where both the prosecutor and the court felt that this was an unduly severe penalty for that particular offense."

Representatives Wolf and Eikenberry spoke in favor of adoption of the amendment, and Representative Charette spoke against it.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Eikenberry, we have heard some comments by other prosecuting attorneys. Can you tell me if you have any specific knowledge of instances where sentences on armed robberies have been deferred?"

Mr. Eikenberry: "Yes, Mr. Speaker, ladies and gentlemen: I can give first-hand testimony of a second degree murder case where the sentencing judge, feeling handicapped under the laws of this state by not being able to suspend the sentence, did grant a deferred sentence."

Representatives Ross and Haussler spoke against adoption of the amendment by Representatives Kuehnle and Eikenberry to House Bill No. 499, and Representatives Gladder and O'Brien spoke in favor of it.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Van Dyk.

Mr. Van Dyk: "Representative Charette, if this discretion of the judge to alleviate the mandatory sentence on first conviction failed to pass, I am going to cite a case and I would like you to tell me what the action would be. Let's say two men in a rural area happened to be hunting and they meet each other and get in an argument. They set their rifles aside and begin to fight. One brings charges of assault against the other and one is convicted. Would you tell me how this might apply to this case?"

Mr. Charette: "Yes, Representative Van Dyk. I think the prosecuting attorney in that case, if he wanted to, could look at the introductory part of section one of this bill, and skip over on the next page to subsection (4), and would be able to argue, probably quite convincingly that the hunter had a weapon or firearm in his possession or under this control. If he got a conviction for third degree assault, he could demand and take away the judge's right to give a deferred or suspended sentence and the individual would have to be committed for five years. I think the judge would probably hope at that time, when he was required to pass the sentence, that some people would reasonably consider these measures instead of getting them mixed up with what they think is law and order."

Mr. Kilbury spoke in favor of adoption of the amendment.

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Wanamaker.

Mr. Wanamaker: "Representative Julin, in your opinion is there a tendency by the judge with this mandatory five-year sentence that he would have to find some reason for not finding the defendant guilty or for the prosecutor to be looking for a lesser charge?"

Mr. Julin: "Representative Wanamaker, your question touches on one of the very reasons for this bill. I don't think that the judge or prosecutor is going to be looking for a reason not to find the man, who Representative Charette spoke about in answer to Representative Van Dyk's question, guilty of the third degree assault charge. But when that judge and prosecutor are faced with the prospect that in addition to that charge they must impose a mandatory five-year jail sentence, then you have a situation where you will find that both the judge and the prosecutor, dedicated to the preservation of law and order, are going to be hoping that there is some way that this should not have to happen. That speaks

exactly to the purpose and intent of the bill, which is to take cognizance of the fact that no matter what general law we pass, there may very well be individual circumstances that justify some kind of an exception. So it touches exactly on the problem posed by the law as it now stands—that neither judge nor prosecutor can legally or lawfully take into account individual circumstances of the individual defendant and the particular facts surrounding the case. That is why the bill as proposed would grant this kind of discretion on the first offense.”

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Douthwaite.

Mr. Douthwaite: “I wonder how the law would be applied if, in the event a man had a legal right to possess a rifle, say in his vehicle, and he stopped by on the way home and stole a pack of cigarettes (which I assume would be a misdemeanor)—would this be assumed to be in his possession, or would the judge have any discretion on this point?”

Mr. Charette: “In answer to the question, I think that (and I am trying not to give what might be determined as a lawyer’s answer) the argument would be over possession, and probably in that case the gun would not be in his possession, to give an honest answer.”

Mr. Litchman demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Kuehnle and Eikenberry to House Bill No. 499 and the amendment was adopted by the following vote: Yeas, 50; nays, 44; absent or not voting, 5.

Voting yea: Representatives Amen, Backstrom, Bagnariol, Barden, Beck, Benitz, Bledsoe, Bluechel, Bozarth, Chatalas, Conner, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Gladder, Hansey, Hatfield, Hubbard, Hurley, Johnson, Jueling, Kilbury, Kirk, Kopet, Kuehnle, Litchman, Luders, Lynch, Martinis, May, McCormick, Mentor, Merrill, Moon, Morrison, North, O’Brien, Pardini, Paris, Polk, Rabel, Schumaker, Shera, Smith, Wolf—50.

Voting nay: Representatives Adams, Anderson, Bauer, Berentson, Blair, Bottiger, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Douthwaite, Gallagher, Gilleland, Grant, Harris, Haussler, Hoggins, Jastad, Jones, Julin, King, Kiskaddon, Knowles, Kraabel, Lysen, Marsh, Marzano, Maxie, McDermott, Perry, Randall, Rosellini, Ross, Savage, Sawyer, Shinpoch, Thompson, Van Dyk, Wanamaker, Williams, Wojahn, Zimmerman, Mr. Speaker—44.

Absent or not voting: Representatives Brown, Goldsworthy, Newhouse, Smythe, Spanton—5.

House Bill No. 499 was ordered engrossed and passed to Committee on Rules and Administration for third reading.

HOUSE BILL NO. 545, by Representatives Backstrom, Marsh, Kopet, Curtis and Pardini:

Providing for management surveys by legislative budget committee.

The House resumed consideration of House Bill No. 545.

The Speaker stated the question before the House to be the motion by Mr. Bluechel that Substitute House Bill No. 545 be substituted for House Bill No. 545 and the substitute bill be placed on the calendar for second reading.

The motion was carried.

Mr. Perry moved adoption of the following amendment and spoke in favor of its adoption.

On page 6, section 4, lines 24 to 27 reinsert the original language

Mr. King demanded an electric roll call, and the demand was sustained.

Representatives O’Brien, Beck and Bottiger spoke in favor of adoption of the amendment, and Representatives Backstrom, Kopet and Bledsoe spoke against it.

Mr. Perry spoke again in favor of the amendment and Mr. Backstrom spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Perry to Substitute House Bill No. 545, and the amendment was lost by the following vote: Yeas, 47; nays, 50; absent or not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Beck, Berentson, Bottiger, Bozarth, Bradley, Brouillet, Ceccarelli, Charette, Charnley, Chatalas, Conner, Douthwaite, Flanagan, Gallagher, Grant, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kuehnle, Litchman, Luders, Lysen, Martinis, Marzano, Maxie, May, McCormick, McDermott, Merrill, Moon, O'Brien, Perry, Randall, Rosellini, Savage, Sawyer, Shinpoch, Van Dyk, Williams, Wojahn—47.

Voting nay: Representatives Amen, Backstrom, Barden, Bauer, Benitz, Blair, Bledsoe, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Gilleland, Gladder, Hansey, Harris, Hatfield, Hoggins, Hubbard, Jones, Juelling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Lynch, Marsh, Mentor, Morrison, Newhouse, North, Pardini, Paris, Polk, Rabel, Ross, Schumaker, Shera, Smith, Smythe, Thompson, Wanamaker, Wolf, Zimmerman, Mr. Speaker—50.

Absent or not voting: Representatives Goldsworthy, Spanton—2.

## MESSAGES FROM THE SENATE

March 11, 1971.

Mr. Speaker: The Senate has concurred in the House amendments to Engrossed Senate Bill No. 97, and passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

March 11, 1971.

Mr. Speaker: The Senate has concurred in the House amendment to Engrossed Senate Bill No. 103 and has passed the bill as amended by the House.

SIDNEY R. SNYDER, Secretary.

March 11, 1971.

Mr. Speaker: The President has signed:

HOUSE BILL NO. 41,

HOUSE BILL NO. 75,

HOUSE BILL NO. 720,

HOUSE CONCURRENT RESOLUTION NO. 24,

and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

March 11, 1971.

Mr. Speaker: Under the provisions of Engrossed Senate Concurrent Resolution No. 17, the Senate herewith returns the following House bills:

ENGROSSED HOUSE BILL NO. 11,

HOUSE BILL NO. 13,

HOUSE BILL NO. 14,

ENGROSSED HOUSE BILL NO. 40,

ENGROSSED HOUSE BILL NO. 44,

ENGROSSED HOUSE BILL NO. 48,

ENGROSSED HOUSE BILL NO. 52,

HOUSE BILL NO. 53,

ENGROSSED HOUSE BILL NO. 56,

HOUSE BILL NO. 61,

ENGROSSED HOUSE BILL NO. 67,

ENGROSSED HOUSE BILL NO. 72,

ENGROSSED HOUSE BILL NO. 78,

ENGROSSED HOUSE BILL NO. 82,

ENGROSSED HOUSE BILL NO. 83,

ENGROSSED HOUSE BILL NO. 86,

HOUSE BILL NO. 88,

HOUSE BILL NO. 106,

ENGROSSED HOUSE BILL NO. 110,

ENGROSSED HOUSE BILL NO. 112,

ENGROSSED HOUSE BILL NO. 113,

ENGROSSED HOUSE BILL NO. 123,

HOUSE BILL NO. 126,

ENGROSSED HOUSE BILL NO. 133,

ENGROSSED HOUSE BILL NO. 138,

ENGROSSED HOUSE BILL NO. 140,



ENGROSSED SUBSTITUTE HOUSE BILL NO. 151,  
ENGROSSED HOUSE BILL NO. 153,  
HOUSE BILL NO. 154,  
ENGROSSED HOUSE BILL NO. 160,  
ENGROSSED HOUSE BILL NO. 161,  
ENGROSSED HOUSE BILL NO. 163,  
ENGROSSED HOUSE BILL NO. 166,  
HOUSE BILL NO. 169,  
HOUSE BILL NO. 171,  
HOUSE BILL NO. 172,  
HOUSE BILL NO. 173,  
ENGROSSED HOUSE BILL NO. 175,  
SUBSTITUTE HOUSE BILL NO. 176,  
ENGROSSED HOUSE BILL NO. 181,  
HOUSE BILL NO. 185,  
HOUSE BILL NO. 188,  
ENGROSSED HOUSE BILL NO. 198,  
HOUSE BILL NO. 200,  
ENGROSSED HOUSE BILL NO. 204,  
ENGROSSED HOUSE BILL NO. 207,  
HOUSE BILL NO. 209,  
HOUSE BILL NO. 212,  
ENGROSSED HOUSE BILL NO. 213,  
HOUSE BILL NO. 215,  
ENGROSSED HOUSE BILL NO. 221,  
ENGROSSED HOUSE BILL NO. 222,  
HOUSE BILL NO. 223,  
ENGROSSED HOUSE BILL NO. 224,  
ENGROSSED HOUSE BILL NO. 225,  
ENGROSSED HOUSE BILL NO. 226,  
HOUSE BILL NO. 227,  
ENGROSSED HOUSE BILL NO. 229,  
HOUSE BILL NO. 233,  
HOUSE BILL NO. 237,  
ENGROSSED HOUSE BILL NO. 239,  
HOUSE BILL NO. 242,  
ENGROSSED HOUSE BILL NO. 244,  
SUBSTITUTE HOUSE BILL NO. 247,  
ENGROSSED HOUSE BILL NO. 251,  
HOUSE BILL NO. 252,  
ENGROSSED HOUSE BILL NO. 253,  
ENGROSSED HOUSE BILL NO. 262,  
HOUSE BILL NO. 270,  
HOUSE BILL NO. 272,  
ENGROSSED HOUSE BILL NO. 273,  
ENGROSSED HOUSE BILL NO. 274,  
ENGROSSED HOUSE BILL NO. 277,  
ENGROSSED HOUSE BILL NO. 291,  
ENGROSSED HOUSE BILL NO. 300,  
ENGROSSED HOUSE BILL NO. 303,  
HOUSE BILL NO. 306,  
HOUSE BILL NO. 307,  
ENGROSSED HOUSE BILL NO. 308,  
ENGROSSED HOUSE BILL NO. 310,  
ENGROSSED HOUSE BILL NO. 311,  
HOUSE BILL NO. 312,  
HOUSE BILL NO. 313,  
ENGROSSED HOUSE BILL NO. 324,  
ENGROSSED HOUSE BILL NO. 337,  
HOUSE BILL NO. 349,  
HOUSE BILL NO. 350,  
ENGROSSED HOUSE BILL NO. 353,  
HOUSE BILL NO. 362,  
HOUSE BILL NO. 364,  
ENGROSSED HOUSE BILL NO. 372,  
ENGROSSED HOUSE BILL NO. 376,  
ENGROSSED HOUSE BILL NO. 378,  
HOUSE BILL NO. 386,  
ENGROSSED HOUSE BILL NO. 394,  
HOUSE BILL NO. 397,  
ENGROSSED HOUSE BILL NO. 401,  
ENGROSSED HOUSE BILL NO. 408,  
ENGROSSED HOUSE BILL NO. 412,  
ENGROSSED HOUSE BILL NO. 415,

ENGROSSED HOUSE BILL NO. 427,  
 ENGROSSED HOUSE BILL NO. 428,  
 HOUSE BILL NO. 429,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 433,  
 HOUSE BILL NO. 441,  
 ENGROSSED HOUSE BILL NO. 445,  
 ENGROSSED HOUSE BILL NO. 464,  
 ENGROSSED HOUSE BILL NO. 491,  
 ENGROSSED HOUSE BILL NO. 493,  
 HOUSE BILL NO. 497,  
 ENGROSSED HOUSE BILL NO. 501,  
 ENGROSSED HOUSE BILL NO. 538,  
 ENGROSSED HOUSE BILL NO. 543,  
 SUBSTITUTE HOUSE BILL NO. 562,  
 ENGROSSED HOUSE BILL NO. 572,  
 ENGROSSED HOUSE BILL NO. 578,  
 ENGROSSED HOUSE BILL NO. 586,  
 ENGROSSED HOUSE BILL NO. 597,  
 HOUSE BILL NO. 606,  
 ENGROSSED HOUSE BILL NO. 620,  
 HOUSE BILL NO. 621,  
 ENGROSSED HOUSE BILL NO. 636,  
 ENGROSSED HOUSE BILL NO. 657,  
 ENGROSSED HOUSE BILL NO. 660,  
 HOUSE BILL NO. 686,  
 ENGROSSED HOUSE BILL NO. 726,  
 HOUSE BILL NO. 728,  
 ENGROSSED HOUSE BILL NO. 734,  
 HOUSE BILL NO. 878,  
 ENGROSSED HOUSE BILL NO. 1031,  
 HOUSE JOINT MEMORIAL NO. 1,  
 HOUSE JOINT MEMORIAL NO. 3,  
 HOUSE JOINT MEMORIAL NO. 8,  
 ENGROSSED HOUSE JOINT RESOLUTION NO. 22,  
 ENGROSSED HOUSE JOINT RESOLUTION NO. 27,  
 ENGROSSED HOUSE JOINT RESOLUTION NO. 30,  
 ENGROSSED HOUSE JOINT RESOLUTION NO. 34,  
 HOUSE JOINT RESOLUTION NO. 35,  
 HOUSE CONCURRENT RESOLUTION NO. 8,  
 ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 11,  
 ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 18,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that under the terms of Senate Concurrent Resolution No. 17 the House was transmitting the following Senate Bills:

ENGROSSED SENATE BILL NO. 1,  
 ENGROSSED SENATE BILL NO. 32,  
 SENATE BILL NO. 35,  
 ENGROSSED SENATE BILL NO. 37,  
 SENATE BILL NO. 45,  
 SENATE BILL NO. 46,  
 ENGROSSED SENATE BILL NO. 47,  
 ENGROSSED SENATE BILL NO. 49,  
 ENGROSSED SENATE BILL NO. 56,  
 SENATE BILL NO. 57,  
 SENATE BILL NO. 62,  
 ENGROSSED SENATE BILL NO. 63,  
 ENGROSSED SENATE BILL NO. 64,  
 SENATE BILL NO. 68,  
 ENGROSSED SENATE BILL NO. 73,  
 ENGROSSED SENATE BILL NO. 86,  
 SUBSTITUTE SENATE BILL NO. 90,  
 ENGROSSED SENATE BILL NO. 91,  
 ENGROSSED SENATE BILL NO. 95,  
 ENGROSSED SENATE BILL NO. 100,

SENATE BILL NO. 102,  
ENGROSSED SENATE BILL NO. 114,  
ENGROSSED SENATE BILL NO. 120,  
SENATE BILL NO. 125,  
SENATE BILL NO. 126,  
REENGROSSED SENATE BILL NO. 130,  
ENGROSSED SENATE BILL NO. 133,  
ENGROSSED SENATE BILL NO. 135,  
ENGROSSED SENATE BILL NO. 136,  
ENGROSSED SENATE BILL NO. 137,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 146,  
ENGROSSED SENATE BILL NO. 151,  
ENGROSSED SENATE BILL NO. 156,  
SENATE BILL NO. 160,  
ENGROSSED SENATE BILL NO. 163,  
ENGROSSED SENATE BILL NO. 168,  
SENATE BILL NO. 172,  
ENGROSSED SENATE BILL NO. 183,  
SENATE BILL NO. 196,  
SENATE BILL NO. 208,  
SUBSTITUTE SENATE BILL NO. 216,  
SENATE BILL NO. 219,  
ENGROSSED SENATE BILL NO. 227,  
SENATE BILL NO. 237,  
ENGROSSED SENATE BILL NO. 246,  
SENATE BILL NO. 249,  
SENATE BILL NO. 260,  
ENGROSSED SENATE BILL NO. 261,  
SENATE BILL NO. 270,  
ENGROSSED SENATE BILL NO. 273,  
SENATE BILL NO. 288,  
SENATE BILL NO. 302,  
ENGROSSED SENATE BILL NO. 314,  
SENATE BILL NO. 320,  
SENATE BILL NO. 321,  
SENATE BILL NO. 333,  
ENGROSSED SENATE BILL NO. 335,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 352,  
ENGROSSED SENATE BILL NO. 363,  
ENGROSSED SENATE BILL NO. 380,  
ENGROSSED SENATE BILL NO. 391,  
ENGROSSED SENATE BILL NO. 394,  
ENGROSSED SENATE BILL NO. 410,  
ENGROSSED SENATE BILL NO. 411,  
ENGROSSED SENATE BILL NO. 424,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 446,  
SENATE BILL NO. 449,  
SENATE BILL NO. 496,  
SENATE BILL NO. 522,  
ENGROSSED SENATE BILL NO. 737,  
ENGROSSED SENATE BILL NO. 738,  
ENGROSSED SENATE BILL NO. 739,  
SENATE JOINT MEMORIAL NO. 3,  
SENATE JOINT MEMORIAL NO. 5,  
SENATE JOINT MEMORIAL NO. 9,  
SUBSTITUTE SENATE JOINT RESOLUTION NO. 13,  
SENATE JOINT RESOLUTION NO. 14,  
ENGROSSED SENATE CONCURRENT RESOLUTION NO. 2,

SENATE CONCURRENT RESOLUTION NO. 3,  
 SENATE CONCURRENT RESOLUTION NO. 4,  
 SENATE CONCURRENT RESOLUTION NO. 5,  
 SENATE CONCURRENT RESOLUTION NO. 10.

#### MOTIONS

On motion of Mr. Morrison, ENGROSSED HOUSE BILL NO. 726 was rereferred to the Committee on Elections and Apportionment.

On motion of Mr. Morrison, the House reverted to the sixth order of business.

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 25, by Representative Bledsoe:  
 Relating to adjournment of the legislature.

On motion of Mr. Bledsoe, the rules were suspended, House Concurrent Resolution No. 25 was advanced to second reading and read the second time.

On motion of Mr. Bledsoe, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 25 was placed on final passage.

Mr. Bledsoe spoke in favor of the resolution.

House Concurrent Resolution No. 25 was adopted.

#### APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 25, the Speaker appointed as House members of the committee to notify the Governor that the legislature was about to adjourn *sine die*, Representatives North, Pardini and King.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### MOTION

On motion of Mr. Morrison, all bills remaining on the calendar were rereferred to the Committee on Rules and Administration.

#### RESOLUTIONS

House Resolution No. 71-21, by Representative Bledsoe:

BE IT RESOLVED, By the House of Representatives, That a committee of three be appointed to notify the Senate that the House is ready to adjourn *sine die*.

On motion of Mr. Morrison, the resolution was adopted.

#### APPOINTMENT OF COMMITTEE

Under the provisions of the resolution, the Speaker appointed Representatives Jueling, Paris and Backstrom to notify the Senate that the House of Representatives was about to adjourn *sine die*.

#### MESSAGES FROM THE SENATE

March 11, 1971.  
 Mr. Speaker: The Senate has adopted House Concurrent Resolution No. 25.  
 SIDNEY R. SNYDER, Secretary.

March 11, 1971.  
 Mr. Speaker: The President has appointed as members of the Committee to notify the Governor that the Senate is ready to adjourn *sine die*: Senators Washington, Holman, Day.  
 SIDNEY R. SNYDER, Secretary.

March 11, 1971.

Mr. Speaker: The President has signed:  
 SENATE BILL NO. 88,  
 SENATE BILL NO. 97,  
 SENATE BILL NO. 103,  
 and the same are herewith transmitted. SIDNEY R. SNYDER, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SENATE BILL NO. 88,  
 SENATE BILL NO. 97,  
 SENATE BILL NO. 103,  
 HOUSE CONCURRENT RESOLUTION NO. 25.

## REPORT OF SPECIAL COMMITTEE

The House members of the committee appointed to notify the Governor that the legislature was about to adjourn *sine die* appeared at the bar of the House and stated that the committee had so notified the Governor, and that he was willing that the session adjourn *sine die*.

The report was received and the committee was discharged.

## MESSAGES FROM THE SENATE

March 11, 1971.

Mr. Speaker: The President has signed HOUSE CONCURRENT RESOLUTION NO. 25, and the same is herewith transmitted. SIDNEY R. SNYDER, Secretary.

## COMMITTEE FROM THE SENATE

A committee from the Senate comprised of Senators Scott, Fleming and Jolly appeared at the bar of the House to notify the House that the Senate was about to adjourn *sine die*.

The report was received and the committee retired.

## REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was about to adjourn *sine die* appeared at the bar of the House and reported the committee had performed its mission.

The report was received and the committee was discharged.

## POINT OF INQUIRY

Mr. Beck: "There are some rumors floating around the halls out here that the Governor has proclaimed an emergency and might call us into special session. Have we been notified?"

The Speaker: "The Governor has filed with the Secretary of State a call for a special session of the Forty-second Legislature to commence at 9:00 a.m., Friday, March 12, 1971. I suggest you all be here at that time, and we will read that message to you."

## PERSONAL PRIVILEGE

Mr. Grant: "Mr. Speaker, point of personal privilege. I simply want to commend you for your conduct during this regular session and your leadership in this House of Representatives. I think we, on this side of the aisle, feel that you have been most fair and arbitrary."

Reading of the journal of the sixtieth day of the Forty-second Session of the Legislature was dispensed with and it was ordered to stand approved.

## MOTION

On motion of Mr. Bledsoe, the House of Representatives of the Forty-second Legislature adjourned *sine die*.

MALCOLM McBEATH, Chief Clerk.

THOMAS A. SWAYZE, Jr., Speaker.